



ST. FRANCIS POLICE DEPARTMENT POLICY MANUAL

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TITLE: DEFINITIONS & TERMINOLOGY	NUMBER: 100
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- 100.01 DEPARTMENT** – The Police Department of the City of St. Francis, Minnesota.
- 100.02 HEADQUARTERS** – The police building that houses the headquarters, staff and members of this department.
- 100.03 UNIT** – Any number of members and/or employees of the department regularly grouped together under one commanding officer to accomplish a police purpose (such as the investigation unit).
- 100.04 SHIFT** – That period of a calendar day during which a specified number of members are on duty. For reporting and record keeping purposes, the following number of shifts have been established covering a full day:
- The A Shift – day shift (0700-1700) or (0700-1900) or (0600-1800)
 - The B2 Shift – day power shift (0900-2100)
 - The B Shift – midday shift (1500-2300)
 - The Power Shift – (1400-0200) or (1600-0200) or (1500-0300)
 - The C Shift – midnight shift (1900-0700) or (2100-0700)
- 100.05 MEMBERS** – All persons on the police department staff, including both officers and civilian employees.
- 100.06 OFFICERS** – Every member duly appointed to the police department as a regular peace officer, including supervisors.
- 100.07 CHIEF** – The Chief of Police is responsible to the City Council for the general management and control of the police department and for the efficiency and general good conduct of said department.
- 100.08 SUPERVISOR** – Any rank Sergeant or above.

- 100.09 SENIORITY/SENIOR OFFICER** – Officer with the longest length of continuous service of employment for the St. Francis Police Department.
- 100.10 SUPERIOR OFFICER** – Officer with the rank of Sergeant or above the subject Officer.
- 100.11 COMMANDING OFFICER** – Any officer with rank Sergeant or above the subject Officer.
- 100.12 CHAIN OF COMMAND** – The unbroken line of authority extending from the Chief of Police through a single subordinate at each level of command down to the level of execution.
- 100.13 THROUGH OFFICIAL CHANNELS** – Through the hands of commanding officers in the chain of command.
- 100.14 INSUBORDINATION** – Failure or deliberate refusal of any member or employee to obey a superior officer shall be insubordination. Disrespectful, insolent or abusive language toward a supervising officer is insubordination.
- 100.15 NEGLECT OF DUTY** – Failure to give suitable attention to the performance of duty. Examples include but not limited to:
- A. Failure to take corrective action on the occasion of a crime, disorder or other act or condition deserving police attention:
 - B. Absence without approved leave:
 - C. Unexcused failure to report for duty at the time and place designated:
 - D. Unnecessary absence from his assigned zone during a tour of duty:
 - E. Unexcused failure to conform to departmental operating procedures.
- 100.16 INCOMPETENCE** – Incapable of satisfactory performance of police duties.
- 100.17 TOUR OF DUTY** – The shift during which an individual member is on duty.
- 100.18 ON DUTY** – The state of a member during the period of the day when he/she is actively engaged in the performance of his duties.

- 100.19 OFF DUTY** – The state of a member during the period he is free from the performance of duties.
- 100.20 SPECIAL DUTY** – Police service, the nature of which requires that the member be excused from the performance of his regular duties.
- 100.21 EXTRA DUTY-** Duties assigned by commanding officer above and beyond regular shifts.
- 100.22 DAYS OFF** – Those days, determined by a Supervisor in which a given member is excused from duty.
- 100.23 ANNUAL LEAVE** – Vacation period granted to all members annually.
- 100.24 SICK LEAVE** – The period of time during which an officer is excused from active duty by reason of illness or injury.
- 100.25 LEAVE OF ABSENCE** – The period of time during which an officer is excused from active duty and during which the officer receives no pay.
- 100.26 MILITARY LEAVE** – The period of time during which an officer is excused from active duty to meet military obligations. Status during this period is governed by the City personnel policies and applicable law.
- 100.27 PROBATIONARY PERIOD** – Original appointments shall be followed by a probationary period of (12) months. Promotional appointments shall be followed by a probationary period of six (6) months.
- 100.28 RULES AND REGULATIONS** – Directions issued by the Chief of Police to define the duties and conduct of all members.
- 100.29 LAWFUL ORDER** – Any written or oral directives issued by a superior officer to any subordinate or group of subordinates in the course of police duty which is not in violation of any law, ordinance or any departmental rule or regulation.
- 100.30 PROCEDURE** – The official method of dealing with any given situation prescribed by Chief's order or procedural guide.
- 100.31 REPORTS** – A communication, unless otherwise specified, relating to police matters.

- 100.32 PATROL CAR** – Radio equipped automobile used for patrol duty.
- 100.33 ON THE AIR** – In service with radio equipment in operation.
- 100.34 OFF THE AIR** – In service but not available for radio communication.
- 100.35 OUT OF SERVICE** – Not available for radio communication.
- 100.36 SHALL/WILL** – The words shall and will are used herein to indicate that the action required is mandatory.
- 100.37 MAY/SHOULD** – As used herein words may and should shall mean that the action indicated is permissive.
- 100.38 GENDER** – Use of the masculine gender herein shall also include, where applicable, the female gender.
- 100.39 TENSE OF WORDS** – The words used in the present tense include the future.
- 100.40 PLURALITY OR WORDS** – The singular includes the plural and the plural includes the singular.
- 100.41 GENERAL ORDER** – Ongoing written order, issued by the Chief, not relating to a specific circumstance or situation but affecting or of concern to the entire force.
- 100.42 SPECIAL ORDER** – Written order, issued by Commanding Officer relating to some specific circumstance or situation, usually of temporary nature. Such memorandum expresses the thinking of the issuing authority on the subject under consideration.
- 100.43 BUSINESS DAY** – Any normal weekday (Monday through Friday) 6:00 a.m. to 4:30 p.m., excluding holidays.



TITLE: JOB TITLE/DESCRIPTION	NUMBER: 201 - 211
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

201.00 POLICE CHIEF

201.01 PRIMARY OBJECTIVES

Performs administrative and managerial work overseeing and directing Police Department operations and staff to provide crime prevention, law enforcement and emergency protection to promote a safe, secure community; performs related duties as required.

201.02 SUPERVISION RECEIVED

Works under the administrative direction of the City Administrator.

201.03 SUPERVISION EXERCISED

Provides general supervision to the Sergeant and Administrative Assistant and administrative oversight to all other staff.

201.04 MAJOR AREAS OF ACCOUNTABILITY

- * 1. Plans, directs and oversees department operations; establishes operational plans; delegates work and maintains discipline; responds to and oversees extraordinary law enforcement events and reviews and approves a variety of reports.
- * 2. Supervises staff, either directly or through lower ranking supervisory staff. Initiates and assists in selection process and makes hiring recommendations to City Administrator; provides direction and advice, coaches, trains, assigns and reviews work, awards commendations, conducts performance evaluations and recommends discipline and discharge.
- * 3. Oversees and/or develops and implements department policies and procedures in accordance with federal and state laws and mandates, rules and regulations and to ensure efficient and effective operations.
- * 4. Coordinates law enforcement efforts with the State, area counties and communities, special agencies and task forces and the FBI.

- * 5. Develops long- and short-term goals and ensures their implementation.
- * 6. Promotes community relations efforts, delivers presentations to public and oversees or participates in community relations and crime prevention activities.
- * 7. Oversees and/or participates in legal and judicial activities; signs criminal complaints prepared by City Attorney.
- * 8. Develops the department budget for review by the City Administrator and manages or oversees department finances; identifies and obtains funding (grants, donations, etc.) and maintains the department forfeiture fund.
- * 9. Provides information and assistance to the public; receives citizen complaints, prepares an incident summary and assigns staff to conduct internal affairs investigation.
- *10. Assigns officers to specialty assignments; evaluates the effectiveness of organizations, services, and programs and ensures training, policies, procedures and practices are in place to promote officer safety.
- *11. Reviews and analyzes bids and quotes and approves purchases; submits requests for inclusion in the CIP.
- *12. Supervises and performs routine or non-emergency duties, may identify suspects, investigates licensing permits, (liquor, parade, handgun, etc.) and completes reports on routine, non-emergency situations.
- *13. Ensures enforcement of the labor agreement and personnel policies; responds to concerns and grievances, and provides input in labor negotiations.
- 14. Develops or coordinates development of a disaster/emergency response plan in accordance with Department of Homeland Security and other relevant agencies and jurisdictions; participates in emergency preparedness activities and drills.
- *15. Negotiates contracts for service with the School District and ensures services are provided in accordance with the agreement.
- *16. Oversees record maintenance and disclosure and ensures proper certification and training are obtained by appropriate staff.
- *17. Oversees, coordinates and resolves issues with City and County prosecutors, and members of the judicial system.
- 18. Establishes and maintains a professional and positive image with the public by responding to requests for services and complaints in a professional, pleasant and tactful manner.
- 19. Attends and participates at meetings of the City Administrator, City Council, Commissions and agencies as requested.

20. Performs other duties as needed or assigned.

201.05 KNOWLEDGE, SKILLS, AND ABILITIES

- * ➤ Thorough knowledge of law enforcement procedures and techniques including operation of police vehicles, radios, radars and related equipment.
- * ➤ Considerable knowledge of federal, state, and local laws and regulations as they pertain to law enforcement.
- * ➤ Considerable knowledge of the judicial process as it pertains to law enforcement.
- * ➤ Considerable knowledge of the MN Data Practices Act and City policies.
- * ➤ Considerable knowledge of budgeting, purchasing, and financial controls related to areas of responsibility.
- * ➤ Working skill in handling and discharging firearms in a safe manner.
- * ➤ Working skill to expertly drive a motor vehicle under adverse conditions.
- * ➤ Thorough ability to apply laws to specific incidents.
- * ➤ Considerable ability to analyze situations and determine appropriate action.
- * ➤ Considerable ability to manage and direct operations and to plan, schedule and coordinate activities.
- * ➤ Considerable ability to supervise and motivate staff and to delegate authority and responsibility in a manner conducive to efficient performance and high morale.
- * ➤ Considerable ability to communicate effectively both orally and in writing and to maintain strict confidentiality.
- * ➤ Considerable ability to appropriately resolve citizen and employee complaints and concerns in accordance with established City policy and/or contracts.
- * ➤ Considerable ability to respond quickly and appropriately to crisis and emergency situations.
- * ➤ Considerable ability to safely and effectively handle situations with composure, professionalism and respect for citizens' rights and to direct others to do so.
- * ➤ Considerable ability to see, hear, and remember people, evidence, facts, and circumstances and to “sense” when problems exist.
- * ➤ Considerable ability to maintain the security of data and evidence, enforce compliance with the MN Data Practices Act, HIPAA and related laws and ensure procedures are in place and staff is properly trained to comply with all requirements.
- * ➤ Considerable ability to develop and maintain relationships with City employees, members of the legal and judiciary system, regulatory agency representatives, other law enforcement agencies and the general public.
- * ➤ Considerable ability to oversee and direct the work of others in a 24-hour, seven day/week operation.
- * ➤ Considerable ability to promote and maintain a high standard of professionalism, integrity and ethics, both at work and outside of work.
- * ➤ Considerable ability to handle highly sensitive, confidential and stressful situations.
- * ➤ Considerable ability to develop and enforce policies and procedures.
- * ➤ Considerable ability to prepare accurate and thorough reports and to review reports prepared by others.
- * ➤ Considerable ability to oversee or participate in investigation of crime and accidents.
- Working ability to operate a radio and a squad laptop.

- Some ability to occasionally lift and carry or drag objects or people weighing up to 100 pounds.
- Some ability to work in all types of weather conditions.
- * ➤ Ability to maintain required licenses and certifications

201.06 MINIMUM QUALIFICATIONS

- Must possess and maintain a Minnesota Peace Officer License.
- Must have eight years of law enforcement experience in a jurisdiction with five or more officers five years of which must have been as a sergeant or higher-ranking officer supervising sworn officers.
- Must successfully pass and maintain a satisfactory rating for a police chief on physical agility and psychological evaluations.
- Must possess and maintain a valid Minnesota driver's license or equivalent out-of-state.

* Note: Asterisked items are essential to the job

202.00 CAPTAIN (FUTURE POSITION)

203.00 SERGEANT

203.01 Primary Objectives

Performs supervisory police work involving the protection and safety of the community through prevention and control of crime, participating in the judiciary process, maintaining and restoring public order, regulating traffic, and providing emergency services; performs related duties as required.

203.02 SUPERVISION RECEIVED

Works under the general supervision of the Police Chief.

203.03 SUPERVISION EXERCISED

Provides general supervision to police officers and provides oversight to investigator.

203.04 MAJOR AREAS OF ACCOUNTABILITY

- * 1. Oversees and coordinates day-to-day department operations and works an assigned patrol shift, performing many of the patrol duties as described in the POLICE OFFICER job description.
- * 2. Supervises officers including: assigning and reviewing work, recommending and scheduling training, recommending discipline and reward, assisting with the interviewing and hiring process for new officers, prepares and conducts performance reviews & submits to Chief for approval, approving routine overtime and short absences, and approving timesheets.
- * 3. Reviews and approves police reports prepared by officers.
- * 4. Prepares the patrol and court schedule and revises as needed to ensure coverage.
- * 5. Reviews the Chief's incident reports on complaints against officers; conducts or assists in conducting internal affairs investigations; prepares a summary in the findings and presents to the Chief.
- * 6. Collects and reviews unit activity history and regularly meets with officers at the beginning and end of sergeant's assigned shift to ensure communication between shifts and maintain awareness of issues and concerns.
- * 7. Coordinates and schedules maintenance and repair of police vehicles, equipment, and building and maintains records of service.
- * 8. Performs administrative activities such as participating on Radio Users Committee, identifying needs, researching and obtaining quotes for department purchases, making authorized purchases and attending other meetings in the absence of the Police Chief.

- * 9. Oversees, coordinates, schedules, participates in police training, and ensures department training records are maintained.
- *10. Reviews and recommends policies and procedures for operational efficiency.
- *11. Promotes Police Department involvement in community relations; assists in coordinating school drills and planning potential law enforcement needs of large events.
- *12. Supervises office support staff in the Chief's absence.
- *13. Assumes responsibility as acting chief when the Chief is out on an extended absence.
- *14. Assists City Hall staff in handling code violations as directed.
- *15. Tracks registered sex offenders within the City, and assists in notification meetings for level III offenders; prepares reports for the Department of Public Safety.
- *16. Performs other duties as needed or assigned.

203.05 KNOWLEDGE, SKILLS, AND ABILITIES

- * ➤ Considerable knowledge of police procedures and techniques including operation of police vehicles, radios, radars and other department equipment.
- * ➤ Considerable knowledge of federal, state, and local laws and department policies.
- * ➤ Considerable knowledge of City layout including important buildings and the street system.
- * ➤ Working knowledge of the legal system to ensure law violators are brought to justice.
- * ➤ Considerable skill in handling and discharging firearms in an efficient and safe manner.
- * ➤ Considerable skill to expertly drive a motor vehicle under adverse conditions, sometimes at a high speed and/or in pursuit.
- * ➤ Working ability to supervise staff and operations and to plan, schedule and coordinate activities.
- * ➤ Considerable ability to analyze situations and determine appropriate action.
- * ➤ Considerable ability to respond quickly and appropriately to crisis and emergency situations.
- * ➤ Considerable ability to safely and effectively handle situations with composure, professionalism and respect for citizens' rights and to direct others to do so.
- * ➤ Considerable ability to apply laws to specific incidents.
- * ➤ Considerable ability to see, hear, and remember people, evidence, facts, and circumstances and to "sense" when problems exist.
- * ➤ Considerable ability to communicate effectively with others and maintain strict confidentiality.

- * ➤ Considerable ability to develop and maintain relationships with City employees, members of the legal and judiciary system, regulatory agency representatives, other law enforcement agencies and the general public.
- * ➤ Considerable ability to work independently and oversee the work of others in a 24-hour, seven day/week operation.
- * ➤ Considerable ability to maintain a high standard of professionalism, integrity and ethics, both at work and outside of work.
- * ➤ Considerable ability to stand, walk, and sit for long periods of time.
- * ➤ Considerable ability to lift and carry or drag objects or people weighing up to 100 pounds at an accident scene or when responding to calls and to chase and subdue suspects as required.
- * ➤ Considerable ability to operate a radio, radar and a squad laptop.
- * ➤ Considerable ability to read, understand and follow department directives and policies and other written or online information provided.
- * ➤ Considerable ability to prepare accurate and thorough reports and to review reports prepared by others.
- * ➤ Considerable ability to oversee or participate in investigation of crime and accidents.
- * ➤ Working ability to bend, crouch, stoop, stretch or crawl periodically as needed.
- * ➤ Working ability to work in all types of weather conditions, all shifts, holidays and weekends.
- * ➤ Ability to maintain certification as a first responder or first aid/CPR, in the use of Doppler Traffic Radar and in Pursuit Driving.

203.06 MINIMUM QUALIFICATIONS

- Must have an associate degree in law enforcement and be licensed as a Peace Officer in the State of Minnesota.
- Three years of experience as a police officer is required.
- Must maintain a satisfactory rating for a police sergeant in physical ability and psychological evaluations.
- Must possess and maintain a valid Minnesota driver's license or equivalent out-of-state.

* Note: Asterisked items are essential to the job.

204.00 CORPORAL (FUTURE POSITION)

205.00 RECORDS CLERK

205.01 PRIMARY OBJECTIVES

Performs routine to semi-skilled clerical, receptionist and data entry support for the police department; performs related duties as required.

205.02 SUPERVISION RECEIVED

Works under the general and technical supervision of the Administrative Assistant.

205.03 SUPERVISION EXERCISED

None.

205.04 MAJOR AREAS OF ACCOUNTABILITY

- * 1. Enters offense, arrest, and other police data into the records management system; enters citations into Visions software; codes arrests according to the Minnesota Offense Table; reviews for accuracy and ensures the information is kept confidential.
- *2. Transcribes reports and statements; prepares and forwards incident reports to appropriate agencies.
- * 3. Responds to phone, fax and in-person inquiries and requests for information; directs calls, takes messages, provides information and assistance or refers to another staff member as appropriate.
- * 4. Retrieve copies, and provides police reports to the public in accordance with strict guidelines on what can be released and when; calculates and collects appropriate fee and prepares receipts.
- *5. Performs general clerical support work including: typing a variety of documents, letters, reports and memos, maintaining records and files, scanning, copying, printing, faxing, handling incoming and outgoing mail, records as appropriate, and retrieving data or documents and disposal of.
- * 6. Prepares case files and reviews to see that all required supporting documents have been submitted; contacts officers for missing information and makes sure it gets to the proper agencies in a timely manner.
- *7. Performs queries in CJIS and Anoka County records name database and provides the information to the requestor as needed.
8. Performs records checks after obtaining appropriate releases; refers any questionable requests to the Administrative Assistant.
9. Issues snowmobile and golf cart permits; verifies identification and insurance and signs off on impounded vehicles authorizing release.

10. Performs assigned duties of supervisor in their absence.
11. Performs routine duties for Public Works including but not limited to Water/Sewer work orders; Safety Committee minutes/attendance; and monitoring snow plowing as assigned or needed.
12. Performs other duties as needed or assigned.

205.05 KNOWLEDGE, SKILLS, AND ABILITIES

- * ➤ Working knowledge of police department policies and procedures as it pertains to administrative support work
- * ➤ Working knowledge of data practices laws and related department procedures.
- * ➤ Working knowledge of database and word-processing software and the Minnesota Offense Table.
- * ➤ Considerable ability to maintain confidentiality and to read, understand and follow policies and procedures on appropriate release of information and use of law enforcement databases.
- * ➤ Considerable ability to operate standard office equipment.
- * ➤ Considerable ability to promote and provide excellent customer service and to communicate effectively with City staff and the public.
- * ➤ Working ability to obtain and maintain CJIS Hot Files certification.
- Working ability to respond to questions and requests for information.
- * ➤ Working ability to perform work that some requires bending, crouching, and pushing/pulling to retrieve documents, lifting and carrying of files and sitting to perform data entry for long periods of time.

205.06 MINIMUM QUALIFICATIONS

- One year of responsible office support work including receptionist, data entry, word processing and operation of standard office equipment.
- Must obtain CJIS Hot Files certification within one year of employment and maintain thereafter.

* Note: Asterisked items are essential to the job

206.00 ADMINISTRATIVE ASSISTANT

206.01 PRIMARY OBJECTIVES

Performs skilled administrative support and technical supervision of office staff for the Police Department ensuring accurate and confidential management of police records, correspondence, and other office services as required; performs related duties as required.

206.02 SUPERVISION RECEIVED

Works under the general supervision of the Police Chief; receives technical work direction from the Police Sergeant.

206.03 SUPERVISION EXERCISED

Provide technical supervision to the Police Records Clerk.

206.04 MAJOR AREAS OF ACCOUNTABILITY

- * 1. Ensures records function is operating according effectively and legally; oversees and enters offense, arrest, and other police data into the records management system; codes arrests according to the Minnesota Offense Table; reviews entries for accuracy and ensures the information is kept confidential.
- * 2. Performs responsible and confidential secretarial duties for the Police Chief including: reviewing incoming documents scans to determine relative importance or urgency and distributing to appropriate staff members, making appointments, arranging meetings and gathering information needed for such meetings, organizing and maintaining the chief's files and drafting responses to letters of inquiry of a routine nature for the signature of the Police Chief.
- * 3. Transcribes reports and statements; forwards in-custody complaints to investigator for review and signature; coordinates and tracks the flow of information and documents to and from investigator.
- * 4. Responds to phone, fax and in-person inquiries and requests for information; directs calls, takes messages, provides information and assistance, or refers to another staff member as appropriate.
- * 5. Oversees and/or retrieves copies and provides police reports to the public in accordance with strict guidelines on release; redacts data as appropriate and calculates and collects appropriate fee and prepares receipts.
- * 6. Performs skilled administrative support work including: typing a variety of documents, letters, reports and memos, maintaining records and files, scanning, copying, printing, faxing, record retention, and retrieving data or documents as needed.
- * 7. Performs queries in CJIS, and Anoka County records name database and provides the information to the requestor as needed.

- * 8. Supervises the Police Records Clerk, assists in hiring, assigns and reviews work, advises and handles the more complex questions or requests, coaches and trains and conducts performance reviews, subject to approval by the Chief.
- * 9. Runs or prepares a variety of correspondence, forms and statistical reports for the department and other agencies as needed; provides information to officers from Department and MINCIS/NCIC files as requested.
- 10. May assist with the police officer hiring process including scheduling exams, interviewing and preparing correspondence and running the criminal history check.
- *11. Performs a monthly IBASE State Report to check for errors, corrects the information and resubmits until error-free.
- *12. Coordinates information with other law enforcement agencies, committees or other city departments on a variety of issues and attends monthly records meetings.
- 13. Coordinates repairs of department vehicles computer equipment; coordinates contracted IT support and trains police personnel in the use of the computer and the different software packages.
- 14. Runs criminal history checks for potential new hires and for liquor license applicants and provides results to the Chief.
- 15. Purchases office supplies and a variety of other supplies needed by the department.
- *16. Processes timecards, invoices, fingerprint card dispositions.
- 17. Acts as the Community Event Coordinator and oversees the organizing and scheduling of police department related community events.
- 18. Keeps track of Security Awareness and MYBCA Testing for all employees.
- 19. Downloads and processes squad videos for attorneys.
- 20. Assists with annual and quarterly reports for the Chief.
- 21. Performs Monthly Validations on Hot Files.
- 22. Performs other duties as needed or assigned.

206.05 KNOWLEDGE, SKILLS, AND ABILITIES

- * ➤ Considerable knowledge of police department policies, procedures and processes as it pertains to administrative support and records management.
- * ➤ Considerable knowledge of standard office procedures, tools, equipment and practices.

- * ➤ Considerable knowledge of the English language, law enforcement terminology, grammar, spelling and vocabulary.
- * ➤ Considerable knowledge of data practices laws related to police records collection, maintenance, and dissemination of information.
- * ➤ Considerable knowledge of database and word-processing software and the Minnesota Offense Table.
 - Working knowledge of department policies and procedures relating to handgun permits and licensing.
- * ➤ Considerable ability to maintain confidentiality and to read, understand and follow policies and procedures on appropriate release of information and use of law enforcement databases.
- * ➤ Considerable ability to operate various office equipment and to enter and retrieve data with speed and accuracy and ability and to detect and correct errors in both written documents and data entry.
- * ➤ Considerable ability to properly organize and route routine and/or complex case files to proper destinations without supervisory review.
- * ➤ Considerable ability to promote and provide excellent customer service, to communicate effectively and tactfully and to maintain effective working relationships with City staff, contacts from outside agencies and the public.
- * ➤ Considerable ability to organize and prioritize work, to work independently with little supervision and to manage multiple tasks in a timely manner.
- * ➤ Considerable ability to obtain and maintain CJIS Hot Files certification.
- * ➤ Considerable ability to respond to questions and requests for information.
- * ➤ Considerable ability to prepare correspondence and to prepare or generate reports.
- * ➤ Considerable ability to see, read and understand written information and to converse with people.
- * ➤ Working ability to perform work that some requires bending, crouching, and pushing/pulling to retrieve documents, lifting and carrying of files and sitting to perform data entry for long periods of time.

206.06 MINIMUM QUALIFICATIONS

- Three years of increasingly responsible office support work including records management, data entry, word processing and customer service.
- Must obtain CJIS Hot Files certification within one year of employment and maintain thereafter.

* Note: Asterisked items are essential to the job.

207.00 PATROL OFFICER

207.01 PRIMARY OBJECTIVES

Performs responsible police work involving the protection and safety of the community through prevention and control of crime, participating in the judiciary process, maintaining and restoring public order, regulating traffic, and providing emergency services; performs related duties as required.

207.02 SUPERVISION RECEIVED

Works under the general supervision of the Police Sergeant; receives administrative direction from the Police Chief.

207.03 SUPERVISION EXERCISED

Provides technical direction to Police Reserves as needed.

207.04 MAJOR AREAS OF ACCOUNTABILITY

The listed examples may not include all duties performed by all positions in this class. Duties may vary somewhat from position to position within a class.

- * 1. Patrols St. Francis to enforce laws, detect and prevent crime, provide traffic control and protect life and property.
- * 2. Apprehends and arrests law violators, prepares reports of crimes, and assists in the prosecution of law violators.
- * 3. Collects and preserves evidence and takes pictures of crime scenes; confiscates and disposes of materials/vehicles or property as appropriate.
- 4. May conduct preliminary investigations and/or assist with more extensive investigations and undercover work.
- 5. Prepares search warrants as needed.
- * 6. Enforces compliance with traffic laws, expedites, and controls traffic/parking, controls traffic at accident scenes; completes traffic reports and issues citations.
- * 7. Responds to calls and complaints from citizens of crimes committed, lost or stolen property, and other law enforcement or public safety concerns.
- * 8. Responds to medical, accident and fire scenes; assesses victims' medical conditions, assists with rescue, provides emergency first responder treatment, controls the scene and directs traffic flow; may coordinate disposition of deceased individuals.

- * 9. Interviews witnesses, victims and survivors and takes their statements; obtains information from others; refers victims and survivors to other agencies and community groups for additional assistance as appropriate.
- *10. Transports prisoners and suspects for interrogation and/or booking and incarceration.
- *11. Participates in the civil or criminal court system, testifies in court as arresting officer or witness, and completes reports related to legal process.
- 12. Instructs businesses and residents on crime prevention and develops and maintains community relations.
- *13. Assists and cooperates with other members of the department as well as outside agencies such as neighboring counties and communities, CID, BCA, FBI and the State Patrol as needed.
- *14. Resolves and mediates disputes in citizens' homes, places of business or other public gathering places.
- *15. Prepares necessary complaints, reports, logs, affidavits, and other forms and correspondence as required by law or policy.
- *16. Answers citizens' requests for information including directions, regulations, ordinances, and where to obtain additional information.
- *17. Operates and assists in maintaining all equipment and vehicles used by the department.
- *18. Keeps firearms clean and operating and maintains proficiency in firearm use, self- defense, use of force, pursuit driving, and first aid or first responder.
- *19. Oversees and directs reserve officers and assists in controlling crowds at community events.
- 20. May be assigned as: Investigator, School Resource Officer, Police Reserve Coordinator, Field Training Officer, Firearms or Use of Force Instructor, TZD Coordinator.
- 21. May purchase medical or other supplies.
- 22. Performs other duties as needed or assigned

KNOWLEDGE, SKILLS, AND ABILITIES

- * ➤ Considerable knowledge of police procedures and techniques including operation of police vehicles, radios, radars and related equipment.
- * ➤ Working knowledge of federal, state, and local laws and department policies.

- * ➤ Working knowledge of City layout including important buildings and the street system.
- * ➤ Working knowledge of the legal system to ensure law violators are brought to justice.
- * ➤ Considerable skill in handling and discharging firearms in a safe and effective manner.
- * ➤ Considerable skill to expertly drive a motor vehicle under adverse conditions.
- * ➤ Considerable ability to analyze situations and determine appropriate action.
- * ➤ Considerable ability to respond quickly and appropriately to crisis and emergency situations.
- * ➤ Considerable ability to handle situations safely and effectively with composure, professionalism and respect for citizens' rights.
- * ➤ Considerable ability to apply laws to specific incidents.
- * ➤ Considerable ability to see, hear, and remember people, evidence, facts, and circumstances and to “sense” when problems exist.
- * ➤ Considerable ability to communicate effectively with others and maintain strict confidentiality.
- * ➤ Considerable ability to develop and maintain relationships with City employees, members of the legal and judiciary system, regulatory agency representatives, other law enforcement agencies and the general public.
- * ➤ Considerable ability to work independently, plan activities and effectively manage time, without direct supervision.
- * ➤ Considerable ability to maintain a high standard of professionalism, integrity, and ethics, both at work and outside of work.
- * ➤ Considerable ability to be able to respond quickly when needed.
- * ➤ Considerable ability to stand, walk, and sit, sometimes for long periods of time.
- * ➤ Considerable ability to lift and carry or drag objects or people weighing up to 100 pounds at an accident scene or when responding to calls and to chase and subdue suspects as required.
- * ➤ Considerable ability to read, understand and follow department directives and policies and other written or online information provided.
- * ➤ Working ability to prepare accurate and thorough reports and to operate a squad laptop computer, radio and radar.
- Working ability to investigate crime and accidents.
- * ➤ Working ability to bend, crouch, stoop, run, stretch or crawl periodically as needed.
- * ➤ Working ability to work in all types of weather conditions, all shifts, holidays and weekends.
- * ➤ Ability to maintain certification as a first responder or first aid/CPR, in the use of doppler traffic radar and in pursuit driving.

207.05 MINIMUM QUALIFICATIONS:

- Must have an associate degree in law enforcement and be licensed (or eligible for licensure) as a Peace Officer in the State of Minnesota.
- Must possess and maintain a valid Minnesota driver’s license or equivalent out-of-state.

- Must successfully pass and maintain a satisfactory rating for a police officer in physical ability and psychological evaluations.

* Note: Asterisked items are essential to the job.

208.00 INVESTIGATOR

208.01 PRIMARY OBJECTIVES

The investigator assignment for St. Francis police officers involves law enforcement investigative duties and follow-up on investigations begun by another police officer. The investigators length of service will be based on performance of duties and discretion of the Police Chief. The Police Chief can remove an officer from this assignment at any time if in the chief's judgement it is warranted; performs other police officer duties as needed or assigned.

208.02 SUPERVISION RECEIVED

Works under the general supervision of the Police Sergeant; receives some assignments from the Police Chief.

208.03 SUPERVISION EXERCISED

208.04 MAJOR AREAS OF ACCOUNTABILITY

- *1. Reviews all cases requiring investigation and transfers certain crimes against person felony cases to CID at the discretion of the investigator and their immediate supervisor; investigates felony financial and property crimes, misdemeanor and gross misdemeanor crime and follows-up on criminal case investigations done by other police officers.
- *2. Takes charge of a crime scene as investigating officer until or unless higher-ranking individuals arrive to take over.
- *3. Investigates felony DWI and narcotics cases and others referred by CID; may assist CID with evidence collection for felony investigations.
- *4. Reviews and signs criminal complaints and delivers to a judge at the County Courthouse.
- *5. Conducts interviews and interrogations, collects and preserves evidence and maintains the chain of custody; sends samples to the Midwest Regional Forensic Laboratory or State BCA for lab work.
- *6. Follows up on controlled substance information provided by others or generated by the investigator; documents observed behavioral patterns, and/or works undercover to check out leads or suspicions; coordinates information flow between department and the Drug Task Force.

7. Builds rapport with potential confidential informants to obtain information on low- level crimes; obtains information from sources when needed.
- *8. Works with and coordinates investigations and information with area investigators; may obtain advice from on-call CID investigator; sends out and receives information via Tri-County to assist with investigations.
9. Coordinates and shares information with the St. Francis City Attorney, other area City attorneys and the County Attorney based on location and level of offense.
- *10. Prepares search warrants as needed and works with patrol to serve warrants and search the premises.
- *11. Investigates reports of child maltreatment referred to the department by Anoka County Child Protection.
- *12. Investigates reports of maltreatment of vulnerable adults from Anoka County Social Services and reports of maltreatment of minors from the MN Department of Education.
13. Works with business owners and managers on security and crime prevention issues; reviews protocols and suggests changes; speaks at meetings as requested.
- *14. Prepares necessary complaints, reports, logs, affidavits, and other forms and correspondence as required by law or policy.
- *15. Assists patrol with other police work as needed; provides some advice to patrol officers as requested and requests officers' assistance with investigations as needed.
16. Conducts background investigations on potential new hires.
- *17. Participates in the civil or criminal court system, testifies in court as investigating officer and completes reports related to legal process.
18. Instructs businesses and residents on crime prevention; develops and maintains community relations.
- *19. Keeps firearms clean and operating and maintains proficiency in firearm use, self-defense, use of force, pursuit driving, and first aid or first responder; operates and assists in maintaining equipment and vehicles used by the department.
20. Acts as the department Evidence Technician and is responsible for removing evidence from evidence lockers, entering evidence into the computer database, retrieving evidence from the evidence room to provide to officers for court purposes and disposal of applicable evidence during annual evidence room audit.

21. Performs other duties as needed or assigned

208.05 MINIMUM QUALIFICATIONS:

- Must have at least three years of current experience as a police officer and be currently employed as a Police officer for the City of St. Francis.

* Note: Asterisked items are essential to the job.

209.00 RESERVE OFFICER

209.01 PRIMARY OBJECTIVES OF POSITION

Provide a variety of support services to the police and other city departments as time permits on a volunteer basis.

209.02 RESPONSIBILITIES

- A. Preventative patrols of the city.
- B. Perform activities related to control traffic.
- C. Assist Patrol Officers in crime and fire prevention activities.
- D. Performs other duties as assigned (within the ability and resources of a Reserve Officer) at the verbal or written direction of a Supervisor or Reserve Coordinator.

209.03 TASKS RELATED TO RESPONSIBILITIES

- A. Perform preventative patrols of the city.
 - 1. Conduct vehicular or pedestrian patrols on an observe and report basis.
 - 2. Report suspicious or illegal activity to officers.
 - 3. Patrol identified problem areas.
 - 4. Patrol all parks and trails and enforce regulations within their ability.
 - 5. Perform home security house checks.
- B. Perform activities related to vehicle traffic.
 - 1. Assist officers with parking compliance.
 - 2. Arrange to have illegally parked vehicles towed under the direction of an officer.
 - 3. Assist patrol officers with parking complaints during community events and as requested.
 - 4. Assist in traffic control at community events or special details.
 - 5. Assist at accident scenes as directed by an officer.
- C. Assist Patrol Officers in crime and fire prevention activities.

1. Report violations of State Statutes and local ordinances.
 2. Assist officers with meetings when needed.
 3. Assist Police Department in providing safety, community oriented policing, and crime prevention programs.
- D. Performs other duties as assigned (within the ability and resources of the Reserve Officer) at the verbal or written direction of a Supervisor or Reserve Coordinator.
1. Provide funeral and other escorts.
 2. Assist with public relations activities.
 3. Assist the public in vehicle/home lockouts.
 4. Conduct tours of police building as needed.

209.04 KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of State Statutes and local ordinances.
- Knowledge of general police procedures.
- Skill in dealing with the public while enforcing City code.
- Skill in using the radio while driving.
- Ability to independently assess situations and determine appropriate action and to respond quickly and appropriately to crisis and emergency situations.
- Ability to cope with situations firmly, courteously, tactfully, and with respect to citizens' rights.
- Ability to see, hear, and remember people, facts, and circumstances.
- Ability to communicate effectively and tactfully with others.
- Ability to maintain confidentiality, prioritize duties, and work independently without direct supervision.
- Ability to read department policy and procedure manuals and written reports.
- Ability to maintain police vehicles and equipment, including completing vehicle and equipment maintenance reports.
- Ability to prepare accurate and thorough reports.
- Ability to lift and carry heavy objects, crawl, stand, bend, reach, run, and manipulate objects requiring manual dexterity as needed to perform duties.

209.05 TRAINING AND EXPERIENCE

Minimum:

High school diploma or equivalent. Possess valid driver's license. Nothing on criminal history or driving record that would preclude them from employment with the department.

209.06 DIRECT SUPERVISOR

The direct supervisor of the reserve officer is the designated Sergeant and/or the Reserve Coordinator.

211.00 COMMUNITY RESOURCE OFFICER

211.01 PRIMARY OBJECTIVES

This officer will coordinate and respond to “community policing” requests for the department. The Community Resource Officers length of service will be based on performance of duties and discretion of the Police Chief. The Police Chief can remove an officer from this assignment at any time if in the chief’s judgement it is warranted; performs other police officer duties as needed or assigned.

211.02 SUPERVISION RECEIVED

Works under the general supervision of the Police Sergeant; receives some assignments from the Police Chief.

211.03 SUPERVISION EXERCISED

None.

211.04 MAJOR AREAS OF ACCOUNTABILITY

- *1. Assists and coordinates with community development in monitoring and enforcing the City rental licensing ordinance.
- *2. Participates in the planning and coordination of community outreach events including but not limited to attending planning meetings, arranging for staffing needs, attending community events as a representative of the department.
- *3. Assists the School Resource Officer with requests for service to the St Francis Junior High.
- *4. Assists and coordinates with City community development in the enforcement of designated City code violations.
- *5. Arrange and provide tours of the police department facility to groups or organizations that make requests.
- *6. The duties and responsibilities enumerated above are not intended to be all inclusive and may be expanded to include other duties or responsibilities that the City of St Francis may deem necessary from time to time.
- *7. These services will consist of the officer remaining available and responding to service needs pursuant to this contract that shall only be secondary to the officers greater priority to respond to emergency calls, attend police training and special duties as assigned by the Chief of Police of the City.

211.05 MINIMUM QUALIFICATIONS:

- Must have at least two years of current experience as a police officer and be currently employed as a Police officer for the City of St. Francis.
- Excellent oral and written communication including the preparation of correspondence, reports and informational materials.
- Develop and maintain positive working relationships with all levels of staff, residents, and personnel from other city departments.
- Ability to organize work and follow through on all details.

* Note: Asterisked items are essential to the job.



TITLE: RULES AND REGULATIONS	NUMBER: 300
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

300.01 PURPOSE AND APPLICATION-

The purpose of these regulations is to provide a basis for the orderly and discipline performance of duty. Their publication will promote a surer knowledge of what is expected of personnel generally and of all ranks and assignments specifically. This should result in a greater degree of self-assurance in all positions. In relationships between the ranks, it should be our individual aim to building continuously mutual respect and confidence, which is essential to police operations. These regulations are a supplement to the City Personnel Rules and, if applicable, union contract. Employees are required to observe the requirements of the personnel policies, union contract and these regulations.

300.02 LOYALTY - Loyalty to the City, the department and to associates is an important factor in departmental morale and efficiency. Members and employees should maintain a loyalty to the City, to the department and their associates as is consistent with law, personal ethics and professional standards.

300.03 GENERAL RESPONSIBILITIES - Members of the department shall, within the boundaries of the City of St. Francis, preserve the public peace, prevent crime, detect and arrest violators of the law, protect life and property, and enforce the Criminal Law of the United States, State of Minnesota, and the Ordinances of the City of St. Francis.

300.04 DEPARTMENT - All employees of the department shall be governed by the ordinary and reasonable rules of good conduct and behavior in their private and professional lives.

300.05 COORDINATION - In carrying out the functions of the department, members shall direct and coordinate their efforts in such manner as will tend to establish and maintain the highest standards of efficiency.

- 300.06 COOPERATION BETWEEN THE RANKS** - The cooperation between the various ranks and between patrol and other divisions is essential to effect law enforcement.
- 300.07 COOPERATION WITH OTHER AGENCIES** - Officers shall cooperate with all law enforcement agencies, other city departments and public service organizations and shall give aid and information as such organizations may be entitled to receive consistent with departmental orders.
- 300.08 VIOLATION OF RULES** - Officers shall not commit any other acts or omit any other acts, which constitute a violation of any of the rules, regulations, directives, orders or policies of the department. Ignorance of the rules, regulations, directives, orders or policies shall not be considered as a justification for any such violations. Officers shall be responsible for their own acts and they shall not shift to others the burden of responsibility for executing or failing to execute a lawful order or police duty.
- 300.09 COURTESY** - Officers shall be courteous to the public. Officers shall be tactful in the performance of their duties, shall control their tempers and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, officers shall not use coarse, violent, profane, or insolent language or gestures, and shall not express any prejudice concerning race, religion, politics, national origin, lifestyle or similar personal characteristics.
- 300.10 KNOWLEDGE OF ORDINANCE AND REGULATIONS** - Every member is required to establish and maintain a working knowledge of municipal ordinance currently in force, the rules and policies of the department and the general and special orders of the department.
- 300.11 CONFORMANCE TO LAWS** - Officers shall obey all laws of the United States, of this state and of the local jurisdiction. A conviction of the violation of any law excluding petty misdemeanors shall be cause for disciplinary action.
- 300.12 REPORTING FOR DUTY** - Members of the department shall be punctual in reporting for duty at the time designated by their commanding officer. Failure to report promptly at the time directed may be deemed neglect of duty and made the subject of charges. A member should report sickness or illness at least two hours prior to the time he/she is due to report for duty. Once having reported off sick, the member shall keep the department advised as to his/her status and expected return to duty.

300.13 MAINTAINING OF COMMUNICATIONS - Officers on duty or when officially on call shall be available by normal communications or shall keep the department or supervisor informed of the means by which they may be reached when not immediately available.

300.14 VISITING PROHIBITED ESTABLISHMENTS - Officers shall not knowingly visit, enter or frequent a house of prostitution, gambling house, or establishment wherein the laws of the United States, the state or local jurisdiction are regularly violated, except in the performance of duty or while acting under proper and specific orders from a supervisor.

300.15 ASSOCIATIONS - Officers shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are racketeers, sexual offenders, gamblers, suspected felons, persons under criminal investigation or indictment, or who have reputation in the community for present involvement in felonious or criminal behavior, except as necessary to the performance of official duties, or where unavoidable because of other personal relationships of the officer.

300.16 GAMBLING - Officers shall not engage or participate in any form of illegal gambling at any time, except in the performance of duty and while acting under proper and specific orders for a superior officer.

300.17 PERSONAL APPEARANCE – SEE SECTION 400 - 402

300.18 ABSENCE FROM DUTY - Every member or employee who fails to appear for duty at the date, time and place specified for so doing without the consent of competent authority is "absent without leave." All scheduled time off, with the exception of justified sick leave, shall be granted only with prior permission from a Supervisor or any other person specifically given the authority to grant such leave. This will include vacation, holidays and unpaid leave. While it is preferred that normal channels with such advance notice being at least ten (10) days, days off may be granted if the Supervisor determines that such can be handled by the shift schedule, with lesser notice. At the time this general order is being put into effect, no persons other than the Chief of Police and Sergeant are authorized to approve time off requests and enter days onto the Duty Schedule.

Any person failing to report for duty due to an unauthorized leave will be considered absent without leave.

300.19 LOITERING - Officers shall not loiter in cafes, drive-ins, service stations or other public places except for purpose of transacting police business or to take regular meals and/or coffee breaks as provided for in departmental orders. When on duty, employees shall not loiter in or around the police

headquarters. If it is necessary to conduct business in these areas, it should be done as quickly as possible.

- 300.20 SLEEPING, LOAFING, OR IDLING ON DUTY** - Sleeping or loafing while on duty will be considered as neglect of duty.
- 300.21 ALCOHOLIC BEVERAGES IN POLICE INSTALLATIONS** - Officers shall not bring into or store alcoholic beverages in any police facility or police vehicle except alcoholic beverages, which are being held as evidence.
- 300.22 CITIZEN COMPLAINTS** - Officers shall courteously and promptly accept and record in writing any complaint made by a citizen against any officer or any department policy or procedure. Officers shall never attempt to dissuade any citizen from lodging a complaint against any officer or department policy or procedure. Officers shall notify their superior officer of a complaint as required by department procedures. If no superior officer is on duty when the complaint is received, the officer accepting the complaint shall notify a supervisor as soon as practical. (See Procedure 307.00).
- 300.23 RESPONDING TO CALLS** - Members of the department shall respond without delay to all calls for police assistance from citizens or other members. Emergency calls shall take precedence; however, all calls shall be answered as soon as possible, consistent with normal safety precautions and vehicular laws. If, due to the volume of calls or shortage of personnel, there becomes a backlog of unanswered calls, officers will take calls on a priority basis.
- 300.24 IMMEDIATE ACTION** - Except where circumstances make it necessary for members to report a matter or refer a complaint to a more suitable member or agency, members shall take suitable action on reports and complaints by a private person. Proper requests for information or assistance shall be fulfilled and members shall aid the person in otherwise obtaining the requested information or assistance.
- 300.25 REFERRALS** - No officer shall refer any citizen to the Mayor or Council members. If the request cannot be handled by the officer, it shall be referred up the chain of command.
- 300.26 CONTACTING PUBLIC OFFICIALS** - No member shall contact a Council member, the Mayor, City Administrator or Assistant Administrator on police problems except through regular channels or by permission of the Chief. Any member contacted by the Mayor, Council member, City Administrator or the Assistant Administrator about police business shall immediately notify the Chief of Police through normal channels of the incident and all details involved.

- 300.27 CARE OF DEPARTMENTAL PROPERTY** - All members are responsible for the safekeeping and proper care of all property used by them and belonging to the department. Property shall only be used for official purposes and in the capacity for which it was designed.
- 300.28 DAMAGED OR INOPERATIVE PROPERTY OR EQUIPMENT** - Members and employees shall immediately report to their supervisor on designated forms the loss or damage to the departmental property assigned to or used by them. The immediate superior will be notified of any defects or hazardous conditions existing in any departmental equipment or property.
- 300.29 COURT APPEARANCE** - Attendance at a court or quasi-judicial hearing as required is an official duty assignment. Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent authority. While appearing in court, either the official uniform or "dress" clothes will be worn. Weapons will not be displayed unless wearing the uniform or permitted by the court. Members shall present a neat and clean appearance avoiding any mannerisms, which might imply disrespect to the court.
- 300.30 COURT DEMEANOR** - Members of the department shall observe the utmost attention and respect toward magistrates or other officers of the courts at all times. When giving testimony, they shall speak in a distinct, clear, audible tone to be easily heard by the court and jury. They shall not chew gum or smoke in court. They shall testify with the strictest accuracy, confining themselves to the case before the court, and neither suppress or overstate the slightest circumstance with a view of favoring or discrediting any person. When cross-examined, they shall answer with the same readiness and civility as when testifying in support of a charge, remembering that the needs of justice will be promoted by showing a desire simply to tell the whole truth, whether it will be in favor or against the defendant.
- 300.31 GIFTS, GRATUITIES, AND LOANS** - No member of the department shall accept either directly or indirectly any gift, gratuity, loan or anything of value arising from or offered because of police employment or any activity connected with said employment. No member shall accept any gift, gratuity, loan or other thing of value, the acceptance of which could in any manner tend to influence directly or indirectly the action of said member to other members or employees in any matters of police business, or which might tend to cast adverse reflection on the department or any member or employee thereof. The accepting of free or reduced in price food, and/or drink, including coffee free, from establishments selling such products is expressly prohibited. No member of the department individually or collectively shall solicit any reward for the performance of duties nor shall

any member accept any reward except upon the expressed permission of the Chief of Police.

