

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard.

Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	November 19, 2012	Requested Meeting Date:	December 3, 2012
		Confirmed Meeting Date:	
Received by:			
Contact Information: Please provide all requested information in the fields below. (Print or Type)			
On Behalf of Organization or Individual:		Franklin Police Department	
Name:	Tim O'Sullivan	Telephone:	317-736-3670
Title or Position:	Chief of Police		
E-Mail:	tosullivan@franklin.in.gov		
Address:	2801 N Morton Street		
City:	Franklin	State:	IN
		ZIP:	46131
Who will attend the meeting and present the request?			
Name:	Tim O'Sullivan	Telephone:	317-736-3670
Title or Position:	Chief of Police		
E-Mail:	tosullivan@franklin.in.gov		
Please describe the purpose or title of your presentation.			
New SOP 3.14_IDACS User Policy			
Minor changes to SOP's: 1.8, 1.13, 1.20, 1.22, 1.25, 1.26, 1.27, 2.3, 4.1.			
Supporting documents: All supporting documents should be submitted with the request form.			
1. All listed SOP's.			
2.			
3.			
4.			

Questions about this application or the process described should be directed to the Clerk Treasurer's Office at 70 E. Monroe Street, Franklin Indiana 46131 or by email at jalexander@franklin.in.gov or call 317-736-3609.

New SOP 3.14 – IDACS User Policy

CHANGES MADE TO THE FOLLOWING:

SOP 1.8 (Motor Vehicle Collision Investigations)

1.8.3 Section A – Removed the words “furnished, or” and the attachment SR21.

SOP 1.13 (Vehicle Unlocks)

1.13.3 Section 2 – Added “Document in the report if any damage occurs during the unlock process, and Section 7 – When feasible, unlocks should (removing must always.)

SOP 1.20 (Submission of Reports and Forms)

1.20.3 Section B4 – Added “serious” to felony crime scene.

SOP 1.22 (No Trespass Ticket)

1.22.3 Section B – Removed all verbiage with the exception of additional violations and added to that. Removed subsections 1 & 2.

SOP 1.25 (Motor Vehicle Inventories)

1.25.1 – Added “Abandoned/Impounded Vehicle Report.”

SOP 1.26 (Operation Pull Over)

1.26.3 Section A2 – Changed international to intentional.

SOP 1.27 (Custodial Interrogation)

1.27.4 Section 2 – Changed colloquy to conversation.

SOP 2.3 (Electronic Incapacitation Device – Taser)

2.3.4 Section E – Removed “however, they must be documented on a log sheet assigned to each Taser.”

SOP 4.1 (Awarding Department Commendation Bars)

Attachment/Advanced Certification medal changed as it was a jailer medal.

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 3.14

Subject: IDACS USER POLICY		References:
Special Instructions:		No. of pages: -2-
Distribution: All Units	Effective Date: December 3, 2012	Reevaluation Date:

3.14.1 PURPOSE

To establish guidelines for the use of the IDACS/NCIC system; and the dissemination of data obtained from IDACS/NCIC.

3.14.2 POLICY

Department personnel shall not release data received from IDACS/NCIC to anyone other than authorized criminal justice agencies, and shall only release such data in the discharge of their official, mandated responsibilities. Further, employees shall not inquire into any IDACS files unless an inquiry is made in the discharge of their official mandated responsibilities.

3.14.3 DEFINITIONS

- A. System- Refers to IDACS, NLETS, and/or NCIC terminals; equipment; including MDC's, and all data accessible from or stored therein.
- B. Data- any BMV data or Criminal History Data obtained from IDACS/NCIC. It is information collected by criminal justice agencies or individuals consisting of identifiable descriptions and notations of arrests, indictments, information and other formal sentencing and correctional system intake, transfer and release. It includes information obtained from the Interstate Identification Index (III), Violent Gang and terrorist Organization File (VGTOF), Convicted Persons on Supervised Release, immigration Violator File (formerly the Deported Felon File), Convicted sexual Offender Registry File, historical Protection Order File of the NCIC, and any other information obtained from the Federal Department of Justice Information system.
- C. Criminal Justice Agency- Any agency of department of any level of government whose principal function is the apprehension, prosecution, adjudication, incarceration, probation, or rehabilitation of criminal offenders.
- D. Other data received via IDACS/NCIC – All data received and transmitted, through the computer terminals, from Central Records, the Bureau of Motor Vehicles (BMV), Delayed Inquiry Hit Response Notifications and all response from IDACS/NCIC inquiries.

3.14.4 PROCEDURE

- A. The Department may provide Criminal History or BMV Data to, or receive Criminal History or BMV Data from any other Criminal Justice Agency. This includes any individual or agency:
 - 1. For the purpose of criminal justice activities and criminal justice employment.

