

Pine River Police Department Policy Manual



PINE RIVER POLICE DEPARTMENT
POLICY AND PROCEDURE MANUAL

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Policy, Rules, Procedure:

#1 Introduction to Policy Manual for Police Officers

The Operations Manual of the Pine River Police Department is designed to serve as a uniform set of guidelines for the operation, function and appearance of the department. It is not intended to deprive officers of the ability or opportunity to use discretion and common sense in the exercise of their duties.

This Policy Manual will be amended, in writing, at such times as demand for services or changes in the law require modification.

Also, it should be noted that the manual is not intended to supersede any collective bargaining agreement or state or federal laws. In any case, where conflicts should arise between this manual and the above-listed exceptions, those exceptions shall apply.

This manual has been compiled for new as well as senior members of the Pine River Police Department. Within its pages are outlined general rules to guide and regulate the members in the conduct and performance of their duties.

Any manual of rules and regulations admittedly cannot be made so detailed that every answer to every conceivable question on departmental policy or procedure will be found within its pages. Members of the Pine River Police Department must still continue to rely upon their own intelligence, common sense, good judgment, tact, courtesy and diplomacy when faced with a problem. It is the intent, however, that any major policy area questions can and will be answered by referring to this manual.

Policy, Rules, Procedure:

#2Goals of the Department

A. PROTECT LIVES AND PROPERTY

1. Crime Reduction. The reduction of crime is the responsibility of all members of this department. This can be achieved by crime prevention techniques, proper and professional enforcement action and high visibility. By actively pursuing all Police Officer functions in a sincere and professional manner our citizens will be better protected.

2. Crash Reduction. The reduction in motor vehicle crashes on the city roads is an important part of the Police Department function. This can be obtained by actively enforcing traffic laws on the city roads. The major cause of motor vehicle crashes are excessive speed and driving while intoxicated. These will be enforced by the Pine River Police Officers.

Policy, Rules, Procedure:

#3 Police Officers Statutory Mandates

A. GENERAL DUTIES:

MN/SS/387.03 states that the Police Officers shall keep and preserve the peace of his/her City for which purpose he may call to his aid such persons or power of his City as he deems necessary. He shall also pursue and apprehend all felons; execute all processes, writs, precepts and orders issued or made by lawful authority and deliver to him; attend upon the terms of the district court and perform all of the duties pertaining to his office, including searching and dragging for drowned bodies and searching and looking for lost persons; when authorized by the Pine River City Council of his City, he may purchase boats and other equipment including the hiring of airplanes for such persons.

B. FUNDING:

MN/SS/375.46 states that the Pine River City Council may appropriate, out of its general fund, money to permit the Police Officer to patrol the roads and highways of his City, to investigate conditions respecting the observances of the law.

C. CITY COUNCIL OBLIGATIONS:

MN/SS/387/14 states that the Pine River City Council shall determine the number of permanent: full-time Police Officers, part-time Police Officers, and other employees and fix the compensation for each position at budget time

Policy, Rules, Procedure:

#4 Notification of Chief of Police or Police Officer

WHEN TO NOTIFY: (AS SOON AS POSSIBLE)

1. Death or injury to an officer.
2. Natural disaster or threat of one.
3. An event involving a public official: such as death, serious accident or legal involvement with the Police Department.
4. An accident involving a Police Department vehicle.
5. Any homicide, suicide, hostage situation, armed robbery, potential riot situation, 10-54, extended search, violent assault (including sexual assault), bomb threats, mental illness cases threatening suicide with weapon and any other time the officer on duty feels that it is necessary.

Policy, Rules, Procedure:

#5 Public Relations/Community Oriented Policing

A. PUBLIC RELATIONS POLICY

Police departments require many things, but they need the support of the people of their city more than anything else. People are willing to support law enforcement, and it should be the feeling that any knowledge about Police department activities which we can provide for our citizens will improve the department's image considerably. Obtaining cooperation with our citizens can be the most successful public relations policy a Police department can formulate.