- 300.32 ABUSE OF POSITION** – All members are prohibited from using their official position, official identification cards or badges; (a) for personal or financial gain, (b) for obtaining privileges not otherwise available to them except in the performance of duty, or (c) for avoiding consequences of illegal acts. Members may not lend their identification cards or badges to another person, or permit them to be photographed or reproduced without the approval of the Chief.
Use of name, photograph or title: Members shall not permit or authorize the use of their names, photographs or official titles, which identify them as officers, in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief.
- 300.33 ENDORSEMENTS AND REFERRALS** - Members shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance service, towing service, bondsman, mortician, etc.). In the case of ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to process it or requests assistance, members shall proceed in accordance with established departmental procedures.
- 300.34 ACCEPTANCE OF FEES, COMPENSATION** - No member of the department shall accept any fees or compensation of any kind from any person's agencies, courts, court officials, or any others except such fees and compensation as are specifically provided and authorized by law. Officers may charge a fee to meet with insurance companies, investigators, attorneys, or their representatives on their own time.
- 300.35 OTHER TRANSACTIONS** - Every member and employee is prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner or other person involved in any case which has come to his attention or which arose out of departmental employment except as may be officially authorized by the Chief of Police.
- 300.36 PROCESSING PROPERTY** - Property, which has been discovered, gathered or received in connection with departmental responsibilities, will be processed in accordance with established departmental procedures. Officers shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with or withhold any property found in connection with an investigation or with police actions except in accordance with established departmental procedures. Property shall not be kept in an officer's personal locker.

- 300.37 OFF DUTY REPORTING IN EMERGENCIES** - Members off duty shall, upon official notice, report for duty immediately upon receipt of notification and comply with instructions given at the time of notification. Members shall report immediately in the event of any major disaster.
- 300.38 OFF DUTY NEIGHBORHOOD DISPUTES** - Members shall not intentionally become involved in neighborhood quarrels or disputes when off duty. These disputes should be handled by disinterested persons or on duty officers.
- 300.39 PUBLIC APPEARANCE AND STATEMENTS** - Officers shall not publicly criticize or ridicule the department, its policies, or other officers by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, tends to undermine the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity. Officer shall not address public gatherings, appear on radio or television, prepare any articles of publication, act as correspondents to a newspaper or a periodical, release or divulge investigate information or any other matters of the department while holding themselves out as having an official capacity in such matters without official sanction or proper authority. Officers may lecture on "police" or other related subjects only with the prior approval of the Chief or the Chief's designee.
- 300.40 CRITICISM OF CITY AND DEPARTMENT** - Constructive criticism of any department, operation, and employee policy of local government is encouraged. Whenever there are any such constructive criticisms, they shall only be discussed with members of the department and shall be transmitted up the chain of command by appropriate action.
- 300.41 CRITICISM OF OFFICERS** - Every member shall refrain from making any statement or allusion, which discredits or disparages any member, except when reporting to superiors as required by these rules. Every member shall accord courtesy, consideration and cooperation to every member. Officers shall avoid the manifestation of any unfriendliness toward any member.
- 300.42 UNCALLED FOR REMARKS** - No officer or member of the department shall make any uncalled for remarks to any officer or member of the department, which may bring the department any officer or member thereof into disrepute, or subject it or them to any ridicule. Any such matter shall be brought to the attention of the Chief of Police through the chain of command.
- 300.43 FALSE OFFICIAL REPORTS** - No officer or member shall make a false official report, or make a false statement or gossip about any member or officer of the department, or the business of the department, to the

discredit or to the detriment of any such officer or member of the department, or the department as a whole.

- 300.44 ABUSE OF THE PROCESS/WITHHOLDING EVIDENCE** - Officers shall not convert to their own use, manufacture, conceal, falsify, destroy, remove tamper with, or withhold evidence of information, or make false accusations of a criminal or traffic charge.
- 300.45 DEPARTMENTAL REPORT, TRUTHFULNESS** - Officers shall submit all necessary reports on time and in accordance with established departmental procedures. Reports submitted by officers shall be truthful and complete, and no officer shall knowingly enter or cause to be entered any inaccurate, false, or improper information.
- 300.46 ASSISTANCE TO OTHER MEMBERS** - All members are required to take appropriate police action toward aiding a fellow officer exposed to danger or in a situation where danger might be impending.
- 300.47 OPERATION OF VEHICLES** - Officers shall operate official vehicles in a careful and prudent manner, and shall obey all laws of the state and all departmental orders pertaining to such operation. Officers shall set a proper example for other persons by their operation of a vehicle. Loss or suspension of a civilian-driving license shall be reported to a supervisor immediately.
- 300.48 USE OF DEPARTMENT EQUIPMENT** - Officers shall utilize department equipment only for its intended purpose, in accordance with established departmental procedures and shall not abuse, damage or lose department equipment. All department equipment issued to officers, including manuals, shall be maintained in proper order.
- 300.49 CITIZENS IN PATROL CARS** – Persons allowed to ride in police vehicles include members of the department, reserve officers, individuals detained or being transported in the course of law enforcement work and those authorized under section 319.00 (Ride Along Policy).
- 300.50 PERSONAL ADVERTISING** - Employees shall not permit the use of their photographs or names for advertising purposes; or by testimonial, recommendation, or other means participate in any advertising scheme or enterprise related to or based upon their employment with the department without approval of the Chief of Police.
- 300.51 EMPLOYMENT OUTSIDE OF DEPARTMENT** - Officers may engage in off-duty employment subject to the following limitations; (1) such employment shall not interfere with the officer's employment with the department; (2) officers shall not engage in any employment or business

involving the sale or distribution of alcoholic beverages, investigative work for insurance agencies, collection agencies, attorneys or bail bond agencies, or knowingly work for an employer who has been convicted of a felony or who associates with convicted felons; (3) officers may wear items of their St. Francis Police uniforms only upon the approval of the Police Chief; (4) officers shall not identify themselves as St. Francis Police officers as a part of their outside employment except as they would lawfully identify themselves as police officers in an emergency situation; (5) officers shall not allow such off-duty employment to cause them to report for their police duties physically and/or mentally exhausted so as to affect the performance of their duties; and (6) such employment shall not interfere with the scheduling of the officer's regular duty hours.

- 300.52 UNNECESSARY INTERFERENCE, PRIVATE BUSINESSES** - Officers shall not interfere unnecessarily with the lawful business of any person.
- 300.53 CIVIL ACTIONS** - Employees shall not institute any civil action arising out of their official duties without first notifying the Chief of Police. Officers shall not use their position with the department as a means of forcing or intimidating persons with whom they are engaged in civil matters to settle the case in favor of the officer.
- 300.54 PAYMENTS FOR LINE OF DUTY INJURY** - Employees or members shall not accept or agree to accept anything for personal injury incurred in the line of duty without first notifying the Chief of Police.
- 300.55 CIVIL DISPUTES** - Members shall avoid entering into civil disputes while performing their police duties, but shall prevent or abate breach of the peace or crime in all such cases.
- 300.56 TESTIFYING FOR THE DEFENDANT** - Any member or employee subpoenaed to testify for the defense in any trial or hearing or against the City or department, in any hearing or trial shall notify the Chief of Police upon receipt of the subpoena.
- 300.57 CHANGE OF ADDRESS** - Members shall notify the department within 24 hours of change of address.
- 300.58 TELEPHONE** - Officers shall immediately report any changes of telephone numbers to their superior officers and to such other persons as may be appropriate.
- 300.59 RESPECT TO SUPERIORS** - Every member shall accord respect to his commander, superior or supervisor at all times and shall refrain from critical or derogatory comment on orders received from or issued by that person.

- 300.60** **INFORMING SUPERIORS** - Members shall inform superiors of any matter coming to their attention, which may affect the welfare, or be of interest to the department or any other City service.
- 300.61** **CRITICISM OF ORDERS** - Members and employees shall not publicly criticize instructions or orders they have received.
- 300.62** **INSUBORDINATION** - Officers shall promptly obey any lawful order of a superior officer. This will include orders relayed from a superior officer by an officer of the same or lesser rank.
- 300.63** **CONFLICTING ORDERS** - Should any order conflict with any previous order from any other superior officer, the member shall promptly and respectfully call attention to such conflict or order for the benefit of said officer. If said superior officer does not change the order to obviate such conflicts, the order shall stand.
- 300.64** **UNLAWFUL ORDERS** - No commanding or supervisory officer shall knowingly issue any order, which is in violation of any federal, state or local law or departmental order or rule.
- 300.65** **ACTING SUPERIORS** - A member temporarily filling the position of a superior, in an acting capacity, shall be vested with all the authority and responsibility of the superior.
- 300.66** **FORWARDING COMMUNICATIONS TO HIGH COMMAND** - Any member or employee receiving a written communication for transmission to a high command shall, in every case, forward such communication from a subordinate direction to a high command.
- 300.67** **OFFICER IN CHARGE** - At the scene of any occurrence, in the absence of a commanding officer, the initial Officer assigned will be in charge.
- 300.68** **RADIO DISCIPLINE** - All members of the department operating the police radio shall strictly observe regulations for such operation as set forth in departmental orders, by Anoka County, and by the Federal Communications Commission.
- 300.69** **AVAILABILITY WHEN ON DUTY** - Members on duty shall not conceal themselves except for some police purposes. They shall be immediately and readily available to the public during duty hours.

- 300.70 DUTY REQUIRED** - Employees on duty shall devote their entire time and energies to the duties and responsibilities of the rank, grade, or position to which they are assigned.
- 300.71 ORDERS** - Any order posted on the bulletin boards of the department over the signature of commanding officers shall have the same effect as, and be construed as part of, these Rules and Regulations.
- 300.72 MARKING NOTICES OR DEFACING** - Members or employees of the department shall not mark, alter or deface any printed or written notices relating to police or to other City business. All notices of derogatory character related to official transactions with the department or the City or regarding any unit or person are prohibited.
- 300.73 OFFICIAL BUSINESS** - All members shall treat as confidential the business of the department. They shall give such information only to those authorized to receive it.
- 300.74 DIVULGING CRIMINAL RECORDS** - Contents of any criminal record or report filed in the Police department shall not be exhibited or divulged to any person other than during the process of an investigation or to another duly authorized law enforcement officer or under due process of law, except as directed by a commanding officer.
- 300.75 COMPROMISING CRIMINAL CASES** - Members and employees shall not interfere with the proper administration of criminal justice. They shall not attempt to interrupt legal process except where a manifest injustice might otherwise occur; not participate in, or be concerned with, any activity, which might interfere with the process of law. Except in the interest of justice, they shall not attempt to have any traffic citations, notices to appear, or final warnings reduced, voided, or stricken from the records or files. Any member having knowledge of such actions and failing to inform his superior thereof shall be subject to charges.
- 300.76 INTERVENTION** - Officers shall not interfere with cases being handled by other officers of the department or by another agency or person unless;
1. Ordered to intervene by a superior officer; or
 2. The intervening officer believes beyond a reasonable doubt that a manifest injustice would result from non-inaction.
- 300.77 WITHHOLDING CRIMINAL INFORMATION** - Officers receiving or possessing facts or information relative to a criminal offense or case shall not retain such facts or information through ulterior motives, desire for personal credit, or aggrandizement, but shall report the facts or information in accordance with departmental procedure.

- 300.78 FALSE REPORTS OR ENTRIES** - No member of the department shall make false official reports or knowingly enter or cause to enter in any departmental book, record, or reports any inaccurate, false or improper police information or other material matter.
- 300.79 DEPARTMENTAL CORRESPONDENCE** - A member of the department may forward correspondence of a departmental nature over his signature without the permission of the Chief of Police, provided the correspondence is case related.
- 300.80 RELEASE OF INFORMATION TO NEWS MEDIA** - A member of the department will not issue any statement, copy of report, resume or any other information to representatives of the news media of any crime without the permission of the Chief of Police or his duly authorized representative.
- 300.81 DEPARTMENTAL INVESTIGATIONS - TESTIFYING** - Members or employees are required to fully and truthfully answer questions by or render material and relevant statements to a competent authority in a departmental personnel investigation when so directed.
- 300.82 MANUAL MAINTENANCE** - All members and employees issued departmental manuals and ordinance books are responsible for the maintenance and will make appropriate changes or inserts as directed.
- 300.83 ARRESTS** - In making arrests, members shall strictly observe the laws of arrest and use the following procedures: When arrests are made in certain danger areas, the arresting officer will remove the arrested person from the scene as soon as possible. Only necessary restraint to insure safe custody and the safety of the officer shall be employed. The arresting officer is responsible for the safety and protection of the arrested person while in his custody. He shall notify the transporting officers, if not himself, of any injury, apparent illness, or other conditions, which indicate the arrested person, may need special care.
- 300.84 CUSTODY OF PRISONERS** - Members charged with the custody of prisoners shall observe all laws and departmental orders regarding this activity. Prisoners shall be kept secure, treated firmly and humanely and shall not be subjected to unnecessary restraint.
- 300.85 PRISONERS OR SUSPECTS SAFEGUARDING** - Officers shall be cautious in the arrest and detention of prisoners or suspects and shall take all necessary precautions to prevent an escape, or the carrying of weapons on the prisoner's person after arrest, or injury to themselves or any other person, or damage to property.

- 300.86 SUBVERSIVE ORGANIZATION** - No member or employee shall knowingly become a member or connected with any subversive organization except when necessary in the performance of duty and then only under the direction of the Chief of Police.
- 300.87 REPORTING** - Members and employees shall promptly submit such reports as are required by the performance of their duties or by competent authority.
- 300.88 PAYMENT OF DEBTS** - Officers shall not undertake any financial obligations which they know or should know they will be unable to meet, and shall pay all just debts when due. An isolated instance of financial irresponsibility will not be grounds for discipline, except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action. Filing for a voluntary bankruptcy petition shall not, by itself, be cause for discipline. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline, provided that a good faith effort to settle all accounts is being undertaken. Officers shall not co-sign a note for any superior officer.
- 300.89 PRISONERS OR SUSPECTS, AVAILABILITY OF WEAPONS** - Officers shall not place weapons or objects adaptable for use as weapons, and capable of inflicting serious bodily injury, or permit such weapons or objects to remain unattended, in any location in the police quarters normally accessible to a prisoner or suspect. This regulation does not apply to fixtures or furnishings, which are part of the physical plant.
- 300.90 PRISONER'S PROPERTY** - The arresting officer is responsible for the security of the personal property in the possession of the arrested person or under his control at the time of the arrest. He shall see that such properties are safely delivered to the proper custodial personnel, after which the officer will no longer be responsible for such property.
- 300.91 TRANSPORTATION OF PRISONERS** - When transporting a prisoner, the prisoner shall be handcuffed. The only exception to this rule being when the health or other physical condition of the prisoner does not permit it. At no time shall any person be handcuffed to any part of a motor vehicle. Handcuffs shall be double locked and behind the back, unless a physical condition does not permit it.
- 300.92 TRANSACTIONS WITH PRISONERS** - Members shall not conduct any non-police business with, or engage in any transaction with, any person confined in the jail without the expressed permission of the Chief of Police.

300.93

ARREST, SEARCH AND SEIZURE - Officers shall not make any arrest, search or seizure which they know or ought to know is not in accordance with law and established department procedures or policies.



TITLE: CONDUCT UNBECOMING A POLICE OFFICER	NUMBER: 301
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

This policy defines conduct unbecoming a peace officer. This policy supplements the ethical standard contained in the **Law Enforcement Code of Ethics**, a copy of which has been included for your reference.

301.01 POLICY

Law enforcement effectiveness depends upon community respect and confidence. Conduct, which detracts from this respect and confidence, is detrimental to the public interest and should be prohibited. The policy of this department is to investigate circumstances suggesting an officer has engaged in unbecoming conduct and if such circumstances are determined to be in violation of this policy, to impose disciplinary actions.

301.02 SCOPE

This policy applies to all officers of this agency engaged in official duties, whether within or outside of the territorial jurisdiction of this agency. Unless otherwise noted, this policy also applied to off duty conduct as well. Conduct not mentioned under a specific rule, but which violates a general principle is prohibited.

This policy is organized into eight principles governing conduct unbecoming an officer. Each principle is followed by the rationale explaining the principle and a set of rules.

301.03 PRINCIPLE ONE

Peace officers shall conduct themselves, whether on or off duty in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rule enacted to establish pursuant to legal authority.

Rationale:

Peace officers conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining

the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

Rules:

1. Peace officers shall not knowingly exceed their authority in the enforcement of the law.
2. Peace officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogations, arrest, detention, searches, and seizures, use of informants and preservation of evidence.
3. Peace officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.
4. Peace officers, whether on or off duty, shall not knowingly commit any criminal offense under the laws of the United States or any state or local jurisdiction in which the officer is present, except where permitted in the performance of duty under proper authority.

301.04

PRINCIPLE TWO

Peace officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.

Rationale:

Community cooperation with the police is a product of its trust that officers still act honestly and with impartiality. The peace officers, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.

Rules:

1. Peace officers shall carry out their duties with integrity, fairness and impartiality.
2. Peace officers shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.
3. Peace officers shall truthfully, completely and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.
4. Peace officers shall take no action knowing it will violate the constitutional rights of any person.

5. Peace officers must obey lawful orders, but must refuse to obey any orders the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order, the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
6. Peace officers learning of conduct or observing conduct, which is in violation of any law or policy of this department, shall take necessary action and report the incident to the officer's immediate supervisor, who shall forward the information to the chief law enforcement officer. If the officer's immediate supervisor commits the misconduct, the officer shall report the incident to the immediate supervisor's supervisor.

301.05 PRINCIPLE THREE

Peace officer shall perform their duties and apply the law impartially and without prejudice or discrimination.

Rationale:

Law enforcement effectiveness requires public trust and confidence. Diverse communities must have faith in the fairness and impartiality of their police. Peace officers must refrain from fostering disharmony in their communities based upon diversity, and perform their duties without regard to race, color, creed, religion, national origin, and sex, and marital status, status with regard to public assistance, disability, sexual orientation or age.

Rules:

1. Peace officers shall provide every person in our society with professional and efficient law enforcement services.
2. Peace officers shall not express, whether by act, omission or statement, prejudice concerning race, color, creed, religion, national origin, sex, and marital status with regard to public assistance, disability, sexual orientation or age.
3. Peace officers shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, sex, and marital status, status with regard to public assistance, disability, sexual orientation or age.

301.06 PRINCIPLE FOUR

Peace officers shall not, whether on or off duty, exhibit any conduct which discredits themselves or their department or otherwise impairs their ability

or that of other officers or the department to provide law enforcement services to the community.

Rationale:

A peace officer's ability to perform his or her duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Peace officers must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by public.

Rules:

1. Peace officers shall not consume alcoholic beverages or chemical substances, while on duty, except as permitted in the performance of official duties, and under no circumstance while in uniform.
2. Peace officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. A peace officer shall not report for work with the odor of an alcoholic beverage on the officer's breath.
3. Peace officers shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, the officer shall inquire of the prescribing physician whether the medication will impair the officer in the performance of the officer's duties. The officer shall immediately notify the officer's supervisor if a prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.
4. Peace officers, while on duty, shall not commit any act, which, as defined under Minnesota law, constitutes sexual harassment, including but not limited to making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.
5. Peace officers, while off duty, shall not engage in any conduct which the officers knows, or reasonably should know, constitutes an unwelcome sexual advance or request for sexual favor, or unwelcome sexually motivated physical contact or other unwelcome verbal or physical conduct or communication of a sexual nature.
6. Peace officers shall not commit any acts, which, as defined under Minnesota law, constitute sexual assault or indecent exposure. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.

7. Peace officers shall not commit any acts, which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the peace officer from the petitioner's home or work place.
8. Peace officers shall not, in the course of performing their duties, engage in any sexual contact or conduct constituting lewd behavior, including but not limited to, showering or receiving a massage in the nude, exposing themselves or otherwise making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the department.
9. Peace officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or department. This rule does not prohibit those associations that are necessary to the performance of official duties, or where such associations are unavoidable because of the officer's personal or family relationships.

301.07

PRINCIPLE FIVE

Peace officers shall treat all members of the public courteously and with respect.

Rationale:

Peace officers are the most visible form of local government. Therefore, peace officers must make a positive impression when interacting with the public and each other.

Rules:

1. Peace officer shall exercise reasonable courtesy in their dealings with the public, fellow officers, superiors and subordinates.
2. No peace officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.
3. Peace officers shall promptly advise any inquiring citizen of the department's complaint procedure, and shall follow the established department policy for processing complaints.

301.08

PRINCIPLE SIX

Peace officers shall not compromise their integrity, nor that of their department or profession, by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their

official acts or judgments, or by using their status as a peace officer for personal, commercial, or political gain.

Rationale:

For a community to have faith in its peace officers, officers must avoid conduct that does or could cast doubt upon the impartiality of the individual officer or the department.

Rules:

1. Peace officers shall not use their official position, identification cards or badges: (1) for personal or financial gain, for themselves or another person; (2) for obtaining privileges not otherwise available to them except in the performance of duty; and (3) for avoiding consequences of unlawful or prohibited actions.
2. Peace officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the chief law enforcement officer.
3. Peace officers shall refuse favors or gratuities, which could be reasonably interpreted as capable of influencing official acts or judgments.
4. Unless required for the performance of official duties, peace officers shall not, while on duty, be present at establishments that have a primary purpose of providing sexually orientated adult entertainment. This rule does not prohibit officers from conducting walk-through of such establishments as part of regular assigned duties.
5. Peace officers shall:
 - (a) not authorize the use of their names, photographs or titles in a manner that identified the officer as an employee of this department in connection with advertisements for any product, commodity or commercial enterprise;
 - (b) maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity.
 - (c) not make endorsements of political candidates, while on duty, or while wearing the department's official uniform.

This section does not prohibit officers from expressing their views on existing, proposed or pending criminal justice legislation in their official capacity.

None of these rules shall prevent officers from engaging in the free expression of speech in their capacities as private citizens, or the rights of police fraternal or labor organizations to endorse political candidates or express views on political issues or other matters of public concern.

301.09 PRINCIPLE SEVEN

Peace officers shall not compromise their integrity, nor that of their department or profession, by taking or attempting to influence actions when a conflict of interest exists.

Rationale:

For the public to maintain its faith in the integrity and impartiality of peace officers and their departments, officers must avoid taking or influencing official actions where he officer's actions would or could conflict with the officer's appropriate responsibilities.

Rules:

1. Peace officers shall, unless required by law or policy, refrain from becoming involved in official matters, or influencing actions of other peace officers in official matters, impacting the officer's immediate family, relatives, or persons with whom the officer has or has had a significant personal relationship.
2. Peace officers shall, unless required by law or policy, refrain from acting or influencing official actions of other peace officers in official matters impacting persons with whom the officer has or has had a business or employment relationship.
3. Peace officers shall not use the authority of their position as peace officers or information available to them due to their status as peace officers, for any purpose of personal gain including, but not limited to, initiating or further personal and/or intimate interactions of any kind with person with whom the officer has had contact while on duty.
4. Peace officers shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the officer's ability to impartially perform the officer's official duties.

301.10 PRINCIPLE EIGHT

Peace officers shall observe the confidentiality of information available to them due to their status as peace officers.

Rationale:

Peace officers are entrusted with vast amounts of private and personal information, or access thereto. Peace officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information, and to maintain public faith in the officers and department's commitment to preserving such confidences.

Rules:

1. Peace officers shall not knowingly violate any legal restriction for the release or dissemination of information.
2. Peace officers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.
3. Peace officers shall not divulge the identity of persons giving confidential information except as required by law or department policy.

APPLICATION

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with Minnesota Statute 626.89, Peace Officer Discipline Procedures Act and the law enforcement agency's policy on Allegations of Misconduct as required by POST Board Rules, Minn. R. Pt. 6700.2000 to 6700.2600.



TITLE: LAW ENFORCEMENT CODE OF ETHICS	NUMBER: 302
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

302.01 **AS A LAW ENFORCEMENT OFFICER**, my fundamental duty is to serve mankind; 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 men to liberty, equality and justice.

302.02 **I WILL**, keep my private life unsullied as an example to all; 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 in both my personal and official life. I will be exemplary in obeying the laws of the land 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.

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

302.04 **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 the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession ... law Enforcement.



TITLE: CONTROL DEVICES- Lexipol	NUMBER: 302
EFFECTIVE DATE: 06/1/2022	REVIEW DATE:

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

302.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the St. Francis Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

302.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

302.4 RESPONSIBILITIES

302.4.1 SUPERVISOR RESPONSIBILITIES

A department supervisor shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by a supervisor or the designated instructor for a particular control device. The inspection shall be documented.

302.4.2 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to a supervisor for disposition.

302.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys, and groin should not be intentionally targeted except when the officer reasonably believes the use of deadly force is appropriate. See the Use of Force Policy for additional guidance.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

302.6 CHEMICAL IRRITANT GUIDELINES

As with other control devices, chemical irritant spray may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Chemical irritant spray should not be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

302.6.1 CHEMICAL IRRITANT SPRAY

Uniformed personnel carrying chemical irritant spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry chemical irritant spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

302.6.2 TREATMENT FOR CHEMICAL IRRITANT SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of a chemical irritant should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

302.7 POST-APPLICATION NOTICE

Whenever a chemical irritant has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that cleanup will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

302.8 LESS LETHAL MUNITIONS/PROJECTILES GUIDELINES

This department is committed to reducing the potential for violent confrontations. Less lethal munitions/projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

302.8.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option. Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

302.8.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the use of deadly force is appropriate. See the Use of Force Policy for additional guidance.

302.8.3 SAFETY PROCEDURES

Less lethal launcher systems specifically designated for use with less lethal projectiles/munitions will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the less lethal launcher system and projectiles/munitions at the beginning of each shift to ensure that the less lethal launcher system is in proper working order and the projectiles/munitions are of the approved type and appear to be free from defects.

When not deployed, the less lethal launcher system will be unloaded and properly and securely stored in the vehicle. When deploying the less lethal launcher system, the officer shall visually inspect the less lethal projectiles/munitions to ensure that conventional ammunition is not being loaded into the less lethal launcher system.

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

302.9 TRAINING FOR CONTROL DEVICES

The Instructor shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary. Officers will receive training on the use of issued control devices and this policy, including the learning objectives as provided by POST, at least annually (Minn. Stat. § 626.8452, Subd. 3).

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

302.10 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.



TITLE: PERSONNEL DISCIPLINE	NUMBER: 303
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

- 303.01 ABSENCE FROM DUTY** - No officer or member of the department shall be absent from his regular tour of duty without permission of a commanding officer.
- 303.02 EMERGENCY DUTY** - All officers and members of the department, when on vacation or regular days off, are subject to recall to duty by the Chief of Police in the event of an emergency, which by its nature would necessitate the need of such officers and members.
- 303.03 INJURY IN LINE OF DUTY** - In case of personal injury sustained by an officer or member of the department while in performance of his duty, he shall immediately or as soon thereafter as possible, report or cause to be reported, such injury to his supervisor, who will investigate the cause of such injury and forward, through channels, the necessary reporting form to the Chief of Police.
- 303.04 ILLNESS OF OFFICER OR MEMBER OF THE DEPARTMENT** - Each full time officer or member of the department shall earn sick leave at a rate specified in the City Personnel Policy. Abuse or misuse of such designated sick days shall be a punishable offense.
- 303.05 WHO IS SUBJECT TO DISCIPLINARY ACTION** - Any officer or member of the department who violates oath and trust by committing an offense under the laws or statutes of the United States, the State of Minnesota, or ordinances of the City of St. Francis, or violates any of the provisions of the rules and regulations or procedures of the Police Department, or who disobeys a lawful order, or who is guilty of conduct unbecoming an officer, or who is incompetent to perform his duties is subject to appropriate disciplinary action.
- 303.06 DISCIPLINARY PROCEDURES** - Officers will report any and all misconduct and/or breaches of departmental rules and regulations.

303.07

CITY PERSONNEL DISCIPLINARY POLICY

City employees shall be subject to disciplinary action for failing to fulfill their duties and responsibilities, including observance of work rules adopted by the City. Supervisors are responsible for maintaining compliance with City standards of employee conduct. The City reserves the right to use discretion in applying this policy as circumstances warrant.

City employees are expected to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct. Failure to do so may result in disciplinary action.

The reporting of misconduct and prevention of the escalation of misconduct are areas that demand all employees to exercise courage, integrity, and decisiveness. When a non-supervisory employee becomes aware of possible misconduct by another City employee, the employee shall immediately notify a supervisor.

Furthermore, an employee who observes serious misconduct shall take appropriate action to cause the misconduct to immediately cease. The fact that a supervisor is present and not taking appropriate action to stop the serious misconduct does not relieve other employees present from this obligation.

Specific reasons for discipline and dismissal are too numerous to describe in total in these policies. Lack of a specific listing of reason shall in no way limit the City from taking action deemed appropriate for a specific offense.

WORK RULE OFFENSES

- A. An employee shall be subject to immediate disciplinary action, without warning, up to and including discharge, for the violation of any of the following rules.

Major Offenses - Serious offenses for which suspension or dismissal would be reasonable in the absence of previous discipline.

- X Gross neglect of duty.
- X Immoral or indecent conduct while on duty.
- X Excessive use of force.
- X Intentional falsification of personnel records, time reports or other City records or reports.
- X Convictions of a felony, or of a misdemeanor involving moral turpitude, while an employee of the City.

- X Theft or intentional destruction of City property or another employee's property.
- X Sleeping on the job during paid work hours including sleeping or having the appearance of sleeping in public view, or in a City vehicle, while on a paid or unpaid break.
- X Intoxication, or being under the influence of intoxicants, drugs or narcotics while on duty.
- X Intentional or careless conduct endangering the safety of other employees, including the provoking of - or instigating - a fight during working time or on the City premises.
- X Inducing or attempting to induce any employee in the service of the City to commit an unlawful act or to act in violation of any lawful departmental or official regulation or order.
- X Insubordination, which is the refusal to comply with the supervisor's instructions unless such instructions are injurious to employee's safety or health.
- X Abusive, threatening or coercive treatment of another employee or the public on employer's time or premises.

Major/Minor Offenses - The level of discipline that is appropriate depends on the City's determination of the level of severity and frequency.

- X Indulging in offensive conduct or using offensive language toward the public, or in public, or toward City officials, supervisors or other employees.
- X Accepting any fee, gift or other valuables in the course of or in connection with work, when such gift or other valuables are accepted for personal use.
- X Soliciting political contributions from municipal employees and engaging in political activities on or with City property or on City time.
- X Unauthorized use of City-owned equipment and vehicles.
- X Failure to fulfill employee responsibilities as outlined in this manual.
- X Violation of a safety rule or safety practice.
- X Failure to report for work without giving the department head or his/her designee department office earliest possible notice of such absence.

- X In competency in the performance of job duties.
- X Violation of departmental policies, procedures or rules.
- X Absenteeism and/or tardiness.
- X Off-duty conduct that is potentially damaging to the reputation of the City.
- X Carelessness or negligence with the monies or the property of the City.
- X Horseplay - actions adversely affecting safety of normal operations of the department or other employees.
- X Failing to start work at designated time, abuse of break or meal periods, quitting work before the proper time or leaving employer's premises during working hours without authorization from the supervisor.
- X Smoking in posted or unauthorized areas.
- X Vending, soliciting or collecting contributions on the employer's time or premises without prior authorization from the appropriate department head and/or City Administrator.
- X Spreading negative rumors about other employees.
- X Bringing negative public opinion upon the City by one's conduct
- X Treating other employees in an unprofessional or disrespectful manner including making hurtful, disparaging or cutting remarks. (Instructive comments and suggestions for improvement are encouraged provided they are given in a positive, constructive manner.)
- X Violation of City Driving Policy.

PROCESS

The following are descriptions of the types of disciplinary actions:

Oral Reprimand

Oral reprimands are normally given for first infractions on minor offenses to clarify expectations and put the employee on notice that the performance or behavior needs to change, and what the change must be. The supervisor will document the oral reprimand including date(s) and a summary of discussion and corrective action needed.

Written Reprimand

Written reprimands are more serious. Written reprimands are issued by the supervisor upon prior approval from the department head.

A written reprimand shall normally state the reason for the warning along with the policy, directive, performance expectation etc. that was violated. It shall normally describe actions taken by the supervisor to correct the problem, if applicable, including any timetables or goals set for improvement.

Employees may be given a copy of the reprimand to sign acknowledging that they have received the reprimand. Employees' signatures do not mean that they agree with the reprimand. Written reprimands shall be placed in the employee's personnel file.

Suspension With or Without Pay

The City Administrator may suspend an employee without pay for disciplinary reasons. Suspension without pay may be followed with immediate dismissal as deemed appropriate by the City Council with the recommendation of the City Administrator in consultation with the City Attorney. There may be some situations where suspension with pay or administrative leave with pay will be allowed by the City Council (generally during a lengthy investigation where it is impractical to allow the employee to continue to work).

The employee will be notified in writing of the reason for the suspension either prior to the suspension or shortly thereafter. A copy of the letter of suspension will be placed in the employee's personnel file.

An employee may be suspended pending an investigation of an allegation. If the allegation is proven false after the investigation, the relevant written documents will be removed from the personnel file and the employee shall receive any compensation benefits due had the suspension not taken place.

Supervisors are authorized to send employees home immediately when an employee's behavior violates the Personnel Policies or department policies or otherwise constitutes serious misconduct.

Demotion and/or Transfer

An employee may be demoted or transferred if the City Council determines this would be the best solution to the problem. The employee must be qualified for the position to which they are being placed.

Salary

An employee's salary increase may be withheld or the salary may be decreased due to performance deficiencies.

Dismissal

The City Council may dismiss an employee.

The employee must first be offered an opportunity for a hearing to allow the employee the opportunity to respond to the allegations. Information presented at this hearing will be considered along with all other relevant information already collected in determining appropriate discipline.

If the disciplinary action involves the removal of a covered veteran, the hearing shall be held in accordance with Minnesota Statutes Section 197.45. Removal of veterans may be made only for incompetence or misconduct shown after a hearing with due notice (M.S. 197.46).

303.08 See also **Officer Complaints** - 307.00 of this manual.



TITLE: PURSUIT POLICY	NUMBER: 304
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

304.01 PURPOSE

It is the primary mission of the St. Francis Police department to protect lives while enforcing the law. In addition, it is the responsibility of the St. Francis Police Department to guide its officers in the safe and reasonable performance of their duties. To accomplish these goals, the following policy is provided to control and regulate the manner in which emergency vehicle operations are under taken and performed. When engaged in emergency vehicle operations in the performance of official duties, drivers of authorized emergency vehicles are granted exemptions, by statute, from certain traffic laws. These exemptions are provided to help protect lives, not to place them at undue risk.

304.02 DEFINITIONS

- A. Pursuit: A multi-stage process by which a police officer initiates a vehicular stop and a driver resists the signal or order to stop, increases speed, takes evasive action and/or refuses to stop the vehicle. Once the driver refuses to obey the police officer's signal or order, this pursuit policy and procedure will determine the officer and department's actions.

- B. Termination of a Pursuit: A pursuit shall terminate when the primary officer turns off the emergency equipment, resumes routine vehicle operation and informs dispatch, or when the suspect vehicle stops.

- C. Divided Highway: Any highway, which has been separated into two or more roadways by;
 - 1. A physical barrier, or

2. A clearly indicated dividing section so constructed as to impede vehicular traffic.
- D. Channeling: To direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.
 - E. Ramming: The deliberate act of impacting a violator's vehicle with another vehicle other than in a pursuit intervention technique, to functionally damage or otherwise force the violator's vehicle to stop.
 - F. Compelling Path: The use of channeling technique with a modified roadblock located at its narrowed end. The compelling path differs from a termination roadblock in that the driver or any vehicle traveling the path has an exit option at the narrowed end.
 - G. Senior Officer: For the purposes of the pursuit, policy when a supervisor is not on duty the senior officer on duty has control over the pursuit.

304.03 Pursuit Considerations

- A. Pursuit is justified:
 1. When a vehicle operator fails to stop after being given a visual or audible signal to stop by a peace officer; and
 2. When there is reasonable expectation of successful apprehension of the suspect.
- B. Other factors to be considered;
 1. The initial decision to engage in a pursuit shall lie primarily with the officer who has initiated the vehicular stop, after considering the elements of this policy.
 2. These elements shall include, but are not limited to, the crime for which the suspect is wanted (the need to apprehend immediately) and the risk to the community created by the pursuit (traffic, area of pursuit, environmental factors, and weather conditions).

3. The officer must continually consider the risks created by the pursuit, as those risks may change during a pursuit.
 4. Terminating a pursuit shall be considered a decision made in the interest of public safety. At times, the termination of a pursuit may be safest and most appropriate action.
 5. The officer's decision to continue a pursuit may be overridden by a supervisor (or senior officer if no supervisor is available) at any time.
- C. Standards applied to the evaluation of a pursuit, as well as the decision to continue a pursuit shall include the following:
1. Is the need to immediately apprehend the suspect more important than the risk created by the pursuit?
 2. Do the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape?

304.04 Procedures and Tactics for an Officer Engaging in a Pursuit

- A. Emergency vehicles shall be driven in a safe manner and with due regard for public safety.
- B. Emergency vehicles operating in emergency mode are permitted to violate certain traffic regulations when necessary, as long as the operator continues to exercise due care in vehicle operation.
- C. The pursuing vehicle shall be known as the primary unit, which will be the unit closest to the fleeing vehicle and the secondary unit, which shall remain at a safe distance behind the primary unit but close enough to provide support and communicate with dispatch. Backup units as needed shall operate at a safe distance to provide support.
- D. Ramming – Ramming a fleeing vehicle should only be used in situations where there does not appear to be another reasonable alternative method. When ramming is used as a means to stop a fleeing vehicle the following factors should be present.

1. The Officer is authorized to use deadly force as described in section 326 of department policy, Use of Deadly Force.
- E. Pursuit Intervention Tactic (PIT) – In an effort to terminate pursuits as safely and as soon as practical, officers who have successfully completed a POST approved pursuit intervention tactics (PIT) course may use PIT during a pursuit if the opportunity arises. Before deployment, officers should rely on their training and take into consideration the pursuit location in relationship to obstructions on or alongside the roadway, other traffic, pedestrians, speeds, and the type of vehicles involved in the pursuit.
1. Only officers who have successfully completed a POST approved PIT course may use this technique.
 2. Officers shall not use PIT technique on a motorcycle, except when authorized to use deadly force as described in section 326 of department policy, Use of Deadly Force.
- F. Because our primary concern in all pursuits is safety of the public, it is essential that all pursuits be terminated quickly. Once an officer is certain that a subject is fleeing, the officer should immediately seek and use opportunities to end the pursuit with options available. Early proper use of techniques available to the officer will accomplish the two goals of safety to the public and arrest of the subject. Techniques also include the use of roadspike devices as covered in St. Francis Policy 331.00.
- G. Road Blocks - The use of a roadblock must be authorized by the Supervisor or Senior Officer in charge of the shift. Stationary roadblocks and/or rolling roadblocks may be employed when there is definite knowledge that the suspect fleeing (1) has committed a felony (other than fleeing); (2) the violator constitutes an immediate and continuing serious hazard; (3) all other efforts to effect the apprehension have failed and continued pursuit is justified. Roadblocks should not be employed when it is apparent that innocent persons would be endangered.

If a roadblock is ordered, the following actions will be taken:

1. Immediately advised all pursuing squads, via Central Communications, of the existence and exact location of the roadblock.
2. The stationary roadblock should consist of placing a police vehicle(s) across the roadway at some distance ahead of the fleeing vehicle to force it to stop. The roadblock must be located so that the suspect has an opportunity to stop before the roadblock and adequate visual warning will be provided.
3. The minimum number of police vehicles required to completely block the roadway will be used to establish a roadblock. No personnel will remain in a vehicle used for a roadblock. If a single unit is sufficient to block the roadway, a second unit will be stationed close enough to the roadblock to provide any required backup. Only marked police vehicles will be used to establish a fixed roadblock.

Each particular incident must be carefully evaluated. The use of a roadblock must be directly associated with the seriousness of the crime for which the suspect is wanted.

304.05 Responsibilities of the Primary Unit

- A. The driver of the primary unit shall notify dispatch of the pursuit and should provide at least the following critical information to dispatch:
 1. Unit identification.
 2. Offense for which the suspect is being pursued.
 3. Suspect vehicle description, including license number if reasonably possible.
 4. Location, direction, and speed of both vehicles.
 5. Description of occupants(s) and if suspect is known to officer.
 6. Any other important information about the suspect vehicle or environment (for example;

suspect if traveling without lights, officer loses sight of vehicle, etc).

- B. Based on known information, the supervisor shall make the decision to either take further appropriate action or terminate the pursuit.
- C. No officer will intentionally make vehicle-to vehicle contact unless in conformance with departmental policy on Pursuit Intervention Tactics (PIT) or when authorized to use deadly force as described in section 326 of department policy, Use of Deadly Force.
- D. Roadblocks established must conform to the policy on use of force.
- E. Only police vehicles with emergency lights and siren will be used as pursuit vehicles.
- F. The use of pursuit intervention devices shall conform to written department policy.

304.06 Supervisor's/Senior Officer Responsibilities

- A. The supervisor/senior officer shall have control over the activities of the pursuit.
- B. Once notified that a unit has become involved in a pursuit, the supervisor shall acknowledge his/her presence immediately, monitor the pursuit activities and provide the driver of the primary unit with appropriate direction.
- C. The supervisor/senior officer should request critical information necessary to evaluate the continuation of the pursuit.
- D. The supervisor/senior officer has the authority to terminate any pursuit.
- E. Options for the supervisor to keep in mind include, but are not limited to the following:
 - 1. In cases involving wrong-way drivers, parallel pursuits may be used.
 - 2. Notification of the next jurisdiction is encouraged.

3. Channeling techniques may be used.
 4. Creating a compelling path.
- F. Post-pursuit chain of command notifications are required.

304.07 Dispatch Responsibilities: Dispatch will coordinate critical information, both as timely and accurately as possible, as per their policy.

304.08 Factors Influencing the Termination of a Pursuit

- A. The driver of the primary unit and the supervisor/senior officer shall continually evaluate the risks and likelihood of a successful apprehension of the suspect.
- B. The conditions of the pursuit become too risky for the safe continuation of the pursuit, i.e., it is futile to continue.
- C. A supervisor/senior officer orders it terminated.
- D. If information is communicated that indicates the pursuit is out of compliance with policy.
- E. When normal communications are broken.
- F. When visual contact is lost for a reasonable period to time or the direction of travel cannot be determined.
- G. When the suspect is known and could be apprehended later, and to delay apprehension does not create a substantial known risk of injury or death to another.

304.09 Interjurisdictional Pursuit

- A. The primary unit, before leaving its jurisdiction, shall update critical information to the dispatcher.
- B. The primary police vehicle should remain the primary vehicle in other jurisdictions.
- C. Upon receiving notification that the pursuit is entering another agency's jurisdiction, the dispatcher shall forward all critical information possessed by the dispatcher to that agency.

- D. When a pursuit enters this department's jurisdiction:
 - 1. The dispatcher shall, per their policy, update the critical information to the shift supervisor.
 - 2. The supervisor shall determine if the pursuit is in conformance with policy, based on information provided.
 - 3. The supervisor shall provide the appropriate direction to units.

304.10 Air Support:

- A. Once contact is made with air support and air support has suspect vehicle in sight, the primary pursuit unit shall re-evaluate the pursuit status and adjust tactics accordingly.

304.11 Care and Consideration of Victims

- A. If during a pursuit an officer observes or is made aware of an injury to an individual, the officer shall immediately notify the peace officer's dispatcher to have the appropriate emergency units respond.
- B. The secondary pursuit unit will be responsible for ensuring that assistance is provided to people who may have been injured during the course of a pursuit. If there is no secondary pursuit unit, the primary unit will terminate pursuit and assume this responsibility.

304.12 Pursuit Summary Report

- A. The primary officer and the supervisor shall file a pursuit summary report.
- B. To ensure compliance with MN Statute 626.5532, the chief law enforcement officer shall insure the completion of the state pursuit report form and forward it to the Commissioner of Public Safety within 30 days following the incident.
- C. The report must contain the following elements:

1. The reason(s) for, and the circumstances surrounding the incident;
2. The alleged offense;
3. The length of the pursuit including time and distance;
4. The outcome of the pursuit;
5. Any injuries or property damage resulting from the incident; and
6. Any pending criminal charges against the driver.

304.13 Evaluation and Critique:

- A. After each pursuit, the supervisor and department units involved with the pursuit will evaluate the pursuit and make recommendations to the chief law enforcement officer on ways to improve the department's pursuit policy and tactics.



TITLE: DOMESTIC ABUSE RESPONSE & ARREST	NUMBER: 305
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

It is the policy of the St Francis Police Department to recognize domestic abuse as a serious problem in today's society. This agency's policy is to protect victims of domestic abuse by ensuring its peace officers understand the laws governing this area. Peace officers will utilize this policy in response to calls when there may be domestic abuse. This policy prescribes courses of action peace officers should take in response to a domestic call. This agency will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, or national origin.

305.01 DEFINITIONS

For the purposes of this policy, the words and phrases in this section have the meanings given to them, unless another intention clearly appears.

- A. **Domestic Abuse** has the meaning given it in Minn. Statute 518B.01 subd. 2 (a) which states: "Domestic abuse" means the following, if committed against a family or household member by a family or household member:
1. Physical harm, bodily injury, or assault;
 2. The infliction of fear of imminent physical harm, bodily injury, or assault; or
 3. Threats of Violence, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.

- B. **Domestic Abuse Program** means a public or private Intervention project or advocacy program, which provides support and assistance to the victims of domestic abuse.
- C. **Child** means a person under the age of 18.
- D. **Family or Household Member** has the meaning given to it in MN Statute 518B.01, subd. 2(b)(1)-(7): spouses, former spouses, parents and children, persons related by blood, and persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they have been married or have lived together at any time, and persons involved in a significant romantic or sexual relationship. It also includes a man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.
- E. **Domestic Call** means a request for assistance to a law enforcement agency regarding domestic abuse or any other crime against a family of household member.
- F. **Qualified domestic violence-related offense (QDVRO)** has the meaning given it in MN Statute 609.02, subd. 16 and includes a violation of or an attempt to violate a domestic abuse order for protection; first or second degree murder; first through fifth degree assault; domestic assault; female genital mutilation; domestic assault by strangulation; first through fourth degree criminal sexual conduct; malicious punishment of a child; threats of violence; violation of harassment restraining order; stalking; interference with an emergency call; nonconsensual dissemination of private sexual images; and violation of domestic abuse no contact order; and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.
- G. **Order for Protection (OFP)** is an order issued under MN Statute 518B.01 by a judge in civil court upon the request of the petitioner. Any family or household member of the abuser (called a respondent) may ask the court for an OFP. The relief granted to the petitioner may include an order for the respondent to stop domestic abuse, no direct or indirect

contact with petitioner, temporary custody of minor children, temporary financial support, and/or counseling for the respondent. Other forms or relief are also available. Violating an OFP is a crime.

- H. **Domestic Abuse No Contact Order (DANCO)** is an order issued under Minn. Stat. 629.75 by a judge in criminal court limiting contact between a defendant and a victim of domestic abuse. DANCOs may be issued as pretrial condition of release and/or as a probationary condition of sentence.

- I. **Harassment Restraining Order (HRO)** is an order issued under MN Statute 609.748 by a judge in civil court when a petitioner requests a court order preventing another person from having contact with him/her. These orders generally prohibit all contact of any kind (including, but not limited to, phone calls, letters, e-mail, social media and contact through a third party and may limit the respondent's ability to come within a certain distance of the petitioner's home, work or school. This type of order can be issued no matter what the relationship between the individuals involved. Violating an HRO is a crime.

- J. **Harassment** has the meaning given to it in MN Statute 609.748, subd.1 (a): a single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.

- K. **Stalking** has the meaning given to it in Minn. Stat. 609.749, subd. 1: engaging in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

305.02

PROCEDURE

A. DISPATCHING THE CALLS

1. **Receiving the Domestic Call:** Upon receiving a domestic call, the dispatcher will assign domestic calls a high priority and should assign at least two officers to the call. If only one officer is available, all reasonable attempts should be made to obtain another officer to assist the officer who was initially dispatched.