2. For any purpose authorized by state statute, executive order (and approved by the Attorney General of the United States) or court rules, decision or order as construed by state or local officials or agencies.
 3. Pursuant to a specific agreement with a criminal justice agency to provide service required for the administration of criminal justice.
 4. For the purpose of research, evaluation or statistical activities pursuant to an agreement with criminal justice agency.
- B. No agency shall confirm the existence or nonexistence of criminal history or BMV data to any person or agency that would not be entitled to receive the information itself.
1. Data received from Central records, IDACS/NCIC and NLETS through the system shall be released on to criminal justice agencies in the discharge of their official mandated responsibilities. These agencies include:
 - a. Police Departments at all government levels (including private college and national police departments as authorized by Indiana Code) responsible for enforcement of general criminal laws.
 - b. Hazardous material information may be released to the Indiana State Department of Health, fire departments, or other health care providers in emergency situations.
 - c. Prosecuting agencies and departments at all government levels.
 - d. Indiana BMV data can only be released to law enforcement/criminal justice agencies as defined in IC 9-14-3.5-10.
 - e. Courts at all government levels with a criminal or equivalent jurisdiction.
 - f. Confirmation of the entries into NCIC and IDACS of non-emancipated minors may be released to the parent, legal guardian or next of kin.
 - g. Correction departments at all government levels, including corrective institutions and probation departments.
 - h. Parole commissions and agencies at all government levels.
 - i. Agencies at all government levels which have as a principal function the collection and providing of fingerprint identification information.
 - j. Regional or local government organizations established pursuant to statute which collect and process criminal justice information and have been granted access by the Criminal Justice Information Services Division of the Federal Bureau of Investigation (FBI).

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 1.8

Subject: MOTOR VEHICLE COLLISION INVESTIGATIONS		References: SOP 1.6 & 1.1
Special Instructions: See IC 9-26; 9-30-5; 9-30-7; 35-33-1-1		No. of pages: -2-
Distribution: All Units	Effective Date:	Reevaluation Date:

1.8.1 PURPOSE

This Standard Operating Procedure shall establish the proper method for the investigation of motor vehicle collisions.

1.8.2 POLICY

It is the policy of the Franklin Police Department that all investigations of motor vehicle collisions will conform to Indiana Codes 9-26; 9-30-5; 9-30-7; 35-33-1-1; and any other applicable state statutes.

1.8.3 PROCEDURE

- A. Whenever an officer of this department investigates a collision which occurred on a public street, private property, or parking lot which is maintained for public use, in which the apparent aggregate physical damage exceeds \$1000.00, or a death or injury to a person occurs, an accident form provided by the State of Indiana must be completed. In addition, each driver should be made aware of the Indiana Operator's Proof of Insurance form (State Form 52441, or SR21).
- B. Whenever a collision occurs on public or private property, in which the aggregate damage is apparently less than \$1000.00, officers MAY complete a Franklin Police Department "10-50 Report" or Indiana accident form. However, if any of the participants request that a form be completed, the officer shall complete a report. In all cases the involved persons and plate numbers will be added to a supplement narrative.
- C. If, because of inclement weather, numerous emergency calls, natural disasters, etc., the number of collisions reported to this agency becomes unmanageable, drivers involved in **PROPERTY DAMAGE COLLISIONS** should be advised to exchange information.
- D. Officers who investigate collisions shall observe for the involvement of alcohol or intoxicating drugs, treat the area of the collision as a crime scene, observe carefully for physical evidence, measure marks in the roadway, and note transient or permanent view obstructions, etc. Serious personal injury accidents should be photographed. Whenever possible, the cameras provided for use by road units should be used. **IF REQUIRED**, the **ON CALL** detective may be requested to assist with the investigation, or the taking of photographs.
- E. All Hit and Run reports require an ARIES crash report according to State Code.

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 1.13

Subject: VEHICLE UNLOCKS		References:
Special Instructions:		No. of pages: -2-
Distribution: All Units	Effective Date: June 7, 2011	Reevaluation Date:

1.13.1 PURPOSE

To provide a guideline for assisting citizens with unlocking vehicles.

1.13.2 POLICY

Members of the Franklin Police Department may attempt to open locked motor vehicles by use of a "lock-jock" or other appropriate device under the conditions set forth below.

1.13.3 PROCEDURE

Any requests for the opening of a locked motor vehicle must conform to the following standards:

1. Confirm the owner of the vehicle and run report on vehicle and driver.
2. The operator must be present, and sign a waiver of responsibility for any damage incurred by the officer (See attached). Document in the report if any damage occurs during the unlock process.
3. Owner required to be 18 years or older.
4. The motor vehicle must be of a 1984 model year or older when using lock jock. **The use of an auto wedge kit, long reach tool, can be used for any year vehicle.**
5. The motor vehicle cannot have electric locks, whether operable or not, when using lock jock.
6. The dispatcher must log the year, make, and license plate number of the motor vehicle involved, and whether or not entry was actually gained.
7. When feasible, unlocks should be done on the passenger door.
8. The above may only be waived in the case of an emergency, such as a child locked in, fire, etc.
9. Any requests for assistance in unlocking vehicles located outside of the city limits may be done at the Shift Supervisor's discretion.



FRANKLIN POLICE DEPARTMENT
VEHICLE ACCESS AUTHORIZATION



OFFICER'S NAME

P.E. NO.

LOCATION OF UNLOCK

VEHICLE: YEAR MAKE COLOR

I hereby request and authorize the Franklin Police Department to unlock my vehicle, (or the vehicle I am responsible for), which is described above. I also understand that the police department will do so as an accommodation to me, but at my sole risk. Accordingly, I hereby release the Franklin Police Department, it's Officers, and the City of Franklin, from any claims from any damage whatsoever arising from the performance of such work.

* THIS PROCESS MAY CAUSE DAMAGE TO YOUR VEHICLE

(print) LAST NAME FIRST MI

DATE OF BIRTH

SIGNATURE

TIME

NOTES:

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 1.20

Subject: SUBMISSION OF REPORTS AND FORMS		References:
Special Instructions:		No. of Pages: -2-
Distribution: All Officers	Effective Date:	Reevaluation Date:

1.20.1 PURPOSE

To provide instruction regarding the submission of official reports and forms used by members of the Franklin Police Department.