B. COMMUNITY SERVICE

It is our policy to encourage efforts in the public relations area and involve ourselves in projects, within budgetary constraints, to establish, maintain, and improve a positive image in our community. Officers are encouraged to participate in community service organizations as much as possible.

C. COMMUNITY ORIENTED POLICING

It is the intention of the Police Department to operate as a community oriented agency. The department will continue to enhance its community-oriented programs

Policy, Rules, Procedure:

#6 News Releases

POLICY:

The Pine River Police Department wishes to provide the news media with timely information on police-involved incidents of significant interest to the public. To help accomplish this goal in a proactive manner, the formal news release has been established.

PROCEDURE:

1. News Releases shall be prepared on the appropriate form by a Dispatcher, Police Officer, Supervisor, or an investigator having direct knowledge of the event.
2. The new release shall be disseminating to the press, radio, and TV, in a timely manner. 3. News releases shall be prepared without police slang or jargon and shall use the civilian style for writing times and dates as opposed to the military time.
4. New releases shall be prepared to report on the following offenses and incidents:
 - Murder and attempted murder.
 - Major felony crimes and arrest for those crimes.
 - Kidnapping.
 - Missing Children (see Minnesota guide lines)
 - Found or detonated explosive devices.
 - Traffic fatalities.
 - Industrial or other fatal accidents.
 - Incidents resulting in large numbers of injured persons.
 - Major drug-related arrest.
 - Mass arrest (over 10 persons)
 - Incidents involving significant hazardous materials spills or release.
 - Police-involved shootings.
 - Other unusual incidents, as deemed necessary by the Chief of Police.

Policy, Rules, Procedure:

#7 Personal Calendar

It shall be the responsibility of each officer in the department to keep a personal calendar of court dates, training sessions, public talks and special assignments. The reliability and reputation of this department depends on your being conscientious in doing this. The officer also needs to keep track of vacation days, sick days or other leave days being used to ensure a properly filled out timesheet.

Policy, Rules, Procedure:

#8 License Requirements

RESPONSIBILITY:

1. It shall be the responsibility of the individual officer to comply with the Continuing Educational requirements set by Minnesota Peace Officer Standard and Training. Any person failing to comply with these requirements will be subject to suspension until such time as the requirements are fulfilled. If the requirements are not met within thirty (30) days, the officer may face dismissal. Any officer having a license revoked or who fails to renew it shall be subject to suspension or dismissal. Attendance at In service Training Sessions is highly recommended and frequently required.

2. The Pine River Police Department will provide training in accordance with the appropriate collective bargaining agreement.

Policy, Rules, Procedure:

#9 Orders and Personal Conduct

A. CHIEF OF POLICE

General orders will be conveyed either verbally or in writing and will cover specific functions and/or procedures. Written orders will bear the signature of the Chief of Police will have the same force and effect and can be construed as part of these rules and regulations.

B. DEPARTMENT POLICY:

1. Members shall receive a policy book and from time to time departmental statements and orders on policies will be issued and added to the book.
2. These policies shall be followed by members and shall have the same effect and be construed as part of these rules and regulations.

C. OBEYING ORDERS:

All members shall promptly obey any lawful written or verbal order of any superior; however, obedience to an unlawful order is never a defense for an unlawful action.

D. UNLAWFUL ORDERS:

No command or supervisory officer shall knowingly issue any order that is in violation of any federal, state or local law or departmental rule or order.

E. 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.

F. CRITICISM OF ORDERS:

Members and employees shall not publicly criticize instructions or orders they have received. All criticism construed to be constructive shall be brought to the attention of the Chief through the chain of command.

G. RESPECT TO SUPERIORS:

Every member shall accord respect to his or her commander, superior or supervisor at all times and shall refrain from conduct calculated to discredit the department or the supervisor.

H. ADDRESSING SUPERIORS:

When addressing superior officers; members shall observe a respectful attitude and use proper titles. In private, variance from this rule shall be at the discretion of the superior officer. There shall be no variance in public.