2. **Information to be Obtained:** The dispatcher receiving a domestic call should attempt to elicit from the caller and should communicate to the responding peace officers as much of the following information as possible:

- a. the nature of the incident,
- b. the address of the incident, including apartment number, if applicable
- c. the telephone numbers where the caller can be reached,
- d. whether weapons are involved or present in the dwelling,
- e. whether someone is injured and the nature of the injury,
- f. information about the suspect including whether the suspect is present, description, direction of flight, mode of travel, etc.,
- g. the relationship between the caller and the suspect,
- h. whether there has been prior calls involving these individuals,
- i. whether there is an order for protection (OFP), harassment restraining order (HRO) or criminal pre-trial or probationary domestic abuse no contact order (DANCO),
- j. whether children are present at the scene, and
- k. whether there are non-English speaking people, or people with mobility impairments or hearing

impairments at the scene.

If the caller is the victim, the dispatcher should attempt to keep the caller on the telephone as long as possible and should tell the caller that help is on the way, and when the caller can expect the peace officers to arrive.

If the caller is a witness to an incident in progress, the dispatcher should attempt to keep the caller on the phone and should relay ongoing information provided by the caller to the responding peace officers.

If the responding peace officers are some distance away, and the dispatcher cannot remain on the telephone with the call/victim, the dispatcher should attempt to call back periodically to check on the progress of events, and call again when the officers arrive at the scene. If the dispatcher finds that a victim/caller who was recently available suddenly cannot be reached by phone or there is a persistent busy signal, the dispatcher should relay that information to the officers.

B. RESPONDING TO THE CALLS

1. Driving to the Scene: The peace officers should respond directly and without unreasonable delay to the scene.

2. Initial Contact with Occupants: Upon arriving at the scene of a domestic call, the responding officers should identify themselves as peace officers; explain their presence, and request entry into the home. The officers should ask to see the person who is the alleged victim. The officers should separate parties prior to taking statements. If the person who called the law enforcement agency is someone other than the subject of the call, the officer should not reveal the caller's name. The officer should ensure all of the occupants are safe.

3. Entry

- a) Refused Entry – If refused entry, the officers should be persistent about seeing and speaking alone with the subject of the call. If access to the subject is refused, the officers should request the dispatcher to contact the caller.

- b) Forced Entry – If access is still refused and the officers have reason to believe that someone is in imminent danger the officers are permitted to force entry.

- c) Search Warrant Entry – If the officers are refused entry, have no legal grounds for forced entry, and have reasonable grounds to believe a crime has been committed; the officers should contact the appropriate authority to obtain a search warrant.

4. **First Aid:** After securing the scene, the responding peace officers shall provide the necessary first aid.

C. ARREST DECISIONS

1. **Making Arrests:** After securing the scene and providing any first aid, the peace officers will conduct an assessment of the lethality of the situation based on the totality of the circumstances and begin a criminal investigation to determine if there is probable cause to believe a crime has been committed based on the evidence and not solely upon the victim's desire to make an arrest. The officers should collect relevant physical evidence including weapons, which may have been used, take photographs of the scene or any injuries and take statements from the involved parties and witnesses. Some of the evidence and statements include:

- a) photos of the scene,
- b) condition of clothing,
- c) property damage,
- d) evidence of physical injury including strangulation,
- e) excited utterances of the victim and the suspect,

- f) demeanor of the victim and the suspect,
- g) medical records including the victim's statements to paramedics, nurses and doctors,
- h) recorded interviews of witnesses including children who may have been present,
- i) evidence of any prior domestic abuse – related convictions including dates, and
- j) any existing OFPs, HROs or DANCOs.

NOTE: When determining probable cause, the peace officers should consider their observations and any statements made by the parties involved and any witnesses. Prior convictions may provide the basis for enhancement to a gross misdemeanor or felony charges (see D below)

2. Factors Not to be Considered in Making the Arrest:

- a) ownership, tenancy rights of either party, or the fact the incident occurred in a private place,
- b) belief that the victim will not cooperate with criminal prosecution or that the arrest may not lead to a conviction,
- c) verbal assurances that the abuse will stop,
- d) disposition of previous police calls involving the same victim or suspect,
- e) denial by either party that the abuse occurred when there is evidence of domestic abuse,
- f) lack of a court order restraining or restricting the suspect,
- g) concern about reprisals against the victim,
- h) adverse financial consequences that might result from the arrest, or
- i) chemical dependency or intoxication of the parties.

3. **Predominant Aggressor and Dual Arrests:** The agency shall discourage dual arrest. Where there are allegations that each party assaulted the other, the peace officer shall determine whether there is sufficient evidence to conclude that one of the parties is the predominant aggressor based on the following criteria and the officer's judgment:

- a) comparative extent of any injuries inflicted,
- b) fear of physical injury because of past or present threats,
- c) actions taken in self-defense or to protect oneself,
- d) the history of domestic abuse perpetrated by one party against the other, or
- e) the existence or previous existence of an order for protection.

4. **Victim Request Not to Prosecute:** If the officer finds probable cause to believe a domestic abuse offense has been committed and intends to arrest but the victim requests no arrest or prosecution, the officer should inform the victim that the decision to arrest is the officer's and the decision to prosecute lies with the prosecutor.

D. AUTHORITY AND TYPES OF ARREST

1. **Warrantless Probable Cause Arrest for Fifth Degree Assault or Domestic Assault:** Although the general rule is that officers may not make probable cause arrests for misdemeanors unless the offense occurs in their presence (or a citizen who saw the crime requests an arrest) domestic assault is an exception. A peace officer **may** arrest a person anywhere without a warrant, including at the person's residence, if the peace officer has probable cause to believe that the person has, within the preceding 72 hours, assaulted, threatened with a dangerous weapon, or placed in fear of immediate bodily harm any person covered by the "family or household member" definition, even if the assault did not take place in the presence of the peace officer (Minn. Stat. 629.341). A peace officer acting in good faith and exercising due care in making an arrest pursuant to

subdivision 1 of this statute is immune from civil liability that might result from the officer's action.

Minn. Stat. 629.342 which mandates the development of a written domestic abuse arrest policy for every law enforcement agency in the state specifies that the policy "shall discourage dual arrests, include consideration of whether one of the parties acted in self defense, and provide guidance to officers concerning instances in which officers should remain at the scene of a domestic abuse incident until the likelihood of further imminent violence has been eliminated."

NOTE: An arresting officer may not issue a citation in lieu of arrest and detention to an individual charged with assaulting the individual's spouse or other individual with whom the charged person resides (Minn. Stat.629.72).

2. Level of Arrest for Fifth Degree Assault and Domestic Assault: Misdemeanor, Gross Misdemeanor and Felony: Assault in the Fifth Degree and Domestic Assault are deemed misdemeanor offenses. However, changes in the statutes have greatly increased the potential for arrests for these crimes at the gross misdemeanor and felony level.

a) Gross Misdemeanors: Minn. Stat. 609.224, subd. 2(a), Assault in the Fifth Degree, provides for an enhancement to a gross misdemeanor violation when the offense is against the same victim within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency in Minnesota, or any similar law of another state. If the charge is Domestic Assault (Minn. Stat. 609.2242) and the current victim is a family or household member and the crime occurs within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency of any of the above offenses against any family or household member, the same gross misdemeanor enhancement applies. The prior conviction need not be against a member of the same family or household.

b) Felonies: If a person commits Assault in the Fifth Degree against the same victim within ten years of the first of any

combination of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency, Assault in the Fifth Degree becomes a felony. The same enhancement applies to Assault in the Fifth Degree against any victim occurring within three years of the first of two or more of these convictions. Domestic assault against a family or household member is also enhanceable under the same circumstances except that the prior convictions may be against any family or household member. According to Minn. Stat. 609.2247, subd. 2., whoever assaults a family or household member by strangulation is guilty of a felony.

3. Stalking The acts, which constitute stalking according to Minn. Stat. 609.749 include several, which are frequently applicable to domestic abuse situations even when no actual assault occurred. a) Gross Misdemeanors: A person who stalks another by committing any of the following acts is guilty of a gross misdemeanor:

- a. directly or indirectly, or through third parties, manifests a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act;
- b. follows, monitors, or pursues another, whether in person or through any available technological or other means;
- c. returns to the property of another if the actor is without claim of right to the property or consent of one with authority to consent;
- d. repeatedly makes telephone calls, or induces a victim to make telephone calls to the actor, whether or not conversation ensues;
- e. makes or causes the telephone of another to repeatedly or continuously ring;
- f. repeatedly mails or delivers or causes the delivery by any means, including electronically, of letters, telegrams, messages, packages, through assistance devices for the visually or hearing impaired, or any communication made through any available technologies or other objects; or
- g. knowingly makes false allegations against a peace officer concerning the officer's performance of official duties with

intent to influence or tamper with the officer's performance of official duties.

Also, according to Minn. Stat. 609.749., subd.1 (a), the State does not have to prove the actor intended to cause the victim to feel frightened, threatened, oppressed, persecuted or intimidated. The intent of the defendant is immaterial. Obtaining a complete domestic abuse history is usually the key to making the determination that the current act, under the circumstances, constitutes the crime of stalking.

(a) Felony/Felony Enhancements: A person who commits any offense described in 3.a (see above) against a victim under the age of 18, if the actor is more than 36 months older than the victim, and the act is committed with sexual or aggressive intent, is guilty of a felony.

Any of the above gross misdemeanors is enhanceable to a felony if committed within ten years of a previous QDRVO conviction or adjudication of delinquency OR if committed against a juvenile OR if committed while possessing a dangerous weapon.

In addition, it is a felony to engage in a pattern of stalking conduct with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause a reasonable person under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim. According to Minn. Stat. 609.749, subd. 5, a "pattern of stalking conduct" means two or more acts (convictions are not necessary) within a five-year period that constitute any of the following offenses: murder, manslaughter, terroristic threats, fifth-degree assault, domestic assault, violation of domestic abuse orders for protection, violation of harassment restraining orders, certain trespass offenses, interference with an emergency call, obscene or harassing telephone calls, letter, telegram, or package opening or harassment, burglary, damage to property, criminal defamation, first- to fifth-degree criminal sexual conduct, and violations of domestic abuse no contact orders.

The stalking statute makes it more important than ever to document not just the facts of the current police call but also the history of abuse or stalking.

b) Venue (Minn. Stat. 609.749, subp. 1b.): If a suspect commits acts of stalking in different counties, the acts may be consolidated and prosecuted in any county in which one of the acts was committed. If the conduct that constitutes stalking is done through use of a wireless or electronic communication device, the conduct can be prosecuted in the county where either the suspect or victim resides.

4. Probable Cause Warrantless Arrest: The domestic abuse arrest statute (Minn. Stat. 629.72) provides an officer may not issue a citation in lieu of arrest in harassment/stalking, domestic abuse, violation of an order for protection, or violation of a domestic abuse no contact order cases. According to Minn. Stat. 629.34, subd.1(c)(8) if the peace officer has probable cause to believe that within the preceding 72 hours, exclusive of the day probable cause was established, the person has committed non-felony domestic abuse as defined in section 518B.01, subdivision 2, a peace officer **may** arrest a person without a warrant even though the assault did not take place in the presence of the peace officer.

5. Probable Cause Felony Arrests for Other Crimes: At a domestic call peace officers shall consider whether other felonies have been committed including but not limited to, burglary, felony assault, terroristic threats, kidnapping, false imprisonment, and witness tampering.

NOTE: An Assault 5 may be chargeable as burglary in the first degree even if the home is also the offender's if the entry is made without consent of the victim and in violation of an OFP barring the offender from the premises.

6. Violation of Court Orders: The peace officer shall verify whether any of the following orders exist before or during an arrest. The peace officer or someone acting at the officer's direction may make this verification. Methods of verification include personally seeing a copy of the order or obtaining verification from the court or law enforcement agency that has the actual order. The police report shall include identifying information of the specific court order violated, including county of origin, the file number, and the provision allegedly violated.

a) **Order for Protection (OFP):** A peace officer **shall** arrest and take into custody without a warrant a person who the peace officer has probable cause to believe has violated any condition of an OFP granted pursuant to Minn. Stat. 518B.01, subds. 6, 7, and 9. Such an arrest shall be made even if the violation of the order did not take place in the presence of the peace officer, if the officer can verify the existence of the order.

NOTE: Minn.Stat. 518B.01, subd. 18(a) (2), states that an OFP is not voided even if the respondent was invited back to the residence by the petitioner, and there is no hour limitation for a warrantless arrest for a violation of an OFP. A violation of an OFP is a misdemeanor but is enhanceable to a gross misdemeanor if the offense occurs within ten years of discharge from sentence for conviction of violation of an OFP or for any conviction of assault, threats of violence, violation of harassment order or harassment/stalking. It is enhanceable as a felony if it occurs within ten years of discharge of the first of two or more such convictions.

OFPs and DANCOs can be verified on the State MNJIS system, also known as the Hot Files. HROs are not in the Hot Files system at this time but are still enforceable.

b) **Harassment Restraining Order (HRO):** A peace officer **shall** arrest and take into custody a person who the peace officer has probable cause to believe has violated a harassment restraining order pursuant to Minn. Stat. 609.748, subds. 4 and 5, if the officer can verify the existence of the order.

NOTE: A person who violates an HRO is guilty of a misdemeanor if the violator knows of the order. This offense is enhanceable to a gross misdemeanor if it occurs within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency. Per Minn. Stat. 609.748, subd. 6, (d), it is enhanceable to a felony if the person knowingly violates the order:

- (1) within 10 years of the first of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency;
- (2) because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability (as defined in section 363A.03), age, or national origin;

- (3) by falsely impersonating another;
- (4) while possessing a dangerous weapon;
- (5) with intent to influence or otherwise tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial officer, as defined in section 609.414, or a prosecutor, defense attorney, or officer of the court, because of that person's performance of official duties in connection with a judicial proceeding; or
- (6) against a victim under the age of 18, if the respondent is more than 36 months older than the victim.

c) **Domestic Abuse No Contact Order (DANCO)** (Minn. Stat. 629.75): A peace officer **shall** arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated a DANCO, even if the violation of the order did not take place in the presence of the peace officer, if the existence of the order can be verified by the officer.

NOTE: A person who violates a DANCO is guilty of a misdemeanor if the violator knows of the order. This offense is enhanceable to a gross misdemeanor if it occurs within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency. This offense is enhanceable to a felony if it occurs within ten years of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency. Or while possessing a dangerous weapon.

The pretrial DANCO is sometimes continued at the time of sentencing with a new, probationary DANCO issued as a condition of probation. This DANCO may be valid for the full probationary period indicated in the order.

The court may rescind a DANCO at any time. However, a victim's production of a copy of an apparently valid court order, absent contrary evidence, provides prima facie basis for arrest whenever there is probable cause to believe a violation of the order has occurred.

7. **Other Misdemeanors:** At a domestic call, the peace officer shall consider whether other crimes have been

committed including but not limited to trespassing, criminal damage to property, disorderly conduct, witness tampering, or assault.

E. ASSISTANCE, STAYING AT THE SCENE, CRIME VICTIM RIGHTS, AND SERVICES

1. **Staying at the Scene:** If no arrest is made peace officers should remain at the scene of the disturbance until they believe that the likelihood of further imminent abuse has been eliminated. If a domestic abuse intervention program is available the peace officer should make contact for immediate intervention.

NOTE: Minn. Stat.629.342 provides that when a peace officer does not make an arrest, the peace officer must provide immediate assistance to the victim including obtaining necessary medical treatment and providing the victim with the notice of rights pursuant to Minn. State. 629.341, subd. 3.

2. **Assistance to Non-English Speaking Victims or Victims with Communication Disabilities:** The peace officer shall use the resource list established by the law enforcement agency to contact a person to assist in those cases where the participants in the domestic call, including the witnesses, are non-English speaking, are hearing impaired, or have other communication disabilities. The officer should avoid the use of friends, family or neighbors serving as the primary interpreter for the investigation.

3. **Notice of Crime Victims Rights:** The peace officer shall give the victim of a domestic call a copy of the agency's crime victim notification form.

NOTE: It is important to routinely review these forms to ensure that they are current, in compliance with the law, and contain the name of the local domestic abuse program. The Department of Public Safety, Office of Justice Programs, produces the crime victim's rights notice and serves as the contact for the victim's rights information.

4. **Alexandra House:** The peace officer should contact the Alexandra House by phone as soon as possible on all arrest situations and provide the name and address of the victim and a brief factual account of events associated with the action. This section shall not apply if prohibited by the Minnesota Government Data Practices Act (Minn. Stat.13.82, subd. 10,).

5. **Lethality Assessment Protocol (LAP)** The LAP is a tool that is used to assist in identifying victims who are in danger of being killed. The LAP is to be used only in cases of intimate relationships and under any of the following circumstances:
 - When the Officer believes an assault has occurred, or

 - When the officer believes the potential for danger is high, or

 - When the Officer believes the situation is dangerous and the LAP should be conducted.

 - When there is an OFP/HRO/DANCO violation and any of the above listed circumstances exist.

If the LAP is used, Officers are to complete the Domestic Violence Lethality Screen for First Responders Form. Once the screening is completed, and it is determined that the situations triggers a protocol referral, the Officer will advise the victim that they will be calling Alexandra House to get information for assistance, and to have them consider speaking with them on the phone. Officers will call Alexandra House and provide basic information to the advocate, and will then put the victim on the phone with the advocate and stand by. Once the victim finishes, Officers will conclude the call by speaking with the advocate.

F. CHILDREN

1. **Child Victims:** If a child is present at the scene of a domestic call or is the victim of domestic abuse, the peace officer should determine whether the child has been subjected to physical abuse, sexual abuse, or neglect, and comply with the requirements of Minn. Stat. 626.556, Reporting of Maltreatment of a Minor. The officers shall also attempt to verify whether there has been an Order for Protection (Minn. Stat.260C.201). If the child has been injured, the officer should escort the child to the nearest hospital for treatment.

G. REPORTS AND FORMS

1. **Written Report:** Peace officers shall make a report after responding to a domestic call. If the officer did not arrest even though arrest was authorized, a detailed explanation of the reasons for the officer's decision not to arrest must be documented.

The report should include the following:

- detailed statements from the victim, suspect and witnesses;
- description of injuries;
- information about past abuse;
- description of the scene;
- predominant aggressor;
- existence of language barriers;
- presence of elderly victims or those with disabilities; and
- documentation of evidence.

H. FURTHER INVESTIGATION

1. A domestic call shall be turned over to the appropriate investigator for further follow-up if appropriate. If there is an arrest, the investigating officer shall determine the defendant's criminal record, and if there is evidence of a previous conviction, the peace officer should advise

the prosecutors of any enhanced criminal sanctions which may be available.

2. Notwithstanding the fact that the officer has decided not to arrest one of the participants in the domestic call, the peace officer shall thoroughly document all relevant information in the report and shall refer the report to the appropriate prosecutor for review and consideration of criminal charges.

Enhancements Table

Conviction means a plea of guilty or verdict of guilty accepted by the court (Minn. Stat. § 609.02, subd. 5).

Discharge from Offense means the time between conviction and the end of 5 years following discharge from sentence for that offense.

QDVRO means a “Qualified Domestic Violence Related Offense” which includes a violation of or an attempt to violate a domestic abuse order for protection; first or second-degree murder; first through fifth-degree assault; domestic assault; female genital mutilation; domestic assault by strangulation; first through fourth-degree criminal sexual conduct; malicious punishment of a child; threats of violence; violation of harassment restraining order; stalking; interference with an emergency call; nonconsensual dissemination of private sexual images; and violation of domestic abuse no contact order (DANCO); and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories. (Minn. Stat. 609.02, subd. 16)

Enhancement Table

Offense	Victim of Offense	Time Limit	Prior Conviction	Offense Level
Assault 5	Same Victim	w/in 10 years of conviction	QDVRO	Gross Misdemeanor
		w/in 10 years of discharge of 1 st of 2 or more convictions	QDVRO	Felony
	Any Victim	w/in 3 years of conviction	QDVRO	Gross Misdemeanor
		w/in 3 years of 1 st of 2 or more convictions	QDVRO	Felony
Domestic Assault	Family/Household Member (as defined in Minn. Stat. 518B.01, subd. 2.)	w/in 10 years of conviction	QDVRO	Gross Misdemeanor
		w/in 10 years of 1 st of 2 or more convictions for Domestic Assault or Assault 5	QDVRO	Felony
Malicious Punishment	Any Victim	w/in 5 years of discharge	Assault 1-5, Domestic Assault, Malicious Punishment, Criminal Sexual Conduct 1-4, or Terroristic Threats	Felony
Violation of Order for Protection or Harassment Restraining Order	Any Victim	w/in 10 years of conviction	QDVRO	Gross Misdemeanor
		w/in 10 years of discharge of 1 st of 2 or more convictions	QDVRO	Felony
Stalking	Any Victim	w/in 10 years of conviction	QDVRO	Felony
Interference w/ Privacy	Any Victim	None	Interference w/ Privacy or Stalking	Gross Misdemeanor

Example of Enhancement Reachback:

Arrest for Assault 5 & Malicious Punishment	1/1/2013
Plea (Accepted) to Assault 5 & Malicious Punishment (Conviction)	6/1/2013
Sentence of 2 years of probation	8/1/2013
Expiration of reachback for any victim for Assault 5	6/1/2016
Discharge from sentence	8/1/2015
Expiration of reachback for any victim for Malicious Punishment	8/1/2020
Expiration of reachback for same victim for Assault 5	6/1/2023

PB Rev 04/2013

***DANCO violation follows violation of OFP/HRO**



TITLE: HARASSMENT POLICY	NUMBER: 306
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

The City of St. Francis is committed to creating and maintaining a work environment free from all forms of harassment and discrimination. Such harassment is a violation of Title VII of the Civil Rights Act of 1964 and the Minnesota Human Rights Act. Harassment of any person because of race, creed, color, religion, national origin, sex, age, marital status, disability, and sexual orientation, receipt of public assistance, political opinions or affiliations is unlawful. This policy statement is intended to make all employees and elected officials sensitive to the matter of harassment, to specifically express the City's strong disapproval of unlawful harassment, to advise employees and elected officials of their behavioral obligations and to inform them of their rights.

In keeping with this commitment, the City maintains a strict policy prohibiting unlawful harassment, including sexual harassment. This policy prohibits harassment in any form, including verbal and physical harassment.

Management has the obligation to provide an environment free of harassment. The City is obligated to prevent and correct unlawful harassment in a manner, which does not abridge the rights of the accused. To accomplish this task, the cooperation of all employees and elected officials is required.

The City will in all cases, take action to correct any reported harassment to the extent evidence is available to verify the alleged harassment and any related retaliation. All allegations will be investigated. Strict confidentiality is not possible in all cases of harassment as the accused has the right to answer charges made against them, particularly if discipline is a possible outcome. Reasonable efforts will be made to respect the confidentiality of the individuals involved, to the extent possible.



TITLE: OFFICER COMPLAINTS	NUMBER: 307
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023
AMENDMENT DATE: 08/05/2021	

307.01 PURPOSE

- A. A relationship of truth and confidence between department members and the community they serve is essential for effective law enforcement. Law enforcement officers must be free to exercise their best judgment and to initiate enforcement action in a lawful and impartial manner without fear of reprisal while at the same time they must meticulously respect individual rights.
- B. This complaint procedure is intended to provide correct action when a department member conducts himself/herself improperly, and to protect officers from unwarranted criticism when discharging their duties properly.
- C. Any person who believes that a law enforcement officer's act is improper is encouraged to bring the complaint to the department's attention.
- D. The department will make every effort to ensure that no adverse consequences occur to any person or witness who brought a complaint or provided information in any investigation or a complaint.
- E. Complaints shall be handled in a prompt, just, open and expeditious manner in accordance with these procedures. Summaries of the complaint process and copies of these procedures shall be made available to the public upon request.

307.02 DEFINITION OF TERMS

For the purpose of this policy and procedures manual, the terms defined have the meanings given to them.

- A. **Chief** - Means the Chief of Police or the City Attorney when a complaint is made against the Police Chief.
- B. **Complainant** - Means the person or group who files a complaint with the department alleging misconduct by a member(s), or the department supervisor who accepts believable facts relating to alleged misconduct by a member from an anonymous person.
- C. **Complaint** - Means a statement, which is made to a department supervisor in writing, in person, or by phone, which alleges misconduct.
- D. **Infraction** - Means violation of any department policy and procedure defining transgressions that are not major violations.
- E. **Major Violation** - Means:
 - 1. Any criminal offense;
 - 2. The use of unnecessary or excessive force;
 - 3. Abuse of authority;
 - 4. Conduct, which violates a person's civil rights;
 - 5. Abusive or insulting language or conduct, which is derogatory of a person's, race, religion, sex, national origin or sexual preference;
 - 6. Intimidation of or recrimination toward a complainant or witness involved in any complaint proceeding.
- F. **Member** - Means all peace officers and civilian department employees, whether full-time, part-time, or temporary.
- G. **Misconduct** - Means any infraction or major violation committed by a member, which adversely reflects upon the department or the member's ability to perform his/her duties within the department.

- H. **Policies and Procedures** - Means the administrative acts promulgated by the Chief regulating conduct of members.

307.03 PROCEDURE FOR INITIATING COMPLAINT

- A. Anyone who is not a member of this police agency and has personal knowledge of the facts giving rise to the complaint or has reliable hearsay information may file a complaint. Any department member who has personal knowledge of misconduct shall file a complaint according to these procedures.
- B. All allegations of misconduct or complaints against officer(s) shall be forwarded to the on duty supervisor or on call supervisor. All alleged misconduct or complaints involving a supervisor shall be forwarded to the Chief of Police.
- C. If the person filing the complaint sets forth specific believable facts relating to the alleged misconduct and the person wishes to remain anonymous, the commanding officer receiving the information shall then become the complainant. If the commanding officer has reason to believe that the complaint is unfounded, the commanding officer shall have the authority to require the person to identify himself/herself. If the person refuses to do so, the commanding officer shall make it “unfounded due to lack of identified complainant” and shall advise the anonymous person of that fact.
- D. After a complaint is filed, the commanding officer shall sign the document, give or mail a copy to the complainant, and furnish a copy to the Chief. The Chief will forward a copy of the document to the accused member, only after it is determined that the complaint does not allege a criminal violation and the notification will not impede a criminal investigation.
- E. A complainant may be accompanied by an attorney or their appropriate representative at the time a complaint is filed or at any other stage of the process.
- F. An allegation of misconduct or complaint against an officer will be written on a “Citizen Complaint Form” and signed by the complainant. An unsigned complaint will not be investigated.

307.04

PROCEDURE FOR INVESTIGATION OF THE COMPLAINT

- A. Upon receipt of the complaint, the Chief shall make an initial determination whether the facts alleged warrant a formal investigation. In making this determination, the Chief may meet informally with the complainant, accused member or any potential witness. If the Chief decides that an investigation is not warranted, the disposition of the complaint shall be either not sustained or exonerated. The complainant will be notified of this decision and the basis for determination. In addition, the accused member will be notified. If the complainant supplies additional information within 30 days of the determination, the Chief may reverse this decision.
- B. If the Chief determines that a formal investigation should be conducted, he/she shall assign the appropriate commanding officer to investigate the complaint or shall investigate the complaint himself. The investigation may be assigned to an external agency where there is the potential for criminal charges resulting from the investigation or in any other situation where the Chief believes that an external investigation is appropriate.
- C. The investigator shall, as soon as possible after being assigned the investigation, inform the complainant of his/her name, business phone number and the status of the complaint.
- D. The investigator shall thoroughly investigate all allegations contained in the complaint and any other potential misconduct discovered in the course of the investigation. If the investigation uncovers potential misconduct by another member, the investigator shall initiate a complaint against that member.
- E. All members, including the accused member, shall cooperate with the investigation. Failure to cooperate may be basis for disciplinary action.
- F. The investigator shall do a report which shall contain all relevant information, organized into the three following sections:

1. **Allegations** - This section shall consist of an itemized summary of the acts of misconduct alleged in the complaint. Reference shall be made to those rules, procedures, orders, statutes, or constitutional provisions that would be violated if the allegations were taken as true.
 2. **Investigation** - This section shall consist of a chronological summary of the investigation, including all pertinent facts obtained through interviews with the complainant, accused member(s), and all available witnesses. Written statements, description and analysis of any physical evidence, and all other relevant information shall be included.
 3. **Conclusion(s)** - This section shall include the investigator's findings, conclusions as to whether any misconduct occurred, and the underlying reasons for the findings and conclusions. These conclusions shall not be binding on the Chief.
- G. The investigation shall be concluded within thirty (30) days from the filing of the complaint, unless for good cause an extension is granted by the Chief. The complainant shall be informed of any extension of time and the accused member shall also be informed.

307.05 INVESTIGATION, REVIEW AND DISPOSITION

- A. Upon completion of the investigation, the investigator shall submit his/her report, the case file and all investigative notes to the Chief. If the Chief determines the investigation was not adequate, he/she will reorder the investigation. If the Chief determines the investigation was adequate, the Chief shall make one of the following dispositions: Exonerated, Not Sustained, Sustained or Administratively Closed.
- B. The Chief may withhold issuing a disposition until any related criminal charges are resolved. The complainant shall be informed of this decision and the accused shall also be informed.

- C. If the complaint is either exonerated or not sustained, the Chief shall immediately notify the complainant and the accused member of the disposition.
- D. If the complaint is sustained, the Chief shall take appropriate disciplinary action. Such action shall be based on the investigative report and the accused member's record of service and shall be in conformance with any applicable collective bargaining agreement, contract or other rule or regulation relating to discipline of members. The disciplinary action may include counseling, remedial education, an oral reprimand, or written reprimand, suspension with or without pay, demotion or discharge.
- E. After selecting the appropriate disciplinary action, the Chief will issue a Finding of Fact, which shall minimally contain the following information:
 - 1. A summary of the act or acts constituting misconduct and the specific statutes, policies, regulations and procedures violation;
 - 2. A description of the disciplinary or remedial action taken to prevent recurrence of the misconduct;
 - 3. Any additional information the Chief may find applicable to accurately document the disposition.
- F. Prior to the implementation of the remedial and/or disciplinary actions, the accused member shall be provided with a copy of the Findings of Fact. The Chief and/or appropriate supervisor shall review it with the accused member and explain the reasons for the action.
- G. The complainant shall also be given a copy of the Finding of Fact.
- H. Either the complainant or the accused member may within 15 days after notification of the disposition, request the Chief, for good cause, to reopen the investigation. The disposition shall be final upon expiration of the 15-day period if there is no request for reconsideration. If a request for

reconsideration is made after the disposition is made, the disposition shall become final upon a decision on such request or the completion of any additional actions directed by the Chief. Notwithstanding the foregoing, the investigation may be reopened by the Chief at any time if substantial new evidence is discovered which is relevant to the complaint.

- I. When a sustained disposition is final, the accused member may appeal the disposition according to the member's collective bargaining agreement or if applicable, through the Veteran's Preference Act.
- J. The Chief may suspend an accused member with pay at any time during the investigation of a complaint.
- K. This policy procedure shall not preclude other disciplinary procedures for misconduct not initiated by citizen complaint.

307.06 MAINTENANCE AND DISCLOSURE OF DATA

- A. The Minnesota Government Data Practices Act shall govern disclosure to the complainant, accused member or the public of data collected, created, received or maintained in connection with this policy and procedure.
- B. All data collected, created or received by the department in connection with this policy and procedure shall be maintained in accordance with the department's retention schedule.
- C. The placement of the disposition report or other data in an employee's personnel file shall be governed by applicable collective bargaining agreements and/or personnel policy.

307.07 CLASSIFICATIONS OF DISPOSITIONS

- A. **Exonerated** - Means a fair preponderance of the evidence established either that:
 - 1. The act, or acts, complained of did not occur;
 - 2. The member(s) named in the complaint were not involved in the alleged misconduct;

3. That the act(s) which provided the basis for the complaint occurred, however, the investigation revealed that such act(s) were justified, lawful, and proper;
 4. That such act(s) do not adversely reflect upon the department or the member's ability to perform his/her duties within the department.
- B. **Not Sustained** - Means the investigation failed to disclose sufficient evidence to prove or disprove the allegation(s) made in the complaint.
- C. **Sustained** - Means a fair preponderance of the evidence obtained in the investigation established that the accused member's actions constituted misconduct.
- D. **Administratively Closed** – Means the investigation has been terminated for reasons, which make further investigation or classification impossible or unnecessary.

307.08 POST BOARD REPORTING REQUIREMENTS

- A. Under Minn. Rule 6700.1610, a licensed peace officer must self-report to the POST Board any violations of the Standards of Conduct for peace officers listed in Minn. Rule 6700.1600.
- B. Any person with knowledge of peace officer misconduct constituting ground for action under Minn. Stat. chapter 214, or Minn. Rules 6700.1600, may report the violation to the Board.
- C. Minnesota Stat. 626.8457 Subd. 3 requires CLEOs to submit individual peace officer public and private data related to allegations of misconduct to the POST Board in "real time" via the POST Board Misconduct Reporting System.
- D. A chief law enforcement officer must update data within 30 days of final disposition of a complaint or investigation.

- E. Law enforcement agencies and political subdivisions are prohibited from entering into a confidentiality agreement that would prevent disclosure of the data identified in Minn. Stat. 626.8457 Subd. 3 paragraph (b) to the Board. Any such confidentiality agreement is void as to the requirements of this section.



TITLE: CELL PHONE USE	NUMBER: 308
EFFECTIVE DATE: 09/01/2019	REVIEW DATE: 01/01/2023

308.01 PURPOSE

This policy is intended to regulate the use of Department and personal cell phones within reasonable, practical parameters. This policy will apply to all police department employees using or having access to Department and/or personal cell phones.

308.02 GENERAL

- A. Cell phones are a valuable resource that may be used instead of other means of communications when it is operationally necessary or advantageous to do so.
- B. Cell phones provide employees the ability to return phone calls promptly, contact citizens directly and communicate directly with staff.

308.03 CELL PHONE USE GUIDELINES

- A. Department cell phones should be for official police business only. Department phones should not be used for personal use.
- B. Department employees shall use features on Department cell phones to preserve visual and audio recordings into evidence. These recordings shall be uploaded to the ICrimefighter database.
- C. Department employees shall be accessible by cell phone while working in an official capacity.
- D. Any cell phone that contains work related messages, emails, text messages or other data is subject to the requirements of the Minnesota Government Data Practices

Act in regard to data security and government retention periods. Please note that this means that government data stored on either a department or personal cell phone may be subject to inspection by the Police Department, City Administration and/or the City Attorney's Office as required by law.

308.04 PERSONALLY OWNED CELLULAR PHONES/USE

- A. Personal cell phones may be carried on-duty by a department employee with the following restrictions:
1. Usage of a personal cell phone must not interfere with the employee's official responsibilities, attentiveness, or prompt provision of services.
 2. The use of any personal cell phone by any member of the St Francis Police Department for work related audio/visual recordings is strictly prohibited.

308.05 SAFETY

- A. Department employees shall not use personal phones or have personal communications in any City of St Francis vehicle while the vehicle is in motion or a part of traffic.
- B. Department employees shall not use Department phones or personal phones in any City of St Francis vehicle to send or receive electronic messages while the vehicle is in motion or a part of traffic.

308.06 CHECKS

- A. All cell phones may be subject to inspection if data practices violations are suspected.
- B. Cell phones may be subject to inspection if it is believed the devices contain content relevant to a critical event such as an officer involved shooting.
- C. Any inappropriate use of phones may be subject to discipline.



TITLE: SQUAD IDLING POLICY	NUMBER: 309
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

309.01 PURPOSE

To set a standard for when squads may be left running.

309.02 INCIDENT SCENES

Squads may be kept running while on an incident scene or while in the performance of duties.

309.03 WEATHER RELATED

When icing of windshield/windows poses a safety concern.

309.04

- A. Squads shall not be left running simply to clean off the windows after a snowfall.
- B. Squads shall not be left running while parked unoccupied at the police department.

309.05

Squads may be left running for a period of time to charge batteries after extended shut down periods.

309.06

Squads left idling shall be locked.



TITLE: WINTER WEATHER PRACTICES	NUMBER: 310
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

310.01 PURPOSE

To provide guidelines for officers to follow when weather conditions create a need for plowing or sanding of streets and highways within the City.

310.02 POLICY

The policy of this department will be to monitor road conditions, by patrol and by information from other sources, and to apply reasonable standards to determine the need for plowing and/or sanding of those roads. Public safety will be the controlling and primary consideration when applying this policy.

310.03 PROCEDURE

- A. Officers will, during and after snow or ice storms, be alert for slippery conditions or snow accumulation problems, which could create hazardous driving situations for motorists.
- B. When a complaint is made concerning the condition of a street or an intersection, the officer or a Public Works Supervisor will personally inspect the location. Personnel will, using standards of reasonableness based on their experience and training, make a determination whether or not to have the area sanded or plowed. In making this determination, the officer will always lean towards calling for remedial action whenever they feel that the less-than-careful drivers could be endangered.
- C. All questions about the plowing schedules after the end of a snowfall will be answered by telling the callers that the plows are coming out, or are out, and will be plowing the streets in

their pre-determined order. If this doesn't bring satisfaction, the person will be directed to call the Public Works Department.

- D. If, in responding to an emergency call, officers believe they may not be able to get to the scene due to road conditions, they will call for the nearest road crews immediately via Central Communications or cell phone, using state, county or local units.

- E. During the night hours, if snow begins to fall heavily and it appears there is going to be an accumulation of more than 3", the officers will contact the Public Works road supervisor, whether through Central Communications, cell phone or radio so that they may become aware of the snowfall and make a determination as when to call out his crews unless a plow schedule has already been pre-determined.

- F. If unusual circumstances arise that cause the roadways to become slippery, officers will contact the Public Works Supervisor whether through Central Communications, cell phone or radio to make him/her aware of the situation (i.e., spring frost).



TITLE: USE OF SEAT BELT RESTRAINING SYSTEM	NUMBER: 311
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

311.01 PURPOSE

- A. To reduce the possibility of death and/or injury to department personnel as a result of on-duty vehicle accidents.
- B. To establish a policy concerning the use of vehicle safety belts by all department personnel.
- C. To encourage safety belt usage by the general public by displaying good example.

311.02 RATIONALE:

- A. Studies indicate that the use of safety belts can greatly reduce the possibility of death and/or serious injury resulting from automobile accidents.
- B. Properly fastened safety belts assist the operator in maintaining control of a vehicle during emergency driving situations.

311.03 PROCEDURE

- A. All departmental personnel operating or occupying a department vehicle or any vehicle used on official business will wear the safety restraint system that is installed in the vehicle.
- B. Civilian and other non-department passengers while in a department vehicle will also be required to wear the seat belt properly. The driver shall be responsible to ensure compliance with this directive.

- C. Occupant restraint systems in the department vehicle shall not be modified or altered in any manner without the express written approval of the Chief of Police.
- D. Departmental vehicles with inoperable seat belt assemblies will not be used.
- E. Inoperable seat belt systems will be immediately reported to a Supervisor.

311.04 EXCEPTIONS

- A. When an officer is patrolling an area at a speed of 25 mph or less and is frequently getting in and out of the vehicle for building checks or other patrol related functions.
- B. When making a routine or arrest traffic stop or approaching an incident or call where, in the officer's judgment, he she may need to exit the vehicle quickly, the restraint system may be undone at such time prior to the actual stop as to allow free, immediate and safe exit from the vehicle.

311.05 ENFORCEMENT

Department personnel disregarding or otherwise violating any part of this policy without just cause will be subject to departmental discipline procedures



TITLE: DEFIBRILLATOR UNIT	NUMBER: 312
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

312.01 PURPOSE:

To establish the department's procedure for the care and use of the Automatic External Defibrillator (AED) Units.

312.02 USE OF AED UNITS / PRECAUTIONS

- A. The automatic defibrillator may be used only by personnel that have successfully completed departmental approved training.
- B. Training will be completed through Initial Defense Training every two years with the officers First Aid certification.
- C. The Department's Medical Officer will be appointed by the Chief of Police.
- D. Do not touch victim while the AED is analyzing or defibrillating. Do not use in a moving vehicle.
- E. Do not use alcohol to wipe the victim's chest dry or use an AED around flammable materials.
- F. Remove any nitroglycerine patches present and wipe surface dry before attaching electrodes.
- G. The AED may be used on children up to 8 years old or 55 lbs with the infant/child reduced energy defibrillation electrodes.
- H. Avoid using unit when patient, operator, or unit is in direct contact with water. If patient is on a metal or wet surface, ensure operator and others present are not in contact with the metal or wet surface during a "shock".

- I. AED can be used on patients with implanted pacemakers or defibrillators, but do not place electrodes directly over such units. If a person is in cardiac arrest, it means these devices have likely failed.
- J. Do not transmit on your 2-way radio or use a cellular phone within 6 feet of the AED unit; causes interference.
- K. Defibrillator is meant to be used in non-traumatic-cardiac arrest settings. This does not preclude on an officer from attaching or using the defibrillator on a victim of a traumatic cardiac arrest situation, although use is likely futile, due to underlying or existing factors. Frequently in traumatic type injuries, like traffic accidents, there is some type of internal injury in or on the heart muscle, which would prevent the heart from functioning properly regardless of whether a shock was administered. If the defibrillator is attached to a victim of a traumatic injury, the unit will likely indicate that no shockable rhythm is found.
- L. Discontinue use if there is any doubt about the correct function of the machine; continue with CPR.
- M. If the patient converts with a pulse and then re-arrests, start operating protocol again.

312.03 OPERATING PROTOCOL

- A. **Assess ABC's of CPR.** Verify that the patient is in cardiac arrest (the patient is unconscious, not breathing normally and shows no signs of circulation, e.g., no pulse, and/or no coughing, no movement).
- B. **Turn on Power.** Press ON/OFF to turn on the AED (the green LED will light). The CONNECT ELECTRODES message and voice prompt will occur until the patient is connected to the AED.
- C. **Victim Preparation.** Prepare the victim for electrode placement:
 - 1. If possible, place the patient on a hard surface away from standing water or conductive material.

2. Remove excessive hair from the electrode sites. If shaving is necessary, avoid cutting the skin.
 3. Clean the skin and dry it briskly with a towel or gauze.
 4. Do not apply alcohol, tincture of benzoin, or antiperspirant to the skin.
- D. **Apply Electrode Pads.** Apply electrodes to the patient's chest:
1. Place the ♥ or + electrode lateral to the patient's left nipple with the center of the electrode in the midaxillary line, if possible. (See diagram in unit)
 2. Place the other electrode on the patient's upper right torso, lateral to the sternum and below the clavicle as show in the unit diagram.
 3. Starting from one end, press the electrodes firmly onto the patient's skin.
- E. **Plug in Connector.** Connect the electrode to the AED (if it is not already connected).
- F. **Follow Voice Prompts.** Follow the screen messages and voice prompts provided by the AED. If the patient recovers consciousness and/or signs of circulation and breathing return, place the patient in the recovery position and leave the AED attached.
- G. Upon completion of the rescue, discard the used pads and replace with new pads.
- H. Document in report that AED was used.

312.04 CARE OF DEFIBRILLATOR UNIT:

- A. The unit shall be kept in its protective case at all times.
- B. The defibrillator conducts a self-test daily.

- C. The medical officer will inspect units on a regular basis. Batteries and pads will be replaced as needed.
 - D. Officers should be aware of Status Indicators on the handles of the units and report any problems to the medical officer using normal equipment repair protocol.
1. LifePak 500 AED, LifePak 1000 AED
 - a. Status window is BLACK - OK
 - b. Status window displays a battery – Take unit out of service and report problem to the medical Officer.
 - c. Status window displays a wrench – Take unit out of service and report problem to the medical officer.
 2. Cardiac Science Powerheart G5
 - a. Rescue ready window is green – OK
 - b. Rescue ready window is red – Take unit out of service and report problem to the medical Officer.



TITLE: TOWS & IMPOUNDMENTS	NUMBER: 313
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

313.01 PURPOSE

This order sets out general and specific regulations for the towing and impoundment of vehicles by the St. Francis Police Department. This policy is consistent and compatible with established police procedures, Minnesota state statutes and relevant case law.

313.02 CONDITIONS OF IMPOUNDMENT

Motor vehicles shall be towed when:

- A. The vehicle itself is evidence in a criminal case.
- B. The vehicle contains, or suspected to contain, evidence and either a search or evidence processing is pending.
- C. Any vehicle, which was involved in an accident where the officer has reasonable belief that the vehicle's mechanical conditions contributed to an accident, which involved personal injury or death. Vehicles involved in property damage incidents may also be towed at the officer's discretion.
- D. The vehicle is parked in such a way or other traffic violation, which constitutes a public hazard.
- E. Any vehicle, which must be towed for a parking or other traffic violation, which constitutes a public hazard.
- F. The vehicle is a recovered stolen.
- G. The driver, operator, or person in physical control of the vehicle is taken into custody and the vehicle is impounded for safekeeping.

- H. The vehicle is subject to forfeiture pursuant to state statute or federal law.
- I. The vehicle is parked in such a manner as to create a traffic hazard.
- J. The vehicle has been left unattended and unmoved on a public street or highway for 24 hours or more. Prior to removal of the vehicle, an effort shall be made to notify the owner to remove the vehicle.
- K. The vehicle is abandoned on public or private property under the guidelines of MN State Statute 168B.04.

313.03 RELEASE OF VEHICLE FROM SCENE

- A. The officer may release the vehicle to a responsible person at the scene or a person that is “reasonably” available if the owner requests (the officer need not offer) that person to take the vehicle and the vehicle or contents are not needed for evidence. If the vehicle is released at the scene, a notation shall be made in the police report(s) concerning the disposition of the vehicle. An officer is not required to wait for an extended period of time while a private tow service is being arranged. If it is the officer’s judgment that the vehicle constitutes a traffic hazard and it appears the arrangements for a private tow will be for a longer period of time than the police can remain on the scene, a department tow will be ordered and proper notations made on police report(s).
- B. Persons to whom the vehicle is released for driving away must be identified, checked for a valid driver’s license and be noted in the officer’s report.

313.04 TOW PROCEDURE

- A. When a vehicle is to be towed and/or impounded, the officer should complete the tow sheet before the vehicle is towed.
- B. The Vehicle Identification Number (VIN) should always be entered onto the tow sheet when there are no license plates displayed. If technical difficulties exist, the owner’s information may be added at a later time, after the tow.

- C. A vehicle registration check is to be done on all impounded vehicles to determine the name and address of the registered owner at the time of the tow.
- D. The officer shall note on the tow sheet any and all special requirements for release. If these requirements are from an officer other than the one completing the tow sheet, the officer's name shall be indicated adjacent to the requirement.
- E. If there is personal property of value not permanently affixed in a vehicle that is being impounded, the officer shall inventory the contents on the tow sheet. It is not necessary to inventory small items normally found in a motor vehicle or obvious trash. At an officer's discretion, items may be released to the owner/driver prior to the tow.
- F. When conducting an inventory, the entire vehicle (including glove box and trunk) will be examined. If the glove box and trunk are locked or otherwise cannot be opened, entry to those areas will not be forced. Unlocked or otherwise unsealed or unsecured packages and parcels will be examined to determine if the contents need to be put on the inventory due to apparent value.
- G. A vehicle inventory may occur at the incident scene or at the place where the vehicle is to be impounded provided such inventory occurs in a reasonable period of time. Reasonable time will be defined by safety, practicality and satisfactory when considering the inventory objectives.
- H. It should be understood that each officer must make a professional judgment as to how to best provide safekeeping for the vehicle and contents as it is to the officer's as well as the department's responsibility to ensure the security of the property.
- I. Vehicle keys must go with the vehicle. House, business and other keys not associated with the vehicle may be returned to the owner/driver.
- J. Tow sheets will be placed in the file holder on the sergeant's door if a hold is placed on the vehicle. If no hold is placed on the vehicle, it will be turned in with the report to clerical staff. In either case it should be done by the end of the officers shift or as soon as time permits.

- K. For any tow and impoundment where the registered owner is not the driver of the vehicle and/or is not aware of the tow (abandoned vehicles, recovered stolen, etc.), the vehicle information will be entered into NCIC as an IMPOUNDED vehicle by Central Communications.