1.20.2 POLICY

All official reports and forms will be submitted to the proper authority in a clear, legible, complete, accurate and timely manner. Further, it is the direct responsibility of Shift Supervisors to ensure the compliance with this Standard Operating Procedure.

1.20.3 PROCEDURE

A. Submission of Reports and Forms

1. All incident reports must provide information concerning who, what, when, where, how and why.

All officers will be issued a MDC (Mobile Data Computer) for recording reports which should be used to complete reports in a timely and efficient manner. However, lengthy reports may be completed on station at discretion of the shift OIC.

2. All official reports and forms should be completed and filed prior to the responsible officer's end of tour. If justified, the **ON DUTY** supervisor may permit the responsible officer to delay the submission of a report until the next day. All officers are charged with ensuring that all information recorded on the incident report is complete and accurate.

B. Related Documents/ Statements

1. All documents related to each incident, including written statements of victims and/or witnesses, **MUST** be marked with the appropriate incident number on the upper right corner of the document, and submitted to the Records Section by the responsible officer, unless relieved by a commanding officer or detective. When appropriate, copies must also be forwarded to the Prosecutor's Office, Juvenile Probation, DCS, Court, etc.
2. The officer taking the statement(s) is required to ensure that the information is complete, legible, and signed by the person making the statement.
3. When necessary, the responsible officer may request permission from the **ON-DUTY** supervisor to have the **ON-COMING** supervisor pick up a statement that has not been completed prior to the responsible officer's end of tour. The responsible officer is still tasked with ensuring the completeness and legibility of all statements.

4. Because of the possibility of personal liability to, as well as the importance of timely documentation of calls handled by members of this department, **EVERY** officer present at any arrest, serious felony crime scene, use of force, injury to a prisoner, serious incident, or any other call which may involve the filing of charges against a suspect, or circumstances which may lead a citizen to make accusations of improper conduct by our personnel, **MUST** complete a supplement to the report that is filed by the responsible officer. The supplement is to include, but is not limited to, observations made, conversations overheard, evidence collected, etc.

C. Supervisor Responsibilities

1. OIC's are responsible for reviewing all reports for accuracy and completion prior to end of shift and will acknowledge by initialing the report. The responsible shift OIC may request the oncoming OIC to accept the responsibility if necessary.
2. Because of the importance of accuracy with regard to police records, all reports or forms which are found to be defective will be brought to the attention of the reporting officer's shift commander for appropriate corrective action.

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 1.22

Subject: NO TRESPASS TICKET		References:
Special Instructions:		No. of pages: -1-
Distribution: All Units	Effective Date:	Reevaluation Date:

1.22.1 PURPOSE

It is the purpose of this policy to provide guidelines to officers to address the issues concerning trespass.

1.22.2 POLICY

When requested, by an owner or agency having control over a property, to have person(s) trespassed from their property, officers will issue a No Trespass Warning.

1.22.3 PROCEDURE

- A. Officers will document all information on the Franklin Police Department Trespass Warning Ticket and provide the white copy to FPD Records, yellow copy to the property owner, pink copy to the trespasser and personally deliver a photocopy to dispatch. When the Records Division files the original, they will take the white copy to dispatch to be filed and the photocopy will be destroyed. Officers must indicate all pertinent information in the narrative including time, date and location of service and enter all involvements necessary for future prosecution. If the trespasser refuses to sign, the officer must indicate on the warning "refused" or "jailed."
- B. Officers may handle additional violations by advising the complainant that they may seek a protective order in cases that involve more than trespass issues, and document that in the narrative.
- C. The Spillman names file involvement will indicate when a trespasser/violator has been issued a Trespass Warning Ticket.
- D. The only outright physical arrest for trespass will be from Franklin Police Department Trespass Warning or stemming from a court order. If a property owner issued their own trespass warning and request prosecution, and if the officer has probable cause then the case may be forwarded to the Prosecutor's Office for review. The officer may issue a Franklin Police Department Trespass Warning Ticket at that point. If, at any time, the trespasser refuses to leave in the officers presence they are subject to arrest.

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 1.25

Subject: MOTOR VEHICLE INVENTORIES		References: SOP 1.16, 1.20
Special Instructions:		No. of pages: -2-
Distribution: All Units	Effective Date:	Revised:

1.25.1 PURPOSE

The purpose of this policy is to provide officers with guidelines for determining when and how a motor vehicle inventory should be conducted, as well as directing the completion of BMV Form 322B, "Abandoned/Impounded Vehicle Report."

1.25.2 POLICY

A motor vehicle inventory is an administrative measure designed to protect motor vehicles and their contents while in police custody; to protect the agency against claims of lost, stolen, or damaged property; and to protect departmental personnel and the public against injury or damaged property due to hazardous materials or substances that may be in the vehicle. It is the policy of this department to safeguard the above property and interests and to conduct motor vehicle inventories only in accordance with the following procedures.

1.25.3 PROCEDURE

A. LEGAL AUTHORITY TO INVENTORY

1. Officers of this agency shall conduct a motor vehicle inventory when:

The vehicle has been seized or impounded pursuant to the arrest of the driver, after towing the vehicle for violations, after towing as permitted or required by law, or for related enforcement, safety, and/or care taking purposes.