I. CONDUCT:

All employees of the Pine River Police Department shall be governed by the ordinary and reasonable rules of conduct and behavior in their private and professional lives and shall not commit any act tending to bring reproach or discredit upon the department.

J. CONDUCT TOWARD OTHERS:

Employees shall observe the following rules of conduct:

- a. Employees shall conduct themselves in a manner that will foster the greatest harmony and cooperation between themselves and the other personnel of the department.

- b. Employees shall not intentionally antagonize any person with whom they come in contact and shall treat all persons in a respectful, courteous and civil manner.
- c. Police Officers issuing traffic citations shall proceed in a courteous, fair, firm, impartial and business-like manner. They shall scrupulously avoid any display of officious and overbearing attitudes and shall not use any language designed to belittle, ridicule or embarrass the violator. d. Police Officers shall avoid any unnecessary loss of time for the violator and make every effort consistent with accuracy to expedite the issuance of the citation.
- e. An employee shall not at any time for any reason willfully subject any person or animal to cruel treatment or willfully neglect necessary humane action.
- f. When referring to the general groups of employees in the department, the following terms shall be used by all personnel:
 - 1) Employees sworn as Law Enforcement Officers shall be referred to as "**Police Officers**."

K. CONDUCT TOWARD THE PUBLIC:

- 1. All employees shall at all times be civil, orderly, courteous and quiet in their conduct and deportment. They shall maintain an even disposition and remain cool and calm, regardless of provocation.
- 2. An employee shall give proper information to all people's requests in a careful, courteous and accurate manner.
- 3. An employee will avoid unnecessary conversation controversy and shall give their true name in a respectful manner to any person upon request.

L. VIOLATION OF THE LAW:

No member shall knowingly violate any federal, state or local law, ordinance or regulation.

M. COORDINATION AND COOPERATION:

- 1. The coordination and cooperation between the various members and ranks of the department is absolutely essential to effective law enforcement. In carrying out the functions of the department, members shall direct and coordinate their efforts in such a manner as will tend to establish and maintain the highest standards of efficiency.
- 2. Officers shall cooperate with all other law enforcement agencies; state, county and city departments; and all public service organizations and shall give aid and information as such organizations might be entitled to receive consistent with the law and department policy.

N. INTOXICANTS:

- 1. No employee shall drink any alcoholic beverage on duty.
- 2. No employee off duty, in uniform or in any recognizable part of his uniform dress, shall drink any alcoholic beverage in public view or in a public place.
- 3. No employee, while off duty, shall drink any alcoholic beverage to an excess, which may result in the commission of an obnoxious or offensive act tending to bring discredit upon the department.
- 4. No employee will appear on duty while under the influence of alcohol or drugs or be unfit for scheduled duty because of excessive use.
- 5. Employees shall not consume any alcoholic beverage within six (6) hours of the start of a scheduled shift. This may be waived at the discretion of a supervisor for duty related reasons.

O. PRESCRIBED DRUGS/USE OF DRUGS OR NARCOTICS:

- 1. An employee shall only use habit-forming drugs when such drugs or narcotics are properly prescribed by a physician for illness or injury.
- 2. Employees shall not report for duty or be on duty while under the influence of such drugs, unless

a letter from a physician verifies said Police Officer is able to perform his/her duties effectively.

P. NONDISCRIMINATION:

Members of the Pine River Police Department will not discriminate against any person because of their race, nationality, color, creed or beliefs.

Q. GIFTS, GRATUITIES, LOANS:

1. No member of the department shall accept either directly or indirectly any gift, gratuity or loan of anything of value arising from or offered because of the employment of the individual employee. 2. No member of the department shall accept any gift, gratuity, loan or anything of value, the acceptance of which could, in any manner, tend to influence directly or indirectly the action of said member or other members of employees in any matters of department business or which might tend to cast adverse reflections on the department or any member or employee thereof. 3. 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 on the expressed permission of the Pine River City Council.