313.05 RELEASE PROCEDURE AFTER IMPOUNDMENT

A. Vehicles Not Being Held for Evidence

1. Any vehicle being released must be checked through NCIC to ensure that it is not entered as an IMPOUNDED vehicle. Vehicles listed as impounded should be removed from NCIC by Central Communications at the time of the release.
2. Held vehicles should be released **during business hours**, by office staff. Evenings, weekends, or holidays, officers may release vehicles to prevent unnecessary storage costs to the vehicle owner.
3. For held vehicles the owner or an authorized agent must present proof of ownership and obtain release papers at the Police Department prior to picking up the impounded vehicle.

B. Vehicles Being Held for Evidence

1. Stolen vehicles recovered or impounded vehicles being held for evidence collection can only be released by a supervisor or the officer or investigator responsible for that particular case or incident. That officer or investigator (or designee) will notify the vehicle owner when the vehicle is eligible for release. The time and date of this notification will be written on the tow sheet or on an official police report.
2. If a vehicle owner does not pick up the vehicle within three days after telephone notification or if the owner cannot be contacted by telephone, the officer/investigator in charge of the incident will notify the clerical staff to send out a written notification and so note on the impound sheet.

3. Any vehicle being released must be checked through NCIC to ensure that it is not entered as an IMPOUNDED vehicle. Central Communications should remove vehicles listed as impounded from NCIC at the time of the release.

313.06 PRIVATE TOWS - NOT FOR IMPOUNDMENT

If a tow is required for an individual who is stalled, or at the scene of an accident where the owner or driver is not arrested or removed for medical care, and the officer does not want the vehicle impounded for investigation, the officer shall inform the owner or driver that a tow truck will be called to the scene to remove the vehicle and that it is the responsibility of the owner or driver to determine where the vehicle is to be towed. If the vehicle is not a hazard, the driver or owner may arrange for their own tow. To the extent possible, the officer at the scene will assist in calling for the private tow but will specify to the towing agency that the request is a private matter and not a police tow request.



TITLE: COMPUTER USAGE	NUMBER: 314
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

314.01 PURPOSE

The purpose of this policy is to establish guidelines for the use of the City computer system.

Definitions:

Internet: The Internet, a global information infrastructure, is a network of networks used by educators, businesses, the government, the military, and organization.

Electronic Mail: Also known as “e-mail”.

Internet Connection: The connections to the internet via metro-inet.us.

Network Supervisor: Person(s) that handles day to day functions of the network server.

Login Name: Personal code used to gain access to network services.

MIS: Management Information Systems, or data processing.

Network: This includes any references containing the word “network” such as “local area network (LAN)” and “network drives.” It refers to the computer used as the network file server, all components used in conjunction with that server, and all components used to connect computers, such as hubs, wiring, interface cards, etc.

Password: Confidential code used to gain access to network services.

314.02 POLICIES

A. Software and Hardware

1. Copyright Infringement

- a. Employees are prohibited from making unauthorized copies of any copyrighted software that is owned or leased by the City of St. Francis. The City Administrator, along with the Network Supervisor, must approve the copying of any software from one computer to another. Failure to abide by federal copyright laws will expose the City of St. Francis, and the employee involved, to criminal and civil liability.
- b. This applies equally to the act of bringing software from a home computer, or any other location, to be used on City of St. Francis computers. All software loaded onto City computers, including software for both network and local disk drives (c:), must be pre-approved by the Network Supervisor, or the City Administrator. To prove legal ownership of software, the original diskettes and manuals must be stored on City property.
- c. The Network Supervisor will periodically check for software that may be in violation of this policy.

2. Development

- a. All software programs developed for use by the City of St. Francis become property of the City. These software programs may not be sold or distributed in any manner without the written consent of proper City authorities. This includes, but is not limited to:

- All applications built using a database management system.
 - All spreadsheets using Excel.
 - Macros or templates created in Microsoft Word or any other word processor.
 - All presentation graphics created in PowerPoint.
- b. This policy may not apply to custom software developed by a third-party vendor, in which case a written contract would expressly spell out ownership rights.

B. Use of Computer Games

Computer games are not allowed on City computers. City of St. Francis employees are prohibited from using any computer game on City computers. The games that are installed as part of Windows will be removed.

C. Internet Access

1. Internet E-Mail

- a. All City of St. Francis employees have a city e-mail address. During working hours, city e-mail must be used exclusively for City business.
- b. Employees may write, send and read personal e-mail correspondence only on their own time.

2. Internet

Access to the Internet will be provided on all City computers. All Internet use may be monitored by the City. During working hours, Internet use will be exclusively for City business. Personal use of the Internet connection after hours is possible only with approval by the Department Head. Usenet or "Chat-

group” connections are prohibited at all times on City computers.

3. Acceptable and Unacceptable Uses of the Internet

A. The acceptable uses of the Internet and electronic mail include the following, but are not limited to:

- a. Communication and information exchange directly related to the mission, charter, or work tasks of the City of St. Francis.
- b. Communications and exchange for professional development, to maintain currency of training or education, or to discuss issues related to the users of City activities.
- c. Use in applying for or administering grants or contracts for the City’s research or programs.
- d. Use for advisory, standards, research, analysis, and professional society activities related to the user’s work tasks and duties.
- e. Announcement of new City regulations, ordinances, procedures, policies, rules, services, programs, information, or activities.
- f. Any other governmental administrative communications not requiring a high level of security.
- g. Communications incidental to otherwise acceptable use, except for illegal or specifically unacceptable uses.

B. Unacceptable uses of the Internet and electronic mail include, but are not limited to:

- a. Purposes, which violate a federal, state or local law.
- b. Any for-profit activities unless specific to the charter, mission, or duties of the City.

- c. Purposes not directly related to the mission, charter, or work tasks of the City agency during normal business hours.
- d. Private businesses, including commercial advertising.
- e. Access to and distribution of patently offensive representations or descriptions of sexual acts.
- f. Information, copies of, or modified files and other data, which are confidential under federal, state, or local law, unless specifically authorized to do so once the legal conditions for release, are satisfied.
- g. Access to and distribution of material advocating intolerance of other people, races, or religions.
- h. Access to and distribution of computer games that have no bearing on the City's mission. Some games that help teach, illustrate, training, or simulate agency-related issues may be acceptable.
- i. Internet services or activities that interfere with or disrupt network users, services, or equipment.
- j. Users intentionally representing themselves electronically as others.
- k. Use for fundraising or public relations activities not specifically related to City activities.
- l. Use for political activities. This includes computer equipment and resources.

C. Electronic Mail

All users of electronic mail should password protect their accounts and keep this password confidential. E-mail correspondence is considered private to the extent that under normal circumstances, it is accessible only to the user. However, e-mail messages sent or received in conjunction with government business may be releasable under the Freedom of

Information Law. In some cases, it may be accessed by the Network Supervisor.

D. Personal use

Personal use of City computer hardware and software must take place only during non-work hours and only when approved by the Department Head and the City Administrator. Work related use must not be preempted by personal use. Employees must provide their own diskettes and other supplies. Personal files may not be stored on the file server. Personal use for business, other for-profit ventures, political activities or other uses deemed by the City Administrator to be inconsistent with the City's mission is not allowed.

E. Remote Network Access

Remote access to the City of St. Francis network via modem will be allowed to certain users as authorized by the City Administrator. Access to network resources will be controlled by user login and passwords. Time limitations may be enforced if necessary.



TITLE: SOCIAL MEDIA-CITY POLICY	NUMBER: 315
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

315.01

Purpose

Social networking in government serves two primary functions: to communicate and deliver messages directly to citizens and to encourage citizen involvement, interaction, and feedback. Information, which is distributed via social networking, must be accurate, consistent, and timely and meet the information needs of the City's customers. Since social media is used for social networking, this policy seeks to ensure proper use of the City of St. Francis's social media sites by its representatives.

The City of St. Francis wishes to establish a positive and informative social media presence. City representatives have the responsibility to use the City's social media resources in an efficient, effective, ethical and lawful manner pursuant to all existing City and departmental policies. This policy also provides guidelines and standards for city representatives regarding the use of social media for communication with residents, colleagues and all other followers.

315.02

Policy

The City of St. Francis will determine, at its discretion, how its web-based social media resources will be designed, implemented and managed as part of its overall communication and information sharing strategy. City social media sites may be modified or removed by the City at any time and without notice, as described in this document.

City of St. Francis social media accounts are considered a City asset and administrator access to these accounts must be securely administered in accordance with the City's Computer Use policy. The City reserves the right to shut down any of its social media sites or accounts for any reason without notice.

All social media web sites created and utilized during the course and scope of an employee's performance of his/her job duties will be identified as belonging to the City of St. Francis, including a link to the City's official web site.

315.03 Scope

This policy applies to any existing or proposed social media web sites sponsored, established, registered or authorized by the City of St. Francis. This policy also covers the private use of the City's social media accounts by all City representatives, including its full time and part time employees, and all public safety paid on call volunteers to the extent it affects the City. Questions regarding the scope of this policy should be directed to the City Administrator.

315.04 Definition

Social media are internet and mobile-based applications, websites and functions, other than email, for sharing and discussing information, where users can post photos, video, comments and links to other information to create content on any imaginable topic. This may be referred to as "user-generated content" or "consumer-generated media."

Social media includes, but is not limited to:

- Social networking sites such as Facebook, LinkedIn, Twitter, and online dating services/mobile apps
- Blogs
- Social news sites such as Reddit and BuzzFeed
- Video and photo sharing sites such as YouTube, Instagram, SnapChat, and Flickr
- Wikis, or shared encyclopedias such as Wikipedia
- An ever emerging list of new web-based platforms generally regarded as social media or having many of the same functions as those listed above

As used in this policy, "employees and agents" means all City full time and part time employees, as well as paid volunteers.

315.05 Rules of Use

City employees and agents with administrator access are responsible for managing social media websites. Facilities or departments wishing to have a new social media presence must initially submit a request to the City Administrator or his or her designee in order to ensure social media accounts are kept to a sustainable number and policies are followed. All approved sites will be clearly marked as the City of St. Francis site and will be linked with the official City website (www.stfrancismn.org). No one

may establish social media accounts or websites on behalf of the City unless authorized in accordance with this policy.

Administration of all social media web sites must comply with applicable laws, regulations, and policies as well as proper business etiquette.

City social media accounts accessed and utilized during the course and scope of an employee's performance of his/her job duties may not be used for private or personal purposes or for the purpose of expressing private or personal views on personal, political or policy issues or to express personal views or concerns pertaining to City employment relations matters.

No social media website may be used by the City or any City employee or agent to disclose private or confidential information. No social media web site should be used to disclose sensitive information; if there is any question as to whether information is private, confidential or sensitive, contact the City Clerk.

When using social media sites as a representative of the City, employees and agents will act in a professional manner. Examples include but are not limited to:

- Adhere to all City personnel and Computer Use policies
- Use only appropriate language

Be aware that content will not only reflect on the writer but also on the City of St. Francis as a whole, including elected officials and other city employees and agents. Make sure information is accurate and free of grammatical errors. This also includes:

- Not providing private or confidential information, including names, or using such material as part of any content added to a site.
- Not negatively commenting on community partners or their services, or using such material as part of any content added to a site.
- Not providing information related to pending decisions that would compromise negotiations.
- Be aware that all content added to a site is subject to open records/right to know laws and discovery in legal cases.
- Always keep in mind the appropriateness of content.
- Comply with any existing code of ethical behavior established by the City.

Where moderation of comments is an available option, comments from the public will be moderated by City staff, with administrative rights, before posting. Where moderation prior to posting is not an option, City staff will regularly monitor sites.

City of St. Francis's staff with administrative rights will not edit any posted comments. However, City social media sites are viewed as moderated online discussion sites and not as a public forum. Comments posted by members of the public will be removed if they are abusive, obscene, defamatory, in violation of the copyright, trademark right or other intellectual property right of any third party, or otherwise inappropriate or incorrect. The following are examples of content that may be removed by City staff before or shortly after being published:

- Potentially libelous comments
- Obscene or racist comments
- Personal attacks, insults, or threatening language
- Plagiarized material
- Private, personal information published without consent
- Comments totally unrelated to the topic of the moderated online discussion
- Commercial promotions or spam
- Hyperlinks to material that is not directly related to the discussion

A. Personal Social Media Use

The City of St. Francis respects employees and agents' rights to post and maintain personal websites, blogs and social media pages and to use and enjoy social media on their own personal devices during non-work hours. The City requires employees and agents to act in a prudent manner with regard to website and internet postings that reference the City of St. Francis, its personnel, its operation or its property. Employees and agents and others affiliated with the City may not use a city brand, logo or other city identifiers on their personal sites, nor post information that purports to be the position of the City without prior authorization.

City employees and agents are discouraged from identifying themselves as city employees when responding to or commenting on blogs with personal opinions or views. If an employee chooses to identify him or herself as a City of St. Francis employee, and posts a statement on a matter related to City business, a disclaimer similar to the following must be used:

“These are my own opinions and do not represent those of the City.”

Occasional access to personal social media websites during work hours is permitted, but employees and agents must adhere to the guidelines outlined in the City’s Computer Use policy and the City’s Respectful Workplace policy. Employees and agents should also review the Ownership section of this policy (below).

There may be times when personal use of social media (even if it is off-duty or using the employee’s own equipment) may spill over into the workplace and become the basis for employee coaching or discipline. Examples of situations where this might occur include:

- Friendships, dating or romance between co-workers
- Cyber-bullying, stalking or harassment
- Release of confidential or private data; if there are questions about what constitute confidential or private data, contact the City Clerk.
- Unlawful activities
- Misuse of city-owned social media
- Inappropriate use of the city’s name, logo or the employee’s position or title
- Using city-owned equipment or city-time for extensive personal social media use

Each situation will be evaluated on a case-by-case basis because the laws in this area are complex. If you have any questions about what types of activities might result in discipline, please discuss the type of usage with the applicable Department Head, and then if any questions persist, the City Administrator.

315.06 Data Ownership

All social media communications or messages composed, sent, or received on city equipment in an official capacity are the property of the City and will be subject to the Minnesota Government Data Practices Act. This law classifies certain information as available to the public upon request. The City of St. Francis also maintains the sole property rights to any image, video or audio captured while a City employee is representing the City in any capacity.

The City retains the right to monitor employee’s social media use on city equipment and will exercise its right as necessary. Users should have no expectation of privacy. Social media is not a secure means of communication.

315.07 Policy Violations

Violations of the Policy will subject the employee to disciplinary action up to and including discharge from employment.



TITLE: MILEAGE REIMBURSEMENT	NUMBER: 316
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

316.01 PURPOSE

Establish policy for reimbursement for use of your personal vehicle.

316.02 APPLICABILITY

A. If a City vehicle is not available, and your supervisor approves use of your personal vehicle for City travel, the City will reimburse you at the authorized rate for miles driven in excess of your normal mileage to and from work. Your request for reimbursement must show the following:

1. Total miles traveled on City business.
2. If you do not start or end the trip from City Offices, less your normal daily mileage to/from home to the office.
3. Net miles claimed for reimbursement.
4. Business purpose of the trip and City traveled to.

316.03 EXAMPLE

Your supervisor has approved a full day training seminar held in the City of Anoka. You do not start or end the trip at City offices.

Total miles from your home to Anoka	16
Return trip to you home	<u>16</u>
Total miles driven that day	32
Normal mileage to and from work is 10 miles each way	<u>(20)</u>

Total miles to be reimbursed 12

These details must be shown on your request for reimbursement.



TITLE: LONG DISTANCE PHONE CALLS	NUMBER: 317
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

317.01 PURPOSE

Procedure for long distance phone calls.

317.02 PROCEDURE

Personal long distance phone calls are not to be made using the city's account.

Any call regarding your own personal affairs is considered a personal phone call. This includes such calls as notifying others of a shift change or working late.



TITLE: PROPERTY AND EVIDENCE	NUMBER: 318
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

318.01 PURPOSE

It is the policy of the St. Francis Police Department to have an established means of securing property and evidence for safekeeping, and maintaining the property and legal chain of evidence for court proceedings.

318.02 DEFINITIONS

- A. Evidence - All physical items, which would tend to prove or substantiate a case in a criminal or civil Court of Law.
- B. Evidence Room – The secured room where all property and evidence is processed from the intake lockers to storage. Only authorized personnel have access. Authorized personnel must accompany all others.
- C. Evidence Technician - Manages and maintains the everyday functions of evidence and processing rooms to include; processing of property and evidence from intake lockers to evidence room, release of property and evidence, coordinate the sale of property at public auction or the destruction of property and evidence when such items are no longer needed for court proceedings. The evidence technician will also maintain the supplies needed for the evidence and processing areas.
- D. Property - All physical items coming into the possession of any member of the department which have monetary value or worth, and which must be held for safekeeping until the owner is located or until released by the Police Department.

318.03 PROPERTY AND EVIDENCE SHEET

All property or evidence taken into custody by members of the department will be inventoried. The property or evidence report shall be used for this purpose. Such report shall contain the following information:

- A. Have all applicable spaces completed.
- B. Have a distinct and accurate description of all property or evidence.
- C. Have items listed singly, one item per line, except for exact duplicates or non-serial numbered items, which may be listed together.
- D. The yellow and pink copy of the evidence report will be placed with the evidence in the evidence locker. The original copy will be attached to the officer's report. The pink copy is placed in the evidence desk by the evidence technician.

318.04 LABELING PROPERTY AND EVIDENCE

- A. All property and evidence shall, upon seizure, be properly marked or labeled in order to ensure its proper identification. Items of evidence shall be marked when they are removed from their original location.
- B. The date of recovery, case number, item number, and officer's initials shall be documented on the label, bag or container, which corresponds with the item listed on the property/evidence report.

318.05 PACKAGING PROPERTY AND EVIDENCE

- A. Each type of property and/or evidence must be packaged in a bag or container and itemized by a number that corresponds with the item number listed on the property/evidence sheet.
- B. All evidence should be sealed in such a manner that they cannot be opened without breaking the seal. Once the seal has been affixed to the container, the officer should write the date, their initials on the seal, across the sealed flap.

- C. Brown paper, clear plastic, cardboard, glass and plastic containers are supplied in the property room. Brown paper bags should be used when packaging clothing that contains blood, body fluids, or other physical evidence.
- D. Evidence, which may be considered a biohazard such as syringes, needles, clothing with blood or body fluids on them, shall also be labeled with biohazard tape on its packaging. Syringes and needles shall be packaged in a “sharps” container before being secured into evidence. All items containing biohazards shall be disposed of in the biohazard “waste” container after such items are no longer needed for court proceedings.
- E. Fluids (alcohol, etc.) – A sample from an open container will be placed into a small sample container and sealed. The remainder of the fluid should be dumped out. The original container and the sealed sample container will be put into an evidence bag and the bag properly marked and sealed with evidence tape.

318.06

CD'S, DVD'S, other disc storage devices – Any compact disc (CD) or digital video disc (DVD) that is obtained and contains evidentiary data shall be transferred to the records clerk following chain of evidence procedure. The records clerk will then burn an additional copy. The original disc will then be returned to the officer to be entered into evidence following evidence procedures described in this section.

318.07

INVENTORY OF MONEY

- A. All monies seized, recovered or found shall be counted, listed on the property/evidence sheet, inventoried separately, and sealed with evidence tape in a clear plastic evidence bag. A two-person verification system shall be used and the evidence form signed by both. The officers should write the date and their initials on the seal across the flap. This includes when a wallet or purse or other items are recovered, the monies shall be inventoried separately. The monies shall then be submitted into evidence following the chain of evidence procedure in section 318.12.
- B. The evidence technician shall recount all money and provide the money and copy of the evidence sheet to the chief of police for

storage in the chief's safe until a disposition is known or money can be returned or transferred to general fund.

318.08 INVENTORY OF FIREARMS

All firearms shall be unloaded before being secured into an evidence intake locker. If the firearm was used in a crime and Anoka County CSU was not utilized, gloves should be worn to preserve latent print evidence on the firearm, magazine and ammunition. The make & model number, and serial number shall be listed on the property/evidence sheet.

318.09 INVENTORY OR EVIDENCE FOR HOSPITAL PATIENTS

All items of evidence seized from victims or suspects at a hospital (i.e., clothing, blood kits, sexual assault kits, or other items) shall be received from medical personnel. The names of medical shall be documented so as to maintain the chain of evidence. The officer receiving this evidence shall complete an evidence sheet, bag each item of evidence separately, then secured into an evidence intake locker. This includes all legal blood, DWI blood and urine kits.

318.10 INVENTORY OF DRUGS AND CONTROLLED SUBSTANCES

Attempts should be made to identify all drugs/controlled substances seized. Applicable drugs/controlled substances shall be Valtox tested. The description, weight, and quantity shall be listed on the evidence sheet and documented in the initial complaint report.

The evidence technician is responsible for making the arrangements for all appropriate drugs/controlled substances to be delivered to the Midwest Regional Forensic Laboratory or The Bureau of Criminal Apprehension for lab testing, which is required for court proceedings.

318.11 INVENTORY OF BICYCLES AND NON-EVIDENTIARY PROPERTY

All bicycles shall be placed inside the storage area. A wire tag shall have the case and item number written on it and the tag attached to the front handle bars of the bicycle. The color, make, model, and serial numbers shall be listed on the property/evidence sheet. The white copy of the property sheet shall be placed with the officer's report in the ICR box and the yellow copy shall stay with the property.

Other small-scale property (cell phones, wallets etc.) that are found or turned into the SFPD can be kept in the East property/inactive records room. A property sheet should be completed as accurately and completely as possible documenting the property. The white copy shall be placed in the ICR box and the yellow copy kept with the property.

318.12 CHAIN OF EVIDENCE

The officer seizing evidence shall, after properly packaging and labeling, secure such evidence in an evidence intake locker accompanied by the yellow and pink copies of the evidence form. The white copy of the evidence form shall be submitted to the ICR box with reports. If evidence changes hands before it is secured in an intake locker (i.e., at the scene, releasing evidence to another agency, or returning to owner), it shall be recorded on the chain of custody section of the evidence sheet and documented in the police report. Once secure in the intake lockers, the evidence technician will be responsible for chain of custody and property or evidence release.

318.13 DISPOSITION OF PROPERTY AND EVIDENCE

The evidence technician responsible for dispositions of property and evidence shall complete the appropriate section of the property/evidence sheet when completed, submit to case file. The type of disposition to be made shall be determined by Minnesota statutes and this policy.

Property and Evidence shall be released to the true owner unless they waive their right to claim in writing or they failed to respond to a certified written request via U.S. Mail to retrieve the property or evidence. If the owner is unknown, has waived right of claim, did not respond to a written request, or upon a court ordered forfeiture or award, the property or evidence shall be:

- A. Released to the new owner
- B. Retained by the St Francis Police Department for department use
- C. Destroyed
- D. Sold at public auction or in other manner where item is available for public bid

E. Released through donation

When evidence is needed for a court proceeding, the officer shall email the evidence technician the case number, description of evidence needed and a date of court. The officer can also place a request for evidence form in the evidence technician's mailbox. This should be done as soon as officer receives the court notice. Evidence technician will place evidence on "outgoing evidence" shelf in evidence room. When officer needs the evidence for court, he can sign it out through the evidence technician or Investigator. In their absence contact command staff. When officer is done with evidence, it should be placed in evidence locker with disposition of case if possible.

318.14 RELEASING, DESTROYING, OR SELLING OF PROPERTY/EVIDENCE

The evidence technician is responsible for releasing, destroying, or selling property and evidence from the evidence room.

- A. Items will be returned when:
 - 1. Proof of ownership exists
 - 2. A disposition from the criminal courts has been determined and there are no appeals in the case. All felony and gross misdemeanor cases will be held until 90 days has expired since the date of sentencing, and 30 days from the date for misdemeanors. (Rules of Criminal Procedure 28.02 sub.4)
 - 3. The owner has legal right to possess the property.
 - 4. No civil action is pending or intent is present or known. The police department will not hold property for civil suits. The evidence may be subpoenaed, but the case attorney must assume responsibility and take custody of property, and is responsible for maintaining integrity of evidence, once the criminal action has been satisfied.

- B. Whenever possible, a photo identification card or proper form of identification shall be provided by the owner/claimant when property/evidence is released. A photocopy of the person's identification should be made and attached to the file.

- C. A signature by the owner/claimant shall be provided on the property/evidence sheet when property/evidence is released and the signed sheet scanned by office personnel and added to the case file.
- D. A photograph shall be taken of the property/evidence before returning it to the owner if the property/evidence may be needed for court proceedings and these photos may be presented as evidence.
- E. Property/evidence inventoried by personnel for safekeeping, or a concern exists for a person's welfare, can be released to a responsible adult third party person at the discretion of the Chief of Police or his designee.
- F. Property/evidence may be returned to persons other than the owner at the discretion of the Chief of Police if the owner provides an authorization, written or otherwise, to the Chief of Police stating their consent to release the items. The person authorized to pick up the property shall be verified through picture identification and shall sign the property and inventory report that he/she has received the item(s).
- G. Items not claimed and in good condition may be sold at public auction when the need arises in accordance with State law or City Ordinance.
- H. Items not claimed, or those, which may be beneficial for City use, may be transferred to a department within the City with proper documentation on where the item is going to be used.
- I. Evidence technicians shall be responsible for completing all destroy lists and ensuring items are noted in the property/evidence sheet.
- J. Items may be destroyed that are considered to be contraband or illegal to possess. Items in which no owner is known or that property/evidence is not claimed may also be destroyed. Items of little or no value or unusable shall also be destroyed.
- K. Property will be held for ninety (60) days prior to being destroyed. A final check through NCIC will be performed to ensure that the property is clear.

- L. An entry for destruction of property/evidence shall be completed on the property/evidence sheet.
1. Drugs/Controlled Substances
 - a. The evidence room technician shall arrange to destroy any controlled substance, containers, and items listed on the evidence sheet.
 - b. The destruction of the items shall be witnessed by a sworn officer from the Police Department.
 - c. A report must be completed, listing the date, time, location of destruction, name of witnessing officer, and case numbers of all controlled substances destroyed. This completed report will be filed with each related case file.
 2. Firearms (to include handguns, pistols, rifles, shotguns)
 - a. Firearms not sold to a federally licensed firearm dealer shall be transported to a designed area for destruction and rendered unusable. **All weapons will be re-checked to make sure they are unloaded.**
 - b. A report must be completed, listing the date, time, location of sale or destruction, and case numbers of all firearms sold or destroyed. This completed report will be filed with each related case file.
 3. Other Property
 - a. The destruction shall be noted and dated by the evidence room technician on the property/evidence sheet.
 - b. The evidence room technician shall be responsible for making all items unusable by tearing or crushing items. Alcoholic beverages shall be poured down the drain. Ammunition will be transferred to the ammunition disposal bin.

- M. Several types of property/evidence that are unclaimed may be transferred to General Fund account of the City. These items may be, but are not limited to:
1. Unclaimed monies.
 2. Unclaimed jewelry. The Chief of Police shall receive two written estimates from two separate jewelers. The jeweler submitting the highest dollar amount estimate shall take possession of the jewelry and a check made to the City of St. Francis for deposit in the General Fund.
- N. Any item found inside the property/evidence room that cannot be traced to a case number will be deemed found property. The evidence technician shall then create an ICR Found Property Report and retain the item for the 60-day holding.
- O. The evidence technician will perform an annual audit on the the evidence room to assure property is not being held more than the mandated period of time. If at the time of the audit the evidence technician determines certain property can be returned, destroyed or sold at auction, the evidence technician shall follow procedures in this section



TITLE: RIDE ALONG POLICY	NUMBER: 319
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

319.01 PURPOSE

For purposes of this section, a ride along is defined as: A person who occupies or rides in a City of St. Francis owned vehicle while in the company of an on duty member of the St. Francis Police Department.

To establish guidelines and procedure regarding ride alongs.

319.02 AUTHORIZATION

Each ride along request will receive final approval from a supervisor.

319.03 The St Francis Police Department Ride-Along program is open to City of St Francis residents. The program is also open to non-residents under the following circumstances.

- A. Currently enrolled students of The St Francis School District who are 16 years of age or older who wish to participate as part of a school related assignment or activity.
- B. Members of Criminal Justice related agencies, who are participating in the course of their employment.
- C. Anoka County Dispatchers, when, as part of their job are directed to do ride-alongs for official training.
- D. Members of the Anoka County Attorney's or the City Attorney's Office when in official capacity.
- E. Person's authorized to perform repairs or service on a City of St Francis vehicle.

- F. Individuals with take home vehicles may from time to time transport family members or other authorized persons in their squad without ride along waivers.
- G. The department chaplain.
- H. City Council members
- I. Non-sworn department employees.
- J. Police Reserve Officers
- K. Any other person as authorized by the Chief of Police.

319.04 PROCEDURE

- A. A ride-along form must be completed and signed by the requestor of the ride-along prior to the ride-along period. If the ride-along requestor is under 18 years old a parent/guardian must be accompany the requestor to the police department to meet with the officer. The parent/guardian must also sign the ride along release form. Juveniles will only be allowed to ride-along during daytime and early evening hours no later than 2200 hours.
- B. All ride-along requestors are subject to a criminal history check.
- C. When authorization by a Supervisor is required, it shall be secured prior to the ride along period.
- D. Authorization may be granted by phone and the completed form placed in the box of the commanding officer who approved the ride along.
- E. All approved and signed ride-along forms will be provided to the Chief of Police.

319.05 CONTROL OF RIDE-ALONG

- A. The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit participation. These instructions should include:

1. The ride-along will follow the directions of the officer.
 2. The ride-along will not become involved in any investigation, handling of evidence or discussions with victims or suspects.
- B. The officer may terminate the ride-along at any time and return the observer to their home or to the station if the ride-along interferes with the performance of any officer's duties.
- C. Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety and also at the discretion of jail staff.
- D. Officers will not allow any ride-alongs to be present in any residence or situation that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other person.



TITLE: WORHLESS CHECKS	NUMBER: 320
EFFECTIVE DATE: 01/01/2020	REVIEW: 01/01/2023

320.01 PURPOSE

Establish a procedure for officers to take worthless check reports and process them.

320.02 PROCEDURE FOR BUSINESSES

1. Check must have been signed in the clerk's presence.
2. Photo identification of passer must have been viewed by the person accepting the check and the information recorded on the check. If the identification information was printed on the check, the employee must have circled it to show it was checked.
3. Clerk must have initialed the check

320.03 IDENTIFICATION OF PASSER

The only source to be used is a photo driver's license or Minnesota photo ID card. No complaint will signed if proper ID was not obtained.

320.04 BUSINESS PROCEDURE

1. NSF or Account Closed
 - a. Must be \$50.00 or more
 - b. Not more than 6 months old
 - c. No partial payment accepted
 - d. Phone contact attempted with passer
 - e. Demand for payment letter sent Certified Mail.

If all of the above conditions have been met then an officer will take a report. Responsibility for follow-up on check cases rests with the officer taking the initial report unless a supervisor reassigns the case.

320.05 CHECKS NOT ACCEPTED FOR PROSECUTION

1. Post dated checks
2. Rent checks
3. Second party checks
4. A worthless check issued to cover a worthless check
5. Partial collect on accounts
6. Checks issued as payment of a fee on previous worthless checks.
7. Checks not given in immediate exchange for goods or services.
8. Stop payment checks (unless probable cause indicating theft by trick or swindle exists.)
9. Checks issued and asked to be held
10. Checks given for past consideration

Many of these may be collected civilly.



TITLE: CRIMINAL CONDUCT ON SCHOOL BUSES	NUMBER: 322
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

322.01 PURPOSE

To establish procedures for responding to criminal incidents on school buses. To promote cooperation with schools, parents, students, transportation providers in promoting safe passage for students and drivers to and from school.

322.02 General

- Officers will respond to all reports of criminal incidents on school buses.
- Officers will handle this type of complaint like any other report of criminal conduct. After determining jurisdiction of an incident.
- Officers will investigate the allegations of the criminal conduct.

322.03 Specific Duties

1. Respond to calls for assistance from any citizen, school, or transportation company as they pertain to criminal conduct on school buses.
2. Gather all victim, witness and suspect information necessary to complete a case file.
3. Investigate the reported incident.
4. Complete reports regarding the incident.

5. Issue citations, juvenile contact reports or forward to prosecuting attorney for prosecution if warranted.
6. Provide information to the school regarding the incident as required by law.

322.04 Special Note

This policy is not intended to interfere with or replace school disciplinary policies, which relate to student misconduct on school buses.



TITLE: PREDATORY OFFENDER REGISTRATION & COMMUNITY NOTIFICATION	NUMBER: 323
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

323.01 POLICY

It is the policy of the St. Francis Police Department to protect the public by disclosing information on predatory offenders residing in an agency's community. The extent of the information disclosed and to whom is at the discretion of the agency unless otherwise noted. However, it must relate to the level of danger posed by the offender, to the offender's pattern of offending behavior, and to the need of community members to enhance their individual and collective safety.

323.02 DEFINITION

Three possible risk levels can be assigned to an offender. They are:

- Level 1 – low risk of re-offending
- Level 2 – moderate risk of re-offending
- Level 3 – high risk of re-offending

Note: Some offenders are not assigned a risk level due to their offense being adjudicated prior to predatory offender legislation enactment or due to the offender's conviction not leading to supervision by the Department of Corrections. These offenders are still subject to the predatory offender registration statutes, though they are *not* subject to community notification.

A. Community Notification - For questions regarding community notification or risk level assigned to an offender, please contact the Predatory Offender Unit of the Department of Corrections (DOC) by phone or through their website at www.corr.state.mn.us. The DOC will answer questions about the process and responsibilities, and assist agencies in conducting public notification meetings when an offender subject to notification moves into a law enforcement jurisdiction. Attached to this policy are:

- Example 1, “*Community Notification: Risk Assignment Report*”, an internal law enforcement document prepared by the DOC
- Example 2, “Fact Sheet”, a notice for public distribution

B. Notification Process

Level 1 – The purpose is to disclose information to raise awareness.

- Mandatory – Victims who have requested disclosure.
- Discretionary – Witnesses or victims, other law enforcement agencies.

Level 2 – The objective is to disclose information to safeguard facilities and protect the individuals within those facilities. (Example - attachment 2, “Fact Sheet”)

- Mandatory – All persons and entities included in Level 1 disclosure.

Note: If the offender is placed or resides in a residential facility, do NOT disclose any information until the law enforcement agency is notified that the offender has been relocated.

- Discretionary – Groups and agencies that the offender is likely to encounter including staff members of both public and private schools, day care facilities and organizations that would provide services to the individuals likely to be victimized by the offender. (Consider using the following to assist with discretionary disclosure: the offender’s prior history; offense characteristics; employment; recreational, social and religious interests; and characteristics of likely victim.)

Level 3 – The goal is to disclose information not only to safeguard facilities and protect the individuals they serve, but also to protect the community as a whole.

- Mandatory – All persons and entities included in Level 1 and Level 2 disclosure. A good faith effort must be made to notify within 14 days of receiving documents from DOC.

Note: If the offender is placed or resides in a residential facility, do NOT disclose any information until the law enforcement agency is notified that the offender has been relocated.

- Discretionary – Other members of the community who the offender is likely to encounter, unless public safety would be compromised by the disclosure or a more limited disclosure is necessary to protect the identity of the victim. (How an agency decides to inform the public is their discretion. The current standard for a Level 3 offender is to invite the community to a public meeting and disclose the necessary information.)

C. Registration - For questions concerning registration, please contact the Bureau of Criminal Apprehension Predatory Offender Unit (BCA POR) by phone, through their website at

www.dps.state.mn.us/bca or refer to the Predatory Offender Registration Manual (POR Manual) for detailed information.

When an offender arrives at your agency to register, determine if he/she is required to register (review list of registerable offenses in the POR Manual) and in what state the offense was committed.

If the offender is required to register, contact the BCA POR to clarify if the offender is registered and if a DNA sample has been submitted.

- If the offender is already registered, complete a Change of Information Form included in the POR Manual.
- If the offender is not registered, complete a Predatory Offender Registration Form included in the POR Manual.
- If the offender is from another state, contact the state, (information for each state is listed in the POR Manual) and request a copy of his/her original registration form, criminal complaint and sentencing documents.

It is recommended the agency verify the address of offenders living in their community.

- If the offender is not living at the residence, contact a supervisor to determine if a Change of Information Form was submitted. If it was not, the offender may be charged with failure to notify authorities of a change in residence.
- Contact the BCA POR to request a Prosecution Packet. Submit the packet to the county attorney's office to file a formal charge. (It must be verified that the offender is no longer residing at his/her last address prior to submitting the Prosecution Packet for charging. Depending on the county attorney, formal statements may be needed from friends, co-workers, neighbors, caretakers, etc.

Example 1

[Date]

CONFIDENTIAL

Community Notification: Risk Assignment Report Law Enforcement Agency Use Only

Not for Use in Public Notification

The individual who appears on this notification is subject to registration as a predatory offender under MN Statutes, Sections 243.166 or 243.167. In addition, this individual is subject to community notification under MN Statutes, Section 244.052.

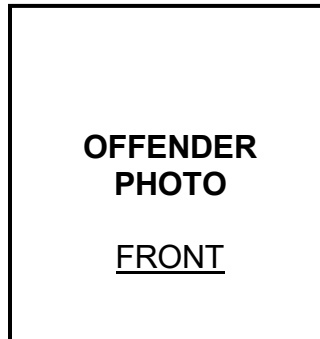
The following information is for law enforcement use only.

[OFFENDER NAME] [Date of Birth]

RISK LEVEL ASSIGNED: 1 [DATE RISK LEVEL ASSIGNED]

OID: [XXXXXX]

Race: [NNNN] Hispanic: [Yes/No]
Height: [N' N"] Eyes: [NNNN]
Weight: [NNN] lbs. Hair: [NNNNN]
Complexion: [NNNNN] Build: [NNNNN]



Conviction statute(s): [609.NNN]

Investigating agency: [NNNNN] Police Department

Incarceration date: [NN/NN/NN]

Release date: [NN/NN/NN]

Supervision expiration date: [NN/NN/NN]

Supervision agent: NNNNN NNNN at (651) 555-1515

Offense: Offender engaged in sexual contact with the victim (female, age NN). Contact included NNNNNNNNNNNN. Compliance was gained by [NNNNNN]. Offender was [relationship] to victim.

Previous offense(s) and/or behavior(s): [NNNNNNNNNNNNNNNNNN]

Revocation information: [date]—due to [NNNNNNNNNNNNNNNNNN]

Special release conditions: [NNNNNNNN; NNNNNNNNNNNNNNNNNNNNN; NNNNNNNNNNNNN; NNNNNNNNN.]

Address: [Org], [Street], [City], [State], [Zip]. [Telephone]

Date of address change: NN/NN/NN

If you have any questions regarding this information or the policies regarding the notification, statutes please contact:

Xxxxxx Xxxxxx

Community Notification Coordinator Minnesota Department of Corrections 651-643-xxxx xxxx@doc.state.mn.us

St. Francis Police Department

FACT SHEET

NOTIFICATION OF RELEASE IN MINNESOTA

RISK LEVEL TWO-

In addition to level one notification (other law enforcement agencies, any victims of, or witnesses to, the offense committed by the offender), law enforcement may notify staff members of public and private educational institutions, day care establishments, and establishments and organizations that primarily serve individuals likely to be victimized by the offender.

The **St. Francis Police Department** is releasing the following information pursuant to Minnesota Statutes, Section 244.052 which authorizes law enforcement agencies to inform the public of a sex offender=s release from prison, or a secure treatment facility, when that **St. Francis Police Department** believes that the release of information will enhance public safety and protection.

The individual who appears on this notification has been convicted of Criminal Sexual Conduct or other offense that requires registration with law enforcement pursuant to Minnesota Statutes, Sections 243.166 or 243.167.

This offender is not wanted by the police at this time and has served the sentence imposed on him by the court. This notification is not intended to increase fear in the community. It is the belief of law enforcement that an informed public is a safer public.

Not the **St. Francis Police Department**, the supervising release agent, nor the Minnesota Department of Corrections may direct where the offender does or does not reside, nor can these agencies direct where he works or goes to school. The risk level of this offender has been determined based largely on his/her potential to re-offend based on his/her previous criminal behavior.

Convicted sex offenders have always been released to live in our communities, but it was not until passage of the Registration Act that law enforcement had an ability to know the residence, or track their moves after their initial release. Since the passage of the Community Notification Act, law enforcement may share information about many of these offenders with the public. Abuse of this information to threaten, harass, or intimidate registered offenders may be a crime, and will not be tolerated. Such abuses could potentially end the ability of law enforcement to do these notifications. The only person who wins if community notification ends is the sex offender since many of these offenders derive their power from the opportunity that secrecy provides them.

The **St. Francis Police Department** is available to help you by providing you and your family with useful information on personal safety. The **St. Francis Police Department** may be reached at (763) 427-6812. If you want to report criminal activity of this or any other offender, please call 911.

[OFFENDER NAME] [Date of birth]

OID: [NNNNNN]

Race: [NNNNN] Hispanic: [Yes/No]
Height: [N' NN"] Eyes: [NNNNN]
Weight: [NNN] lbs. Hair: [NNNNN]
Complexion: [NNNNNN] Build: [NNNNN]

Conviction statute(s): [609.NNN]

Release date: NN/NN/NN

Supervision agent: NNN NNNN at 651/555-1515.

Offense: Offender has a history of sexual contact with [NNNNNNNNNNNNNN]. The contact includes [NNNNNNNN]. Compliance was gained by [NNNNNNNN]. Offender was [relationship] to the victim.

Address: 1000 Block of NNNNN Avenue, [city], MN [zip code].

Date of address change: NN/NN/NN





TITLE: MISSING & ENDANGERED PERSONS	NUMBER: 324
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

324.00 RESPONSE TO REPORTS OF MISSING & ENDANGERED PERSONS

324.01 PURPOSE

The purpose of this policy is to establish guidelines and responsibilities for the consistent response to, and investigation of, all reports of missing and endangered persons as defined in Minnesota Statutes, Chapter 299C.52, Subd. 1, (c), and (e). "Minnesota Missing Children Program"). **State mandated procedures are highlighted in bold print.**

This policy addresses only those investigations where the missing person has been determined to be both missing and endangered.

324.02 POLICY

It is the policy of the St. Francis Police Department to establish guidelines and responsibilities for the consistent response to, and investigation of, all reports of missing and endangered persons as defined in MN STAT Chapter 299C.52, subd. 1 (c) and (d) ("Minnesota Missing Children and Endangered Persons' Program" referred to as Brandon's Law).

This policy addresses investigations where the person has been determined to be both missing and endangered and includes all procedures required by MN STAT 299C.52.

The St. Francis Police Department recognizes there is a critical need for immediate and consistent response to reports of missing and endangered persons. The decisions made and actions taken during the preliminary stages may have a profound effect on the outcome of the case. Therefore, this agency has established the following responsibilities and guidelines for the investigation

of missing and endangered persons. All peace officers, employed by this agency, will be informed of and comply with the procedures contained in this Model Policy.

324.03 DEFINITIONS

A. *Missing* has the meaning given it in MN STAT 299C,52, subd. 1 (d), “The status of a person after a law enforcement agency has received a report of a missing person, has conducted a preliminary investigation, and determined that the person cannot be located”.

B. *Endangered* has the meaning given it in MN STAT 299C,52, subd. 1, (c), “A law enforcement official has recorded sufficient evidence that the missing person is at risk of physical injury or death. The following circumstances indicate that a missing person is at risk of physical injury or death:

- 1) the person is missing as a result of a confirmed abduction or under circumstances that indicate that the person’s disappearance was not voluntary;
- 2) the person is missing under known dangerous circumstances;
- 3) the person is missing more than 30 days;
- 4) the person is under the age of 21 and at least one other factor in this paragraph is applicable;
- 5) there is evidence the person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person’s health if the person does not receive the needed care or medication;
- 6) the person does not have a pattern of running away or disappearing;
- 7) the person is mentally impaired;
- 8) there is evidence that the person may have been abducted by a noncustodial parent;
- 9) the person has been the subject of past threats or acts of violence;
- 10) there is evidence the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search and rescue efforts are critical; or
- 11) any other factor that the law enforcement agency deems to indicate that the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and endangered.

C. *Child* has the meaning given it in MN STAT 299C,52, subd. 1 (a), “Any person under the age of 18 years or any person certified or known to be mentally incompetent”.

D. *NCIC* means The National Crime Information Center.

E. *CJIS* means The Criminal Justice Information System.

F. *DNA* means “DNA” has the meaning given it in MN STAT 299C,52, subd. 1 (b), Deoxyribonucleic acid from a human biological specimen.

324.04 PROCEDURES

This agency will respond according to the following six types of general procedures:

- Initial Response
- Initial Investigation
- Investigation
- 30 Day Benchmark
- Prolonged Investigation, and
- Recovery/ Case Closure

A. INITIAL RESPONSE

1. As required by MN STAT 299C.53, subd. 1(a), Law Enforcement shall accept, without delay, any report of a missing person. Law enforcement shall not refuse to accept a missing person report on the basis that:
 - a) the missing person is an adult;
 - b) the circumstances do not indicate foul play;
 - c) the person has been missing for a short amount of time;
 - d) the person has been missing for a long amount of time;
 - e) there is no indication that the missing person was in the jurisdiction served by the law enforcement agency at the time of the disappearance;
 - f) the circumstances suggest that the disappearance may be voluntary;
 - g) the reporting person does not have personal knowledge of the facts;
 - h) the reporting person cannot provide all of the information requested by the law enforcement agency;
 - i) the reporting person lacks a familial or other relationship with the missing person; or

j) for any other reason, except in cases where the law enforcement agency has direct knowledge that the person is, in fact, not missing, and the whereabouts and welfare of the person are known at the time the report is filed.

- 2.** Dispatch an officer, to the scene, to conduct a preliminary investigation to determine whether the person is missing, and if missing, whether the person is endangered.
- 3.** Obtain interpretive services if necessary.
- 4.** Interview the person who made the initial report, and if the person is a child, the child's parent(s) or guardian(s).
- 5.** Determine when, where, and by whom the missing person was last seen.
- 6.** Interview the individual(s) who last had contact with the person.
- 7.** Obtain a detailed description of the missing person, abductor, vehicles, etc. and ask for recent photo of missing person.
- 8.** Immediately enter the complete descriptive and critical information, regarding the missing and endangered person, into the appropriate category of the NCIC Missing Person File.
 - a) As required by 42 U.S.C. 5779(a) (Suzanne's Law) law enforcement shall immediately enter missing children less than 21 years of age into the NCIC.
 - b) As required by MN STAT 299C.53, subd. 1(b), if the person is determined to be missing and endangered, the agency shall immediately enter identifying and descriptive information about the person into NCIC.
- 9.** Enter complete descriptive information regarding suspects/vehicle in the NCIC system.
- 10.** Request investigative and supervisory assistance.
- 11.** Update additional responding personnel.
- 12.** Communicate known details promptly and as appropriate to other patrol units, local law enforcement agencies, and surrounding law enforcement agencies. If necessary, use The International Justice & Public Safety Network (NLETS), the Minnesota Crime Alert Network, and MNJIS KOPS Alert to alert state, regional and federal law enforcement agencies.

- 13.** Notify the family of the Minnesota Missing/Unidentified Persons Clearinghouse services available.
- 14.** Secure the crime scene and/or last known position of the missing person and attempt to identify and interview persons in the area at the time of the incident.
- 15.** Obtain and protect uncontaminated missing person scent articles for possible use by search canines.
- 16.** Activate protocols for working with the media. (AMBER Alert, Minnesota Crime Alert Network)
- 17.** As required by MN STAT Chapter 299C.53, subd. 1(b), consult with the Minnesota Bureau of Criminal Apprehension if the person is determined to be an endangered missing person. Request assistance as necessary.
- 18.** Implement multi-jurisdictional coordination/mutual aid plan as appropriate such as when:
 - a) the primary agency has limited resources;
 - b) the investigation crosses jurisdictional lines; or
 - c) jurisdictions have pre-established task forces or investigative teams.
- 19.** Based on the preliminary investigation, determine whether or not a physical search is required.

B. INITIAL INVESTIGATION

1. Conduct a canvas of the neighborhood and of vehicles in the vicinity.
2. Arrange for use of helpful media coverage.
3. Maintain records of telephone communications/messages.
4. Ensure that everyone at the scene is identified and interviewed separately.
5. Search the home, building or other area/location where the incident took place and conduct a search including all surrounding areas. Obtain consent or a search warrant if necessary.
6. Assign an investigator or officer whose duties will include coordination of the investigation.