2. Examination of the contents of a motor vehicle pursuant to a criminal investigation, or for the specific purpose of discovering evidence of a crime, is a search, not an administrative inventory. Officers shall be guided by current law and court rulings when engaged in these actions.

B. SCOPE OF INVENTORY

1. The contents of **ALL** motor vehicles that are seized and/or impounded by this department **SHALL** be subject to inventory in accordance with the provisions of section 1.25.3A of this policy.
2. An inventory should be conducted in the location at which the vehicle is seized unless limited by reasons of safety or practicality. If so, the vehicle shall be inventoried as soon as possible following impoundment.
3. A motor vehicle inventory may extend to all areas of the vehicle in which personal property or hazardous materials may reasonably be found, including, but not limited to, the passenger compartment, trunk, and glove compartment.
4. All closed containers found within the vehicle **SHALL** be opened for purposes of the inventory. Closed and locked containers shall not be forced open, but shall be logged on

the impound report as such. If a key or lock combination is available, locked containers shall be opened and inventoried.

5. For **ALL** vehicles which are ordered towed by this department, abandoned, seized, etc., the responsible officer for the incident **SHALL** cause the completion of Indiana BMV form 322B prior to going off duty (reference SOP 1.20). For purposes of paperwork control, the appropriate incident number **SHALL** be entered on the top of BMV form 322B. The reason for tow box **MUST** be used to indicate whether or not a "department investigative hold" is to be placed on the vehicle, and the responsible authority for the release. In addition, it is **MANDATORY** that officers include the mention of any tow-ins in reports and detailed information about any investigative holds in a supplement field.

C. PROPERTY CONTROL

1. All items of value shall be itemized on Indiana BMV form 322B. Items of great value shall be turned over to the control of the property room for safekeeping (See SOP 1.16). If the number of articles located in a vehicle are so great that there is insufficient room on form 322B, officers are directed to list items on a statement form, marked at the top with the incident number and serial number of the BMV form 322B being used, and submitted to Records.
2. The control and safekeeping of hazardous materials shall be the responsibility of the property officer (See SOP 1.16).
3. Contraband and evidence discovered during the course of a motor vehicle inventory shall be deposited with the property officer in accordance with procedures outlined in SOP 1.16.
4. All copies of BMV form 322B, except the canary copy, will be *given to the wrecker driver* for forwarding to BMV. The canary copy of BMV form 322B will be turned into the Records Division.
5. The Records Division shall maintain a file of the canary copies of BMV form 322B. Forms which are marked to indicate "department investigative holds" are to be initialed and dated as to when they were released. For "holds" for a specific person, or investigation, the impounding officer **SHALL** ensure that the person or agency whose permission must be given prior to release be indicated on BMV form 322B, and supplement field of the incident. The Records Division shall not authorize the release of the impounded vehicle until that person or authorized agent of that agency advises that a release is appropriate.

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 1.26

Subject: OPERATION PULL OVER		References:
Special Instructions:		No. of pages: -1-
Distribution: All Units	Effective Date:	Revised:

1.26.1 PURPOSE

To provide uniform guidelines for the enforcement of Indiana Laws regarding passenger restraint systems, and the overtime patrols during Operation Pull Over.

1.26.2 POLICY

All personnel within this agency shall take a "zero tolerance" approach toward violations of the laws regarding passenger restraint systems. All personnel shall be properly restrained while riding in a department-owned vehicle.

1.26.3 PROCEDURE

A. Enforcement

1. A vehicle may be stopped to determine compliance with Indiana law regarding passenger restraint systems. However, a vehicle, the contents, the driver or passenger may not be inspected, searched or detained solely because of a violation of this type.
2. Each officer should insure that the use of passenger restraints is addressed at every traffic enforcement contact, including positive reinforcement if proper use of the passenger restraint is observed. All occupants, as required by Indiana law, should be checked for compliance.

This would include all passengers in vehicles operated by a driver with a graduated license. When passenger restraints are not being used correctly, officers should provide the appropriate educational information to encourage their proper use. This information may be provided in verbal or written form. If non-use or intentional misuse of passenger restraints is noted, the appropriate enforcement action should be taken.

3. Officers working overtime enforcement are required to maintain a minimum average of three (3) contacts per hour. When working seat belt enforcement projects, officers shall maintain an average of 1.5 Occupant Protection citations per hour. No warnings, verbal or written, shall be issued for Occupant Protection violations. When working DUI overtime patrols, the minimum average of DUI arrests is one per eight (8) hours.

B. Training

1. All personnel within this agency who perform traffic enforcement activities should receive training on this policy, in addition to completion of an approved SFST and TOPS course for those officers working OPO. Officers not complying with the training requirements prior to the deadline, established by the Governor's Council On Impaired and Dangerous Driving, shall not be eligible to work OPO.

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 1.27

Subject: CUSTODIAL INTERROGATION		References: Attachment - IN Evidence Rule 617
Special Instructions:		No. of pages: -2 -
Distribution: All Units	Effective Date: 10/18/2011	Reevaluation Date: 10/18/2013

1.27.1 PURPOSE:

To ensure compliance with the Indiana Supreme Court's amended Rules of Evidence which prohibits evidence of a suspect's statement taken during police station questioning unless it was electronically recorded. There are certain exceptions to this rule, as noted below.