R. SOLICITATION OF SPECIAL PRIVILEGES:

1. No employee shall use a badge, uniform or identification card to solicit special privileges for themselves or others nor shall any member of this department endorse any product or service by letter or act of solicitation. 2. An employee may use a badge or other official credentials to obtain admission to any public gathering when such is in the furtherance of official duty.

S. PROPERTY, PERSONAL USE:

Members of the Pine River Police Department shall not convert to their own use or have any claim in any found property, recovered property or property held as evidence without the express written permission of the Pine River City Council. All evidence will be inventoried and placed in evidence room as soon as possible.

T. CONTRIBUTIONS:

Members shall not collect or receive any money or other things of value, nor shall they circulate subscription papers, petitions, sell tickets of any kind or collect money from any persons for any purpose without the express permission of the Chief of Police.

U. ACTS OR STATEMENTS BY EMPLOYEES:

Employees shall not form any acts or make any statements oral or written for publication or otherwise which tends to bring the department or its administrative officers:

- A. into disrepute or ridicule
- B. statements which destructively criticize the department or its employees in the performance of their official duties
- C. which interfere with or subvert the reasonable supervision or proper discipline of employees of the department, without first informing the Chief of Police of the facts, and circumstances leading to such acts or statements.

V. CRITICISM OF EMPLOYEES:

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 other member. They shall avoid the manifestation of any unfriendliness towards any member.

W. EMPLOYEES RESPECT:

No employee shall, upon the street, in any business place or elsewhere to any other employee or citizen make any remark in regard to an employee or citizen which may bring the department or any employee thereof into disrepute or subject to ridicule without first advising the affected employee. Such matters shall be brought to the attention of the Chief of Police through the chain of command.

X. FALSE OFFICIAL REPORTS:

No employee shall make a false report or make a false statement or gossip about any employee of the department or the business of the department to the detriment of the department, its investigations or any employee.

Y. REPORTING VIOLATIONS:

Members of the department shall notify appropriate superior officers of any violations of the Departmental Rules and Regulations which may come to their attention.

Z. SPECIAL POLICE WORK:

No member shall engage in private or special police work for any cafe, dance hall or other establishment unless permitted to do so by the Chief of Police in writing.

AA. DEPARTMENT APPROVAL OF OUTSIDE EMPLOYMENT OR BUSINESS ENTERPRISE:

Outside employment of full-time employees must have Departmental approval. Approval may not be granted if:

- A. The employee has a less than competent performance evaluation.
- B. The job, by its nature, schedule or extent might impair the employee's efficiency in the City's service.
- C. The duties are incompatible and involve a conflict of interest with the employee's regular duties or the functions or responsibilities of the department.
- D. City time, property, tools, records, confidential information, vehicles or buildings are used in conjunction with the employment.
- E. the job is directly or indirectly related to skills, knowledge, reputation or prestige possessed by the employee solely as a result of his employment with the department.
 - 1) Specifically, no employee or any employer or business associate of an employee may represent formally or informally that their product or services has any connection with or is supervised, performed by etc., a City employee
 - 2) Or the employer is a person, firm or agency licensed by the City of which this department would have investigative responsibility.

EXCEPTION:

In special situations where the interests and welfare of the department as well as the employee are benefited, an administrative decision will be made based on circumstances.

BB. CHANGE OF ADDRESS:

Members of the department shall notify the department within twenty-four (24) hours of change of address or telephone number. This notification shall be in written form to superior officer.

CC. DEPARTMENTAL INVESTIGATIONS:

Members or employees are required to answer questions and render material and relevant statements to a competent authority in a departmental personnel investigation when so directed unless advised to the contrary by their attorney.

Policy, Rules, Procedure:

#10 Uniform Dress Code

A. UNIFORM DRESS:

All employees will strive to keep uniforms clean and pressed at all times. Pride in your appearance reflects on the quality of your work on the department and on the City.