C. INVESTIGATION

1. Begin setting up the Command Post/Operation Base away from the person's residence. Know the specific responsibilities of the Command Post Supervisor, Media Specialist, Search Coordinator, Investigative Coordinator, Communication Officer, Support Unit Coordinator, and two liaison officers (one at the command post and one at the victim's residence). The role of the liaison at the home will include facilitating support and advocacy for the family.

- 2.** Establish the ability to “trap and trace” all incoming calls. Consider setting up a separate telephone line or cellular telephone for agency use and follow up on all leads.
- 3.** Compile a list of known sex offenders in the region.
- 4.** In cases of infant abduction, investigate claims of home births made in the area.
- 5.** In cases involving children, obtain child protective agency records for reports of child abuse.
- 6.** Review records for previous incidents related to the missing person and prior police activity in the area, including prowlers, indecent exposure, attempted abductions, etc.
- 7.** Obtain the missing person’s medical and dental records, fingerprints and DNA when practical or within 30 days.
- 8.** Create a Missing Persons’ Profile with detailed information obtained from interviews and records from family and friends describing the missing person’s health, relationships, personality, problems, life experiences, plans, equipment, etc.
- 9.** Update the NCIC file, as necessary with any additional information, regarding the missing person, suspect(s) and vehicle(s).
- 10.** Interview delivery personnel, employees of gas, water, electric and cable companies, taxi drivers, post office personnel, sanitation workers, etc.
- 11.** For persons’ under the age of 21, contact the National Center for Missing and Exploited Children (NCMEC) for photo dissemination and other case assistance.
- 12.** Determine if outside help is needed and utilize local, state and federal resources related to specialized investigative needs, including:
 - a) Available Search and Rescue (SAR) resources
 - b) Investigative Resources
 - c) Interpretive Services
 - d) Telephone Services (traps, traces, triangulation, etc.)
 - e) Media Assistance (Local and National)

13. Secure electronic communication information such as the missing person's cell phone number, email address(s) and social networking site information.

14. Appoint an officer who shall be responsible to communicate with the family/reporting party or their designee and who will be the primary point of contact for the family/reporting party or designee. Provide contact information and the family information packet (if available) to the family/reporting party or designee.

15. Provide general information to the family/reporting party or designee about the handling of the missing person case or about intended efforts in the case to the extent that the law enforcement agency determines that disclosure would not adversely affect the ability to locate or protect the missing person or to apprehend or prosecute any person(s) criminally in the disappearance

*****MISSING FOR OVER 30 DAYS*****

If the person remains missing after 30 days from entry into NCIC the local law enforcement agency will be contacted by the BCA Missing and Unidentified Persons Clearinghouse to request the following information (if not already received):

- a. DNA samples from family members and, if possible, from the missing person.
- b. Dental information and x-rays.
- c. Additional photographs and video that may aid the investigation or identification.
- d. Fingerprints.
- e. Other specific identifying information.

BCA Clearinghouse personnel will enter this information into the appropriate databases. If the person is still missing after 30 days, review the case file to determine whether any additional information received on the missing person indicates that the person is endangered and update the record in NCIC to reflect the status change.

D. PROLONGED INVESTIGATION

- 1.** Develop a profile of the possible abductor.
- 2.** Consider the use of a truth verification device for parents, spouse, and other key individuals.

3. Re-read all reports and transcripts of interviews, revisit the crime scene, review all photographs and videotapes, re-interview key individuals and re-examine all physical evidence collected.
4. Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone of interest identified in the investigation.
5. Periodically check pertinent sources of information about the missing person for any activity such as phone, bank, internet or credit card activity.
6. Develop a time-line and other visual exhibits.
7. Critique the results of the on-going investigation with appropriate investigative resources.
8. Arrange for periodic media coverage.
9. Consider utilizing rewards and crime-stoppers programs.
10. Update NCIC Missing Person File information, as necessary.
11. Re-contact the National Center for Missing and Exploited Children (NCMEC) for age progression assistance.
12. Maintain contact with the family and/or the reporting party or designee as appropriate.

E. RECOVERY/CASE CLOSURE

Alive

1. Verify that the located person is the reported missing person.
2. If appropriate, arrange for a comprehensive physical examination of the victim.
3. Conduct a careful interview of the person, document the results of the interview, and involve all appropriate agencies.
4. Notify the family/reporting party that the missing person has been located. (In adult cases, if the located adult permits the disclosure of their whereabouts and contact information, the family/reporting party may be informed of this information.
5. Dependent on the circumstances of the disappearance, consider the need for reunification assistance, intervention, counseling or other services for either the missing person or family/reporting party.
6. Cancel alerts (Minnesota Crime Alert, AMBER Alert, etc), remove case from NCIC (as required by MN STAT 299C.53. subd 2) and other information systems and remove posters and other publications from circulation.

7. Perform constructive post-case critique. Re-assess the procedures used and update the department's policy and procedures as appropriate.

Deceased

1. Secure the crime scene.
2. Contact coroner, medical examiner or forensic anthropologist to arrange for body recovery and examination.
3. Collect and preserve any evidence at the scene.
4. Depending upon the circumstances, consider the need for intervention, counseling or other services for the family/reporting party or designee.
5. Cancel alerts and remove case from NCIC and other information systems, remove posters and other publications from circulation.
6. Perform constructive post-case critique. Re-assess the procedures used and update the department's policy and procedures as appropriate.



TITLE: USE OF FORCE	NUMBER: 325
EFFECTIVE DATE: 08/01/2020	REVIEW DATE: 01/01/2022

325.01 PURPOSE

It is the policy of the St Francis Police Department to provide officers with guidelines for the use of force and deadly force in accordance with:

MN STATUTE 626.8452 DEADLY FORCE AND FIREARMS USE;
POLICIES AND INSTRUCTION REQUIRED;
MN STATUTE 626.8475 DUTY TO INTERCEDE AND REPORT;
MN STATUTE 609.06 AUTHORIZED USE OF FORCE;
MN STATUTE 609.065 JUSTIFIABLE TAKING OF LIFE; and
MN STATUTE 609.066 AUTHORIZED USE OF DEADLY FORCE BY PEACE OFFICERS

325.02 POLICY

It is the policy of the St Francis Police Department to ensure officers respect the sanctity of human life when making decisions regarding use of force. Sworn law enforcement officers have been granted the extraordinary authority to use force when necessary to accomplish lawful ends. Officers shall treat everyone with dignity and without prejudice and use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of others and the officer.

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Officers should exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the

individual's ability to understand or comply with commands from peace officers.

The decision by an officer to use force or deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using such force.

This policy is to be reviewed annually and any questions or concerns should be addressed to the immediate supervisor for clarification.

This policy applies to all licensed peace officers and part-time peace officers engaged in the discharge of official duties.

325.03 DEFINITIONS

- A. Bodily Harm:** Physical pain or injury.
- B. Great Bodily Harm:** Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.
- C. Deadly Force:** Force used by an officer that the officer knows, or reasonably should know, creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.
- D. De-Escalation:** Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

- E. Other Than Deadly Force:** Force used by an officer that does not have the purpose of causing, nor create a substantial risk of causing, death or great bodily harm.
- F. Choke Hold:** A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.
- G. Authorized Device:** A device an officer has received permission from the agency to carry and use in the discharge of that officer's duties, and for which the officer has:
1. obtained training in the technical, mechanical and physical aspects of the device; and
 2. developed a knowledge and understanding of the law, rules and regulations regarding the use of such a device.

325.04

METHOD

- A. Unless other than normal circumstances exist as noted in 325.07 (E) only the methods or instruments listed may be utilized by an employee to apply force and these methods are listed in ascending order from the least severe to the most severe. An officer should use discretion to determine reasonable force options to bring a subject under control. This policy should not be construed to require officers to first attempt using types and degrees of force that reasonably appear to be inadequate to accomplish the intended objective.
1. **Officers Presence**
 2. **Officer Control**
 - Non-Verbal Communication
 - Verbal Communication
 - Verbal Commands

- **Passive Control**
- Chemical Irritant/Spray
- Pain Compliance Holds
- Pressure Point Control Tactics
- Escort Techniques

- **Intermediate Force**
- Heavy Techniques of Subject Control
- Stunning Techniques
- Chemical Irritant/Spray
- Taser
- Authorized Impact Weapon (ASP Baton)
- Less Lethal Munitions/Projectiles
- Squad Car

- **Lethal Force**
- Firearm
- Squad Car

Nothing in this policy should prevent officers from using other alternatives short of physical force to effectively resolve a confrontation.

All department issued equipment is to be considered department approved. The department will provide training in the use of all equipment that is approved.

325.05

REPORTING THE USE OF FORCE

- A. Any use of force greater than handcuffing a cooperative person by a member of this department shall be documented promptly, completely and accurately by an appropriate incident report, and Use of Force Supplemental Report. This includes the pointing of aerosol spray, Taser, less lethal or firearm. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable

under the circumstances. The purpose for the Use of Force Supplemental Report is to collect data for analysis and other related purposes.

- B. Whenever an officer must resort to the use of force to apprehend someone, restore order, or otherwise perform lawful duties, the officer shall, in the incident report of the incident, articulate the following factors:
1. The severity of the incident at issue;
 2. Whether the suspect posed an immediate threat to the safety of the officers or others;
 3. Whether the suspect actively resisted arrest or attempted to evade arrest by flight; and
 4. Other factors, which the officer reasonably believed, required the level of force used.
- C. The Chief, or other individual designated by the Chief, will review all incidents involving the application of force. The incident will be reviewed to determine if Department Policies and Procedures were observed. If the review indicates a violation of law or Department Policies and Procedures, the Chief of Police will be advised and an appropriate internal investigation will be made.

This policy is to be used in conjunction with all relevant existing departmental policies, procedures, rules and regulations.

325.06

PROCEDURE

- A. General Provisions
1. Use of physical force should be discontinued when resistance ceases or when the incident is under control.
 2. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer or another person. In these situations, only the amount of force necessary to control the situation shall be used.

3. Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility. If the injuries are visible, photographs of the injuries should be taken.
4. All uses of force shall be documented and investigated pursuant to this agency's policies.

B. DUTY TO INTERCEDE

Regardless of tenure or rank, an officer must intercede when

1. Present and observing another officer using force in violation of section 609.066, subdivision 2, or otherwise beyond that which is objectively reasonable under the circumstances; and
2. Physically or verbally able to do so.

C. DUTY TO REPORT

1. An officer who observes another officer use force in violation of the Department's use of force policy and/or state or federal law shall report the incident in writing within 24 hours to the chief law enforcement officer of the agency that employs the reporting officer.

D. DE-ESCALATION

1. An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever possible and appropriate before resorting to force and to reduce the need for force.
2. Whenever possible and when such delay will not compromise the safety of another or the officer and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall

allow an individual time and opportunity to submit to verbal commands before force is used.

E. USE OF CERTAIN TYPES OF FORCE

1. Except in cases where deadly force is authorized as articulated in MN STATE. 609.066 to protect the peace officer or another from death or great bodily harm, officers are prohibited from using:
 - a. Chokeholds,
 - b. Tying all of a person's limbs together behind a person's back to render the person immobile, or;
 - c. Securing a person in any way that results in transporting the person face down in a vehicle.
2. Less than lethal measures must be considered by the officer prior to applying these measures.

325.07 USE OF OTHER THAN DEADLY FORCE

When de-escalation techniques are not effective or appropriate, an officer may use other than deadly force to control a non-compliant or actively resistant individual. An officer is authorized to use agency-approved other than deadly force techniques and approved equipment in the following circumstances:

- A. When used by a public officer or one assisting a public officer under the public officer's direction.
1. In effecting a lawful arrest;
 2. In the execution of legal process;
 3. In enforcing an order of the court; or
 4. In executing any other duty imposed upon the public officer by law; or
 5. when used to restrain a person with a mental illness or a person with a developmental disability from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or
 6. defense of self or another.

325.08

TRAINING

- A. All officers shall receive training, at least annually, on this agency's use of force policy and related legal updates.
- B. In addition, training shall be provided on a regular and periodic basis and designed to
 - 1. Provide techniques for the use of and reinforce the importance of de-escalation.
 - 2. Simulate actual shooting situations and conditions; and
 - 3. Enhance officers' discretion and judgement in using other than deadly force in accordance with this policy.
- C. Before being authorized to carry a firearm all officers shall receive training and instruction with regard to the proper use of deadly force and to the agency's policies and state statutes with regard to such force. Such training and instruction shall continue on an annual basis.
- D. Before carrying an authorized device all officers shall receive training and instruction in the use of the device including training as it relates to its use in deadly force and/or other than deadly force situations. Such training and instruction shall continue on an annual basis.
- E. Officers will carry and use only authorized devices unless circumstances exist which pose an immediate threat to the safety of the public or the officer requiring the use of a device or object that has not been authorized to counter such a threat.
- F. With agency approval officers may modify, alter or cause to be altered an authorized device in their possession or control.

325.09

RECORD KEEPING REQUIREMENTS

- A. The chief law enforcement officer shall maintain records of the agency's compliance with use of force training requirements.

325.10 MSS 629.33 - WHEN FORCE MAY BE USED TO MAKE ARREST

If a peace officer has informed a defendant that the officer intends to arrest the defendant, and if the defendant then flees or forcibly resists arrest, the officer may use all necessary and lawful means to make the arrest but may not use deadly force unless authorized to do so under section 609.066. After giving notice of the authority and purpose of entry, a peace officer may break open an inner or outer door or window of a dwelling house to execute a warrant if:

- A. The officer is refused admittance; or
- B. Entry is necessary for the officer's own liberation; or
- C. Entry is necessary for liberating another person who is being detained in the dwelling house after entering to make an arrest.

325.11 MSS 629.34 - WHEN ARREST MAY BE MADE WITHOUT A WARRANT

Subdivision 1. Peace Officers.

- (a) A peace officer, as defined in section 626.84, subdivision 1, clause (c), who is on or off duty within the jurisdiction of the appointing authority, or on duty outside the jurisdiction of the appointing authority pursuant to section 629.40, may arrest a person without a warrant as provided under paragraph (c).
- (b) A part-time peace officer, as defined in section 626.84, subdivision 1, clause (d), who is on duty within the jurisdiction of the appointing authority, or on duty outside the jurisdiction of the appointing authority pursuant to section 629.40, may arrest a person without a warrant as provided under paragraph (c).
- (c) A peace officer or part-time peace officer who is authorized under paragraph (a) or (b) to make an arrest without a warrant may do so under the following circumstances:
 - (1) when a public offense has been committed or attempted in the officer's presence;
 - (2) when the person arrested has committed a felony, although not in the officer's presence;
 - (3) when a felony has in fact been committed, and the officer has reasonable cause for believing the person arrested to have committed it;

- (4) upon a charge based upon reasonable cause of the commission of a felony by the person arrested;
 - (5) under the circumstances described in clause (2), (3), or (4), when the offense is a gross misdemeanor violation of section 609.52, 609.595, 609.631, 609.749, or 609.821; or
 - (6) under circumstances described in clause (2), (3), or (4), when the offense is a non-felony violation of a restraining order or no contact order previously issued by a court.
 - (7) under the circumstances described in clause (2), (3), or (4), when the offense is a gross misdemeanor violation of section 609.485 and the person arrested is a juvenile committed to the custody of the commissioner of corrections; or
 - (8) if the peace officer has probable cause to believe that within the preceding 72 hours, exclusive of the day probable cause was established, the person has committed nonfelony domestic abuse, as defined in section 518B.01, subdivision 2, even though the assault did not take place in the presence of the peace officer.
- (d) To make an arrest authorized under this subdivision, the officer may break open an outer or inner door or window of a dwelling house if, after notice of office and purpose, the officer is refused admittance.



TITLE: USE OF DEADLY FORCE	NUMBER: 326
EFFECTIVE DATE: 12/01/2020 (Revised 12-20-21)(12-23-21)	REVIEW DATE: 01/01/2023

326.01 PURPOSE

To provide officers with an understanding and working knowledge of the department's deadly force and use of deadly force policy.

326.02 MN STATE STATUTE 609.065 - JUSTIFIABLE TAKING OF LIFE

The intentional taking of the life of another is not authorized by Section 609.06, except when necessary in resisting or preventing an offense, which the actor reasonably believes, exposes the actor or another to great bodily harm or death, or preventing the commission of a felony in the actor's place of abode.

326.03 MN STATE STATUTE 609.066 - AUTHORIZED USE OF DEADLY FORCE BY PEACE OFFICERS

- A. An officer is authorized to use deadly force if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary. Use of deadly force is justified when one or both of the following apply;
 - 1. To protect the peace officer or another from death or great bodily harm, provided that the threat:
 - a. can be articulated with specificity;
 - b. is reasonably likely to occur absent action by the law enforcement officer; and
 - c. must be addressed through the use of deadly force without unreasonable delay; or

2. To effect the arrest or capture, or prevent the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony and the officer reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria in paragraph (1), items (a) to (c), unless immediately apprehended.
3. Where feasible, the officer shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.
4. In cases where deadly force is authorized, less than lethal measures must be considered first by the officer.
5. This section and sections 609.06, 609.065 and 629.33 may not be used as a defense in a civil action brought by an innocent third party.

326.04 DEADLY FORCE RESTRICTIONS

- A. An officer shall not use deadly force against a person based on the danger the person poses to self if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that the person does not pose a threat of death or great bodily harm to the peace officer or to another under the threat criteria in 326.03 (A)(1), items (a) to (c)
- B. Officers should avoid discharging their firearms at or from a moving vehicle except in circumstances permitting the use of deadly force under MN STATUTE 609.066 and after careful consideration of the possibility of collateral injury or death.

326.05 TRAINING

- A. All officers shall receive training, at least annually, on this agency's use of deadly force policy and related legal updates in addition to the training requirements listed in section 325.

326.06

DEPARTMENT INVESTIGATIVE PROCESS

- A. Anytime an officer discharges a department-approved weapon, it is a serious incident and it will be fully investigated by the department or an outside agency. Accurate discovery of all facts regarding the incident is required to maintain the confidence of the public, ensure the preservation of the rights of everyone involved including the officers involved and to ensure that proper legal action, if necessary, is taken as a result of the incident.

- B. The department will investigate every incident of firearms discharged by a department employee except for target practice, hunting, ballistics examination, and destruction of animals. If a firearm is used to destroy an animal, the officer will prepare an incident report detailing the reason and circumstances of the destruction.

326.07

OFFICER INVOLVED SHOOTING

- A. Whenever a member discharges a firearm involving the shooting of a person whether accidentally or intentionally, the employee shall immediately:
 - 1. Determine the physical condition of any injured persons and render first aid, when appropriate. Request medical aid, if necessary.
 - 2. Notify a Supervisor or Senior Officer of your location and the nature of the incident.
 - 3. A Supervisor shall be notified if the discharge involved personal injury or property damage.
 - 4. Those officers who discharged their weapon shall retain their weapon until it is turned over to the investigating agency. Unless necessary for officers' safety, officers shall not reload or unload their weapons without being instructed to do so by the assigned investigator. Officers directly involved in the incident shall not become involved in the gathering or collection of evidence, or interviewing of witnesses. Those officers should remain at the scene until a supervisor arrives, unless they are in need of emergency medical treatment.

5. Any involved officers shall be moved to the police facility as soon as directed by a supervisor or detective in charge.
6. Unless otherwise directed, the officers involved should, as soon as possible, submit a report of the facts surrounding the incident.
7. The officer(s) involved in the incident shall assume administrative duties in cases resulting in death or injury. (See 326.12).

326.08 SUPERVISOR OR SENIOR OFFICER ON DUTY

- A. The Supervisor or Senior Officer will be responsible for:
 1. Securing the scene and any physical evidence.
 2. Determine manpower needs to handle patrol functions during the investigation of the incident.
 3. Conduct a preliminary field investigation.
 4. Ensure that the Police Chief, The Bureau of Criminal Apprehension and CID are notified.
 5. Render assistance to the assigned investigators.
 6. Assist the officer involved to insure thoroughness and completeness of all reports; also assist the officer through the early stages of post-shooting trauma. Anoka County Public Safety Peer Support may be contacted to provide defusing following the incident.
 7. The Supervisor, in compliance with MSS 626.553 will prepare the required Firearms Discharge Report. The report will be forwarded to the Chief of Police for his/her signature prior to submission to the Commissioner of Public Safety.

326.09

INTERNAL AFFAIRS INVESTIGATION

- A. The Chief is responsible for the Internal Affairs investigation of the incident. This administrative investigation will be conducted to determine if the shooting was within policy. The administrative investigation will be conducted separately from any criminal or general investigation. Before taking any statements, the Chief will advise the employee of his/her rights during an administrative investigation. These rights include:
1. The right to know that the investigation is narrowly defined to the specific shooting incident.
 2. The right to know that if misconduct is determined that the officer could face disciplinary action including dismissal.
 3. The right to have a Union Representative and/or private attorney present while the statement is being taken.
 4. The officer will be read the Garrity/Tennesen Warning and will be allowed to ask questions to ensure that he/she understands the Warning. Once the officer understands the Warning, he/she will sign the Warning and will be supplied a copy of the signed waiver.
 5. That any statements made during the internal investigation interview cannot be used against the employee in any subsequent criminal proceedings.
 6. A copy of the employee's statement shall be provided to the employee upon signing the statement.

326.10

CRIMINAL INVESTIGATION

- A. A shooting incident that results in injury or death will be investigated by the MN BCA. All other shooting incidents will be investigated by an outside law enforcement agency as directed by the Chief of Police. In all cases, the Criminal Investigation should be conducted totally separate from the

Internal Affairs investigation. If a conflict arises between the two investigations, the criminal investigation will receive first priority. The investigation procedure shall include, but is not limited to:

1. Respond to the scene.
2. Take custody of all weapons, spent and unspent ammunition, for analysis.
3. Separate, secure, and interview all on-scene witnesses.
4. Photographs and diagram to scale of the crime scene.
5. Secure the tapes of all radio transmissions.
6. Secure medical evidence including any projectiles from the individual(s) injured, blood, and urine samples from those involved in the incident.
7. Interview all officers involved in the incident. If applicable, they will be advised of their rights before questioning.
8. A complete report will be forwarded to the Chief of Police and the Anoka County Attorney for review.

326.11 FEDERAL GOVERNMENT INVESTIGATION

The department will respect the rights of the Federal Government to conduct an independent investigation to identify any civil rights violations. However, the department will not order or request any of its members who may be suspects to confer with General investigators without the advice of counsel. If the department's investigation determines that the shooting is within the scope of this policy, the department will supply legal representation for all officers involved.

326.12 ADMINISTRATIVE DUTY/LEAVE

- A. After a shooting incident, the involved officer(s) will be placed on either administrative duty or leave. This shall be without loss of pay or benefit and shall not be interpreted, implied, or indicate that the officer(s) acted improperly. The department recognizes the possible impact that the post-

shooting trauma has on officer(s) involved in a shooting incident. During administrative duty/leave, the officer will be provided with all the resources necessary for physical and emotional recovery from the incident. While on administrative duty/leave, the officer(s) will:

1. Remain available at all reasonable times for official interviews.
2. Discuss the incident only with assigned department personnel, personal attorney, medical personnel, clergy, the officer's immediate family, and the department recognized peer-counseling organization.
3. Actively participate in his/her emotional and medical recovery by following the course of treatment developed by health professionals.

The Chief of Police will determine when the officer(s) will be reassigned to their previous duty. This will be done only after consulting with the officer(s) and health care professionals.

Follow-up psychological counseling will be made available to the officer(s) and family members.

This policy is to be used in conjunction with all relevant existing departmental policies, procedures, rules and regulations.



TITLE: FIREARM POLICY	NUMBER: 327
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

327.01 CONDITIONS OF DISCHARGE

- A. A weapon may be discharged to exterminate a dangerous animal for self-defense, to prevent substantial harm to the officer or others, and when the animal is so badly injured that humanity requires its destruction to prevent further suffering.
- B. A weapon may be discharged for target practice at an approved range when accompanied by another competent person or shooting competition on an approved range and under the supervision of an approved firearms instructor or range officer.

327.02 PROHIBITED USE OF FIREARMS

Firearms shall not be discharged in the following situations:

- A. As a warning shot
- B. In violation of Minnesota State Statutes.

327.03 SAFE HANDLING OF FIREARMS

While lawfully acting in the capacity of a St. Francis peace officer, except for general maintenance, storage, or authorized training, officers shall not draw or exhibit, their department approved firearm unless circumstances create reasonable cause to believe that it may be necessary to lawfully use the weapon in conformance with other sections of this policy. This section applies to all officers, whether on-duty or off-duty.

327.04 OFF-DUTY WEAPON

Officers are not required to carry a handgun off-duty. An officer who elects not to carry a handgun while off-duty shall not be subject to disciplinary action if an occasion should arise, in which the officer could have taken police action if he/she were armed. Anytime a firearm is carried off-duty, the officer shall possess and have readily accessible their badge and/or police identification card. Off-duty firearms should be carried in a concealed manner whenever possible. If the firearm is visible to the public, the badge must be visible also. The St Francis Police Department prohibits any officer from carrying a handgun or ammunition off-duty while using or under the influence of alcohol or drugs. All officers must qualify with their off-duty weapon if it is a different weapon from what is carried on-duty.

327.05 DEPARTMENT APPROVED FIREARM

A department approved firearm, is any weapon owned by the St. Francis Police Department or owned by a licensed peace officer employed by the St. Francis Police Department and has been approved for duty use by the department. Approval for duty use means that the officer has qualified in the handling of the weapon and actual firing along with cleaning and disassembly. Officers must qualify annually with the department-approved firearm being carried on duty. A qualified range instructor shall attest to this qualification.

327.06 SECONDARY WEAPONS

- A. The Chief of Police or designee must approve all secondary weapons in advance.
- B. Officers will qualify with their secondary weapons annually.
- C. The Chief of Police or designee must approve the method of carry.
- D. Officers may be responsible for ammunition and weapon maintenance for secondary weapons.

327.07 REMOVAL OF FIREARMS FROM SQUADS

Officers shall remove all firearms from department vehicles prior to leaving the vehicle at any location away from the police department for service or repairs. The weapons do not need to be removed if an officer will be standing by waiting for service to be completed

(ex: radio repair, bus garage). The weapons shall be secured in the gun safe until the vehicle is brought back to the police department from the repair location.

327.08 DUTY WEAPON

- A. All officers shall carry a department issued Sig Sauer P320 9MM Handgun.



TITLE: ALCOHOL & DRUG TESTING POLICY	NUMBER: 328
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

328.01 PURPOSE

The purpose of this policy is to provide written guidelines in compliance with Minnesota Statute 181.950 - 181.957 for requesting or requiring job applicants to undergo drug and/or alcohol testing.

328.02 DEFINITIONS

For purposes of this policy, the following definitions will apply:

- A. "City" means the City of St. Francis, Anoka County, Minnesota.
- B. "Commissioner" means the Commissioner of the Minnesota Department of Health.
- C. "Confirmatory test" and "confirmatory retest" means a drug or alcohol test that uses a method of analysis approved by the Commissioner under Minnesota Statute 181.953, Subdivision 1, as being reliable for providing specific data as to the drugs, alcohol, or their metabolites detected in an initial screening test.
- D. "Drug" means a controlled substance as defined in Minnesota Statute 152.01, Subd. 4.
- E. "Drug and Alcohol Testing," "Drug or Alcohol Testing," and "Drug or Alcohol Test" means analysis of a body component sample approved by the Commissioner under Minnesota Statute 181.953, Subd. 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.

- F. “Employee” means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for the City. “Employee” shall also mean a volunteer who provides services to the City for no or nominal compensation.
- G. “Initial Screening Test” means a drug or alcohol test, which uses a method of analysis approved by the Commissioner under Minnesota Statute 181.953, Subd. 1, as being capable of providing data as to general classes of drugs, alcohol, or their metabolites.
- H. “Job Applicant” means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the City, and includes a person who has received a job offer made contingent on the person passing drug or alcohol testing.
- I. “Positive Test Result” means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed as a licensed, accredited or certified laboratory pursuant to state law Minnesota Statute 181.953.

328.03 **APPLICABILITY**

The City may request or require alcohol and/or drug testing of Police Officer applicants. Testing will not be required or requested unless a conditional job offer has been made to the applicant.

328.04 **CITY REQUIREMENTS AND PROCEDURE**

- A. The City will post and maintain a notice in appropriate and conspicuous locations at its facility that this policy has been adopted and that copies are available for inspection at specified locations.
- B. The City will use a facility for drug and/or alcohol testing which meets the standards of Minnesota Statute 181.953.
- C. Unless and until the Commissioner approves the use of Preliminary Breath Screening Tests and/or the DATAMASTER with fuel cell option for alcohol testing, all

alcohol testing will be done at a hospital or laboratory. It shall be the laboratory's responsibility to establish reasonable chain-of-custody procedures.

- D. The procedure utilized for collecting samples for testing will ensure privacy to the job applicants to the extent practicable, considering the need to prevent tampering with the sample.
- E. At the time the individual provides the sample for testing, the individual may choose to have two samples drawn. One sample will be used by the City's laboratory for testing and other sample will be frozen. The frozen sample may be released to a laboratory designated by the individual or the individual's attorney for testing. The individual must pay the cost for testing conducted on and storage of the second sample if this option is selected.
- F. Before a job applicant is required to submit to an alcohol and/or drug test, the City will provide a form on which the testee shall:
 - 1. Indicate whether or not the job applicant has seen the City's drug and alcohol testing policy; and
 - 2. Indicate any over-the-counter or prescription medications that the individual is currently taking or has recently taken, and any other information relevant to the reliability of, or explanation for, a positive test result.
- G. The City's laboratory will automatically perform a confirmatory test on all samples, which test positive. No adverse personnel action will be taken based on an initial screening test that has not been verified by a confirmatory test.
- H. Within three business days of the City's receipt of the results, the City will notify the job applicant of the results of the alcohol and drug test and of the individuals rights specified in Paragraph 327.05 below and Minnesota Statute 181.953, Subd. 10 or 11.

- I. Test samples will be collected from all applicants for sworn police positions at the time of the physical examinations. However, testing will be performed on the samples only after offers of employment have been made.

328.05 RIGHTS OF JOB APPLICANTS TO REFUSE TESTING

If a job applicant for an affected position refuses to submit to an alcohol and/or drug test, any offer of employment will be withdrawn and the individual will not again be considered for employment by the City for a period of time not to exceed six (6) months from the date of said applicant's initial job application.

328.06 EFFECT OF POSITIVE CONFIRMATORY TEST

- A. If a job applicant for an affected position tests positive on a confirmatory test for alcohol and/or drugs, any offer of employment will be withdrawn and the individual will not be considered for employment by the City.
- B. **Explained results:** If a positive confirmatory test is caused by a drug prescribed for the job applicant or an over-the-counter substance consumed in accordance with instructions, the City will not withdraw a job offer. However, a job offer will be withdrawn if an applicant is not reasonably able to perform the assigned duties of the position.

328.07 JOB APPLICANT RIGHTS AFTER A TEST

- A. Within five days after receiving notification of a positive test result, any individual may submit any information to explain the result and request in writing a confirmatory retest of the original sample at the job applicant's own expense. At the same time, the individual may request in writing release of the frozen sample if that option was chosen. The individual may request that the City's laboratory perform the confirmatory retest or transfer the sample to a laboratory of the individual's choosing.
- B. A job applicant may request and receive from the City, a copy of the drug or alcohol test result report.

328.08**MISCELLANEOUS**

- A. The City's laboratory shall disclose test result data only to the City Administrator at the City of St. Francis.

- B. Test result reports and other data acquired by the City in the drug or alcohol testing process is private data on individuals pursuant to Chapter 13 and 181.954(2) and (3) of the Minnesota Statutes. The City will disclose the information internally only to management and confidential employees with a need to know and to the test individual. The information will not be released to any third party without the written consent of the tested individual.

- C. Positive test results from the City's drug or alcohol testing program will not be used as evidence in a criminal action against a job applicant.



TITLE: BLOODBORNE PATHOGENS	NUMBER: 329
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

329.00 BLOOD BORNE PATHOGENS

329.01 PURPOSE

Promote safe work practices to minimize the risk of occupational exposure to Hepatitis B virus, Human Immunodeficiency Virus (HIV) and other bloodborne pathogens that officers may encounter.

329.02 General

Officers will follow the **EXPOSURE CONTROL PLAN** that has been adopted by the City of St. Francis.

329.03 Method of Compliance

- A. The use of Universal Precautions
 - 1. Treat all human body fluids as if they are known to be infectious for Hepatitis, HIV or any other bloodborne pathogen.

- B. Establishing Universal Engineering Controls
 - 1. Use of cleaning agents
 - 2. Use of equipment to prevent contact
 - a. Leak proof containers for contaminated items.
 - b. Gloves
 - c. Work Practice Controls
 - 3. Personal clean up

- a. Washing of exposed areas after contact
- b. Flushing of eyes, nose and mouth
- c. Removing contaminated clothing
- 4. Training of new employees
 - a. Personal Protective Equipment
 - 1. Gloves
 - 2. Safety Glasses
 - 3. Goggles
 - 4. Face Shields
 - 5. Masks & Respirators
 - 6. Coats/Jackets

C. Establishing Universal Policy on Disposal of Biohazard Waste

- 1. Officers shall make every effort to dispose of biohazard wastes in the ambulance Hazmat containers when possible.
- 2. If (1) is not an option, officers shall dispose of contaminated items in the following fashion:
 - a. Needles, syringes, and sharp objects shall be placed in the designated hard shell "Sharps Biohazard Containers".
 - b. Contaminated gloves, masks, and first aid supplies shall be placed in the designated biohazard red disposal bags and sealed with tape. At no time shall syringes or sharp objects be placed in these bags.
 - c. Packaged contaminated items shall then be transported to the office and placed in the designated biohazard Waste Container.

d. Contaminated items shall not be left in the squads. Officer who transports the contaminated waste in the squad is responsible for its disposal.

1. It is recommended that officers place the sealed packages in a location where it will not be forgotten at the end of the shift (i.e.: passenger floorboard).

a. A designated staff member will check the biohazard waste container and, when necessary, arrange for the waste to be collected by Stericycle Hazardous Waste.

329.04 Records

- A. All incidents of exposure to be reported and documented.
- B. Incident will be investigated.
- C. Involved parties receive medical attention.

329.05 Training

- A. All officers will receive training as required by the State and OSHA.
- B. Training records will be maintained by the Police Department.

329.06 Exposure Control Plan

- 1. City wide policy.
- 2. All officers receive copy.
- 3. Detailed procedure & policy



TITLE: DATA PRACTICES	NUMBER: 330
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

330.01 PURPOSE

This policy is to help set up guide lines on the release of information to the public in compliance with Minnesota Statute Chapter 13, known as the Minnesota Government Data Practices Act. Data is also restricted by other Statutes. For accident reports, they also fall under the 169.09 Statute. For juveniles they also fall under the 299C.095 Statute.

330.02 PROCEDURE FOR RELEASE OF DATA

Information and copies will only be released by the Administrative Assistant or delegated office personnel. Officers will not release information or copies of reports. Reports will be released during business hours only.

330.03 EXCHANGE OF INFORMATION

Nothing in this policy prohibits the exchange of information by law enforcement, criminal justice agencies, and those who by statute, either Federal or State, have been authorized access.



TITLE: USE OF ROAD SPIKES DEVICES	NUMBER: 331
EFFECTIVE DATE: 01/01/2020	REVIEW: DATE: 01/01/2023

331.01 DEFINITION

- A. Roadspike devices are spikes placed across the roadway used to assist officers engaged in certain types of pursuits.
- B. The device will cause the slow, controlled, deflation of the pursued vehicle.
- C. The St. Francis Police Department authorizes the use of **Stop Sticks** to assist in the termination of pursuits.

331.02 CRITERIA FOR USE

- A. All pursuing officers are aware that **Stop Sticks** are going to be deployed at a given location and when the **Stop Sticks** have been deployed.
- B. The deploying officer is able to seek cover after deployment. Patrol vehicles are not adequate cover.
- C. The deploying officer must have been trained in the use of the **Stop Sticks** device.

331.03 FACTORS FOR CONSIDERATION

- A. Traffic congestion
- B. Roadway configuration
- C. Construction area
- D. Special events or activities
- E. Innocent persons
- F. Safe stopping distance for suspect vehicle

331.04 UNAUTHORIZED USE

- A. The use of **Stop Sticks** is not authorized to terminate pursuits involving motorcycles, three wheel or four wheel ATV's.
- B. Officers who have not received training in the use of **Stop Sticks** are not authorized to deploy them.

331.05 DEPLOYMENT

- A. Method #1: Stand on side of roadway and toss the sleeved **Stop Sticks** across roadway. As target vehicle approaches, pull **Stop Sticks** into path of vehicle using the cord.
- B. Method #2: Lay **Stop Sticks** end-to-end across the avenue of escape as the target vehicle approaches.
- C. Method #3: Throw **Stop Sticks** into the path of the target vehicle when time does not allow to lay sticks down.
- D. Method #4: Connect **Stop sticks** end-to-end and lay them across the avenue of escape, creating one unit.
- E. Method #5: Connect **Stop Sticks**, end-to-end and place them adjacent to avenue for escape. Use cord reel line to pull the unit into the path of the target vehicle as it approaches.

DO NOT WRAP THE CORD REEL LINE AROUND ANY PART OF YOUR HAND OR BODY After deploying the **Stop Sticks** officer(s) must seek a safe location to observe target vehicle.

331.06 POST-DEPLOYMENT

- A. Officer deploying the device is responsible for securing it after use.
- B. Search of the area for all parts and pieces will take place.
- C. All used portions will be collected as evidence and treated as same.

- D. Evidence will be kept until disposition of case is cleared by the courts.



TITLE: OPERATION OF VEHICLE LIGHTS	NUMBER: 332
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

332.01 SUBJECT

Operation of police vehicles without headlights or taillights.

332.02 PURPOSE

To provide a uniform guideline for all department personnel to use when operating a department vehicle without headlights or taillights while functioning as a police officer of the St. Francis Police Department.

332.03 DEFINITIONS

For the purpose of this policy, the following definitions apply:

Vehicle: A motor vehicle or watercraft owned, leased or otherwise the property of the State of Minnesota or a political subdivision.

Lights: Refers to headlights, taillights, and navigational lighting as referenced in Minnesota State Statute 84.87, 84.928, 169.48 to 169.65 and 86B.511.

332.04 PROCEDURE

A police officer may **not** operate a vehicle without lights:

- A. On an interstate highway.
- B. At speeds greater than what is reasonable and prudent under existing weather, road and traffic conditions.
- C. Faster than the posted speed limit.

D. In situations where the police officer is an Active participant in the pursuit of a motor vehicle in violation of Minnesota State Statute 609.487.

E. Contrary to the elements of Minnesota State Statute 169.541.

332.05

RESPONSIBILITY

It shall be the responsibility of every employee to be thoroughly familiar with and follow exactly the procedures outlined and statutes referenced in this policy at any time while employed as a police officer for the St. Francis Police Department.



TITLE: TASER POLICY	NUMBER: 333
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

333.01 PURPOSE

To establish the guidelines for the use and training of the Advanced Taser.

333.02 DEFINITION

The Advanced Taser is a hand held laser aimed, battery operated unit. Voltage is applied to a subject by two darts connected to conducting wires propelled from a charged cartridge or from direct contact. The unit deploys 50,000 volts of electricity which when applied affects the neuromuscular system. The results cause involuntary, temporary, muscle contractions. The contractions will incapacitate a subject so they can be placed under control of law enforcement officers.

The Advanced Taser is a less than lethal, minimal impact weapon, likely to have less lasting effects on a subject than that of chemical agents or impact weapons.

333.03 APPLICATION

- A. The Advanced Taser may be used in situations where non-deadly or deadly force is justified.

- B. The most effective range is between 12 and 21 feet. The maximum range is 25 feet.

- C. Officers are to make every effort to avoid dart placement in face or soft tissue areas. These areas include the neck and groin or genital areas.
- D. The Advanced Taser may be used by direct touch (with or without the cartridge) when a physical, hands on confrontation is in progress or to gain compliance.

333.04 SAFETY CONSIDERATIONS

- A. The deploying officer shall inform other officers of the presence and/or planned use of the Advanced Taser, as it is tactically prudent and practical, so the Advanced Taser shot is not mistaken for a gunshot.
- B. Officers should restrain and control a subject as soon as possible after deployment.
- C. Used darts are considered a biohazard and must be handled appropriately. This includes the use of gloves and biohazard evidentiary containers by department personnel.

333.05 MEDICAL TREATMENT

- A. When the Advanced Taser is used on a subject, officers must offer medical treatment or exam to the subject.
- B. Darts that have penetrated soft tissue areas must be removed by medical personnel or emergency room staff.
- C. Officers must not overlook the aspect of injury that may have resulted in falling from a standing position after deployment.

333.06 RESTRICTED USES

- A. The Advanced Taser shall not be used on subjects exhibiting compliant or passive resistance behavior.
- B. The Advanced Taser shall not be used on a restrained or controlled subject unless;
 - 1. The action of the subject presents an immediate threat of death or great bodily harm to themselves or others; or

2. The subject continues to be combative and not obeying verbal commands.
- C. The Advanced Taser shall not be used when the presence of flammable fumes, liquids or gases are known or likely.
- D. The Advanced Taser should not be used on women known to be pregnant unless all other means short of lethal force have been used.
- E. The Advanced Taser shall not be used on small children or the elderly unless actions of the subject present an immediate threat of death, great bodily harm or substantial physical struggle that could result in injury to themselves or another person including the deploying officer.

333.07 DOCUMENTATION

- A. Officers shall photograph the location of the impact areas on a subject, when possible or practical. Depending on the location of the penetration, same sex officer or medical personnel shall be used.
- B. Officers are required to document the Advanced Taser use and the result in a supplemental report in accordance to the St. Francis Police Department Use of Force Policy 325.00.
- C. Expended cartridges shall be maintained as evidence.

333.08 TRAINING

- A. All officers that wish to carry and deploy the Advanced Taser must be trained by a Certified Taser Instructor.
- B. Officers that have been trained in the use of the Advanced Taser will receive refresher training annually.



TITLE: TRAFFIC STOPS	NUMBER: 334
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

334.01 PURPOSE

Traffic stops and interaction patrols are vital law enforcement responsibilities. In addition to deterring motor vehicle violations, they provide law enforcement visibility and deter crimes that are more serious.

The purpose of this policy is to establish guidelines for the St. Francis Police Department regarding the treatment of the public on traffic stops and interactive patrols.

334.02 DEFINITIONS

- A. **Profiling** – is the interdiction, detention, arrest or other non-consensual treatment of an individual because of a characteristic or status.
- B. **Characteristic** – may include race, national origin, citizenship, religions ethnicity, age, gender, or sexual orientation.

334.03 OFFICER RESPONSIBILITIES

- A. An officer may stop a motor vehicle upon a reasonable suspicion that the driver or an occupant committed a motor vehicle violation or is wanted for other alleged offenses, including suspicious activity. All such stops shall conform to St. Francis Police Department Policy and Procedures and all State and Federal guidelines.
- B. The policy does not preclude an officer from stopping a vehicle to offer assistance, e.g., to inform a driver of an item

left on the roof, or of a substance leaking from the car. Such actions shall be reported as “motorist aid” calls.

- C. Officers are prohibited from stopping, detaining, searching, or arresting anyone based solely on the person’s race, national origin, citizenship, religion, ethnicity, age, gender, or sexual orientation – unless they are seeking an individual with one or more of these identified attributes.
 - 1. Officers may consider a person’s age when investigating a possible curfew violation.
 - 2. Officers are frequently alerted to look for suspects and repeat offenders that fit a particular description.
- D. Officers shall complete an incident report whenever:
 - 1. There is a search of a vehicle or occupants, except at authorized roadblocks.
 - 2. Any occupant is handcuffed or taken into custody.
 - 3. There is a Use of Force (other than verbal commands) by an officer.
 - 4. The driver or any occupant questions at the stop whether the stop was made because of profiling.
- E. Officers shall treat every person with courtesy and respect.
- F. Officers shall provide his/her name, badge number and reason for a vehicle stop whenever a motorist or passenger requests such information.
- G. Whenever a person complains that an officer has engaged in practices prohibited by this policy, the officer will immediately notify a supervisor, or if no supervisor is on duty, the senior officer.

334.04 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure that officers follow the procedures outlined in this policy.
- B. All complaints alleging officer misconduct regarding traffic stops shall be handled as outlined in St. Francis Police Policy 307.00 Officer Complaints.



TITLE: INCIDENT REPORTS	NUMBER: 335
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

335.01 PURPOSE

To establish the guidelines for documentation through incident reports.

335.02 PROCEDURE

- A. All incident reports shall be factual and accurately and fully describe the circumstances surrounding an incident and the officer's involvement.
- B. Incident reports must be completed on all dispatched calls and self-initiated events with the exception of traffic stops that result in verbal warnings.
- C. If an officer assists another agency that officer must complete an agency assist incident report.
- D. An officer who assists another officer within the department may complete a supplemental report at the officer's discretion if there are specific details the officer should note about their involvement with the incident. Some examples would be if the assisting officer were involved in an arrest of a subject, transport of a subject, the search and/or seizure of property, use of force on a subject, obtaining statements.
- E. Incident reports must be completed prior to going off duty during any given shift. If circumstances arise that don't allow the officer to complete the incident report prior to going off duty the incident report should be completed as soon as possible the following day at the approval of a supervisor.



TITLE: FACILITY USE	NUMBER: 336
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

336.01 ST. FRANCIS POLICE FACILITY

The St. Francis Police Facility was designed to reflect the latest in architectural construction, mechanical designs and systems, and at the same time, present a building, which is atmospherically pleasing and offering a functional, secured work environment. It was also designed to allow for the inclusion and implementation of ever-changing computer technologies, information systems and radio communications. The facility is intended to provide a professional work place from which staff can deliver effective public safety services to the community. It is the intent of this policy to keep the St. Francis Police Department in a clean and welcoming environment and violation may cause deterioration of the property and may be subject to disciplinary action.

336.02 GENERAL FACILITY USE RULES

To maintain a clean, efficient and professional atmosphere within the St. Francis Police Department, the following general facility use rules are in place. Departmental staff violating these rules may be subject to disciplinary action.

336.03 SMOKING

- A. Consistent with the Minnesota Clean Indoor Air Act and City of St. Francis Administrative Policy, smoking is not permitted in the St. Francis Police Department, including the police department parking facility.

336.04 FOOD AND BEVERAGES

- A. As a general rule, food and beverages are to be consumed whenever possible and practical in the break room.

1. Employees may consume drinks and snack food items in their designated work areas so long as it does not interfere or conflict with their job responsibilities. Appropriate care must be exercised to ensure that food and beverages brought to the employee's workspace are not spilled, causing damage to equipment or work product.
2. Employees eating meals in the police facility are to do so in the break room unless their current work assignment or responsibilities require them to eat in a workspace area or there is a special circumstance.
3. Food or beverage spills shall be cleaned up immediately, using care not to damage finishes, carpeting, or equipment.
All spills shall be reported, providing the type of spill, time and location, cleanup effort performed and any cleaning products used.
 - a. During business hours, the supervisor should be contacted immediately regarding spills.
 - b. After hours and on weekends, information regarding the spill must be left for the supervisor.
4. All employees are required to clean up the break room or work area following a meal, work break or consuming snacks and/or drinks. This includes:
 - a. Dirty dishes, eating utensils, pots, pans, cooking utensils, glasses, cups, etc. are to be cleaned up after the meal. These items should be rinsed into the garbage disposal, and the disposal run with water, to ensure that food scraps are not going down the drain. They should be loaded into dishwasher as applicable; with no items being left in sink or on counter. If the dishwasher is full of dirty dishes, the wash cycle should be run. The dishwasher should be unloaded if it contains clean dishes.
 - b. Employees using the stove, oven or microwave oven are to clean any spills or

spray caused by the cooking of their food. Food being cooked should be appropriately covered to prevent or minimize spilling and spraying.

5. Food may be cooked for employee consumption only in the break room.
6. Employees may store food and drinks in the refrigerator and freezer provided in the police facility break room. All food and drinks are to be visibly marked on the container and dated, as many items are subject to spoiling.
 - a. Obviously spoiled or contaminated food or drink will be thrown out. Additionally, food without a date will be thrown out.