1.27.2 DEFINITIONS:

"Electronic Recording" means an audio-video recording that includes at least not only the visible images of the person being interviewed but also the voices of said person and the interrogating officers;

Custodial Interrogation" means an interview conducted by law enforcement during which a reasonable person would consider himself or herself to be in custody;

"Place of Detention" means a jail, law enforcement agency station house, or any other stationary or mobile building owned or operated by a law enforcement agency at which persons are detained in connection with criminal investigations.

1.27.3 POLICY:

It is the policy of the Franklin Police Department that all Custodial Interrogations conducted in a Place of Detention must be Electronically Recorded except upon clear and convincing proof that one of the noted exceptions existed at the time of the interrogation. The Electronic Recording must be a complete, authentic, accurate, unaltered, and continuous record of a Custodial Interrogation.

1.27.4 EXCEPTIONS:

1. The statement was part of a routine processing or "booking" of the person; or
2. Before or during a Custodial Interrogation, the person agreed to respond to questions only if his or her Statements were not Electronically Recorded, provided that such agreement and its surrounding conversation is Electronically Recorded or documented in writing; or
3. The law enforcement officers conducting the Custodial Interrogation in good faith failed to make an Electronic Recording because the officers inadvertently failed to operate the recording equipment properly, or without the knowledge of any of said officers the recording equipment malfunctioned or stopped operating; or

4. The statement was made during a custodial interrogation that both occurred in, and was conducted by officers of, a jurisdiction outside Indiana; or
5. The law enforcement officers conducting or observing the Custodial Interrogation reasonably believed that the crime for which the person was being investigated was not a felony under Indiana law; or
6. The statement was spontaneous and not made in response to a question; or
7. Substantial exigent circumstances existed which prevented the making of, or rendered it not feasible to make an Electronic Recording of the Custodial Interrogation, or prevent its preservation and availability at trial.

1.27.5 PROCEDURE:

Custodial Interrogations conducted at the Franklin Police Department or other Places of Detention shall be audio-video recorded unless one of the aforementioned exceptions exists at the time of the Custodial Interrogation.

When conducting Custodial Interrogations at the Franklin Police Department one of the two provided interview rooms must be used. An introduction should be recorded at the beginning of the interview to include the day, date, time, person(s) present and the appropriate incident number. Patrol officers should forward a request via voice mail and/or email to Chief of Detectives or the supervisory Detective, requesting the interview be preserved, and request a CD/DVD copy of the interview if needed. If transcripts of the interview are needed, this request should also be made through investigations.

When conducting Custodial Interrogations at other Places of Detention, that facilities Electronic Recording devices should be utilized. If there is no Electronic Recording devices available, request a portable Electronic Recording device through investigations.

This SOP is in addition to, and does not diminish, any other requirement of law regarding the admissibility of person's statements.

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 2.3

Subject: ELECTRONIC INCAPACITATION DEVICE - TASER		References: R&R Chapter 7
Special Instructions:		No. of pages: -6-
Distribution: All Units	Effective Date:	Reevaluation Date:

2.3.1 PURPOSE

This policy is intended to provide general guidelines for the use of the Taser M26/X26 (hereinafter "Taser"). The Taser will be used as an additional police tool and is not intended to replace firearms or other self-defense techniques. The Taser may be used to control dangerous or violent subjects when deadly force does not appear to be justified and/or necessary; or attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the situation; or there is reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.

2.3.2 INFORMATION

The Taser is a Conducted Energy Weapon; an electronic incapacitation device. It is a defensive weapon, the decision to use the Taser is based on the same criteria an officer uses when selecting to deploy chemical agents or aerosol projectors. The decision must be made dependant on the actions of the subject(s) or threat facing the officer(s) and the totality of the circumstances surrounding the incident. In any event; the use of the Taser must be reasonable and necessary.

The Taser functions in two ways:

1. It uses compressed nitrogen to project two probes a maximum of 21 feet. An electrical signal is then sent to the probes, via small wires, which disrupts the body's ability to communicate messages from the brain to the muscles and causes motor skill dysfunction.
2. Acts as a touch stun when brought into immediate contact with a person's body.

Each Taser has a data port that stores the date and time of each firing of the weapon. The data provides complete and accurate documentation of each firing.

Any use of an electronic incapacitation device contrary to the direction of this policy can result in the revocation of the officer's permission to use such product and may subject the officer to disciplinary action.

2.3.3 POLICY

Department personnel shall only carry and use Taser's or electrical incapacitation devices approved by the Chief of Police. Members may use only department issued Taser Air Cartridges. All officers of the Franklin Police Department will successfully complete an approved Taser User familiarization training program. Only officers certified through a department approved Taser training program will be issued; or may use a Taser.

Re-certification for Taser users shall occur annually. Re-certification for Taser instructors shall occur every two years.