- a. Winter dress uniform (November - March): Long sleeve uniform shirt buttoned at the wrist and.
- b. Summer dress uniform (April - October): Short sleeve uniform shirt to be worn unbuttoned at the neck with a dark blue/black tee shirt underneath. Uniform trousers will be pressed. Shoes or boots worn with the uniform will be clean, polished and black in color.

B. HATS:

It is not mandatory to wear a uniform hat or cap; however, if a cap or hat is worn it will be as prescribed by the department and removed in dining areas, except in such cases where counter service is used and atmosphere of business is such that in doing so would not be offensive. Uniform hat/cap may also be removed while in the patrol units.

C. PERSONAL APPEARANCE:

1. All personnel will be expected to be neat and clean in their appearance at all times. If uniforms are provided, they shall be kept clean and in good repair. Male employees shall be expected to keep their hair neatly trimmed and it shall not be allowed to grow beyond the edge of their shirt collar.
2. Mustaches and beards are permitted if it is kept neatly trimmed.

D. FOOTWEAR:

Shoes/boots shall be black and kept cleaned. Other footgear may be permitted if dictated by the weather or working conditions.

E. AUTHORIZED WEAPONS:

1. All officers will be authorized to carry approved weapons which they have qualified with.
2. EXCEPTION: Above section shall not be applicable to any officer assigned a special detail or who has received permission from the Chief of Police to disregard.

F. OFF DUTY WEAPONS:

1. Off duty weapons may be worn by full-time licensed peace officers only. It will be up to the discretion of the full-time officer whether he/she wants to wear the weapon or not.
2. To wear an off-duty weapon these restrictions must be followed:
 - a. The officer must have qualified at the range.
 - b. No officer shall wear the weapon if he intends to frequent a bar or has consumed or intends to consume an alcoholic beverage.
 - c. The officer will keep the weapon concealed or as inconspicuous as possible.
 - d. No officer shall intentionally show the weapon to impress people.
 - e. Will have department issued identification and badge while carrying weapon. **ANY MISUSE OF THIS SECTION WILL LEAD TO DISCIPLINARY ACTION, INCLUDING TERMINATION.**
3. Police Officers shall shoot a qualifying score at least twice a year at a certified range. The specified regulation firearm shall be used. A second course shall be fired if a qualifying score is not achieved on the first. No weapon is to be carried on/off duty unless the officer has qualified with the same.

Policy, Rules, Procedure:

#11 Court Appearance

A. ATTENDANCE:

1. Attendance at a court or 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 a suit will be worn. (i.e.: shirt tie and/or sport coat.)
2. Weapons will not be displayed unless wearing the uniform or if prohibited by the court. Members shall present a neat and clean appearance, avoiding any conduct or mannerism which might imply disrespect to the court.

B. COURT DEMEANOR:

1. Members of the department shall observe the utmost attention and respect towards judges, judicial officers or other officers of the courts at all times.
2. When giving testimony, they shall speak in a distinct, clear, audible tone so as to be easily heard by the court and jury.
3. They shall not chew gum or smoke in court.
4. They shall testify with the strictest accuracy, confining themselves to the case before the court and neither suppress nor overstate the slightest circumstance.
5. They shall not adopt a position favoring or discrediting any person.
6. When cross-examined, they shall answer with the same readiness, clarity and civility as when testifying in support of the charge remembering that the ends 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.

Policy, Rules, Procedure:

#12 Staff Meetings and Training Sessions

1. Employees shall attend department meetings and or training sessions when they are labeled "mandatory" in the posting, email or mailing of date, time and place of such gatherings.
 2. Employees not being able to attend such meetings will notify their supervisor in writing as to the reason why they will not be able to attend.
 3. Employees shall be punctual in arriving at said meetings or training sessions and shall remain until properly discharged
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Policy, Rules, Procedure:

#13 Reports

A. ICR: INITIAL COMPLAINT REPORT

1. An ICR will be filled out for all investigations conducted by the Pine River Police Department. In addition, any complaint or request for service from the public will be documented on an ICR. ICR's will be filled out by the dispatcher on duty.
2. Police Officers receiving complaints, requests for assistance, etc., will relay this information to the dispatcher so that an ICR can be filled out.
3. It is the responsibility of the police officer to report back to the dispatcher a disposition on each ICR that they handle.