336.05 PAGING SYSTEM

The internal voice paging system, which is part of the phone system, is to be used in a business-like and professional manner at all times and is for departmental or work-related purposes only.

336.06 POSTING OF VISUAL MATERIAL

The posting of notices, articles, photographs, cartoons, caricatures and humor-based materials not specifically related to bona fide and official law enforcement organizations/issues, departmental matters, City of St. Francis matters or union business are prohibited unless specifically approved by the Chief of Police or Sergeant. Postings will be placed on bulletin boards only and will have the posting employee's name/badge number and date. No name and date on the posting will result in it being removed and discarded. No removal is permitted unless approved by the Chief of Police or Sergeant.

336.07 FACILITY CLEANING AND MAINTENANCE

A professional cleaning service on a contractual basis and in-house maintenance staff will be used for regular cleaning and interior maintenance. All police personnel are required to take appropriate care in keeping the police facility as clean as possible and to ensure their actions cause no misuse, abuse or damage to the building and its content.

Personnel finding maintenance or repair issues regarding the facility or its component equipment and systems are to report them to a supervisor. If the issue is of an emergency nature, it should be immediately reported to maintenance personnel.

A. With few exceptions, all work areas will be unlocked and left open, so contract cleaning may be performed as scheduled.

1. In accordance with federal requirements and Minnesota State Law, civilian cleaning and maintenance staff given access to the police facility must have prior approval by the Chief of Police or designee after submitting to a criminal history check and basic background check.

2. The Police Department reserves the right to refuse entry into the police facility based upon bona fide security issues reflective of the results of the criminal history and background checks.

B. Detention Facility

In-house maintenance staff will perform Cleaning and maintenance of the detention facility. They will check in with department staff prior to entry.

C. Property and Evidence Rooms

The evidence processing area will be accessed by cleaning or maintenance on an as needed basis. The property and evidence storage area will not be accessed by cleaning or maintenance staff unless accompanied by authorized personnel.

D. Armory

The armory will not be accessed by cleaning or maintenance staff unless accompanied by departmental staff.

336.08

AESTHETICS AND OFFICE FURNISHINGS

A. It is the intent of the City of St. Francis and St. Francis Police Department to provide as comfortable, efficient and professional workspaces for all officers and employees. It must be understood, though, that the police facility is a public building and accessible by citizens and others from outside of the department.

1. Minimal decorations, pictures, art, accessories and items of a personal nature may be placed in individual offices so long as they are not offensive to basic community standards and provide a positive work environment that would also be accepted by the mainstream of public visitors.
 - a. Prior to decorating their individual offices or workspaces, employees must get prior approval from the Chief of Police or Sergeant.
 - b. Decorations or accessories requiring mounting or drilling into walls, work surfaces, partitions, etc., must be completed by maintenance staff unless otherwise approved by the Chief of Police or Sergeant. Tacks, pins or tape are prohibited on any walls of the facility.
2. Personally owned coffee makers, refrigerators, microwave ovens, heaters, televisions, furniture and exercise equipment are prohibited from the police facility unless otherwise approved by the Chief of Police or Sergeant. Radios and personal listening devices may be used so long as the volume does not disturb the work of surrounding employees or the content is not found to be offensive for a public facility.

336.09 EXPECTATION OF PRIVACY

The St. Francis Police Facility is a public building and the property of the City of St. Francis. The offices, work spaces, lockers, vehicles, computers, telephones and electronic systems are provided to employees for their use in their respective work capacities and in that capacity alone, and no expectation of privacy is extended or implied.

336.10 LOCKERS

- A. Employees will be assigned a locker and key.
 1. Lockers will remain the property of the City and must be kept clean and orderly at all times.
- B. The department will conduct periodic inspections during the course of each year to insure compliance with this Order. If

it is deemed necessary, a supervisor may inspect an employee's locker at any time (outside regularly scheduled inspections).

- C. You are not to store official police reports, evidence or recovered property within your locker.
- D. If you should decide to post items on the interior of your locker, the following guideline is to be used:
 - 1. Any such item must be suitable for public viewing and not offensive to basic community standards. If there is any doubt of what may be acceptable, contact your immediate supervisor for a determination.
 - 2. Employees will strive to keep the locker rooms as clean and neat as possible at all times.
- E. Postings of any kind are prohibited on the outside of lockers. Only the nameplate and locker number will be allowed.
- F. No storage or placement of any items will be allowed on top of locker

336.11**GARAGE**

- A. The police facility garage is restricted to police vehicles and equipment. No personal vehicles or property will be kept in the garage without the permission of the Chief of Police or Sergeant.
- B. Any tools or equipment that are removed or used will be cleaned up and replaced immediately after their use.
- C. Squads may be washed within the Public Works washing bays only.



TITLE: COMMENDATION AWARDS	NUMBER: 337
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

337.01 POLICY

It is the policy of the St Francis Police Department to promote excellence in law enforcement and recognize outstanding performance of its members as well as citizens who significantly support and assist our mission.

337.02 PURPOSE

- A. Officers often find themselves in situations dictated by circumstances beyond their control and which they have no way to prepare for or prevent from happening. Within this hectic environment, there are times when officers perform at a superior level that is above and beyond the call of duty.
- B. Citizens rely upon law enforcement to deal with situations for which they are not equipped or trained to handle. However, citizens may also find themselves in a unique position to provide invaluable service to law enforcement.
- C. The purpose of the sections to outline specific standards that will be used to measure outstanding achievement or conduct and how that action will be recognized.

337.03 DEFINITIONS

For the purpose of this policy, the terms set forth below are defined as follows.

A. MEDAL OF HONOR

The Medal of Honor may be awarded to any St Francis PD member for an act of outstanding bravery or heroism. Demonstrated unselfishness, courage, and the immediate high risk of death or serious physical injury would characterize such an act. The Medal of Honor sworn recipient shall receive a commemorative medal with a blue ribbon, certificate of recognition and a blue uniform bar.

B. MEDAL OF VALOR

The Medal of Valor may be awarded to any St Francis PD member for an act of bravery that demonstrates obvious self-sacrifice in the face of death or serious physical injury. The Medal of Valor sworn recipient shall receive a commemorative medal with a red ribbon, certificate of recognition and a red uniform bar.

C. AWARD OF COMMENDATION

The Award of Commendation may be awarded to any St Francis PD member who, during the course of their duties, provide a service that is carried out in a superior manner. This award may be conferred for duties including, but not limited to: enforcement activity, departmental service, community service. The Award of Commendation sworn member recipient shall receive a certificate of recognition and a blue and white uniform bar. The Award of Commendation non-sworn recipient shall receive a certificate of recognition.

D. LIFE SAVING AWARD

The Life Saving Award may be awarded to any St Francis member for acts that directly contribute to saving a human life. Intended for all employees directly responsible for the saving of a human life in instances involving but not limited to vehicle accidents, medical emergency, suicide prevention, fire rescues, miscellaneous rescues where the sole action of the employee was the lifesaving act itself. The Life Saving Award sworn member recipient shall receive a certificate of recognition and a red and white uniform bar. The Life Saving Award non-sworn recipient shall receive a certificate of recognition.

E. **CITIZENS AWARD**

This award is presented to citizens or community organization in recognition of an outstanding act or service to the department or assistance in law enforcement efforts. The act may include actions that expose them to personal danger. The Citizens Award recipient shall receive a certificate of recognition.

- a. **Member** means all personnel of the St Francis Police Department including Reserve Officers.
- b. **Citizen** means any resident of the City of St Francis, State of Minnesota or United States of America.
- c. **Award Committee:** This is the body that reviews all nominations. The committee is comprised of a sergeant and two additional members of the St Francis Police Department.

337.04 PROCEDURE

a. Nomination

1. Any department member who has firsthand information of conduct for which they wish to nominate a member or citizen may submit a written nomination along with supporting documentation to the chief of Police.
2. Nominations for the Chief of Police will be submitted to the City Administrator.
3. Upon receiving a nomination, the Chief of Police will notify the Award Committee and a meeting will be convened to review it. The committee may approve, deny, or approve a lower level award than the one noted on the nomination form.
4. If a nomination is approved, denied, or downgraded the nominator will be notified of the committee's decision and their reasoning. The awards committee will also report their decision to the Chief of Police.

5. A simple majority of the Awards Committee must approve the action.

b. Granting an award

1. For any award to be granted a simple majority of the Awards Committee must approve the action.
2. Once the Award Committee has authorized an award, the Chief of Police will notify that person of the committee's decision.
3. Presentation of an award to a member or citizen will be done at a place and time of the Awards Committee's choosing, with consent of the Chief of Police.
4. All awards granted to members will be documented in the members personnel file.



TITLE: UTILITY TERRAIN VEHICLE (UTV)	NUMBER: 338
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

338.01 PURPOSE

To establish appropriate operational guidelines for the implementation, training and use of the St. Francis Police Department Utility Terrain Vehicle (UTV).

338.02 POLICY

The St. Francis Police Department UTV may be used for patrol activities in City parks, City open spaces, City, State and County trail systems and designated special events or assignments. The UTV will use its unique mobility to access and patrol areas to supplement both proactive and reactive law enforcement efforts. The Police Department UTV may be assigned to any area within the City of St. Francis. Personnel assigned to use the UTV are to receive Department prescribed training in the use of the vehicle.

338.03 UTILITY TERRAIN VEHICLE TRAINING

Personnel of the St Francis Police Department will receive appropriate prescribed training. The training at minimum shall consist of UTV patrol knowledge and skills to include:

- A. Basic UTV maintenance and pre-ride checks.
- B. Safety checks and the UTV's operating standards and capabilities.
- C. Items that make a UTV operate different than that of a normal patrol vehicle.
- D. Basic operating skills including:

1. Trail way riding;
2. Street riding;
3. Obstacle and hazard recognition and riding;
4. Safe operation techniques; and
5. Laws pertaining to the operation of UTV's

338.04 GENERAL OPERATION AND EQUIPMENT USE

- A. The use of the St. Francis Police Department UTV by Department personnel is at the discretion of the Chief, Sergeant and Reserve Coordinator.
- B. No personnel should use a Police Department UTV without being trained and without first getting the approval of the Chief, Sergeant or Reserve Coordinator. Such approval may come by virtue of a posted duty assignment.
- C. Personnel operating the UTV should not ride under certain weather conditions that include, but are not limited to: tornado watches and warnings; severe thunderstorm watches and warnings and poor visibility.
- D. Personnel may request or be assigned to patrol on the UTV when shift minimums and shift strength permit.
- E. The UTV may be assigned to designated events as below and others that may arise.
 1. Special events. Examples being Pioneer Days, Corn Fest, other events, golf tournaments, high school activities and parades.
 2. Public Relations/Community Training: Examples being Safety Camps, School Safety, Neighborhood Watch groups and National Night Out.
 3. Areas within the city where pro-active community police patrol may be required in response to service calls, to prevent further service calls, and in an attempt to locate and arrest suspects.
 4. Park patrols, business checks, construction checks, school grounds patrol.

5. Gain access to areas that are limited to normal squad response; i.e, wetland areas, underdeveloped areas, and areas affected by storm damage.
- F. Personnel using the UTV will not operate it at an unreasonable speed and should not respond to emergency calls unless exigent circumstances are present with approval of the Chief, Sergeant or licensed Police Officer only.
- G. Before each use of the police UTV, personnel shall conduct an inspection of the UTV to assure it is in proper working order and that components are securely attached in good working order.
 1. If repairs are necessary, they may be written up with Vehicle Repair Notice or taken to the contracted service dealer for repairs.
 2. Other than general cleaning and maintenance (example: lubricate/tighten), police department personnel shall not attempt to repair or alter Department UTV's. An immediate supervisor is to be notified and a determination will be made whether the UTV will be serviced by appropriate authorized service center.
- H. After each use of department UTV, the Officer is responsible to clean off any visible dirt, dust or mud and replace any first aid supplies or other equipment removed from the equipment bag during their shift.
- I. Intentional abuse or misuse of the department UTV is prohibited. The UTV is to be used on City of St. Francis trail ways, streets and the shoulder or extreme right side of county roads or state trunk highways roadways.
 1. The UTV is not to be operated in an "off road" manner unless exigent circumstances arise requiring the "off road" necessary.
 2. Officers will "tread lightly" and take due caution to not tear up or destroy trail ways, grasses etc., when operating the UTV.
- J. To prevent theft, Officers shall make every attempt to remove the ignition key to the UTV and lock the rear storage

compartment to secure its contents. It is understood that some operational circumstances may not permit personnel to lock or secure the rear storage unit.

- K. When making arrests, Officers will request assistance from patrol squads to transport suspect(s) to the St. Francis Police Department.
 - 1. Officers are responsible for required paperwork when making arrests and when taking other reports from the public.
 - 2. Officers will not transport suspect(s) on the UTV unless exigent circumstances are present.
- L. Officers utilizing the UTV are to operate it in conformance with Minnesota State Statute 84.928.1 (Operation of Class 2 ATV). Police UTV's are not by statutory definition "Emergency Vehicles". There may be situations, however, when disregarding motor vehicles statutes may be necessary in the course of delivering police services. When operating in such manner, Officer's shall use extreme caution and care and document the circumstances that led to that action in an Incident Contact Report.
- M. Non-Police Department passengers will not be allowed to ride the UTV unless they have prior department approval.
- N. The UTV should not be operated on any frozen body of water.
- O. In the case of an accident officers are to notify a supervisor and complete all necessary reports pursuant to St Francis Police Department Policy Procedures "Collision/Damage Reports Involving Police Vehicle".
- P. All operators, passengers and Reserves will wear seatbelts and reflective vests while the UTV is being operated, (no exceptions), unless it is necessary for quick exiting of the UTV because of specific circumstances.



TITLE: SEXUAL ASSAULT INVESTIGATION	NUMBER: 339
EFFECTIVE DATE: 10/01/2019	REVIEW DATE: 01/01/2023

339.01 PURPOSE

The purpose of this policy is to provide employees with guidelines for responding to reports of sexual assault.

This agency will strive:

- A. To afford maximum protection and support to victims of sexual assault or abuse through a coordinated program of law enforcement and available victim services with an emphasis on a victim centered approach;
- B. To reaffirm peace officers' authority and responsibility to conducting thorough preliminary and follow up investigations and to make arrest decisions in accordance with established probable cause standards;
- C. To increase the opportunity for prosecution and victim services.

339.02 POLICY

- A. It is the policy of the St Francis Police Department to recognize sexual assault as a serious problem in society and to protect victims of sexual assault by ensuring its peace officers understand the laws governing this area.

Sexual assault crimes are under-reported to law enforcement and the goal of this policy is in part to improve victim experience in reporting so that more people are encouraged to report.

- B. All employees should take a professional, victim-centered approach to sexual assaults, protectively investigate these crimes, and coordinate with prosecution in a manner that helps restore the victim's dignity and autonomy. While doing so, it shall be this agency's goal to decrease the victim's distress, increase the victim's understanding of the criminal justice system and process, and promote public safety.
- C. Peace officers will utilize this policy in response to sexual assault reported to this agency. This agency will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, or origin.

339.03 DEFINITIONS

For purpose of this policy, the words and phrases in this section have the following meaning given to them, unless another intention clearly appears.

- A. **Consent:** As defined by Minn. Stat. 609.341, which states:
 - 1. Words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.
 - 2. A person who is mentally incapacitated or physically helpless as defined by Minnesota Statute 609.341 cannot consent to a sexual act.
 - 3. Corroboration of the victim's testimony is not required to show lack of consent.
- B. **Child or Minor:** a person under the age of 18.
- C. **Medical Forensic Examiner:** The health care provider conducting a sexual assault medical forensic examination.

- D. **Sexual Assault:** A person who engages in sexual contact or penetration with another person in a criminal manner as identified in MN Statute 609.342 to 609.3451.
- E. **Family and Household Member:** As defined in Minn. Stat. 518.B.01 Subd.2.b. to include:
1. spouses or former spouses;
 2. parents and children;
 3. persons related by blood;
 4. persons who are presently residing together or who have resided together in the past;
 5. persons who have a child in common regardless of whether they have been married or have lived together at any time;
 6. a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
 7. persons involved in a significant romantic or sexual relationship
- F. **Sexual Assault Medical Forensic Examination:** An examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients.
- G. **Victim Advocate:** A Sexual Assault Counselor defined by Minn. Stat. 595.02, subd. 1(k) and/or Domestic Abuse Advocate as defined by Minn. Stat. 595.02, subd. 1(1) who provide confidential advocacy services to victims of sexual assault and domestic abuse. Victim advocates as defined provide coverage in all counties in Minnesota. Minnesota Office of Justice Programs (MN OJP) can assist departments in locating their local victim advocacy agency for the purposes outlined in this policy.
- H. **Victim Centered:** A victim-centered approach prioritizes the safety, privacy and well-being of the victim and aims to create a supportive environment in which the victim's rights are respected and in which they are treated with dignity and respect. This approach acknowledges and respects a victims' input into the criminal justice response and recognizes victims are not responsible for the crimes committed against them.

- I. **Vulnerable Adult:** any person 18 years of age or older who:
 1. is a resident inpatient of a facility as defined in Minn. Stat. 626.5572. Subd. 6;
 2. receives services at or from a facility required to be licensed to serve adults under sections [245A.01](#) to [245A.15](#), except that a person receiving outpatient services for treatment of chemical dependency or mental illness, or one who is committed as a sexual psychopathic personality or as a sexually dangerous person under chapter 253B, is not considered a vulnerable adult unless the person meets the requirements of clause (4);
 3. receives services from a home care provider required to be licensed under sections [144A.43](#) to [144A.482](#); or from a person or organization that exclusively offers, provides, or arranges for personal care assistance services under the medical assistance program as authorized under sections [256B.0625, subdivision 19a](#), [256B.0651](#) to [256B.0654](#), and [256B.0659](#); or
 4. regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction:
 - a. that impairs the individual's ability to provide adequately for the individual's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision; and
 - b. because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect the individual from maltreatment.

339.04

PROCEDURES

A. Communications Personnel Response/Additional Actions by responding officers

Communications personnel and/or law enforcement officers should inform the victim of ways to ensure critical evidence is not lost, to include the following:

1. Suggest that the victim not bathe, or clean him or herself if the assault took place recently.
2. Recommend that if a victim needs to relieve themselves, they should collect urine in a clean jar for testing, and should avoid wiping after urination.
3. Asking the victim to collect any clothing worn during or after the assault and if possible, place in a paper bag, instructing the victim not to wash the clothing.
4. Reassure the victim that other evidence may still be identified and recovered even if they have bathed or made other physical changes.

B. Initial Officer Response

When responding to a scene involving a sexual assault, officers shall follow standard incident response procedures. In addition, when interacting with victims, officers shall do the following:

1. Recognize that the victim experienced a traumatic incident and may not be willing or able to immediately assist with the criminal investigation.
2. The officer shall attempt to obtain basic information and facts about the situation, including the jurisdiction where the incident occurred and that a crime most likely occurred.
3. Explain the reporting process including the roles of the first responder, investigator, and anyone else with whom the victim will likely interact during the course of the investigation.
4. Officers are encouraged to connect the victim with local victim advocates as soon as possible. Inform

the victim that there are confidential victim advocates available to address any needs they might have and to support them through the criminal justice system process. Provide the victim with contact information for the local victim advocate. Upon victim request the officer can offer to contact local victim advocate on behalf of the victim.

5. Ask about and document signs and symptoms of Injury, to include strangulation.
6. Identify potential witnesses to the sexual assault and/or anyone the victim told about the sexual assault.
7. Request preferred contact information for the victim for follow-up.

C. Victim Interviews

This agency recognizes that victims of sexual assault due to their age or physical, mental or emotional distress, are better served by utilizing trauma informed interviewing techniques and strategies. In recognizing the need for non-traditional interviewing techniques for sexual assault victims, officers will contact Anoka County CID to perform victim interviews after the initial officer response. The interview location will be at the discretion of the responding officer and assigned CID Detective.

D. Special Considerations—Minors and Vulnerable Adults/Domestic Abuse Victims

1. Minors and Vulnerable Adults

This agency recognizes that certain victims, due to their age or a physical, mental, or emotional distress, are better served by utilizing interview techniques and strategies that eliminate the duplication of interviews and use a question and answer interviewing format with questioning as nondirective as possible to elicit spontaneous responses. Officers will contact Anoka County CID to perform victim interviews after the initial officer response. The interview location will be at the discretion of the responding officer and assigned CID detective. Officers responding to reports of

sexual assaults involving these these sensitive population groups shall limit their actions to the following.

- a. Ensuring the safety of the victim
 - b. Ensuring the scene is safe;
 - c. Safeguarding evidence where appropriate;
 - d. Collecting any information necessary to identify the suspect; and
 - e. Addressing the immediate medical needs of individuals at the scene
2. Officers responding to victims with special considerations must comply with the mandated reporting requirements of Minnesota Statute 260E.06 and 626.557, as applicable. Officers investigating cases involving victims with special considerations should coordinate these investigations with the appropriate local human services agency where required. Any victim or witness interviews conducted with individuals having special considerations must be audio and video recorded whenever possible. All other interviews must be audio recorded whenever possible.

Not all sexual assaults of minor victims require a mandatory report to social services. This policy recognizes that in certain cases, notifying and/or the involvement of a parent/guardian can cause harm to the minor and/or impede the investigation. Officers responding to the sexual assault of a minor victim that does not trigger a mandated report under Minnesota Statute 260E.22 should assess for the impact on the victim and the investigation if parents/guardians were notified before making a decision to involve them.

3. Officers should obtain necessary contact information for the victim's caregiver, guardian or parents and where the victim may be located at a later time. Officers should advise the victim and/or any accompanying adult(s), guardians or caregivers that an investigating officer will follow up with information on a forensic interview.
4. The officer should advise the victim's caregiver, guardian or parent that if the victim starts to talk about the incident they should listen to them but not question them as this may influence any future statements.

E. Victims of Domestic Abuse

Officers responding to a report of sexual assault committed against a family and household member must also follow the requirements and guidelines in this agency's domestic abuse policy and protocol, in addition to the guidelines in this policy.

F. Protecting Victim Rights

1. Confidentiality: Officers should explain to victims the limitations of confidentiality in a criminal investigation and that the victim's identifying information is not accessible to the public, as specified in Minn. Stat. section 13.82, subd. 17(b)
2. Crime Victim Rights: Officers must provide the following information to the victim:
 - a. Crime victim rights and resource information required to be provided to all victims as specified by Minn. Stat. section 611A.02, subd. 2(b)
 - b. If the suspect is a family or household member to the victim, crime victim rights and resource information required to be provided to domestic abuse victims, as specified by Minn. Stat. section 629.341, subd. 3.
 - c. The victim's right to be informed of the status of a sexual assault examination kit upon request as provided for under Minn. Stat. section 611A.27, subd.1.
 - d. Pursuant to Minn. Stat. 611A.26, subd. 1, no law enforcement agency or prosecutor shall require that a complainant of a criminal sexual conduct or sex trafficking offense submit to a polygraph examination as part of or a condition to proceeding with the investigation, charging or prosecution of such offense.
3. Other information: Officers should provide to the victim the agency's crime report/ICR number, and contact information for the reporting officer and/or investigator or person handling the follow up.

4. Language access: All officers shall follow agency policy regarding limited English proficiency. (Translator)

G. Evidence Collection

1. Considerations for Evidence Collection

a. Collect evidence regarding the environment in which the assault took place, including indications of isolation and soundproofing. Anoka County CSU shall be contacted to process the scene where the assault took place. This should be in accordance to any/all other policies and procedures relating to evidence collections.

b. Document any evidence of threats or any communications made by the suspect, or made on behalf of the suspect, to include those made to individuals other than the victim.

c. In situations where it is suspected that drugs or alcohol may have facilitated the assault, officers should assess the scene for evidence such as drinking glasses, alcohol bottles or cans, or other related items.

d. If the victim has declined or a medical forensic exam will not be conducted, the officer should obtain victim consent and attempt to take photographs of visible physical injuries, including any healing or old injuries. Victim should be given directions about how to document any bruising or injury that becomes evidence later after these photographs are taken.

H. Sexual Assault Medical Forensic Examinations

1. Sexual assault medical forensic examinations will be performed at the direction of the assigned CID Detective.
2. Following the exam, evidence collected during the exam shall be handled according to the requirements of agency policy and Minnesota Statute 299C.106.

I. Contacting and Interviewing Suspects

1. Prior to contacting the suspect the CID detective that is handling the initial investigation or who has been assigned to the case should be consulted.

J. Forensic Examination and/or the Collection of Evidence from the Suspect.

1. The responding officer may assist in the collection of evidence as directed by the assigned CID detective and/or CSU personnel.

K. Role of the Supervisor

Supervisors may do the following:

1. Assist officers investigating incidents of sexual assault when possible or if requested by an officer.
2. Provide guidance and direction as needed.
3. Review sexual assault reports to ensure that necessary steps were taken during initial response and investigations.



TITLE: EYEWITNESS IDENTIFICATION	NUMBER: 340
EFFECTIVE DATE: 08/01/2020	REVIEW DATE: 01/01/2023

340.00 POLICY:

Officers shall adhere to the procedures for conducting eyewitness identifications set forth in this policy, in order to maximize the reliability of identifications, minimize erroneous identifications, and gather evidence that conforms to contemporary eyewitness identification protocols. Photo arrays and line-ups will be conducted by displaying the suspect and fillers sequentially using a blind or blinded administration.

340.01 PURPOSE:

It is the purpose of this policy to establish guidelines for eyewitness identification procedures involving show-ups, photo arrays, and line-ups. Erroneous eyewitness identifications have been cited as the factor most frequently associated with wrongful convictions. Therefore, in addition to eyewitness identification, all appropriate investigative steps and methods should be employed to uncover evidence that either supports or eliminates the suspect identification.

340.02 DEFINITIONS:

Show-up: The presentation of a suspect to an eyewitness within a short time frame following the commission of a crime to either confirm or eliminate him or her as a possible perpetrator. Show-ups, sometimes referred to as field identifications, are conducted in a contemporaneous time frame and proximity to the crime.

Line-up: The process of presenting live individuals to an eyewitness for the purpose of identifying or eliminating suspects.

Photo Array: A means of presenting photographs to an eyewitness for the purpose of identifying or eliminating suspects.

Administrator: The law enforcement official conducting the identification procedure.

Blinded Presentation: The administrator may know the identity of the suspect, but does not know which photo array member is being viewed by the eyewitness at any given time.

Confidence Statement: A statement in the witness's own words taken immediately after an identification is made stating his or her level of certainty in the identification.

Filler: A live person, or a photograph of a person, included in an identification procedure who is not considered a suspect.

Sequential: Presentation of a series of photographs or individuals to a witness one at a time.

Simultaneous: Presentation of a series of photographs or individuals to a witness all at once.

340.03

PROCEDURE:

A. Show-ups

The use of show-ups should be avoided whenever possible in preference to the use of a lineup or photo array procedure. However, when circumstances require the prompt presentation of a suspect to a witness, the following guidelines shall be followed to minimize potential suggestiveness and increase reliability.

1. Document the witness's description of the perpetrator prior to conducting the show up.
2. Conduct a show-up only when the suspect is detained within a reasonable time frame after the commission of the offense and within a close physical proximity to the location of the crime.
3. Do not use a show-up procedure if probable cause to arrest the suspect has already been established.

4. If possible, avoid conducting a show-up when the suspect is in a patrol car, handcuffed, or physically restrained by officers, unless safety concerns make this impractical.
5. Caution the witness that the person he or she is about to see may or may not be the perpetrator—and it is equally important to clear an innocent person. The witness should also be advised that the investigation will continue regardless of the outcome of the show-up.
6. Do not conduct the show-up with more than one witness present at a time.
7. Separate witnesses and do not allow communication between them before or after conducting a show-up.
8. If one witness identifies the suspect, use a line-up or photo array for remaining witnesses.
9. Do not present the same suspect to the same witness more than once.
10. Do not require show-up suspects to put on clothing worn by, speak words uttered by, or perform other actions of the perpetrator.
11. Officers should scrupulously avoid words or conduct of any type that may suggest to the witness that the individual is or may be the perpetrator.
12. Ask the witness to provide a confidence statement.
13. Remind the witness not to talk about the show-up to other witnesses until police or prosecutors deem it permissible.
14. Record the identification process using an in-car camera or other recording device when feasible.
15. Document the time and location of the show-up, the officers present, the result of the procedure, and any other relevant information.

B. Line-up and Photo Array

1. Line-ups will not typically be utilized for investigations, unless conducting a photo array is not possible.

2. Whenever possible, a blind presentation shall be utilized. In cases where a blind presentation is not feasible for a photo array, a blinded presentation should be used. Live line-ups must be conducted using a blind presentation.
3. The line-up or photo array should consist of a minimum of six individuals or photographs. Use a minimum of five fillers and only one suspect.
4. Fillers should be reasonably similar in age, height, weight, and general appearance and be of the same sex and race, in accordance with the witness's description of the offender.
5. Avoid the use of fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.
6. Create a consistent appearance between the suspect and the fillers with respect to any unique or unusual feature (e.g., scars, tattoos, facial hair) used to describe the perpetrator by artificially adding or concealing that feature on the fillers.
7. If there is more than one suspect, include only one in each line-up or photo array.
8. During a blind presentation, no one who is aware of the suspect's identity should be present during the administration of the photo array. However, during a line-up, the suspect's attorney should be present.
9. Place suspects in different positions in each line-up or photo array, both across cases and with multiple witnesses in the same case.
10. Witnesses should not be permitted to see or be shown any photos of the suspect prior to the line-up or photo array.
11. The witness shall be given a copy of the following instructions prior to viewing the line-up or photo array and the administrator shall read the instructions aloud before the identification procedure.

You will be asked to look at a series of individuals.

The perpetrator may or may not be present in the identification procedure.

It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.

Sometimes a person may look different in a photograph than in real life because of different hair styles, facial hair, glasses, a hat or other changes in appearance. Keep in mind that how a photograph was taken or developed may make a person's complexion look lighter or darker than in real life.

You should not feel that you have to make an identification. If you do identify someone, I will ask you to describe in your own words how certain you are.

The individuals are not configured in any particular order.

If you make an identification, I will continue to show you the remaining individuals or photos in the series.

Regardless of whether you make an identification, we will continue to investigate the incident.

Since this is an ongoing investigation, you should not discuss the identification procedures or results.

12. The line-up or photo array should be shown to only one witness at a time; officers should separate witnesses so they will not be aware of the responses of other witnesses.
13. Multiple identification procedures should not be conducted in which the same witness views the same suspect more than once.
14. Officers should scrupulously avoid the use of statements, cues, casual comments, or providing unnecessary or irrelevant information that in any manner may influence the witnesses' decision-making process or perception.
15. Following an identification, the administrator shall ask the witness to provide a confidence statement and document the witness's response.
16. The administrator shall ask the witness to complete and sign an Eyewitness Identification Procedure Form.

17. Line-up and photo array procedures should be video and/or audio recorded whenever possible. If a procedure is not recorded, a written record shall be created and the reason for not recording shall be documented. In the case of line-ups that are not recorded, agents shall take and preserve a still photograph of each individual in the line-up.

C. Creating Photo Array

1. Use contemporary photos.
2. Do not mix color and black and white photos.
3. Use photos of the same size and basic composition.
4. Never mix mug shots with other photos and ensure consistent appearance of photograph backgrounds and sizing.
5. Do not include more than one photo of the same suspect.
6. Cover any portions of mug shots or other photos that provide identifying information on the subject – and similarly cover other photos used in the array.
7. Where the suspect has a unique feature, such as a scar, tattoo, or mole or distinctive clothing that would make him or her stand out in the photo array, filler photographs should include that unique feature either by selecting fillers who have the same features themselves or by altering the photographs of fillers to the extent necessary to achieve a consistent appearance.
8. Fillers should not be reused in arrays for different suspects shown to the same witness.

D. Conducting Photo Array

1. The photo array should be preserved, together with full information about the identification process as part of the case file and documented in a report.

2. If a blind administrator is not available, the administrator shall ensure that a blinded presentation is conducted using the following procedures.
 - a. Place the suspect and at least five filler photos in separate folders for a total of six (or more depending on the number of fillers used).
 - b. The administrator will take one folder containing a known filler and place it to the side. This will be the first photo in the series. The administrator should then shuffle the remaining folders (containing one suspect and the remainder of fillers) such that he or she cannot see how the line-up members are ordered. These shuffled folders will follow the first filler photo. The stack of photos is now ready to be shown to the witness.
 - c. The administrator should position himself or herself so that he or she cannot see inside the folders as they are viewed by the witness.
3. The witness should be asked if he or she recognizes the person in the photo before moving onto the next photo. If an identification is made before all of the photos are shown, the administrator should tell the witness that he or she must show the witness all of the photos and finish showing the sequence to the witness, still asking after each photo if the witness recognizes the person in the photo.
4. If possible, the array should be shown to the witness only once. If, upon viewing the entire array the witness asks to see a particular photo or the entire array again, the witness should be instructed that he or she may view the entire array only one additional time. If a second viewing is permitted, it must be documented.

E. Conducting Line-Up

1. Live line-ups shall be conducted using a blind administrator.
2. Ensure that all persons in the line-up are numbered consecutively and are referred to only by number.
3. The primary investigating officer is responsible for the following:

- a. Scheduling the line-up on a date and at a time that is convenient for all concerned parties to include the prosecuting attorney, defense counsel, and any witnesses.
- b. Ensuring compliance with any legal requirements for transfer of the subject to the line-up location if he or she is incarcerated at a detention center.
- c. Making arrangements to have persons act as fillers.
- d. Ensuring that the suspect's right to counsel is scrupulously honored and that he or she is provided with counsel if requested. Obtaining proper documentation of any waiver of the suspect's right to counsel.
- e. Allowing counsel representing the suspect sufficient time to confer with his or her client prior to the line-up and to observe the manner in which the line-up is conducted.



TITLE: UNIFORMS AND EQUIPMENT- OFFICER	NUMBER: 400
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

- 400.01 JACKET** - Officers will wear jackets of a uniform type approved by the Chief of Police with a badge.
- 400.02 TROUSERS** - Trousers shall be made to department specifications as to material and cut—two side pockets, two hip pockets. Trouser to be uncuffed and have belt loops with a zipper fly.
- 400.03 SHIRTS, WINTER** - Winter shirts shall be of the design and material specified by the Chief of Police, long sleeves with shoulder epaulets, badge tab, two breast pockets with flaps. Approved neckwear may be worn with long sleeve shirts.
- 400.04 SHIRTS, SUMMER** - Summer shirts shall be of the design and material specified by the Chief of Police, with short sleeves, shoulder epaulets, badge tabs, two breast pockets.
- 400.05 EXTERNAL VESTS** – Officers may choose to wear the department approved external vest and carrier.
- 400.06 RAINCOAT** - Raincoat shall be of a size, color and style as approved by the Chief of Police.
- 400.07 DEPARTMENT SHOULDER PATCH** - The department shoulder patch shall be worn on both shoulders of the uniform shirt and jacket. It will be placed on the arm of the garment immediately below the shoulder seam of the shirt or jacket.
- 400.08 FLAG** - Flag patch or flag pin should be worn over the right breast pocket.
- 400.09 BELT** – 2 ½”, buckle or Velcro, black basket weave leather. No shoulder strap or shoulder strap rings.

- 400.10** **HOLSTER** - For 2-½ inch belt, black in color, basket weave pattern molded to fit contour of firearm.
- 400.11** **SERVICE WEAPON** - Is an approved handgun carried by an officer when said officer is on duty. (Refer to Section 327.00).
- 400.12** **HANDCUFFS** - All officers shall provide themselves with handcuffs. These handcuffs may be Peerless, Smith & Wesson or any brand approved by the Chief of Police.
- 400.13** **HANDCUFF CARRIER** - Shall be black in color and basket weave. Made to fit standard Smith & Wesson, Peerless cuffs, or another approved brand.
- 400.14** **SHOES/BOOTS** - Shall be black in color, polishable.
- 400.15** **REQUIRED EQUIPMENT IN UNIFORM**

While on duty in uniform, officers shall carry or have immediately available the following equipment:

- A. Badge, nametag, and collar brass. Optional embroidered name on uniform shirts and external carrier. Nametag should be worn on "Class A" uniform shirt.
- B. ASP - 21 to 26 inch
- C. Service weapon and ammunition
- D. Handcuffs
- E. Notebook
- F. Identification card
- G. Flashlight
- H. Container of liquid chemical irritant spray
- I. All other forms or papers as may be required by the department.
- J. Pen
- K. Portable police radio

- 400.16** **REQUIRED EQUIPMENT IN CIVILIAN CLOTHES, ON DUTY** - On duty officers wearing civilian clothes will carry the following equipment:
- A. Badge
 - B. Weapon and ammunition
 - C. Handcuffs
 - D. Identification card
 - E. Notebook
 - F. Forms and papers required by the department.
 - G. Pen

- 400.17 CARRYING EQUIPMENT OFF DUTY** - Officers of the department, when off duty and in public, may have in their immediate possession - their badge, service weapon or weapon as approved by the Chief of Police, and the issued departmental identification.
- 400.18 CARRYING OF FIREARMS** - Officers, when off-duty, may carry an approved firearm, when they will not be consuming intoxicating beverages. When wearing civilian clothes, officers shall conceal the firearm from public view. When officers are off duty within or outside the jurisdiction of the department, they need not carry a firearm. Officers, whenever carrying a firearm, shall possess and have readily accessible their badge and/or police identification card.
- 400.19 FIREARM QUALIFICATION** - Officers shall be certified as competent in the use of all firearms that they are authorized to carry. Such certification shall occur under the direction of an approved firearms instructor, at an approved shooting facility and be submitted in writing to the Chief of Police prior to the officer carrying the firearm.
- 400.20 WEARING OF UNIFORM AND ITS APPEARANCE -**
Officers shall keep their uniform clean, brushed and pressed. They shall wear polished shoes. They shall keep their hair neatly trimmed. They shall, as often as it is necessary, examine and clean their equipment and keep the same always in good serviceable condition. While wearing the uniform, members shall maintain a neat bearing. No other badges, patches or other adornments, not specifically referred to in section 400.00 through 400.21, will be allowed on the uniform unless approved by the Chief of Police.
- 400.21 UNIFORM OF THE DAY** - Uniform of the day shall be set according to dictated weather.
- 400.22 OFFICER PURCHASES** – All purchases of uniforms and equipment must be approved by the Chief prior to the purchase being made.



TITLE: UNIFORMS & EQUIPMENT-CLERICAL	NUMBER: 401
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

- 401.01 SHIRTS** – Clerical personnel shall wear department issued uniform shirts of a type approved by the Chief of Police.
- 401.02 PANTS OR SKIRTS** – Clerical personnel shall provide their own pants or skirts, at the discretion of the Chief of Police. No denim jeans (including jean style pants of other materials or colors), shorts, miniskirts or skorts will be allowed.
- 401.03 SHOES** – Appropriate footwear shall consist of any type of business shoe. No deck shoes, flip-flops, or tennis shoes will be allowed.
- 401.04 OUTDOOR ATTIRE** – If clerical personnel are required to work outdoors or in conditions other than an office type setting, appropriate dress may be modified to include T-shirts, sweatshirts, denim jeans, shorts, tennis shoes, etc., at the discretion of the Chief of Police.
- 401.05 EQUIPMENT** – Equipment shall be issued as part of the uniform at the discretion of the Police Chief and will be worn at all times. This may include, but is not limited to name badges, department patches, etc.
- 401.06 ADDITIONAL UNIFORM PURCHASES** – In addition to uniforms provided by the department, approved uniform items may be purchased at the expense of clerical personnel.



TITLE: Bias-Based Policing	NUMBER: 401-Lexipol
EFFECTIVE DATE: 01/01/2024	REVIEW DATE: 01/01/2023

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the St. Francis Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement, services, or enforcement.

This includes the use of racial or ethnic stereotypes as factors in selecting whom to stop and search. It does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject (Minn. Stat. § 626.8471).

401.2 POLICY

The St. Francis Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group (Minn. Stat. § 626.8471, Subd. 3).

401.3 BIAS-BASED POLICING PROHIBITED

Policing impartially is standard procedure for this agency meaning:

- (a) Investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by peace officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution and peace officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian and vehicle stops, arrests, nonconsensual searches and property seizures;

- (b) Except as provided in paragraph c., Peace officers shall not consider race, ethnicity, national origin, gender, sexual orientation and religion in establishing either reasonable suspicion or probable cause; and
- (c) Peace officers may take into account the descriptors in paragraph b. Based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals and this information may be used in the same manner age, height, weight, or other physical characteristics about specific suspects.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and has a duty to promptly report any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 INFORMATION TO BE PROVIDED

In an effort to prevent the perception of biased law enforcement, peace officers shall:

- (a) Be respectful and professional.
- (b) Introduce or identify themselves and state the reason for a contact as soon as practicable unless providing the information could compromise officer or public safety.
- (c) Attempt to answer questions the person may have regarding the contact, including relevant referrals to other agencies when appropriate.
- (d) Explain the reason for the contact if it is determined the reasonable suspicion was unfounded.
- (e) When requested, provide their name and badge number and identify this department during routine stops.
- (f) When requested, officers should inform a member of the public of the process to file a misconduct complaint for bias-based policing against a member of the Department, and that bias-based policing complaints may be made by calling the Attorney General's office (Minn. Stat. § 626.9514).

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

(d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Office of the Chief.

The Chief of Police and supervisors should receive, and review training materials prepared by the Board of Peace Officer Standards and Training (POST) (Minn. Stat. § 626.8471, Subd. 7).

Training should also include in-service training on recognizing and valuing community diversity and cultural differences, including implicit bias, as required by Minn. Stat. § 626.8469, Subd. 1}.

401.7 VIOLATIONS

Alleged violations of this policy must be reported to POST in accordance with the reporting requirements in Minn. Stat. §626.8457.



TITLE: PERSONAL GROOMING AND APPEARANCE	NUMBER: 402
EFFECTIVE DATE: 01/01/2021	REVIEW DATE: 01/01/2023

402.01 POLICY:

All members of the department shall present a professional appearance, as their appearance reflects on the image of the Police Department.

402.02 PURPOSE:

The purpose of this policy is to establish personal grooming standards for department employees so that they represent the department in a professional and competent manner.

402.03 HAIR:

- A. Hair must be clean, trimmed and present a well-groomed appearance.
- B. Hair shall be styled and worn in a contemporary style and conservative manner. Extreme hair styles and/or extreme or unusual hair colors that may attract undue attention are not permitted.
 - 1. Male officer's hair must not:
 - a. extend over the eyebrows.
 - b. extend beyond the top of the shirt collar.
 - c. interfere with the normal wearing of all standard headgear.
 - 2. Female officer's hair must not:
 - a. extend longer than 4 inches beyond the shirt collar.

402.04 FACIAL HAIR

A. Officers are permitted to have a clean, well-groomed, and neatly trimmed beard or goatee. Facial hair must be a minimum of 1/4 inch (no stubble) but may not exceed 1/2 inch in length. Patchy clumps of hair will not be considered beards and are not permitted. Hair shall not extend beyond the Adams apple.

B. Mustaches may be worn if neatly trimmed. Mustaches shall not extend below the top of the upper lip or more than 1/2 inch on either side, beyond the corner of the mouth. No handlebar style mustaches will be allowed. No "soul patch" hair below the lower lip is permitted.

C. Sideburns shall be neatly trimmed and equal in width and length, shall not extend below the ear lobe and will not be flared.

402.05 TATTOOS:

Tattoos or body art that are extremist, indecent, sexist, racist, obscene, sexually explicit, vulgar, or otherwise offensive or inappropriate are prohibited. Tattoos on the neck, face, head, scalp or hands are prohibited unless authorized by the Chief. The final decision on the interpretation of a tattoo is determined by the Chief.

402.06 JEWELRY:

A. Authorized jewelry includes one watch and one ring as well as "post" or "stud" type earrings. No other visible "body piercing" is permitted. Medical alert jewelry will be authorized at the discretion of Chief.



TITLE: MOBILE VIDEO RECORDING SYSTEM	NUMBER: 403
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

403.01 PURPOSE

The purpose of this policy is to provide St. Francis Police personnel with guidelines and procedures for the use, management, storage, and retrieval of audio-visual data recorded by the department's mobile video recording (MVR) equipment.

403.02 SCOPE

St. Francis Police Department's MVR equipment and this policy

- A. Provides an impartial audio-visual record of defined police activity by accurately recording the statements and actions of our officers and citizens during events and defined contacts. This:
 - 1. Establishes persuasive documentary evidence for criminal prosecution. It helps officers prepare written reports and enhances their recollection for court testimony.
 - 2. Helps defend the city and officers against civil litigation and allegations of officer misconduct. Assists administration in investigating citizen complaints or identified officer performance concerns.
- B. Provides operational protocols for officers assigned to the patrol division as to the use and maintenance of the department's MVR equipment. It establishes procedures for the bookmarking of video/audio evidence and sets restrictions on access and viewing.
- C. Defines video retention periods.

D. Defines how and who can access video/audio evidence and defines media duplication procedures.

403.03 POLICY

- A. Officers shall adhere to the **Operational Protocols** set forth in this policy so as to maximize the effectiveness and utility of the MVR system and protect the integrity of evidence and related video documentation.
- B. Use of MVR audio and video equipment as set forth in this policy is mandatory for all officers and sergeants when on patrol duty unless their assigned squad car does not have a MVR system or circumstances make it impractical.
- C. The wireless microphone transmitter pack shall be worn by patrol officers and sergeants throughout the shift in such manner as to make it immediately accessible at all times and in such manner that audio recording is not inhibited. Cases and lapel microphones are available.
- D. At the start of each shift, officers shall log into the MVR system via the squad car's laptop and enter the required officer, vehicle, and shift date/time information. They shall also turn on and synch the squad's microphone transmitter.
- E. At the end of each shift, officers shall follow the procedures for uploading video/audio data to the server and then log off the system. They shall also ensure the microphone transmitter is turned off and returned to the charging cradle.
- F. When necessary, MVR may be reviewed by supervisors for the purpose of investigating citizen complaints or identified officer performance concerns. It is not the intent of this policy to be punitive in nature or to facilitate routine monitoring of officer activity through video review.

403.04 EQUIPMENT PROCEDURES

- A. **Assignment of Equipment:** Officers operating department vehicles equipped with MVR systems shall be responsible to maintain the equipment in the condition in which it was issued and to be thoroughly familiar with the proper operation of the MVR system. Officers shall conduct daily inspections to ensure both video and audio is working.

- B. Repair of Equipment: If an officer finds that the equipment is not functioning properly, they shall write an e-mail containing date, time and type of malfunction. This e-mail will then be sent to both Sergeant's and the Chief who will arrange for repairs. If practical, the squad should be taken out of service and another camera squad utilized. Officers shall not attempt any repair of mobile video equipment that would require going into the internal parts of the unit.
- C. Wireless Microphone: Every squad car is equipped with a wireless microphone transmitter pack. There are spare units available and should be used if battery life is low. At the start of each shift, Officers shall:
1. Obtain a fully charged wireless microphone transmitter pack, turn the unit on and synch it with the squad car MVR system being used. This should be done before going out on patrol duties.
 2. The transmitter microphone pack shall be worn by the officer or sergeant throughout the shift as defined above. The transmitter pack shall be turned off and returned to the squad's charging cradle or designated spare unit location at the end of each shift.