2.3.4 PROCEDURES

- A. Only properly functioning and charged Tasers shall be carried for use.
- B. All officers assigned to patrol duties will carry a Taser unless specifically exempted by the Chief of Police or his designee.
- C. The Taser shall be carried in the issued holster or other holster approved by the Chief of Police.
- D. When not in use the Taser shall be properly secured and treated as a weapon.
- E. Each discharge, including accidental discharges, of the Taser shall be investigated and documented using a Taser Use Report. "Spark" tests and approved training discharges are exempt from the reporting requirement. It is recommended to spark test at least four (4) times per pay period.
- F. **NEVER** aim the Taser at the eyes or the face. It is laser sighted – the top probe will follow the front and rear sights and the laser sight; the bottom probe will travel at an 8 degree downward angle below the aim point. The rule of thumb for the bottom probe (due to the 8 degree drop) is that it drops 1 foot for every 7 feet of travel. The Taser has a range of 21 feet. Optimum distance for deployment is 7-15 feet.
- G. Keep hands away from the front of the unit at all times unless the safety slide is forward and the Taser is deactivated. ****HANDLE THE TASER AS YOU WOULD A LOADED HANDGUN**** Horseplay with a loaded or unloaded Taser, it's laser sighting system, or any components will not be tolerated and will subject the offender to disciplinary action.
- H. Always replace air cartridges by their expiration date and use for training only.
- I. **DO NOT** fire the Taser near flammable liquids or fumes. Do not deploy in highly flammable environments such as meth labs, etc. Do not deploy with non-compatible defense spray.
- J. Prior to the use of the Taser, if practical, the user should broadcast on the primary radio channel his intention to deploy the Taser by announcing "Code Taser". The user should also verbally announce, if feasible, "TASER – TASER!" indicating the use of the Taser is imminent. The purpose of these announcements is to ensure other officers present or enroute to your location are aware you are deploying less lethal force.

2.3.5 TACTICAL CONSIDERATIONS AND LIMITATIONS

DO NOT USE IN ANY OF THE FOLLOWING SITUATIONS:

- A. Any known or obviously pregnant female. (Danger of secondary fetal injury due to fall)
- B. Any subject who is saturated with or in the presence of highly flammable or combustible materials and liquids.
- C. Any subject who may receive a secondary injury resulting from a fall from its use, i.e. standing on a roof ledge, a high elevation, bridge or abutment, etc.
- D. Avoid the facial area of the head, neck, groin, and female breast, if possible.

- E. May not be used as a tool of coercion or punishment.
- F. Excessive use of the Taser in subduing a subject is forbidden.

DEPLOYMENT

- A. Use common sense.
- B. Use verbal commands and point laser sight at subject prior to firing.
- C. Have an additional air cartridge available or a second Taser ready to fire in case probes miss the target or there is a malfunction.
- D. Unless the situation requires the immediate use of force to protect the officer or a third party, have back up present to prepare to arrest or use other force options as appropriate and necessitated by the situation.
- E. Aim at center mass and from the rear if possible. Watch for thick or loose clothing.
- F. Use cover and distance to ensure officer safety.
- G. If the subject runs, the officer must run also to prevent wires from breaking.
- H. Use extreme caution on subjects in swimming pools or deep bodies of water due to the chance of drowning. If immediate circumstance dictate the use of the Taser in water situations, be prepared to effect immediate water rescue.

2.3.6 POST-USE PROCEDURES

- A. Once the target is under control and properly restrained, advise communications of a Taser deployment. EMS will be dispatched to the scene for a checkout. After examining the affected subject, medics will make the determination if the subject should or should not be transported to the hospital for evaluation.
- B. If the probes penetrate the skin, removal will be by a trained officer or medical personnel. Officers should inspect the probes to ensure the entire probe and probe barb has been removed. Officers must wear gloves when removing probes from subjects, and the procedure shall be recorded on on-board video cameras whenever possible. Still photographs shall be taken of the probe penetration sites before and after removal. Medical personnel should clean and bandage the wounds as indicated.
- C. If the probes are embedded in soft tissue areas such as the neck, face and groin, and female breast; removal shall be by medical staff only.
- D. When the Taser is used, secondary injuries can occur, and are usually caused by falling to the ground. These type of injuries may require medical treatment.
- E. Probes that have been removed from the skin will be treated as **biohazard** sharps. Probes should be placed point down into the expended cartridge box, secured with tape and submitted to property as evidence.

- F. Every time an air cartridge is fired, it disperses 20-30 identification tags called AFID's (Anti-Felon Identification). At least two AFID's will be placed in the evidence envelope with the air cartridge. The number from the AFID's shall be logged on the Taser Use Report.
- G. The Taser shall then be turned over to the Operation's Commander, or his designee, via property officer, if necessary, for downloading of information from the Taser.
- H. The Operation's Commander, or his designee, will retain all records and downloaded information.

2.3.7 SUPERVISORY RESPONSIBILITY

- A. Ensure that incidents involving any discharge of the Taser is investigated and properly documented.
- B. Ensure only officers certified and approved by the Franklin Police Department are issued and using the Taser.
- C. Respond to all scenes where the Taser has been or is expected to be deployed.
- D. Ensure EMS is requested and appropriate emergency care is administered.
- E. Evaluate the scene and ensure appropriate investigative units respond when necessary.
- F. Ensure that officers who discharge the Taser complete a Taser Use Report. All officers present when a Taser is discharged should complete a supplemental incident report.
- G. Ensure the reports are forwarded to the Operation's Commander. The Admin on call should be notified when hospitalization is required.
- H. Ensure photographs are taken of the probe penetration sites and any secondary injuries caused by falling to the ground, etc.

2.3.8 CARE OF THE TASER

- A. The Taser is a sensitive electronic product and costly device. Care should be taken to avoid dropping the unit and to assure it is adequately secured at all times.
- B. Defective or inoperable Tasers or Taser cartridges shall be returned to the Operation's Commander.
- C. Replace air cartridges by the expiration date as marked on the cartridge. Replacement Air Cartridges are available through the Operation's Commander.

GENERAL INFORMATION				
Incident #:		EMS#	Hospital	
Date of the incident:		Time of incident:		
Location of the Incident: Inside Outside Open Area Enclosed Area Vehicle				
Subjects Name: Last:		First:		
Call Type:		Photographs Taken: Yes No		
Supervisors: Sgt:		C/O:		
Reporting Officer:				
Serial Number of Device:				
Serial Number of probe cartridge if expended:				
Officers Involved:				
Primary _____		Support _____		
Support _____		Support _____		
TASER USE INFORMATION				
Advanced Taser Probe Contact: Yes No		Touch Stun Gun Contact: Yes No		
Number of times Taser Display Only _____		# of times display only W/ Laser _____		
Number of Touch Stuns _____				
Number of times Applied (Probe Contact) _____				
Number of activations after probe contact _____				
Type of Force used prior to Taser: None Chemical Physical Less-Lethal				
Type of Force Used After Taser: None Chemical Physical Less-Lethal				
Approximate Target Distance at the time of dart Launch:				
Did the Taser gain subjects compliance: Yes No Need for Additional Shot: Yes No				
Did the dart contacts penetrate the subjects skin: Yes No				
Was the subject under the influence of: Drugs Alcohol				
Subject's demeanor after taser was used or displayed: Cooperative Belligerent Combative Abusive Aggressive Complaining				
MEDICAL INFORMATION				
Was an Officer, Police Employee or Citizen injured: Yes No				
Nature of injury and Medical Treatment Required other than normal injury caused by taser darts:				

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 4.1

Subject: AWARDING DEPARTMENT COMMENDATION BARS		References:
Special Instructions:		No. of Pages: -4-
Distribution: All Units	Effective Date:	Reevaluation Date:

4.1.1 PURPOSE

The purpose of this SOP is to provide guidance to officers and civilians as to eligibility, recommendation, procedures, and requirements necessary for awarding Franklin Police Department Commendation Bars.

4.1.2 POLICY

It is the policy of the Franklin Police Department to recognize Officers and civilians who perform acts, achievements, or services worthy of recognition through the department commendation program. Further, it is both a responsibility and privilege for all Officers and Civilian personnel to report such acts to the proper authority in an accurate and timely manner. Recommendations **MUST** be based upon specific acts of achievement, service, or valor. Average or expected performance of duty does not by itself warrant a recommendation.

4.1.3 PROCEDURE

A. GENERAL INFORMATION

1. Ten commendation bars have been selected from the firm of Davis and Stanton, 4002 W. Miller Road, Suite 140, Garland, TX 75041, 214/340-1321 or 1-800-222-2593, FAX 214-340-1388 P.O.C. Crystal Berreles.

In order of precedence and stock number they are:

- a. Medal of Valor - B101
 - b. Meritorious Conduct Medal - F105
 - c. Life Saving Medal - E104
 - d. Purple Heart - L111
 - e. Police Commendation Medal - P115
 - f. Police Shield - K110
 - g. Community Service Medal - D103
 - h. Educational Achievement - N113
 - i. Advanced Certification – 0114
 - j. Military Service – V121
2. In order to attempt a fair and equitable initial issuance of awards, the following guidelines are set:
 - a. All existing awards will be converted to its counterpart.
 - b. Personnel records will be researched back to January 1, 1992, for information that would justify issuance of an award.
 - c. The final decision for any initial issuance based on existing official records rests with the Chief of Police.

B. RECOMMENDATION AND APPROVAL PROCEDURES

1. Who may recommend? Any officer or civilian employee of the Franklin Police Department may make a recommendation for any authorized commendations. Further, the administration of the Department considers it a duty of its officers and civilians who have personal knowledge of an act, service, or achievement believed to warrant a commendation to submit a recommendation.
2. Who may receive commendations? Any officer or civilian as outlined in each commendation's requirements. Further, only officers in good standing, who are not under suspension or investigation, may receive commendations. Civilians convicted of felonies, or under investigation for felony crimes, may not receive commendations.
3. What forms will be used? All recommendations will be typed in block letter format, addressed and forwarded to the Chief of Police. All supporting documents, statements, reports, etc. shall be attached. Each required element of the commendation must be outlined in detail. Dates, places, witnesses, etc. must be noted. **DOCUMENTATION IS REQUIRED.**
4. What is the time limit for submission? Six (6) months from the event.
5. Duplication of Awards - only one (1) commendation per act, except in the case of acts reflecting the awarding of the Meritorious Conduct Medal.
6. Approving Authority - the Medal of Valor may only be approved by the Chief of Police with the advice and consent of the Mayor of the City of Franklin. All other commendations shall be approved, disapproved, or amended by the Chief of Police. The Chief of Police retains the right to appoint a review board chaired by the Deputy Chief to investigate any commendation request.
7. Revocation of Commendations - once awarded, a commendation may only be revoked by the Chief of Police, if facts later determine that the commendation should not have been issued under existing guidelines, or under conditions of individual dishonor to the law enforcement profession.
8. Recording of Commendations - upon approval, the recipient shall receive a formal letter (DC#) from the Chief of Police outlining the events of the act and the commendation by title. In the case of officers and civilian employees, a copy shall be placed in their personnel file.
9. Presentation of Commendations - the Medal of Valor shall be presented at the first available public meeting of the Common Council. All other commendations shall be announced at the first available meeting of the Common Council after an appropriate presentation prescribed by the Chief of Police.