403.05 OPERATIONAL PROTOCOLS

A. MVR Activation: The MVR system, including audio, shall be used anytime the officer becomes involved in an incident other than routine reports or contacts, unless circumstances, time constraints, or safety issues make it impractical. Applicable incidents include but are not limited to:

1. Traffic stops.
2. Emergency vehicle operations (lights and/or siren)
3. Pursuits
4. Contacts with suspected impaired drivers
5. Roadside custodial arrests and related person searches (*no video requirement for protective weapon Terry frisks*)
6. Opposite sex searches and/or transports (whenever practical)
7. In car custodial questioning, interviewing or interrogation
8. Contacts with known or suspected intoxicated or emotionally disturbed person
9. Contacts with belligerent or combative persons

10. Any other incidents which training and experience cause an officer to believe audio/visual documentation may prove useful
- B. Secondary officers who operate vehicles equipped with MVR systems should also activate their systems at incident locations to provide backup recording in the event of a primary unit system failure and/or to record from a different perspective.
- C. Recording Duration: Once the MVR has been activated, it shall remain on until the incident has reached a conclusion (less transport) or the officer leaves the scene.
 1. Exceptions: Once an event has stabilized or initial contact made on a traffic stop, if it is necessary to discuss issues with a supervisor, dispatcher, field-training officer or another officer in private, officers may mute their remote transmitter thereby preventing their private conversation from being recorded. The transmitter shall be activated again before any further contact is made with the suspect or involved persons.
- D. Audio/Video Quality: Officers should shut off sources of exterior noise that may interfere with audio recording such as am/fm radios while using the MVR. Officers should be aware that lighting, both ambient and squad generated, can affect the quality of the captured images.
- E. Positioning of Vehicles: On traffic stops and scenes, squad cars should be positioned to enhance officer safety while also optimizing the area captured by the MVR camera. If such positioning is not possible, the officer should, when practical, adjust the camera angle before leaving the patrol vehicle to capture the area or person concerned.
- F. Impaired Driver Stops: When an officer observes a suspected impaired driver, it is recommended that they activate the MVR camera to capture any potential probable cause, understanding that there are times this not possible. Once a stop is made, both the video and audio portions of the MVR shall remain on during the entire contact including all field sobriety testing, arrest and search. Squad positioning should allow for clear view of field sobriety testing whenever practical. Officers shall have the discretion

whether to run the MVR camera and microphone during transports.

- G. Procedures for Arrest and Searches: Whenever practical, an officer shall facilitate any roadside custodial arrests and prisoner searches in view of the MVR camera with the audio and video activated. Whenever practical, any opposite sex searches should be recorded.
- H. Legal Requirements: When practical, reading the suspect's implied consent advisory should be recorded on the mobile video system. If the officer interrogates the suspect, they shall record the reading of Miranda rights, and any subsequent questioning. The officer has no obligation to advise the suspect that they are being audio and video recorded. As a department practice, transcription of interviews will not be done off of squad videos. If an officer takes a post Miranda statement of other than the most basic nature, it should also be recorded on a digital recorder for transcription purposes.
- I. Prisoner Transportation: It is at the discretion of the officer whether or not the MVR video/audio should remain operational during prisoner or other transports. If a prisoner becomes belligerent or combative during a transport, the officer shall activate the MVR video/audio. Whenever practical, running the camera audio/visual during opposite sex transports is recommended.
- J. Video Uploading: Officers shall upload any and all video recorded during their work shift before they go home. At the same time, the officer shall also ensure that all video evidence is properly bookmarked and documented in a report.

403.06 VIDEO EVIDENCE

- A. Incident "Bookmarking": All recorded incidents of evidentiary value or which are likely to require future review shall be properly titled and "bookmarked" as set forth in the operator's manual. Operator's manual can be viewed on the St. Francis P.D. shared drive.
- B. Entering as Evidence: After properly "bookmarking" and uploading recorded video media, officers will document that

there is video evidence on the front page of the ICR and at the end of any supplementary report.

403.07 VIEWING OF VIDEOS

- A. The MVR server is set up to allow access and viewing of the videos only by the officer who initiated the video. Supervisors have full access to view video data as needed. The MVR system used by the St. Francis Police Department does not allow any editing of the actual video or audio. All data is considered evidence unless otherwise specified. The only persons authorized to delete or purge entire case file data as prescribed in 406.08 is the Chief of Police or his designated command level officer.

403.08 MEDIA RETENTION PERIODS

- A. MVR media that has not been bookmarked for evidence retention will be automatically purged from the MVR server after 180 days to allow for server space.

403.09 MEDIA DUPLICATION

- A. Prosecutor/Defense Requests: Requests for MVS duplication by prosecuting or defense attorneys will be made through designated office personnel, who will facilitate the duplication.
- B. Officer Requests: Officers requiring MVS duplication for court shall make the request to designated office personnel who will create a digital copy of the requested video in the prescribed manner.
 - 1. The requesting officer shall review the media copy prior to court to ensure that the correct event has been duplicated.
 - 2. The officer shall ensure that the necessary playback equipment is available in the courtroom (i.e.: laptop computer).
 - 3. The officer shall maintain possession of the media until no longer needed for court at which time the officer shall ensure that it is properly disposed of.

- C. Other Requests for Duplication: Other requests for media duplication not meeting the above criteria shall be forwarded to the Chief of Police.

 - D. Video Releases: Any MVR videos or parts thereof are the property of the St. Francis Police Department and may not be duplicated or released in any form without the expressed consent of the Chief of Police. This includes but is not limited to news sources, internet web sites and any other public release.
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TITLE: PORTABLE RECORDING SYSTEM	NUMBER: 421
EFFECTIVE DATE: 12/15/2021	REVIEW DATE:

Portable Audio/Video Recorders

421.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties (Minn. Stat. § 626.8473). Portable audio/video recording devices include all recording systems whether body-worn, hand-held, or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews, or interrogations conducted at any St. Francis Police Department facility, undercover operations, wiretaps, or eavesdropping (concealed listening devices).

421.1.1 DEFINITIONS

Definitions related to this policy include:

MGDPA or Data Practices Act - refers to the Minnesota Government Data Practices Act, Minn. Stat. § 13.01, et seq.

Portable recording device - A device worn by a member that is capable of both video and audio recording of the member's activities and interactions with others or collecting digital multimedia evidence as part of an investigation and as provided in Minn. Stat. § 13.825.

General citizen contacts - An informal encounter with a citizen that is not and does not become law enforcement-related or adversarial, and a recording of the event would not yield information relevant to an ongoing investigation. Examples include but are not limited to a citizen asking for directions, receiving generalized concerns from a citizen about crime trends in his or her neighborhood, casual conversation with a citizen.

Adversarial - A law enforcement encounter with a person that becomes confrontational, during which at least one person expresses anger, resentment, or hostility toward the other, or at least one person directs toward the other verbal conduct consisting of arguing, threatening, challenging, swearing, yelling, or shouting. Encounters in which a citizen demands to be recorded or initiates recording on his or her own are deemed adversarial.

Evidentiary value - Information that may be useful as proof in a criminal prosecution, related civil or administrative proceeding, further investigation of an actual or suspected criminal act, or

in considering an allegation against a law enforcement agency or officer.

Official duties - For purposes of this policy, means that the officer is on duty and performing authorized law enforcement services on behalf of this agency.

Records retention schedule - Refers to the retention schedule adopted by the St. Francis Police Department.

Unintentionally recorded footage - is a video recording that results from an officer's inadvertence or neglect in operating the officer's BWC, provided that no portion of the resulting recording has evidentiary value. Examples of unintentionally recorded footage include, but are not

limited to, recordings made in station house locker rooms, restrooms, and recordings made while officers were engaged in conversations of a non-business, personal nature with the expectation that the conversation was not being recorded.

421.2 POLICY

It is the policy of this department to authorize and require the use of department issued portable recording devices as set forth below, and to administer portable recording device data as provided by law.

421.3 COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for (Minn. Stat. § 626.8473; Minn. Stat. § 13.825):

- (a) Establishing procedures for the security, storage, and maintenance of data and recordings.
 - 1. The coordinator should work with the Custodian of Records and the member assigned to coordinate the use, access, and release of protected information to ensure that procedures comply with requirements of the Minnesota Government Data Practices Act (MGDPA) and other applicable laws (Minn. Stat. § 13.01 et seq.) (see the Protected Information and the Records Maintenance and Release policies).
 - 2. The coordinator should work with the Custodian of Records to identify recordings that must be retained for a specific time frame under Minnesota law (e.g., firearm discharges, certain use of force incidents, formal complaints).
- (b) Establishing procedures for accessing data and recordings.
 - 1. These procedures should include the process to obtain written authorization for access to non-public data by SFPD members and members of other governmental entities and agencies.
- (c) Establishing procedures for logging or auditing access.
- (d) Establishing procedures for transferring, downloading, tagging, or marking events.
- (e) Establishing an inventory of portable recorders including:
 - 1. Total number of devices owned or maintained by the St. Francis Police Department.

2. Daily record of the total number deployed and used by members and, if applicable, the precinct or district in which the devices were used.
 3. Total amount of recorded audio and video data collected by the devices and maintained by the St. Francis Police Department.
- (f) Preparing the biennial audit required by Minn. Stat. § 13.825, Subd. 9.
 - (g) Notifying the Bureau of Criminal Apprehension (BCA) in a timely manner when new equipment is obtained by the St. Francis Police Department that expands the type or scope of surveillance capabilities of the department's portable recorders.
 - (h) Ensuring that this Portable Audio/Video Recorders Policy is posted on the Department website.

421.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time or while acting in an official capacity of this department, regardless of ownership of the device, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

421.5 USE AND DOCUMENTATION

Officers may use only department-issued portable recording devices in the performance of official duties for this agency or when otherwise performing authorized law enforcement services as an employee of this department.

Officers who have been issued portable recording devices shall operate and use them consistent with this policy. Prior to going into service, each officer will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order (Minn. Stat. § 13.825). If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Supervisors shall take prompt action to address malfunctions.

Officers should wear the recorder in a conspicuous manner and in accordance with department training.

Non-uniformed members may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner and in accordance with department training.

Members should document the existence of a recording in an incident report or other official record of the contact including any instance where the recorder malfunctioned, or the member deactivated the recording (Minn. Stat. § 626.8473). Whenever an officer fails to record an activity that is required to be recorded under this policy or fails to record for the entire duration of the activity, the officer must document the circumstances and reasons for not recording in an incident report. Supervisors shall review these reports and initiate any corrective action deemed necessary.

The department will maintain the following records and documents relating to portable recording device use, which are classified as public data:

- (a) The total number of portable recording devices owned or maintained by the agency.
- (b) A daily record of the total number of portable recording devices actually deployed and used by officers.
- (c) The total amount of recorded portable recording device data collected and maintained; and
- (d) This policy, together with Records Retention Schedule.

421.6 GENERAL GUIDELINES FOR RECORDING

Officers shall activate their portable recording devices when responding to all calls for service and during all law enforcement-related encounters and activities, including but not limited to pursuits, investigative stops of motorists or pedestrians, arrests, searches, suspect interviews and interrogations, and during any police/citizen contacts that become adversarial. However, officers need not activate their cameras when it would be unsafe, impossible, or impractical to do so, but such instances of not recording when otherwise required must be documented as specified in the Use and Documentation guidelines,

Officers have discretion to record or not record general citizen contacts.

Officers have no affirmative duty to inform people that a portable recording device is being operated or that the individuals are being recorded. Officers may elect to notify people they encounter that a portable recording device is being operated if it's felt that doing so may aid the law enforcement process, reduce fear on the part of a person subjected to a law enforcement contact, result in improved behavior of a person, or if it serves to de-escalate an encounter.

Once activated, the portable recording device should continue recording until the conclusion of the incident or encounter, or until it becomes apparent that additional recording is unlikely to capture information having evidentiary value. The officer having charge of a scene shall likewise direct the discontinuance of recording when further recording is unlikely to capture additional information having evidentiary value. If the recording is discontinued while an investigation, response, or incident is ongoing, officers shall state the reasons for ceasing the recording on camera before deactivating their device. If circumstances change, officers shall reactivate their cameras as required by this policy to capture information having evidentiary value.

Officers shall not intentionally block the portable recording devices audio or visual recording functionality to defeat the purposes of this policy.

Notwithstanding any other provision in this policy, officers shall not use their portable recording devices to record other agency personnel during non-enforcement related activities, such as during pre- and post- shift time in locker rooms, during meal breaks, or during other private conversations, unless recording is authorized as part of an administrative or criminal investigation.

Officers assigned to a plain clothes assignment shall not be required to wear a portable recording device during their day-to-day work unless working in a uniformed call response capacity or are otherwise required by this policy or as directed by a supervisor. Non-uniformed officers may carry an approved portable recording device at any time the member feels the device may

be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner and in accordance with department training.

421.7 SPECIAL GUIDELINES FOR RECORDING

Officers may, in the exercise of sound discretion, determine:

To use the portable recording devices to record any police-citizen encounter if there is reason to believe the recording would potentially yield information having evidentiary value unless such recording is otherwise expressly prohibited.

Officers shall use their portable recording devices and squad-based audio/video systems to record their transportation and the physical transfer of person in their custody to hospitals, detox and mental health care facilities, juvenile detention centers, and jails, but otherwise should not record in these facilities unless the officer anticipates witnessing a criminal event or being involved in or witnessing an adversarial encounter or use-of-force incident.

421.8 DOWNLOADING AND LABELING DATA

Each officer using a portable recording device is responsible for transferring or assuring the proper transfer of the data from his or her camera to the Back End Client by the end of that officer's shift. However, if the officer is involved in a shooting, in-custody death, or other law enforcement activity resulting in death or great bodily harm, a supervisor or investigator shall take custody of the officer's portable recording device and assume responsibility for transferring the data from it.

Officers shall classify the portable recording device data files at the time of capture or transfer to storage and should consult with a supervisor if in doubt as to the appropriate classification. Officers should assign as many of the following labels as are applicable to each file:

1. **Criminal/Arrest:** The information has evidentiary value with respect to an actual or suspected criminal incident or charging decision and/or whenever a custodial arrest is made.
 - a. Retention periods for cases that have been charged are based on the status of court proceedings. For uncharged offenses, retention is seven years or permanently in the case of death investigations.
2. **Use of Force:** Whether or not enforcement action was taken, or an arrest resulted, the event involved the application of force by a law enforcement officer of this or another agency.
 - a. These recordings must be maintained for seven years regardless of the disposition of any related criminal case.
3. **Evidence/Property:** Whether or not enforcement action was taken, or an arrest resulted, an officer seized property from an individual or directed an individual to dispossess property.
 - a. Collects, processes, or inventories evidence.
 - b. Collects, processes, or inventories property.
 - c. Inventories or searches of a vehicle that is subject to tow, regardless of the reason for the tow.

Evidence/property logs are subject to a one-year minimal retention period.

4. **Complaint:** The incident involved an adversarial encounter or resulted in a complaint against the officer.

Video that turns out to have evidentiary value in any internal investigation is subject to a six-year retention period. A shorter retention period may be utilized if no complaint or investigation arises.

5. **Traffic Citation (Non-DWI):** To be used for traffic citations not involving a custodial arrest.

6. **Assist other agency/Advise/Warn:** To be used in response to incidents (i.e. traffic stop, agency assists).

7. **Training:** The event was such that it may have value for training.

No minimal retention period exists.

8. **Emergency Vehicle Response:** The incident required an emergency response.

9. **Other/Miscellaneous:** The recording does not contain any of the foregoing categories of information but may have potential evidentiary value or may have other value in being retained. Examples could include investigative or interview footage.

10. **Not evidence:** The recording does not contain any of the foregoing categories of information and has no apparent evidentiary value. Recording of general citizen contacts and unintentionally recorded footage are not evidence.

11. **Confidential:** In addition, officers shall flag each file as appropriate to indicate that it contains information about data subjects who may have rights under the MGDPA limiting disclosure of information about them. These individuals include:

- a. Victims and alleged victims of criminal sexual conduct and sex trafficking.
- b. Victims of child abuse or neglect.
- c. Vulnerable adults who are victims of maltreatment.
- d. Undercover officers.
- e. Informants.
- f. When the video is clearly offensive to common sensitivities.
- g. Victims of and witnesses to crimes, if the victims or witness has requested not to be identified publicly.
- h. Individuals who called 911, and services subscribers whose lines were used to place a call to the 911 system.
- i. Mandated reporters.
- j. Juvenile witnesses, if the nature of the event or activity justifies protecting the identity of the witness.
- k. Juveniles who are or may be delinquent or engaged in criminal acts.

- l. Individuals who make complaints about violations with respect to the use of real property.
- m. Officers and employees who are the subject of a complaint related to the events captured on video.
- n. Other individuals whose identities the officer believes may be legally protected from public disclosure.

Labeling and flagging designations may be corrected or amended based on additional information.

421.9 ACCESS TO PORTABLE RECORDING SYSTEM DATA

Data subjects. Under Minnesota law, the following are considered data subjects for purposes of administering access to portable recording device data:

1. Any person or entity whose image or voice is documented in the data.
2. The officer who collected the data.
3. Any other officer whose voice or image is documented in the data, regardless of whether that officer is or can be identified by the recording.

Portable recording device data is presumptively private. Recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:

1. Portable recording device data pertaining to people is presumed private, as is portable recording device data pertaining to businesses or other entities.
2. Some portable recording device data is classified as confidential (see below).
3. Some portable recording device data is classified as public (see below).

Confidential data. Portable recording device data that is collected or created as part of an active criminal investigation is confidential. This classification takes precedence over the "private" classification listed above and the "public" classifications listed below.

Public data. The following portable recording device data is public:

1. Data documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous.
2. Data that documents the use of force by a peace officer that results in substantial bodily harm.
3. Data that a data subject requests to be made accessible to the public, subject to redaction. Data on any data subject (other than a peace officer) who has not consented to the public release must be redacted if practicable. In addition, any data on undercover officers must be redacted.
4. Data that documents the final disposition of a disciplinary action against a public employee.

However, if another provision of the Data Practices Act classifies data as private or otherwise not public, the data retains that other classification. For instance, data that reveals protected identities under Minn. Stat. 13.82, subd. 17 (e.g., certain victims, witnesses, and others) should not be released even if it would otherwise fit into one of the public categories listed above.

Access to portable recording device data by non-employees. Officers shall refer members of the media or public seeking access to portable recording device data to a member of the department administration or designee who shall process the request in accordance with the MGDPA and other governing laws. In particular:

1. An individual shall be provided with access and allowed to review recorded portable recording device data about him or herself and other data subjects in the recording, but access shall not be granted:

- a. If the data was collected or created as part of an active investigation.

- b. To portions of the data that the agency would otherwise be prohibited by law from disclosing to the person seeking access, such as portions that would reveal identities protected by Minn. Stat. 13.82, subd. 17.

2. Unless the data is part of an active investigation, an individual data subject shall be provided with a copy of the recording upon request but subject to the following guidelines on redaction:

- a. Data on other individuals in the recording who do not consent to the release must be redacted.

- b. Data that would identify undercover officers must be redacted.

- c. Data on other officers who are not undercover, and who are on duty and engaged in the performance of official duties, may not be redacted.

Access by peace officers and law enforcement employees. No employee may have access to the department's portable recording device data except for legitimate law enforcement or data administration purposes:

1. Officers may access and view stored portable recording device video only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance. Officers may review video footage of an incident in which they were involved prior to preparing a report, giving a statement, or providing testimony about the incident.

2. Agency personnel are prohibited from accessing portable recording device data for non-business reasons and from sharing the data for non-law enforcement related purposes, including but not limited to uploading portable recording device data recorded or maintained by this agency to public and social media websites.

3. Employees seeking access to portable recording device data for non-business reasons may make a request for it in the same manner as any member of the public.

Other authorized disclosures of data. Officers may display portions of the portable recording device footage to witnesses as necessary for purposes of investigation as allowed by Minn. Stat. 13.82, subd. 15, as may be amended from time to time. Officers should generally limit these displays in order to protect against the incidental disclosure of individual identities that are not public. Protecting against incidental disclosure could involve, for instance, showing only a portion of the video, showing only screen shots, muting the audio, or playing the audio but not displaying video. In addition,

1. Portable recording device data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.
2. Portable recording device data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.

421.10 DATA SECURITY SAFEGUARDS

Officers shall safeguard their username and password for the portable recording device system. The sharing of a user's access to the system is prohibited.

Personally owned devices, including but not limited to computers and mobile devices, shall not be programmed or used to access or view agency portable recording device data.

Officers shall not intentionally edit, alter, or erase any portable recording device recording unless otherwise expressly authorized by the chief or designee.

As required by Minn. Stat. 13.825, subd. 9, as may be amended from time to time, this agency shall obtain an independent biennial audit of its portable recording system program.

421.11 AGENCY USE OF DATA

At least once a month, supervisors will randomly review portable recording device usage by each officer to whom a device is issued or available for use, to ensure compliance with this policy and to identify any performance areas in which additional training or guidance is required.

Supervisors and other assigned personnel may access portable recording device data for the purposes of reviewing or investigating a specific incident that has given rise to a complaint or concern about officer misconduct or performance.

Nothing in this policy limits or prohibits the use of portable recording devices data as evidence of misconduct or as a basis for discipline.

Officers should contact their supervisors to discuss retaining and using portable recording device footage for training purposes. Field training officers may utilize portable recording device data with trainees for the purpose of providing coaching and feedback on the trainees' performance.

421.12 DATA RETENTION

All portable recording device data shall be retained for a minimum period of 90 days. There are no exceptions for erroneously recorded or non-evidentiary data.

Data documenting the discharge of firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous, must be maintained for a minimum of one year.

Certain kinds of portable recording device data must be retained for six years:

- a. Data that documents the use of deadly force by a peace officer, or force of a sufficient type or degree to require a use of force report or supervisory review.
- b. Data documenting circumstances that have given rise to a formal complaint against an officer.

Other data having evidentiary value shall be retained for the period specified in the Records Retention Schedule. When a particular recording is subject to multiple retention periods, it shall be maintained for the longest applicable period.

All other portable recording device footage that is classified as non-evidentiary, becomes classified as non-evidentiary, or is not maintained for training shall be destroyed after 90 days.

Upon written request by a data subject, the agency shall retain a recording pertaining to that subject for an additional period requested by the subject of up to 180 days. The agency will notify the requestor at the time of the request that the data will then be destroyed unless a new written request is received.

The department shall maintain an inventory of the portable recording device recordings having evidentiary value.

The department will post this policy, together with a link to its Records Retention Schedule, on its website.

421.13 PROHIBITED USE OF AUDIO/VIDEO RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of a supervisor. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment, or ridicule.

421.14 ACCOUNTABILITY

Any member who accesses or releases recordings without authorization may be subject to discipline (see the Standards of Conduct and the Protected Information policies) (Minn. Stat. § 626.8473).

421.15 COMPLIANCE

Supervisors shall monitor for compliance with this policy. The unauthorized access to or disclosure of portable recording device data may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minn. Stat. § 13.09.



TITLE: MEDICAL AID & RESPONSE	NUMBER: 428
EFFECTIVE DATE: 12/15/2021	REVIEW DATE:

Medical Aid and Response

428.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

428.2 POLICY

It is the policy of the St. Francis Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

428.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Central Communications and request a response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves

and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy.

When requesting EMS, the member should provide Central Communications with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 - 1. Signs and symptoms as observed by the member.
 - 2. Changes in apparent condition.
 - 3. Number of patients, sex, and age, if known.
 - 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
 - 5. Whether the person is showing signs of extreme agitation or is engaging
 - 6. in violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain. Members should stabilize the scene whenever practicable while awaiting the arrival of EMS. Members should not direct EMS personnel whether to transport the person for treatment.

428.4 TRANSPORTING ILL AND INJURED PERSONS

Except in extraordinary cases where alternatives are not reasonably available, members should not transport people who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search for any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

428.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a 72-hour hold in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses,

he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

428.6 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking. If the jail or detention facility refuses to accept custody of an arrestee based on medical reasons. If the jail or detention facility refuses to accept custody of an arrestee based on medical screening the officer should note the name of the facility person refusing to accept custody and the for refusal and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance.
Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

428.7 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Conducted Energy Device policies.

428.8 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights, and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.

- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

428.9 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

The automated external defibrillator (AED) may be used only by personnel that have successfully completed the departmental approved training.

428.9.1 AED USER RESPONSIBILITY

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the supervisor who is responsible for ensuring appropriate maintenance.

- (a) Prepare the victim for defibrillation.
 1. Assess patients using ABCs (Airway, Breathing and Circulation) of CPR. Verify the patient is in cardiac arrest (the patient is unconscious, not breathing normally and shows no signs of circulation, e.g. no pulse, and/or no coughing, no movement).
 2. Prepare AED for use. Turn on AED, connect electrodes and follow prompts.
 3. Place patient on a hard surface away from standing water or conductive material.
 4. Remove excessive hair from the electrode sites. If shaving is necessary, avoid cutting the skin. Clean the skin and dry it briskly with a towel or gauze. Do not apply alcohol, tincture of benzoin, or antiperspirant to the skin.
- (b) Apply electrode pads
 1. Place one electrode to the patient's left nipple with the center of the electrode in the midaxillary line, if possible.
 2. Place the other electrode on the patient's upper right torso, lateral to the sternum and below the clavicle as shown in the unit diagram.
 3. Starting from one end, press the electrodes firmly onto the patient's skin.
- (c) Ensure electrodes are connected and follow voice prompts by the AED.
- (d) Do not touch victim while AED is analyzing or defibrillating.
- (e) Do not use in a moving vehicle.
- (f) Do not use alcohol to wipe the victim's chest dry or use an AED around flammable materials.
- (g) Remove any nitroglycerine patches present and wipe surface dry before attaching electrodes.
- (h) Avoid using the unit when patient, operator, or unit is in direct contact with water. If patient is on a metal or wet surface, ensure operator and others present are not in contact with the metal or wet surface during a "shock."

- (i) AED can be used on patients with implanted pacemakers or defibrillators, but do not place electrodes directly over such units. If a person is in cardiac arrest, it means these devices have likely failed.
- (j) Do not transmit on your 2-way radio or use a cellular phone within 6 feet of the AED unit as it could cause interference.
- (k) Defibrillator is meant to be used in non-traumatic cardiac arrest settings. This does not preclude an officer from attaching or using the defibrillator on a victim of a traumatic cardiac arrest situation, although use is likely futile, due to underlying or existing factors. Frequently in traumatic type injuries, like traffic accidents, there is some type of internal injury in or on the heart muscle, which would prevent the heart from functioning properly regardless of whether a shock was administered. If the defibrillator is attached to a victim of a traumatic injury, the unit will likely indicate that no shockable rhythm is found.
- (l) Discontinue use if there is any doubt about the correct function of the machine; continue with CPR.
- (m) If the patient converts with a pulse and the re-arrests, start operating protocol again.
- (n) If the patient recovers consciousness and/or signs of circulation and breathing return, place the patient in the recovery position and leave the AED attached.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact Central Communications as soon as possible and request response by EMS.

428.9.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

428.9.3 AED TRAINING AND MAINTENANCE/CARE

The officer will complete training every two years during First Aid/CPR (or similar appropriate) medical training.

The medical supervisor is responsible for ensuring AED devices are appropriately maintained, by inspecting units on a regular basis, and will retain records of all maintenance in accordance with the established records retention schedule. Batteries and electrodes will be replaced as needed. The medical supervisor will be appointed by the Chief of Police.

The AED unit shall be kept in its protective case at all times.

Officers should be aware of Status Indicators on the units and report any problems to the medical officer using normal equipment repair protocol.

1. Ufepak CR2
 - (a) Readiness indicator blinking green - OK
 - (b) Readiness indicator does not flash - Take unit out of service and report problem to the medical supervisor.
2. Cardiac Science Powerheart GS
 - (a) Rescue ready window is green – OK

- (b) Rescue ready window is red - Take unit out of service and report problem to the medical supervisor.

428.10 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Only officers who receive training in the recognition of signs of opiate overdose and the use of opiate antagonists may administer opioid overdose medication. Officers may administer opioid overdose medication in accordance with protocol specified by the physician who prescribed the overdose medication for use by the officer (Minn. Stat. § 151.37; Minn. Stat. § 604A.04).

428.10.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Officers who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training.

428.10.2 OPIOID OVERDOSE MEDICATION REPORTING

Any officer administering opioid overdose medication should detail its use in an appropriate report.

428.10.3 OPIOID OVERDOSE MEDICATION TRAINING

The instructor should ensure training is provided to officers authorized to administer opioid overdose medication (Minn. Stat. § 151.37).

ADMINISTRATION OF EPINEPHRINE

The department may obtain epinephrine auto-injectors from licensed pharmacies to be administered by trained members in accordance with Minn. Stat. § 144.999.

428.10.4 EPINEPHRINE USER RESPONSIBILITIES

Members who are qualified to administer epinephrine should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Instructor.

Any member who administers epinephrine should contact Central Communications as soon as possible and request response by EMS.

428.10.5 EPINEPHRINE REPORTING

Any member administering epinephrine should detail its use in an appropriate report.

428.10.6 EPINEPHRINE TRAINING

The Instructor should ensure that training is provided to members authorized to administer epinephrine.

Training shall be conducted by an authorized provider and be completed every two years (Minn. Stat. § 144.999).

428.11 FIRST AID TRAINING

Subject to available resources, the instructor should ensure officers receive periodic first aid training appropriate for their position.



TITLE: Mental Health Crisis Data	NUMBER: 429
EFFECTIVE DATE: 12/15/2021	REVIEW DATE:

Mental Health Crisis Data

429.1 PURPOSE

Minnesota law requires certain entities and mental health providers to supply information to law enforcement, upon proper request, to aid in safely addressing a pending mental health crisis. This policy establishes procedures for requesting, documenting, using, retaining, and safeguarding the privacy of such information.

429.2 POLICY

It is the policy of this department to encourage officers to seek and utilize information from mental health professionals, practitioners, and other care providers to aid in the safe resolution of individual crisis situations. Officers may initiate requests for this information when practicable and deemed advisable. Information obtained in response to such requests shall be documented, utilized, and retained in accordance with applicable laws and this policy.

429.3 DEFINITIONS

The following phrases and words have special meanings as used in this policy:

Mental Health Crisis Data - means data on individual clients or patients that is sought and received from community mental health centers, mental health divisions of counties and providers under contract with them, or private sector mental health providers for the purpose of safely responding to a mental health crisis.

Person in Crisis {PIC} - refers to an individual who is experiencing or is suspected or reported to be experiencing a mental health crisis.

Requestee - refers to an entity or individual asked to supply Mental Health Crisis Data to a law enforcement agency.

Requestor - refers to an officer or employee of this agency who makes a request for Mental Health Crisis Data.

429.4 WHEN MHCD MAY BE SOUGHT

Provisions of the Minnesota Government Data Practices Act {Minn. Stat. § 13.46, subd. 7) and the Minnesota Health Records Act {Minn. Stat. § 144.294, subd. 2) require mental health providers and certain entities to supply information to law enforcement when a client or patient is currently involved in a mental health crisis, and disclosure of the information is necessary to protect the health and safety of that person or another. These laws use the definition of "mental health crisis" found in Minnesota Statutes, § 256B.0624, subdivision 2U):

"Mental health crisis" is a behavioral, emotional, or psychiatric situation that, without the provision of crisis response services, would likely result in significantly reducing the recipient's levels of functioning in primary activities of daily living, in an emergency situation under section 620.55, or in the placement of the recipient in a more restrictive setting, including but not limited to inpatient hospitalization.

A situation will qualify as a mental health crisis under this definition, thus enabling the agency to seek mental health data, if:

The subject appears to be experiencing a behavioral, emotional, or psychiatric episode, and It would likely result in one of the following outcomes, absent the assistance of a mobile crisis provider:

- a. The person being unable to take care of basic functions like bathing, eating, dressing, and toileting; or
- b. The person needing to be transported to a hospital for an emergency medical condition; or
- c. The person being taken into custody for a transport hold; and

The information being sought is necessary to protect the health or safety of the PIC or another.

429.5 REQUESTING AND OBTAINING MHCD

Officers should adhere to the following procedures in requesting MHCD:

- a. Officers responding to a mental health crisis may request information themselves or have another officer, a dispatcher, or appropriate staff member contact requestees with information requests.
 - b. Entities and individuals that are obligated to respond to requests for information include community mental health centers, mental health divisions of a county, and mental health providers including psychiatrists, psychologists, therapists, mental health professionals, mental health practitioners, and case managers.
 - c. The purpose of making a request is to obtain information from a mental health provider, familiar with the PIC, about strategies for safely responding to and resolving the pending crisis. To that end, the requestee is obligated to provide a name and phone number for the PIC's psychiatrist, psychologist, therapist, mental health professional, practitioner, or case manager, if known; and strategies to address the mental health crisis.
 - d. Under the law, the requestee is to provide law enforcement with the minimum information necessary to safely respond to the mental health crisis. It may be necessary and appropriate for the requestor to share information with the requestee about the dynamics and circumstances of the crisis in order to demonstrate law enforcement's need for information. Requestors should not ask for information about the PIC's diagnosis.
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TITLE: First Amendment Assemblies	NUMBER: 431
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

First Amendment Assemblies

431.1 PURPOSE AND SCOPE

The First Amendment to the Constitution of the United States of America states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

The Bill of Rights in Article 1 of the Minnesota Constitution addresses the rights of free speech and the liberty of the press. However, neither the state nor federal constitutions protect criminal activity or threats against citizens, businesses, or critical infrastructure.

The St. Francis Police Department supports all people's fundamental right to peaceably assemble and their right to freedom of speech and expression.

The purpose of this policy is to provide guidelines to the St. Francis Police Department personnel regarding the application and operation of acceptable law enforcement actions addressing public assemblies and First Amendment Activity.

431.2 POLICY

The St. Francis Police Department will uphold the constitutional rights of free speech and assembly while using the minimum use of physical force and authority required to address a crowd management or crowd control issue.

The policy of the St. Francis Police Department regarding crowd management and crowd control is to apply the appropriate level of direction and control to protect life, property, and vital facilities while maintaining public peace and order during a public assembly or First Amendment activity. Department personnel must not harass, intimidate, or discriminate against or unreasonably interfere with persons engaged in the lawful exercise of their rights.

This policy concerning crowd management, crowd control, crowd dispersal, and police responses to violence and disorder applies to spontaneous demonstrations, crowd event situations, and planned demonstration or crowd events regardless of the permit status of the event.

This policy is to be reviewed annually.

431.3 DEFINITIONS

Chemical Agent Munitions: Munitions designed to deliver chemical agents from a launcher or hand thrown.

Control Holds: Control holds are soft empty hand control techniques as they do not involve striking.

Crowd Management: Techniques used to manage lawful public assemblies before, during, and after an event. Crowd management can be accomplished in part through coordination with event planners and group leaders, permit monitoring, and past event critiques.

Crowd Control: Techniques used to address unlawful public assemblies.

Deadly Force: Force used by an officer that the officer knows, or reasonably should know, creates a substantial risk of causing death or great bodily harm. (Reference: St. Francis Police Departments Use of Force Policy, MN Statutes **609.06 and 609. 066**)

Direct Fired Munitions: Less-lethal impact munitions that are designed to be directly fired at a specific target.

First Amendment Activities : First Amendment activities include all forms of speech and expressive conduct used to convey ideas and/or information, express grievances, or otherwise communicate with others and include both verbal and non-verbal expression. Common First Amendment activities include, but are not limited to, speeches, demonstrations, vigils, picketing, distribution of literature, displaying banners or signs, street theater, and other artistic forms of expression. All these activities involve the freedom of speech, association, and assembly and the right to petition the government, as guaranteed by the United States Constitution and the [Minnesota State Constitution](#) .

The government may impose reasonable restrictions on the time, place, or manner of protected speech, provided the restrictions are justified without reference to the content of the regulated speech, that they are narrowly tailored to serve a significant governmental interest, and that they /eave open ample alternative channels for communication of the information.

Great Bodily Harm Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm. (Reference: St. Francis Police Departments Use of Force Policy, MN Statutes 609.06 and 609. 066)

Legal Observers: Individuals, usually representatives of civilian human rights agencies, who attend public demonstrations, protests and other activities. The following may be indicia of a legal observer: Wearing a green National Lawyers' Guild issued or authorized Legal Observer hat and/ or vest (a green NLG hat and/or black vest with green labels) or wearing a blue ACLU issued or authorized legal observer vest.

Less-lethal Im act Munitions: Impact munitions which can be fired, launched, or otherwise propelled for the purpose of encouraging compliance, overcoming resistance or preventing serious injury without posing significant potential of causing death.

Media: Media means any person who is an employee, agent, or independent contractor of any newspaper, magazine or other periodical, book publisher, news agency, wire service, radio or television station or network, cable or satellite station or network, or audio or audiovisual production company, or any entity that is in the regular business of news gathering and disseminating news or information to the public by any means, including, but not limited to, print, broadcast, photographic, mechanical, internet, or electronic distribution. For purposes of this policy, the following are indicia of being a member of the media: visual identification as a member of the press, such as by displaying a professional or authorized press pass or wearing a professional or authorized press badge or some distinctive clothing that identifies the wearer as a member of the press.

431.4 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets, or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be

limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills, leafleting and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

Lawful, constitutionally protected actions and speech.

Civil disobedience (typically involving minor criminal acts).

Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

431.5 RESPONSES TO CROWD SITUATIONS

Unlawful assembly:

- (a) The definition of an unlawful assembly has been set forth in Minnesota Statute § [609.705](#).
- (b) The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly.
- (c) The fact that some of the demonstrators or organizing groups have engaged in violent or unlawful acts on prior occasions or demonstrations is not grounds for declaring an assembly unlawful.
- (d) Whenever possible, the unlawful behavior of a few participants must not result in the majority of peaceful protestors being deprived of their First Amendment rights, unless other participants or officers are threatened with dangerous circumstances.
- (e) Unless emergency or dangerous circumstances prevent negotiation, crowd dispersal techniques must not be initiated until after attempts have been made through contacts with the police liaisons and demonstration or crowd event leaders to negotiate a resolution of the situation so that the unlawful activity will cease, and the First Amendment activity can continue.

Declaration of Unlawful Assembly:

If the on-scene supervisor/incident commander has declared an unlawful assembly, the reasons for the declaration and the names of the decision maker(s) must be recorded. The declaration and dispersal order must be announced to the assembly. The name(s) of the officers announcing the declaration should be recorded, with the time(s) and date(s) documented. The dispersal order must include:

- (a) Name, rank of person, and agency giving the order
 - (b) Declaration of Unlawful Assembly and reason(s) for declaration
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- (c) Egress or escape routes that may be used
- (d) Specific consequences of failure to comply with dispersal order
- (e) How long the group has to comply

Whenever possible, dispersal orders should also be given in other languages that are appropriate for the audience. Officers must recognize that not all crowd members may be fluent in the language(s) used in the dispersal order.

Dispersal announcements must be made in a manner that will ensure that they are audible over a sufficient area. Dispersal announcements must be made from different locations when the demonstration is large and noisy. The dispersal announcements should be repeated after commencement of the dispersal operation so that persons not present at the original broadcast will understand that they must leave the area. The announcements must also specify adequate egress or escape routes. Whenever possible, a minimum of two escape/egress routes shall be identified and announced.

Crowd Dispersal:

- (a) Crowd dispersal techniques should not be initiated until officers have made repeated announcements to the crowd, or are aware that repeated announcements have been made, asking members of the crowd to voluntarily disperse, and informing them that, if they do not disperse, they will be subject to arrest.
- (b) Unless an immediate risk to public safety exists or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with officer commands before action is taken.
- (c) If negotiations and verbal announcements to disperse do not result in voluntary movement of the crowd, officers may employ additional crowd dispersal tactics, but only after orders from the on-scene supervisor/incident commander. The use of these crowd dispersal tactics shall be consistent with the department policy of using the minimal officer intervention needed to address a crowd management or control issue.
- (d) If, after a crowd disperses pursuant to a declaration of unlawful assembly and subsequently participants assemble at a different geographic location where the participants are engaged in non-violent and lawful First Amendment activity, such an assembly cannot be dispersed unless it has been determined that it is an unlawful assembly, and a new declaration of unlawful assembly has been made.

431.6 TACTICS AND WEAPONS TO DISPERSE OR CONTROL A NON-COMPLIANT CROWD

Nothing in this policy prohibits officers' abilities to use appropriate force options to defend themselves or others as defined in the St. Francis Police Departments Use of Force policy.

Use of Batons:

- (a) Batons must not be used for crowd control, crowd containment, or crowd dispersal except as specified below.
 - (b) Batons may be visibly displayed and held in a ready position during squad or platoon formations.
 - (c) When reasonably necessary for protection of the officers or to disperse individuals in the crowd pursuant to the procedures of this policy, batons may be used in a pushing, pulling, or jabbing motion. Baton jabs must not be used indiscriminately against a crowd or group of people but only against individuals who are physically aggressive or actively resisting arrest. Baton jabs
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should not be used in a crowd control situation against an individual who is attempting to comply but is physically unable to disperse or move because of the press of the crowd or some other fixed obstacle.

- (d) Officers must not strike a person with any baton to the head, neck, throat, kidneys, spine, or groin, or jab with force to the armpit unless the person has created an imminent threat of great bodily harm to another.
- (e) Batons shall not be used against a person who is handcuffed except when permissible under this department's Use of Force policy and state law.

Restrictions on Crowd Control and Crowd Dispersal:

- (a) Canines must not be used for crowd control, crowd containment, or crowd dispersal.
 - (b) Fire hoses must not be used for crowd control, crowd containment, or crowd dispersal.
 - (c) Electronic Control Weapons (ECWs) must not be used for crowd control, crowd containment, or crowd dispersal.
 - (d) Motorcycles and police vehicles must not be used for crowd dispersal, but may be used for purposes of observation, visible deterrence, traffic control, transportation, and area control during a crowd event.
 - (e) Skip Fired Specialty Impact Less-Lethal Munitions (Wooden Dowels and Stinger Grenades) may be used as a last resort if other crowd dispersal techniques *have* failed or have been deemed ineffective.
 - (f) Direct Fired munitions may never be used indiscriminately against a crowd or group of persons even if some members of the crowd or group are violent or disruptive.
 - 1. Except for exigent circumstances, the on-scene supervisor/incident commander must authorize the deployment of Direct Fired munitions. Direct Fired munitions must be used only against a specific individual who is engaging in conduct that poses an immediate threat of loss of life or serious bodily injury to them self, officers, or the general public; or is creating an imminent risk to the lives or safety of other persons through the substantial destruction of property.
 - 2. Officers shall not discharge a Direct Fired munitions at a person's head, neck, throat, face, left armpit, spine, kidneys, or groin unless deadly force would be justified.
 - 3. When circumstances permit, the on-scene supervisor/incident commander must make an attempt to accomplish the policing goal without the use of Direct Fired munitions as described *above*, and, if practical, an audible warning shall be given to the subject before deployment of the weapon.
 - (g) Aerosol Hand-held Chemical Agents must not be used in a demonstration or crowd situation or other civil disorders without the approval of the on-scene supervisor/ incident commander.
 - 1. Aerosol, hand-held, pressurized, containerized chemical agents that emit a stream shall not be used for crowd management, crowd control, or crowd dispersal during demonstrations or crowd events. Aerosol hand-held chemical agents may not be used indiscriminately against a crowd or group of persons, but only against specific individuals who are engaged in specific acts of serious unlawful conduct or who are actively resisting arrest.
 - 2. Officers shall use the minimum amount of the chemical agent necessary to overcome the subject's resistance.
 - 3. When possible, persons should be removed quickly from any area where handheld chemical agents have been used. Officers must monitor the subject and pay particular attention to the subject's ability to breathe following the application of a chemical agent.
 - 4. A subject who has been sprayed with a hand-held chemical agent shall not be left lying on their stomach once handcuffed or restrained with any device.
 - (h) Chemical munitions use in a crowd situation is subject to the following:
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1. a threat of imminent harm or serious property damage is present, or other crowd dispersal techniques *have* failed or did not accomplish the policing goal as determined by the incident commander,
2. sufficient egress to safely allow the crowd to disperse exists, and
3. The use of chemical munitions is approved by the on-scene supervisor/incident commander, and
4. When feasible, additional announcements should be made prior to the use of chemical munitions in a crowded situation warning of the imminent use of chemical munitions.
5. Deployment of chemical munitions into a crowd must be avoided to prevent unnecessary injuries.
6. CN chemical munitions are prohibited.
7. The use of each chemical munition must be recorded.
8. Where extensive use of chemical munitions would reasonably be anticipated to impact nearby residents or businesses, agencies should consider proactively notifying impacted individuals of safety information related to the munitions use as soon as possible, even if after the event.
9. When chemical munitions are used, an emergency responder will be on standby at a safe distance near the target area when feasible.
10. Chemical munitions are subject to the same procedural requirements as outlined in St. Francis Police Department's Use of Force policy.

Officers must not use a weapon or munition unless the officer has been trained in the use and qualified in deployment of the weapon/munition.

Arrests:

- (a) If the crowd has failed to disperse after the required announcements and sufficient time to disperse, officers may encircle the crowd or a portion of the crowd for purposes of making multiple simultaneous arrests.
- (b) Persons who make it clear (e.g., by non-violent civil disobedience) that they seek to be arrested may be arrested and must not be subjected to other dispersal techniques, such as the use of batons or chemical agents. Persons refusing to comply with arrest procedures may be subject to the reasonable use of force.
- (c) Arrests of non-violent persons shall be accomplished by verbal commands and persuasion, handcuffing, lifting, carrying, the use of dollies and/or stretchers, and/or the use of soft empty hand control holds.
- (d) Officers must document any injuries reported by an arrestee, and as soon as practical, officers must obtain professional medical treatment for the arrestee.
- (e) Juveniles arrested in demonstrations shall be handled consistent with department policy on arrest, transportation, and detention of juveniles.

431.7 HANDCUFFS

All persons subject to arrest during a demonstration or crowd event shall be handcuffed in accordance with department policy, orders, and training bulletins. Officers should be cognizant that flex-cuffs may tighten when arrestee's hands swell or move, sometimes simply in response to pain from the cuffs themselves. When arrestees complain of pain from overly tight flex cuffs, officers must examine the cuffs and ensure proper fit. Arrestees in flex-cuffs must be monitored to prevent injury.

Each unit involved in detention and/or transportation of arrestees with flex-cuffs should have a flex-cuff cutter and adequate supplies of extra flex-cuffs readily available.

431.8 MEDIA

The media have a First Amendment right to cover public activity, including the right to record video or film, livestream, photograph, or use other mediums.

The media must not be restricted to an identified area and must be permitted to observe and must be permitted close enough access to view the crowd event and any arrests. An onsite supervisor/ incident commander may identify an area where media may choose to assemble.

Officers will not arrest members of the media unless they are physically obstructing lawful efforts to disperse the crowd, or efforts to arrest participants, or engaged in criminal activity.

The media must not be targeted for dispersal or enforcement action because of their media status.

Even after a dispersal order has been given, clearly identified media must be permitted to carry out their professional duties unless their presence would unduly interfere with the enforcement action.

431.9 LEGAL OBSERVERS

Legal observers, including unaffiliated self-identified legal observers and crowd monitors, do not have the same legal status as the media, and are subject to laws and orders similar to any other person or citizen.

Legal observers and monitors must comply with all dispersal orders unless the on-site supervisor/ incident commander chooses to allow such an individual legal observer and monitors to remain in an area after a dispersal order.

Legal observers and crowd monitors must not be targeted for dispersal or enforcement action because of their status.

431.10 DOCUMENTATION OF PUBLIC ASSEMBLY AND FIRST AMENDMENT ACTIVITY

The purpose of any visual documentation by the St. Francis Police Department of a public assembly or first amendment activity must be related only to:

- (a) Documentation of the event for the purposes of debriefing,
- (b) Documentation to establish a visual record for the purposes of responding to citizen complaints or legal challenges, or
- (c) Creating visual records for training purposes.

Videotaping and photographing must be done in a manner that minimizes interference with people lawfully participating in First Amendment activities. Videotaping and photographing of First Amendment activities must take place only when authorized by the on-site supervisor/incident commander.

Individuals should not be singled out for photographing or recording simply because they appear to be leaders, organizers, or speakers.

Unless evidence of criminal activity is provided, videos or photographs of demonstrations shall not be disseminated to other government agencies, including federal, state, and local law enforcement agencies. If videos or photographs are disseminated or shared with another law enforcement agency, a record should be created and maintained noting the date and recipient of the information.

If there are no pending criminal prosecutions arising from the demonstration or if the video recording or photographing is not relevant to an Internal Affairs or citizen complaint investigation or proceedings or to civil litigation arising from police conduct at the demonstration, the video recording and/or photographs shall be destroyed in accordance with department policies.

This directive shall not prohibit department members from using these videos or footage from such videos as part of training materials for officers in crowd control and crowd dispersal techniques and procedures.

431.1 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.



TITLE: DETENTION FACILITY	NUMBER: 500
EFFECTIVE DATE: 01/01/2020	REVIEW DATE: 01/01/2023

500.01 PURPOSE

The purpose of this policy is to set forth procedures for the operation and maintenance of the St. Francis Police Department detention facility (hereafter referred to as the “facility”), consistent with the Department’s policies and practices and the rules set forth by the Minnesota Department of Corrections.

500.02 POLICY

The Department’s facility shall be used for the temporary detention of persons in custody for the purposes of testing, interviewing, or arranging transfer to another facility or release to a responsible person. It is the express intent of this policy that persons in custody shall be detained in the facility no longer than is necessary to transfer them to the Anoka County Jail, the Lino Lakes juvenile detention facility, a detoxification center, a hospital emergency room or crisis center, ambulance personnel, a transporting law enforcement officer, or to release them to a responsible person.

Additionally, the facility will not be used to detain persons who are high escape risks or who are known or believed to be significant risks to the safety of themselves or others. These persons will be transported directly to an appropriate facility. In no event shall any person in custody be temporarily detained in the facility for more than a total of six hours.

For purposes of this policy, the “facility” includes the sally-port garage, east vestibule, DMT / booking area, interview room, conference room, holding cells and west vestibule from the detention facility to St. Francis police offices. “Persons in custody” shall include adults and juveniles.

500.03 RESPONSIBILITY

The St. Francis Chief of Police or his designee shall be the "Facility Administrator." The facility administrator is the person responsible for the overall operation, maintenance and required periodic inspection of the facility. Persons taken into custody are responsibility of the arresting officer. All officers are responsible to maintain the facility and to report any damage or needed repairs to a supervisor. The supervisor shall report all damage or needed repairs to the facility administrator.

500.04 STAFFING

The facility will not be staffed on a full-time basis. Only sworn personnel and reserve officers may perform duties including, but not limited to, monitoring cell occupants within the facility, when persons are in custody.

Janitorial staff may perform services within the facility when no persons are in custody. During the course of any given shift, the highest-ranking supervisor present or, in his/her absence, the most senior officer on duty, shall be the person "in charge" of the facility. No person in custody shall be detained in the facility at any time without either a sworn officer or reserve officer being PRESENT IN THE FACILITY, awake and alert at all times, and capable of responding to the reasonable needs of the person in custody.

500.05 KEYS, CARD READERS

The facility has both interior doors (two holding cell doors, mechanical chase between holding cells, cell door pass-through doors and perimeter doors (overhead garage door, east vestibule door and west vestibule door). Interior door keys will be kept in a secure area of the facility for use by officers. For officer safety reasons, a proximity and a code are required to open perimeter doors. Officers will be provided cards and codes to activate the proximity readers, allowing entrance into the facility perimeter doors. A perimeter door key set will be secured in a locked container inside the facility for officer use in the event of a power failure or electrical malfunction. Additionally, perimeter door key sets will be maintained in the Office Supervisor office, and in a lock box near the west garage door card reader for persons to enter the facility in an emergency.

500.06

PROCEDURES

A. Entrance to the Facility

1. All persons in custody shall enter the sally- port/garage or east vestibule handcuffed. Officers shall handcuff all detainees with their hands behind their backs unless medical reasons or other reasonable issues particular to the detainee make this impossible. If it is not possible to handcuff the detainee with his/her hands behind their back, officers shall exercise extra caution to monitor the detainee while escorting them from the squad into the facility.
2. Officers shall not remove detainees from their squad to bring them into the main booking area of the facility until the overhead garage door is fully closed. The door from the garage into the facility (sally- port/garage door) will not open if any other door is not fully closed. Under no circumstances shall officers prop open any of the sally-port/garage doors or vestibule doors.

B. Firearms / Weapons

1. Except as directed by a supervisor or in case of an emergency mandating that an officer have access to his/her firearm, no firearm or edged weapon shall be brought into the facility (beyond the areas with a weapons storage box) even if no detainee is presently in custody. Firearms and edged weapons shall be stowed in the gun locker provided in the sally- port/garage prior to removing a person in custody from the squad. Officers who enter the facility through the east vestibule shall stow their firearms and edged weapons in the gun locker provided outside of the facility prior to entering. Officers shall take extra care to remove and stow his/her firearm and edged weapons out of the range of the detainee.
 2. Tasers, expandable batons and approved chemical
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agents may be brought into the facility provided they are secured on the officer's person and not removed unless exigent circumstances exist.

C. General Security and Control Issues

1. Per departmental policy, all persons taken into custody shall be searched prior to being transported to the facility.
2. Upon arrival at the facility, officers shall conduct a further thorough search of the detainee for weapons and contraband. All searches shall be conducted in the booking/DMT area while the detainee is handcuffed.
3. Officers must document when an individual is detained in the facility by completing the intake log located in the DMT area of the facility.
4. Officers shall exercise discretion as to whether they remove a detainee's handcuffs while in the detention facility, except that no detainee shall remain in a detention cell in handcuffs. If during the course of a detention it becomes apparent to the officer that the detainee's welfare or the officer's safety require that the detainee be re-handcuffed in the detention cell then, in that event, the officer shall immediately make arrangements to transport the detainee to an appropriate facility including, but not limited to, the Anoka County Jail, the Lino Lakes juvenile center, a hospital emergency room or crisis center, an ambulance, a detoxification center or a transporting law enforcement officer (hereafter collectively "suitable transport location(s)").

D. Placement of Detainees in Holding Cells

1. No detainee shall be placed in a holding cell who has not already been searched while in the facility.
 2. Due to the fact that the holding cell doors are heavy there is a potential for them to be used by detainees to injure an officer. For this reason, officers shall have the discretion to direct detainees into the cells while still in handcuffs. Officers should then remove the handcuffs through the pass-through doors located
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in each cell door. In the officer's discretion, detainees may be re-cuffed in a similar manner before opening the cell door prior to transport or release. It is anticipated that an officer may exercise the discretion referred to in this paragraph when he or she is alone.

3. Prior to placing a detainee in a holding cell, officers shall visually inspect the cell to assure that the cell and its contents are not damaged and that no weapons or contraband are present. A similar check shall be made when the detainee is removed. If a detainee damages a cell, officers shall document the damage in a report, take photographs if necessary and advise the detainee that he/she will be charged with criminal damage to property. A supervisor shall be advised of the damage. The supervisor will notify the facility administrator.
 4. No more than one person will be placed in anyone holding cell at a time. Detainees of the opposite sex will be kept separate. Adults will be kept separate from juvenile offenders. Vulnerable detainees and/or mentally ill detainees will be kept separate from other detainees. Persons suffering or appearing from a communicable disease will not be placed in a detention cell but rather will be transferred to a suitable transport location.
 5. In no case will a detainee be left in a holding cell if the facility is not staffed. An officer must request another officer or reserve officer to supervise his/her detainee in his/her absence but, before doing so, must fully brief this person on any relevant details of the detention including, but not limited to, the last visual observation of the detainee by the officer (see below).
 6. In no event shall any person who is not an officer or reserve officer enter a holding cell occupied by a detainee for any reason.
 7. Members of this Department should not enter an occupied holding cell alone if the detainee is not handcuffed. If alone, an officer should, unless otherwise not possible, re-handcuff the detainee through the cell's food pass-through doors. This
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procedure need not be followed if more than two officers are present. For the purposes of this paragraph an officer shall also include a reserve officer.

8. The doors of the detention cells will remain secured at all times while occupied. The cell doors shall remain closed and locked when not in use.
9. With the exception of emergency personnel in the performance of their duties, no person, other than an officer or reserve officer, shall enter the facility when the holding cells are occupied. Department personnel may only enter the facility when engaged in the performance of their official duties. Upon direction of an officer, a person of the same sex as the detainee may be summoned to perform a pat-down search of the detainee. This person may be an employee of the St. Francis Police Department who is not an officer or reserve officer.

E. Monitoring Detainees in holding cell and miscellaneous issues

1. The arresting officer or designee shall visually monitor a person detained in the holding cells at least every fifteen (15) minutes on an irregular schedule and record the observation time on the appropriate form. While it is the Department's policy to transfer to a suitable transport location those detainees who are violent, suicidal, mentally disturbed, or who demonstrate unusual or bizarre behavior, if circumstances exist which prohibit such transport, then more frequent observation is required for these detainees. A record of each such visual observation shall be made on a department-provided form. (The detainee monitoring, visitor, phone, property release).
 2. Visually monitoring a detainee means visually observing, in person, the detainee through the detention cell window.
 3. Officers and reserve officers monitoring detainees of the opposite sex will announce themselves when they approach the cell door to protect the detainee's privacy. They will ask the detainee to step to the rear of the cell in front of the door. If a detainee does not
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cooperate with the officer, he/she will summon assistance before making entry into the cell.

4. While detained in the holding cells, detainees shall not be given any object or thing of any kind except as provided for below. When a detainee is searched at the time of arrival, any item the detainee might have on his or her person capable of being used to harm him/herself or others shall be confiscated and logged on the personal property inventory form. The items will be placed in a secured property inventory form. The items will be placed in a secured cabinet provided in the facility until such time as the detainee is transferred to a suitable transport location or released. If an item is not returned to a detainee, the reason therefore shall be reflected on the appropriate form. Confiscated items that are returned to a detainee prior to his/her release or transfer to a suitable transport location shall be logged on the personal property inventory form.
 5. Items that shall be removed from detainees prior to their being placed in a holding cell include, but are not limited to: coats/jackets, gloves, hats/caps, belts, ties, footwear, wallets, purses, checkbooks, keys, watches, medications, necklaces, scarves, eyeglasses, cigarette lighters, cigarettes and other tobacco products, food items, writing instruments, cell phones, pagers and the like, and any other item the arresting officer reasonably believes may be used by the detainee to harm him/herself or others.
 6. Evidence, contraband and weapons removed from detainees shall be processed pursuant to Department policy pertaining to the same.
 7. If any disciplinary action is taken against a detainee (e.g. turning off water to the holding cell, removing an article of the detainee's clothing or other property, removing toilet articles, etc.) the same shall be documented on a form provided for this purpose.
 8. A detainee who soils a holding cell shall be directed to clean it. The detainee shall be provided cleaning supplies for this purpose but shall be supervised during the course of the cleanup. Under normal circumstances, a dirty holding cell will be cleaned before it is used for a subsequent detainee.
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F. Juveniles

1. Only juveniles detained for criminal offenses will be placed in the facility. A juvenile status offender (runaway, violations of curfew, alcohol, tobacco, etc.) will not be placed in the facility. Sight and sound separation between juvenile and adult offenders must be maintained at all times to prevent physical, visual or auditory contact, pursuant to the Juvenile Justice and Delinquency Prevention Act of 1974. A juvenile will be transported to an appropriate juvenile detention facility or shelter as soon as possible or released to his/her legal guardian.
2. No juvenile detainee will be held longer than 6 hours to the Juvenile Justice and Delinquency Prevention Act of 1974.
3. Juveniles detained for status offenses are to be held in the front lobby of the police department under the supervision of an officer until released to a parent/legal guardian or responsible adult.
4. Officers must document when the juvenile is detained in the facility by completing the intake log in the DMT area of the facility.

G. Visitors

1. Except as set forth below, no visitors shall be allowed in the facility.
 2. No detainee will be denied access to their attorney. An attorney who requests a conference with their client will be provided a private room for that purpose if possible. For purposes of this policy, a private room refers to the detention facility's interview room. This conference will not be monitored by surveillance cameras or audio when occupied by the attorney/detainee
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3. A juvenile's parent(s), legal guardian(s) and/or attorney will be allowed access to the juvenile within a reasonable amount of time.
4. Juveniles will be allowed reasonable access to a telephone to contact a parent, legal guardian and/or attorney. Adults will also be provided reasonable telephone access.
5. All visitors will be identified by photo identification. Notation will be made on the appropriate form of each detainee's visitor.
6. A search of each visitor's person and property will be conducted. If a visitor declines to be searched, he/she will be denied access to the detainee. A notation of each visitor searched, as well as the visitors' property searched, shall be made on the form provided for this purpose.
7. Arresting officers are afforded the discretion to decline any request to visit a detainee.
8. Public tours of the facility will be permitted by reservation in accordance with the building facilities use policy and when no detainees are present in the facility.

H. Emergency Situations

1. An emergency means a significant incident or disruption of normal facility procedures, policies, routines, or activities arising from such things as, but not limited to, fire, riot, natural disaster, suicide, attempted suicide, homicide, death other than suicide or homicide, assaults requiring medical care, escape/runaway, other serious disturbances, occurrences of infectious diseases or other medical emergencies including, but not limited to, serious injury or illness incurred after detention. In the event of an emergency such as serious illness, accident, imminent death, or death, the detainee's family or others who maintain a close relationship will be notified. Additionally, such reports as may be required by the Anoka County Sheriff's office, or the Minnesota Department of Corrections shall be completed and forwarded.
 2. If an emergency results in death or great bodily harm, the on duty or on-call supervisor will be notified as soon as possible. The supervisor shall advise the Police Chief of the emergency. Detailed incident reports will be forwarded to the Police Chief prior to the end of each involved staff member's shift.
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These reports will include the names of all on-duty personnel, any off-duty staff members who may have been present, and any other persons present at the time of or immediately before or after the emergency. The medical examiners and sheriff's offices shall also be notified promptly. Any property of the deceased detainee will be turned over to the medical examiner or sheriff or otherwise disposed of in a responsible and legal manner.

3. Panic alarms are located within the facility. An officer or reserve officer needing urgent assistance with a detainee will activate this alarm. **This alarm will be monitored by an alarm company and Central Communications will be notified of the panic alarm at the St. Francis Police Detention Facility.** Only sworn officers and reserve officers capable of assisting (e.g. the emergency will not place an unarmed employee at risk of death or great bodily harm) shall respond to the facility immediately. Under no circumstances shall clerical staff enter the facility upon the sounding of a panic alarm. A combination lockbox with a facility access card and code will be on the exterior garage door card reader post for responding officers from other departments to enter the building in an emergency. In the event of an emergency hereunder, dispatch will give the responding emergency personnel the combination to the lockbox as part of the emergency advisory protocol.
 4. In the event of a fire in the facility, dispatch will immediately be notified who, in turn, will notify police and fire personnel to respond to the department. The priority is the removal of any detainee then into Francis Police Department custody to safety. Any such detainees will be immediately transferred to a suitable transport location.
 5. A fire extinguisher will be located within the facility under the Intoxilyzer counter.
 6. A first aid kit will be located within the facility under the DMT counter. Additionally, AED's will be located either within the facility or in a squad parked at the facility. If a detainee requires emergency medical attention, an ambulance will be requested to respond to the facility. Officers will provide such medical assistance as is possible pending the arrival of the ambulance
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7. and shall assist the responding personnel upon their arrival. If such a detainee requiring transport refuses to be transported officers shall sign a 72-hour hold compelling the transport. In the event an officer was intending to transfer the detainee to the Anoka County Jail, the Lino Lakes juvenile facility or a transporting law enforcement officer for continuing detention, then the officer may accompany the detainee in the ambulance to the hospital.
 8. Any time a detainee complains of an illness or other medical problems, the officer shall reflect the same as well as the actions taken by the officer on the form provided for this purpose.
 9. Officers shall **not** administer medicine to detainees. In a case of an emergency (e.g. a detainee with a heart condition who requires a nitroglycerine tablet pending the arrival of an ambulance) officers shall allow detainees to self-administer medication. This action will be documented on the form provided for this purpose.
 10. Officers shall attempt to avoid the possibility of in-facility emergencies by not transporting to the facility any person who appears to be having medical difficulty or experiencing any other condition that may result in an emergency within the facility. In such cases, officers are advised to immediately transfer the

detainee to a suitable transport location. Any hospital to which responding ambulance personnel may transport a detainee shall be deemed a designated facility for medical supervision and treatment of detainees, including those detainees requiring emergency dental care.
 11. In the case of a detainee already in a holding cell who requires medical attention, officers shall use extreme caution in assisting the detainee. Officers shall first notify dispatch and request an ambulance to the facility. Unless the detainee is unconscious, officers should avoid entering the holding cell alone unless the detainee can first be handcuffed through the cell pass-through door. In the event the officer is alone, and the detainee is conscious but unable to be handcuffed
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through the cell pass-through door, officers shall seek back up from another licensed officer and/or reserve officer if available or, if time is of the essence, the officer shall request emergency backup through dispatch. Any medical emergency at the facility shall be reported as soon as possible to the Police Chief or Sergeant.

12. In the event of an escape, officers shall notify dispatch and request back up assistance. A perimeter will be established based upon available information as to the escapee's direction of travel. Unless the escapee was observed leaving the building, a thorough search will be made of the building. The supervisor on duty or on-call supervisor shall notify the Police Chief immediately. A thorough investigation as to the cause of the escape shall be conducted and remedial action taken including, but not limited to, a review of the facility's control measures and any needed repairs.

- I. Release Procedures

1. Persons in custody who are to be released from the facility rather than transferred to a suitable transport location shall be released through the east vestibule door (Police Office side).
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2. The officer shall obtain pertinent information from the party to whom the detainee is to be released including the person's name and date of birth, that the person has a driver's license with picture in possession. The officer shall then confirm that this person possesses a valid driver's license and is clear of warrants. The officer shall also ascertain, if possible, whether this person suffers from or is otherwise experiencing any other condition (e.g. intoxicated, medically impaired etc.) that would preclude the reasonable release of the detainee to him/her.
3. If the officer is unable to confirm the identity of the person to whom the detainee is to be released, the officer shall not release the detainee and should transport the detainee to the Anoka County Jail for booking and release.
4. In no event shall a detainee be released who is not capable of being identified with certainty by the officer. In such event, the officer shall transport the detainee to the Anoka County Jail for booking, photographing and release.
5. Detainees must be permitted to make arrangements for transportation before release. No detainee will be released in bad weather without proper clothing to ensure the detainee's health and comfort. In such event, the detainee shall be transported to the Anoka County Jail rather than being released.

J. Inspections

1. Daily: The supervisor on duty or highest-ranking officer shall inspect the sanitary condition of the facility, check for contraband, and evidence of breaches in security as well as inoperable security equipment at the beginning of each shift and shall document the same on a log maintained for that purpose. No lock in the facility shall be permitted to remain inoperable nor shall any detainee be placed in an area of the facility with an inoperable lock. Staff discovering inoperable facility locks shall report the same to a supervisor immediately.
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2. **Weekly:** The facility administrator or his designee will inspect the facility's fire equipment.
3. **Monthly:** The facility administrator or his designee will test the facility's fire and panic alarms and inspect the first aid equipment.
4. **Semi-annually:** The City of St. Francis Fire Marshall will test the facility's fire equipment.
5. Any condition conducive to harboring or breeding insects, rodents or other vermin will be eliminated immediately.

K. Records and Personnel Training

1. The retention and dissemination of arrest as well as corrections and detention data shall be governed by the Minnesota Government Data Practices Act. Facility records shall also be maintained in accordance with existing Department procedures and any other applicable state and federal law. Juvenile and adult detention records will be maintained separately.
2. All sworn personnel and reserve officers will be trained in the use and operation of the facility and a record of such training will be maintained by the St. Francis Police Department.
3. All training and continuing training in regard to the facility shall comport with the requirements of the Minnesota Department of Corrections and/or the Anoka County Sheriff's Office.

L. Miscellaneous Provisions

1. Forms: All forms related to the facility will be located in the facility. All personnel required to complete forms will be trained in their use and completion.
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2. This policy is to be used in conjunction with all relevant existing Department policies and procedures.
3. Use of restraints: Restraints shall not be used as punishment. Restraints shall not be left on detainees while in the holding cells. They may only be used to prevent escape of a detainee during transfer to a suitable transport location, as directed by a doctor/psychologist, or by order of a supervisor to prevent the detainee from injuring him/herself or others or damaging property. Restraints shall not be applied for any longer time than is necessary. The use of restraints for purposes other than bringing a detainee in or out of the facility or in and out of a cell shall be documented on the appropriate form provided for this purpose.
4. If a detainee requests access to a sacred book, one shall be made available to him/her if the requested book is present in the facility. If not, the detainee is to be advised that sacred books are available at the Anoka County Jail and that he/she may be transported to that location for that purpose.
5. Materials dangerous to either security or safety shall be properly secured.
6. The facility administrator will report any known or suspected communicable disease carried by a detainee to the Minnesota Department of Health



TITLE: Asset Forfeiture	NUMBER:602
EFFECTIVE DATE: 08/03/22	REVIEW DATE:

602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with specified designated offenses and controlled substance offenses (Minn. Stat. § 609.531 to Minn. Stat. § 609.5318).

602.2 POLICY

The St. Francis Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential of revenue shall not be allowed to jeopardize the effective investigation and prosecution of criminal offenses, officer safety, the integrity of ongoing investigations or the due process rights of citizens.

It is the policy of the St. Francis Police Department that all employees of the agency, all employees assigned to another law enforcement agency's task force and all employees assigned to a task force from an outside law enforcement agency, in which this agency serves as the Fiscal Agent, follow all state and federal laws pertaining to forfeiture.

602.3 DEFINITIONS

Definitions related to this policy include:

Cash - Money in the form of bills or coins, traveler's checks, money orders, checks, or other forms of electronic money or stored value cards, including but not limited to gift cards, debit cards, gift cards/certificates, or other negotiable financial instruments.

Conveyance device - A device used for transportation. It includes but is not limited to a motor vehicle, trailer, snowmobile, airplane, and vessel, and any equipment attached to it. The term "conveyance device" does not include property which has been stolen or taken in violation of the law.

Firearms/ammunition/firearm accessories - A device that projects either single or multiple projectiles at high velocity. Ammunition is a term meaning the assembly of a projectile and its propellant. Accessories include but are not limited to holsters, gun cases, firearm optics, suppression devices, and cleaning supplies.

Fiscal Agent - The person designated by the St. Francis Police Department to be responsible for securing and maintaining seized assets and distributing any proceeds as a result of any forfeiture proceedings. This includes anytime the St. Francis Police Department seizes property for forfeiture or when the St. Francis Police Department acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture Reviewer - The St. Francis Police Department employee assigned by the St. Francis Police Department responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the prosecutor's office.

Jewelry/precious metals/precious stones - The term includes items of jewelry, such as rings, necklaces, and watches that reasonably appear to be made of precious metals or precious stones. Precious metals include but are not limited to gold, silver, platinum, iridium, and palladium. Precious stones, often referred to as gemstones, include but are not limited to diamonds, emeralds, and rubies.

Property subject to administrative forfeiture - The following property is subject to administrative forfeiture under Minnesota Law (Minn. Stat. § 609.5314):

- (a) All cash totaling \$1500 or more, precious metals, and precious stones that there is probable cause to believe represent the proceeds of a controlled substance offense, and all cash found in proximity to controlled substances when there is probable cause to believe that the cash was exchanged for the purchase of a controlled substance.
- (b) All conveyance devices containing controlled substances with a retail value of \$100 or more if there is probable cause to believe that the conveyance device was used in the transportation or exchange of a controlled substance intended for distribution or sale.
- (c) All firearms, ammunition, and firearm accessories found:
 1. In a conveyance device used or intended for use to commit or facilitate the commission of a felony offense involving a controlled substance.
 2. On or in proximity to a person from whom a felony amount of controlled substance is seized.
 3. On the premises where a controlled substance is seized and in proximity to the controlled substance, if possession or sale of the controlled substance would be a felony under Minnesota Statutes, Chapter 152.

Seizure - The act of law enforcement officials taking property, including cash and conveyance devices that have been used in connection with or acquired by illegal activities.

602.4 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

602.4.1 PROPERTY SUBJECT TO SEIZURE

The following property is subject to seizure.

- (a) The following property may be seized upon review and approval of a supervisor and in coordination with the Forfeiture Reviewer:
 1. Controlled substances and associated property as described in Minn. Stat. § 609.5311.
 2. Property intended for use to commit or facilitate the commission of a designated offense, as listed in Minn. Stat. § 169A.63, Subd. 6 and limited by Minn. Stat. § 169A.63, Subd. 7, and as listed in Minn. Stat. § 609.531, Subd. 1(f) and limited by Minn. Stat. § 609.5312.

- (b) Property subject to administrative forfeiture may be seized without prior supervisor approval if the item
- (c) has a retail value of \$50,000 or less (Minn. Stat. § 609.5314).

602.4.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the prosecuting agency's current minimum forfeiture thresholds.
- (b) Any property when it is determined that the owner was not privy to the act or omission upon which the forfeiture is based.
- (c) Any property when it is determined the act or omission occurred without the owner's knowledge or consent (Minn. Stat. 609.5312 Subd. 2 (b)).

602.4.3 SEIZURE OF PROPERTY TO BE FORFEITED

An officer may seize property subject to forfeiture based on a court order. An officer may also seize property without a court order under any of the following conditions (Minn. Stat. § 609.531, Subd. 4; Minn. Stat. § 169A.63, Subd. 2):

- (a) The seizure is incident to a lawful arrest or a lawful search.
- (b) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding.
- (c) The officer has probable cause to believe that a delay to obtain a warrant or other process would result in the removal or destruction of the property and that either of the following apply:
 - 1. The property was used or is intended to be used in commission of a felony.
 - 2. The property is dangerous to health or safety.

602.5 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

- (a) If the retail value of the asset to be seized is \$50,000 or less, completely and accurately prepare the Notice of Seizure and Intent to Forfeit Property Form (seizure form) and present it to the person from whom the property is to be seized for that person's signature. If the person refuses to sign, the officer shall indicate on the seizure form that the person refused. The seizure form is not used when the value of the seized property exceeds \$50,000.
- (b) Prepare and provide a receipt for the items seized to the person from whom the property is being seized.
 - 1. If cash or property is seized from more than one person, a separate property inventory receipt must be completed for each person specifying the amount.
of cash seized. The receipt shall include a detailed description of all property, checks, money orders, traveler's checks or other financial instruments.
- (c) Complete and submit a report in accordance with the Report Preparation policy. The report must include, at minimum, the following:
 - 1. A description of the items seized.

2. The location where the property was turned in or stored
 3. The name of the individual who was served with the seizure form
 4. The date that the seizure form was served
 5. The name of the officer making the seizure
 6. Whether the individual signed the seizure form
- (d) If property is seized from multiple individuals, a separate seizure form will be completed for each individual. A copy of the receipt and seizure form must be given to the individual from whom the property was seized.
- (e) When property is seized and no one claims possession of the property, the officer must leave a receipt in the place where the property was found if it is reasonably possible to do so.
- (f) The officer will book seized property into the Evidence Room as evidence, with the notation on the evidence form, "Seized Subject to Forfeiture."
- (g) Document the estimated retail value of drugs found in proximity to the asset seized in the incident report.
- (h) Follow evidence room booking procedures described in department policy 802, Evidence Room.

602.5.1 CASH HANDLING

It is the responsibility of the seizing officer to secure and count cash consistent with this policy and the Cash Handling, Security and Management Policy. All cash shall be counted in the presence of another officer and the envelope initialed by both officers.

All forfeitable cash seized will be turned over to the Forfeiture Reviewer or property/evidence room as soon as practicable. After review by the Forfeiture Reviewer all forfeitable cash seized will then be transferred to the Chief of Police.

602.5.2 JEWELRY/PRECIOUS METALS/PRECIOUS STONES

Officers seizing jewelry, precious metals and/or precious stones will write a detailed description of each item on the seizure form and property inventory receipt.

Officers seizing jewelry, precious metals and/or precious stones shall book those items according to current property and evidence procedures as soon as practicable.

602.5.3 VEHICLES

Any conveyance device seized for forfeiture shall be taken to a secure designated area or to the St. Francis Police Department forfeiture lot as soon as practicable.

Officers shall inventory the conveyance device and its contents in accordance with the Vehicle Towing Policy. Officers shall also complete applicable report forms and distribute them appropriately. The vehicle tow sheet will display "Held for Forfeiture" and be placed in the forfeiture mailbox. The seizing officer will secure the keys with the vehicle tow sheet.

602.5.4 FIREARMS/AMMUNITION/FIREARM ACCESSORIES

When firearms, ammunition or firearms accessories are seized, they shall be inventoried and delivered to the Evidence Room in accordance with the current booking procedures and the Evidence Room Policy.

602.6 MAINTAINING SEIZED PROPERTY

The property and evidence technician is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition (Minn. Stat. § 609.531 Subd. 5).
- (b) All property received for forfeiture is checked to determine if the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or returned to the claimant or person with an ownership interest.
- (d) Property received for forfeiture is not used unless the forfeiture action has been completed

602.7 FORFEITURE REVIEWER

The Chief of Police will appoint an officer as the Forfeiture Reviewer. Prior to assuming duties, or as soon as practicable thereafter, the Forfeiture Reviewer should attend a department-approved course on asset forfeiture.

The responsibilities of Forfeiture Reviewer include the following:

- (a) Confer regularly with the prosecuting attorney's office to remain familiar with forfeiture laws, particularly Minn. Stat. § 609.531 through Minn. Stat. § 609.5318, Minn. Stat. § 169A.63, and the forfeiture policies of the prosecuting agency.
- (b) Make reasonable efforts to obtain annual training that includes best practices in pursuing, seizing, and tracking forfeitures.
- (c) Ensure responsibilities, including designation of a Fiscal Agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (d) Ensure that a seizure form, property inventory receipt, and a forfeited property processing worksheet is available and appropriate for department use. The seizure form will minimally include the following (Minn. Stat. § 609.5314):
 - 1. Space for an itemized list of items seized.
 - 2. The location and date of the seizure
 - 3. A place for the name of the individual served with the seizure form.
 - 4. The date and signature of the officer conducting the seizure.
 - 5. The agency case number
 - 6. A space for the signature of the person from whom property is seized or an appropriate space or check box for the officer to indicate that the person refused to sign.
 - 7. At least an original and the pink copy
 - 8. Information in English, Hmong, Somali and Spanish explaining the right to obtain judicial review and the procedure provided by Minn. Stat. § 609.5314.
- (e) Ensure that officers who may be involved in asset forfeiture receive training in the proper use of the seizure form and the forfeiture process. The training should be developed in consultation with the prosecuting attorney and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins, or department directives. The training should be based on this policy and address any relevant statutory changes and court decisions.
- (f) Review each asset forfeiture case to ensure the following:

1. Written documentation of the seizure and items seized is present in the case file.
 2. Independent prosecutorial review of the circumstances and propriety of the seizure is made in a timely manner.
 3. A timely notice of seizure has been given to interested holders of seized property.
 4. Property is promptly released to those entitled to its return.
- (g) Deposit any cash received with the Fiscal Agent.
- (h) Ensure the current minimum forfeiture thresholds are communicated appropriately to officers.
- (i) Annually review and recommend updates to this policy and any related policies to reflect current federal and state statutes and case law.
- (j) Prepare a written plan for the Chief of Police to address any extended absence of the Forfeiture Reviewer to ensure that contact information for other law enforcement officers and attorneys who may assist in these matters is available.
- (k) Ensure the Department disposes of property as provided by law following any forfeiture (Minn. Stat. § 609.5315).
- (l) Ensure that any forfeited property used in an undercover capacity, or that is sold or added to the department inventory is done so according to Minnesota law.
- (m) Ensure that all forfeited property is used or disposed of in a manner consistent with the use and disposition of similar property by this department.
- (n) Upon completion of any forfeiture process, ensure that no property is retained by the St. Francis Police Department unless the St. Francis Police Department authorizes in writing the retention of the property for official use.
- (o) Ensure that forfeiture proceeds are maintained in a separate fund or account subject to appropriate accounting control with regular reviews or audits of all deposits and expenditures (Minn. Stat. § 609.5315).
- (p) Ensure that records of forfeiture are retained for a minimum of six years.
- (q) Ensure forfeiture reporting is made to the state auditor in the manner prescribed by the auditor (Minn. Stat. § 609.5315, Subd. 6).

602.8 DISPOSITION OF FORFEITED PROPERTY

Legal disposition may include (Minn. Stat. § 609.5315; Minn. Stat. § 169A.63, Subd. 10):

- (a) Retention by the Department and/or prosecuting agency.
1. If a forfeited motor vehicle is kept for Department use, the Department will make a reasonable effort to ensure the vehicle is available for use and adaptation by officers who participate in the Department's Drug Abuse Resistance Education program (Minn. Stat. §609.5315).
- (b) Destruction.
- (c) Sale performed in a commercially reasonable manner.
- (d) Other disposition pursuant to applicable provisions of Minnesota Statutes.

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the St. Francis Police Department has given written authorization to retain the property for official use.

Members of this department or persons related to members of this department by blood or marriage are prohibited from purchasing forfeited items sold by this department (Minn. Stat. § 609.5315, Subd. 1(c)).



TITLE: INFORMANTS	NUMBER:603
EFFECTIVE DATE: 08/03/22	REVIEW DATE:

603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

603.1.1 DEFINITIONS

Definitions related to this policy include:

- A. **Confidential Informant (CI)** - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the St. Francis Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the St. Francis Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money). This person aids in intelligence gathering or investigative efforts and is able, by reason of the person's familiarity or close association with suspected criminals, to:
 - 1. Make a controlled buy or controlled sale of contraband, controlled substance, or other items that are material to a criminal investigation;
 - 2. Supply regular or constant information about suspected or actual criminal activities to a law enforcement agency; or
 - 3. Otherwise provide information important to ongoing criminal intelligence gathering or criminal investigative efforts.
- B. **Controlled Buy:** means the purchase of contraband, controlled substances, or other items that are material to a criminal investigation from a target offender that is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.

- C. **Controlled Sale:** means the sale of contraband, controlled substances, or other items that are material to a criminal investigation to a target offender that is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.
- D. **Mental Harm:** means a psychological injury that is not necessarily permanent but results in visibly demonstrable manifestations of a disorder of thought or mood that impairs a person's judgment or behavior.
- E. **Target Offender:** means the person suspected by law enforcement personnel to be implicated in criminal acts by the activities of a confidential informant.
- F. **Confidential Informant File:** means a file maintained to document all information that pertains to a confidential informant.
- G. **Unreliable Informant File:** means a file containing information pertaining to an individual who has failed at following an established written confidential informant agreement and has been determined to be generally unfit to serve as a confidential informant.
- H. **Compelling Public Interest:** means, for purposes of this policy, situations in which failure to act would result or likely result in loss of life, serious injury, or have some serious negative consequences for persons, property, or public safety and therefore demand action
- I. **Overseeing agent** means the officer primarily responsible for supervision and management of a confidential informant.

603.2 POLICY

The St. Francis Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

603.2.1 POST MODEL POLICY

It is the policy of the Department to follow the requirements of the Confidential Informants Model Policy, established and published by the Minnesota Board of Peace Officer Standards and Training (MN POST) (Minn. Stat. § 626.8476).

See attachment: [Confidential Informants Model Policy.pdf](#)

603.3 USE OF INFORMANTS

603.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must complete an initial suitability report prior to receiving approval/authorization from the Chief of Police or designee. The officer will submit the initial suitability to their supervisor for review.

1. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, this must include sufficient detail regarding the risks and benefits of using the individual so that a sound determination can be made. The following information must be addressed in the report, where applicable:
 - (a) Age, sex, and residence
 - (b) Employment status or occupation
 - (c) Affiliation with legitimate businesses and illegal or suspicious enterprises
 - (d) Extent to which potential information, associations, or other assistance could benefit a present or future investigation
 - (e) Relationship with the target of an investigation

- (f) Motivation in providing information or assistance
 - (g) Risk of adversely affecting an existing or future investigation
 - (h) Extent to which provided information can be corroborated
 - (i) Prior record as a witness
 - (j) Criminal history, to include whether he or she is the subject of a pending investigation, is under arrest, or has been charged with a crime
 - (k) Risk to the public or as a flight risk
 - (l) Consultation with the individual's probation, parole, or supervised release agent, if any
 - (m) Consideration and documentation of the individual's diagnosis of mental illness, substance use disorder, traumatic brain injury, or disability; and consideration and documentation of the individual's history of mental illness, substance use disorder, traumatic brain injury or disability.
 - (n) Relationship to anyone in law enforcement
 - (o) Risk of physical harm to the potential CI or their immediate family or relatives for cooperating with law enforcement
 - (p) Prior or current service as a CI with this or another law enforcement organization
2. Any prospective or current CI must be excluded from engaging in a controlled buy or sale of a controlled substance if the prospective or current CI:
 - (a) Is receiving in-patient treatment or partial hospitalization treatment administered by a licensed service provider for a substance use disorder or mental illness; or
 - (b) is participating in the treatment-based drug court program or treatment court; except that
 - (c) the prospective or current CI may provide confidential information while receiving treatment, participating in a treatment-based drug court program or treatment court.
 3. Documentation and special consideration must be made of the risks involved in engaging a prospective or current CI in the controlled buy or sale of a controlled substance if the individual is known, or has reported, to have experienced a drug overdose in the previous 12 months.
 4. Any prospective or current CI who is known to abuse substances, or is at risk for abusing substances, should be provided referral to prevention or treatment services.
 5. Any prospective or current CI that has a physical or mental illness that impairs the ability of the individual to understand instructions and make informed decisions should be referred to a mental health professional or other appropriate medical professional, or a case manager/social worker from the county social services agency, or other substance abuse and mental health services.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

Government Officials and Individuals obligated by legal privilege of confidentiality require special review and approval for use as a CI. In these instances, the Chief of Police or their designee, and the office of the prosecutor or county attorney should be consulted prior to the use of these individuals.

603.3.2 JUVENILE INFORMANTS

Use of a juvenile under the age of 18 for participating in a controlled buy or sale of a controlled substance or contraband may be undertaken only with the written authorization of the individual's parent (s) or guardian (s), except that the juvenile informant may provide confidential information. The Chief of Police or designee and the office of the prosecutor or county attorney should be consulted prior to the use of these individuals. Authorization for such use should be granted only when a compelling public interest can be demonstrated, except that juveniles under the guardianship of the State may not be used as an informant.

603.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant. Any physical or mental illness that impairs the CI's ability to knowingly contract or otherwise protect the CI's self-interest must be taken into consideration before the CI signs the agreement.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

603.3.4 EXIGENT CONFIDENTIAL INFORMANTS

- (a) Certain circumstances arise when an individual who has been arrested is willing to immediately cooperate and perform investigative activities under the direction of an overseeing agent. In these circumstances, the initial suitability determination can be deferred and an individual may be utilized as a CI for a period not to exceed 12 hours from the time of arrest if:
 - (a) The individual is not excluded from utilization as a CI under 603.3.1.2 (a-c) of this policy; and
 - (b) There is compelling public interest or exigent circumstances exist that demand immediate utilization of the individual as a CI and any delay would significantly and negatively affect any investigation; and
 - (c) A supervisor has reviewed and approved the individual for utilization as a CI under these circumstances.
 - (d) Upon the conclusion of the 12-hour window, or at any time before, an initial suitability determination must be conducted before the individual engages in any further CI activities.

603.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Department Supervisor, or their authorized designees.
 - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the St. Francis Police Department, and that they shall not represent themselves as such.
- (d) Informants may not carry a weapon while performing informant activities.
- (e) The relationship between department members and informants shall always be ethical and professional.
 - 1. Members shall not become intimately involved with an informant.
 - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the supervisor.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (f) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the supervisor and with one officer or agent of the same sex, except when not practical.

1. Officers may meet informants alone in an occupied public place, such as a restaurant.
- (g) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
- (h) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
- (i) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

Preceding or following every buy or sale of controlled substances, overseeing agents must screen the CI for any personal safety or mental health concerns, risk of substance abuse, and/or potential relapse in any substance abuse recovery.

- (a) At the request of the CI, or if the overseeing agent deems it necessary, reasonable efforts should be taken to provide the CI with referral to substance abuse and/or mental health services.
- (b) Overseeing agents must document:
 1. the screening,
 2. any referral to services provided to, or requested by, the CI, and
 3. any refusal by the CI to participate in the screening and/or any refusal by the CI to accept referral to services. Reasons for the CI's refusal must be documented, where applicable.
- (c) No part of this subsection supersedes **MN** Stat. 253B.051.

603.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

603.5 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the police department. The Chief of Police or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Department Supervisor, or their authorized designees.

Overseeing agents must:

- (a) evaluate and document the criminal history and propensity for violence of target offenders; and
- (b) to the extent allowed, provide this information to the CI if there is a reasonable risk or threat of harm to the CI as a result of the CI's interaction with the target offender.

The Chief of Police or designee should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

Each CI's suitability must be reviewed every 6 months, at a minimum, during which time the CI's overseeing agent must submit a Continuing Suitability Report addressing the foregoing issues in 603.3.1, where applicable. An initial suitability determination must be conducted on a reactivated CI regardless of the length of inactivity.

Supervisors must review informant files regularly with the overseeing agent and must attend debriefings of CIs periodically as part of the informant management process. If a CI is active for more than 12 months, a supervisory meeting with the CI must be conducted without the overseeing agent.

CI contracts must be terminated, and the CI file placed in inactive status when the CI has not been utilized for 6 months or more.

603.5.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

- (a) Name and aliases
- (b) Date of birth
- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers.
- (g) Vehicles owned and registration information.
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability.

1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
- j) Name of the officer initiating use of the informant
 - (k) Signed informant agreement
 - (l) Update on active or inactive status of informant
 - (m) Emergency contact information

603.5.2 DEACTIVATION OF CONFIDENTIAL INFORMANTS

A CI deactivation procedure must be established as follows:

- (a) The overseeing agent must complete a deactivation form that includes, at minimum, the following:
 - (a) The name of the agency.
 - (b) The name of the CI.
 - (c) The control number of the CI, where applicable.
 - (d) The date of deactivation.
 - (e) The reason for deactivation.
 - (f) A notification that contractual agreements regarding monetary re-numeration, criminal justice assistance, or other considerations, specified or not, are terminated.
 - (g) A notification that the agency will provide and assist the CI with referral to health services for assistance with any substance abuse disorder and/or physical, mental, or emotional health concerns, as requested or accepted by the CI.
 - (h) A signature by the CI or documentation indicating the reason(s) why the CI was unable or unwilling to sign the form.
 - (i) A signature by the overseeing agent.
- (b) All reasonable efforts must be taken to maintain the safety and anonymity of the CI after deactivation.

CIs may voluntarily initiate deactivation, whereupon the protocols outlined in this section must be followed.

603.6 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized.
- The quantity of the drugs or other contraband seized.
- The informant's previous criminal activity
- The level of risk taken by the informant

603.6.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

- (a) All monetary compensation paid to informants must be commensurate with the value of the information or assistance provided to the agency.
- (b) All payments to informants must be approved in advance by the Chief of Police.
- (c) Officers must provide accounting of monies received and documentation for confidential funds expended. Any documentation of monies paid or received should not contain the true identity of the informant but should use the informant's control number..
- {d} Two officers must be present when making payments or providing funds to informants.
- (e) The appropriate individual, as designated by the Chief of Police must ensure that the process for authorization, disbursement, and documentation of informant payments, as well as the accounting and reconciliation of confidential funds, is consistent with agency policy.
- (f) If an informant is authorized to work with another law enforcement or prosecutorial agency, financial payments must be coordinated between the agencies in a manner that is proportionate to the assistance rendered to each agency.
- (g) Written records of receipts are retained, or justification for the exception is documented when a written receipt is not available.

603.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as "other income" and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant's file.

603.6.3 AUDIT OF PAYMENTS

The Chief of Police or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

603.7 INFORMANT COORDINATOR

The Chief of Police or the authorized designee should designate an informant coordinator responsible for remaining familiar with the requirements and guidelines set forth in Minn. Stat. § 626.8476 and the MN POST Confidential Informants Model Policy.

The coordinator is also responsible for implementing department procedures and protocols concerning the recruitment, control, and use of informants, as adopted by the model policy, including but not limited to:

- (a) Establishing general guidelines related to the oversight of informants such as:
 - 1. The execution of informant agreements.
 - 2. The use of informants in exigent circumstances.

3. Supervisor review of informant files and informant agreements, and attendance at debriefings and meetings.
 4. Communication strategies and plans to address the confidentiality and integrity of the department/informant relationship.
 5. The screening of informants for personal safety or mental health concerns before and after their use.
- (b) Developing procedures for determining initial and continued suitability, and preparing related reports (e.g., Initial Suitability Report, Continuing Suitability Report).
1. Procedures should include a process for forwarding the results of initial and continuing suitability determinations to appropriate department members.
 2. The local prosecutor's office should be consulted before engaging individuals who require special review and approval (e.g., juveniles, government officials, those individuals obligated by legal privilege of confidentiality).
- (c) Creating a process for identifying individuals who may be or who may become unsuitable to serve as informants (e.g., individuals receiving in-patient or partial- hospitalization treatment for a substance use disorder or mental illness, participating in a treatment-based drug court program or treatment court, having overdosed in the last 12 months, having a physical or mental illness that impairs the ability to understand instructions and make informed decisions).
- (d) Working with department members to identify informants who should be referred to prevention or treatment services.
- (e) Addressing jurisdictional issues to ensure proper coordination in the use of informants.
- (f) Working with the Drug Task Force supervisor to manage the informant file system, including establishing guidelines regarding access, review, and disclosure.
- (g) Establishing deactivation procedures.
- (h) Making any necessary updates to agency procedures.
- (i) Certifying annually to MN POST that the Department has adopted a policy that complies with the requirements of the model policy as required by Minn. Stat. § 626.8458, Subd. 3.

603.7 TRAINING

The instructor shall provide in-service training to officers, including part-time officers, in the recruitment, control, and use of confidential informants as required by Minn. Stat. § 626.8476



TITLE: Fitness Center	NUMBER:1017
EFFECTIVE DATE: 03/01/2022	REVIEW DATE:

Fitness Center

1017.1 PURPOSE

Physical fitness is an essential part in the daily role of a law enforcement officer. Officers commonly encounter situations that can be physically and mentally demanding. Officers with improved physical fitness can more effectively handle these situations with a lessened likelihood of injury.

The St. Francis Police Department encourages its members to maintain a high standard of physical fitness. Department members are given the opportunity to utilize the department fitness center in order to improve and maintain their physical abilities. The benefits of maintaining high levels of physical fitness are plentiful; improved capability to perform specific physical tasks, improved ability to mobilize the body efficiently, improved tolerance to fatigue, improved employee morale, reduced risk during physical tasks, better psychological preparation, reduction in sick time, improved productivity, improved performance, improved abilities off-duty, and increased longevity after retirement.

1017.1.1 POLICY

The St. Francis Police Department recognizes the value of supporting the physical fitness efforts of our members. The department maintains a fitness center to assist in the improvement of the quality of life for employees through the promotion of physical fitness and healthy lifestyles.

1017.1.2 FITNESS CENTER GENERAL RULES

The following rules must be adhered to with the possibility of revocation if found that a personnel member is abusing the privilege:

- (a) Only police department personnel, both licensed and non-licensed can use the fitness center facility. No family members, friends, or other guests are permitted to use the fitness center.
 - (b) Department personnel who choose to use the fitness center are required to complete a City of St. Francis Release and Waiver of Liability prior to use.
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- (c) Department personnel are allowed to use the fitness center at any hour during their off-duty time.
- (d) All users must report any observed equipment maintenance or malfunction problems promptly to the Police Chief or Sergeant.
- (e) Users must, at all times, while in the fitness center, wear proper attire, including athletic shoes and a shirt. No clothing with offensive language or pictures will be allowed in the fitness center.
- (f) The use of audio devices is allowed at a reasonable volume.
- (g) Users must clean equipment promptly after use with cleaner provided.
- (h) Users are expected to replace equipment on the designated racks or positions. No weight discs are to be left on the equipment.
- (i) All users must abide by the policies contained in the City of St. Francis Personnel Policy and police department policy, including without limitation, the policies prohibiting sexual harassment and discrimination.
- (j) The Police Chief or designee has authority to administer the fitness center, oversee its use, enforce rules, and resolve disputes over use.

1017.1.3 FITNESS CENTER RULES - RECORDS STAFF

- (a) Records staff members are allowed to exercise in lieu of their break period not to exceed 60 minutes.
 - (b) Records staff members are only allowed to exercise during working hours if services are not compromised and there is at least one additional staff member available to the public.
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ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

I have received a copy of the Employment and Work Policies of St. Francis Police Department, and I have read and I understand the information contained in the Manual.

Since the information in this Manual is necessarily subject to change as situations warrant, it is understood that changes in the manual may supersede, revise, or eliminate one or more of the policies in this manual. These changes will be communicated to me by my supervisor or through official notices. I accept responsibility for keeping informed of these changes.

Signature of Employee _____ **Date** _____

Employee's Name – Printed _____

Chief Todd Schwieger _____ **Date** _____