C. ORDER OF PRECEDENCE, ELIGIBILITY AND ELEMENTS OF COMMENDATIONS

1. The Medal of Valor - This medal may be awarded to an officer or civilian who distinguishes him/herself by conspicuous gallantry at the risk of life or serious injury while in the act of law enforcement, or in the protection of life or property, or in assisting

a law enforcement officer of the City of Franklin in his or her official duties. The act must be one of conspicuous personal bravery far beyond that expected of a law enforcement officer or civilian assisting a law enforcement officer.

2. The Meritorious Conduct Medal - This medal may be awarded to an officer, or civilian employee who distinguishes him/herself by outstanding service, achievement, fearlessness or tenacity. Service is intended to mean serving in an assignment authorized by the Department or other authority for a period of not less than one (1) year resulting in a noticeable improvement in operations or marked success in a series of missions. Achievement means a single act of accomplishment so noteworthy as to stand far above that which is normally expected. Fearlessness means an act of courage performed during an enforcement action, or in efforts to protect life or property with a lesser chance of death or injury to oneself than that which would be required for the Medal of Valor. Tenacity means a series of determined acts or noticeable effort over a period of time resulting in the successful accomplishment of an assigned task(s).
3. The Life Saving Medal - This medal may be awarded to officers who, through quick and decisive action, play a major role in the rescue of a person or persons from immediate danger or whose actions clearly result in prolonging the life of a sick or injured person, or whose actions assist in lessening permanent trauma or damage caused by illness or injury. The opinion of a medically qualified authority will be required for the issuance of this medal.
4. The Purple Heart - This medal may be awarded to officers who receive a wound or serious injury as a direct result of actions taken during criminal law enforcement efforts. The wound or injury must have required treatment by a licensed physician. Documentation as to the severity of the wound or injury shall be required.
5. The Police Commendation Medal - This medal may be awarded to an officer who distinguishes him/herself by noteworthy achievement in any documented area of a police related duty. **NO MORE THAN FOUR (4) AWARDS IN A CALENDAR YEAR SHALL BE AUTHORIZED.**
6. The Police Shield Medal - This medal may be awarded to any officer who distinguishes him/herself by meritorious service to the department while acting in a supervisory capacity for a period of not less than six (6) months. The service rendered must have resulted in an improved level of operations, noteworthy acts of selfless leadership, or clear evidence of attempts to improve the professionalism, morale, well-being, or productivity of officers or civilians under his/her direct supervision. **THE CHIEF OF POLICE IS THE SOLE SUBMITTING AUTHORITY FOR THIS AWARD.**
7. The Community Service Medal - This medal may be awarded to any officer who has held a position of leadership (general membership does not qualify) or great responsibility for not less than one (1) year in any of the following: Service Organizations, Fraternal and Veterans Organizations who have a record of service to the public outside their own membership, youth athletics, adult or child support or advocacy groups, church or educational organizations, or officers who play a significant role in organizing, sponsoring or participating in any humanitarian, educational, or charitable function that directly benefits his/her community. This medal may also be awarded to any civilian, group, or other law enforcement officer who provides this Department or its officers with valuable humanitarian or law enforcement assistance. This award shall not be granted to

officers who hold the same leadership role for more than one (1) year, i.e., President of XXXX for three (3) consecutive years equaling three awards.

8. Educational Achievement Medal - This medal may be awarded to any officer who holds a two or four year degree from any accredited college or university.
9. Advanced Certification Medal - This medal may be awarded to any officer who attains advanced certification in any technical or police management related area. The certification must be issued by the L.E.T.B, or from a nationally known leader in police related education, such as the N.A., Northwestern U., etc.

D. WEAR, APPURTENANCES AND MISCELLANEOUS AWARD PINS

1. Wear - When worn (optional), the commendation bars shall be displayed centered just above the right pocket flap of the uniform shirt.
2. Appurtenances - Appurtenances are devices affixed to commendation bars to denote additional awards.
 - a. Gold Stars - This device denotes additional awards for the Medal of Valor, Life Saving Medal, Police Shield Medal, and the Educational Achievement Medal. Each star shall denote one additional award and shall be centered on the medal to a maximum of four (4) stars per bar. Additional awards of the above will require the use of numerals.
 - b. Numerals - This device shall be used to denote additional awards for all other commendation bars. All numerals shall be displayed in the center of the bar.
3. Miscellaneous Award Pins
 - a. Time in Grade Pins - Shall be worn just above the name plate on the left shirt pocket flap (see SOP 3.1).
 - b. Instructor Pins - May be worn on the right pocket flap.
 - c. Firearms Pins - May be worn on the right pocket flap, rating shown must be authorized by the Department Training Officer.
 - d. FOP, IACP, Small Flag and City Pins - One of these may be centered just above the commendation bars.

City of Franklin

Police Department
1 Caisson Drive
Franklin, Indiana 46131
Administration: (317) 736-3670
FAX: (317) 736-3677
Emergency: 911



8101 -Medal of Valor



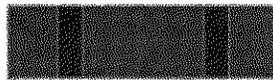
F105-Meritorious Conduct



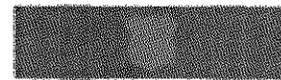
104-Life Saving



L111 - Purple Heart



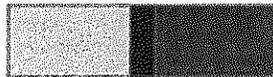
P115 – Police Commendation



K110 – Police Shield



D103 – Community Service



N113 – Educational Achievement



O114 – Advanced Certification



V121 – Military Service

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