B. REPORTS REGARDING DISCHARGE OF WEAPONS:

A written report shall be submitted promptly to the Chief of Police each time a weapon is discharged during the duty-hour-tour describing the circumstances surrounding the shooting, other than use in the dispatch of an animal. **(THIS REPORT MUST BE SUBMITTED WITHIN EIGHT HOURS OF THE INCIDENT ALSO REPORTED TO THE BCA ON A THE PRESCRIBED FORM.)**

C. INVESTIGATION REPORTS:

1. All required reports will be submitted to the Police Department within 72 hours after a police officer has been assigned to an incident. In major cases requiring prompt action by officers or incidents of high public interest, preliminary reports will be made immediately after clearing the scene of said incident or crime.
2. Certain reports may be made on the initial call report. All other reports will be submitted on the proper form within the specified time. Police Officers are responsible for submitting reports on the case file for the Chief's approval.
3. Follow up reports:
 - a. Shall be submitted to case file when completed.
 - b. Complainants / victims will be kept informed as much as possible about the progress of their specific case.

D. DAILY LOGS:

1. Employees will document daily activities electronically through Cass County Records Management System, including but not limited to;
 - a. Traffic stops
 - b. Property/Business Checks
 - c. Contract areas
2. Time Slips will be turned in every two weeks. They will run from the day after the pay period ends up to the last day of the pay period. These slips will be turned in after the day of the officer's last shift and no later than the Sunday proceeding so that timesheets can be submitted for pay in a timely manner. Failure to do so will delay pay check

Policy, Rules, Procedure:

#14 Investigations

A. CONDUCT AND FOLLOW UP:

It is the policy of the Pine River Police Department to actively conduct investigations. Each victim of a crime whether a felony, gross misdemeanor, misdemeanor or petty misdemeanor is entitled to know about the progress and outcome of their case within the confines of the privacy laws. Police Officers will keep victims/complainants informed as much as possible about the progress of their specific case.

B. POLICE OFFICER COOPERATION:

Major crimes that cannot be completely investigated while the originating officer is on shift shall be referred to the Police Officer that comes on shift next in your area. Police Officers originally assigned to cases should inform the officers of the work that needs to be done. Officers shall work with the originating police officer to bring the investigation to a successful conclusion. Both the originating officer and the other individual assisting will keep each other informed of all aspects of the case under investigation. Special consideration may warrant the change of this policy by the Chief of Police or Pine River City Council.

C. INVESTIGATION REPORT OUTLINE:

1. SYNOPSIS OR SUMMARY:

This portion of the report should contain a brief resume of the facts. It should be clear, concise and brief. Outlining who, what, where, when, why and how. It should contain the elements of the offense.

2. DETAILS:

This portion of the report should contain only factual and specifically pertinent information about the case in question. Subjects may be referred to by last name unless two or more persons have the same last name. Use paragraphs to set apart segments of the activity (i.e., initial complainant or initial observations, probable cause, arrest, search, etc.)

3. SUMMARY OF STATEMENTS:

This portion should include the name of the person giving the statement, summary of what person said and that is relevant to the case and include the full name, date of birth of persons arrested or involved.

4. OFFICERS/WITNESSES

List all individuals who witnessed the incident above. List all officers on the scene giving their full name, title and agency that they work for.

5. DESCRIPTION AND CUSTODY OF EVIDENCE:

This portion should include all evidence seized and a brief description.

6. PHOTOGRAPHS TAKEN AT THE SCENE:

Each photograph should be listed giving a brief description and should be referred to as Photograph #1, Photograph #2, etc. Each photo must have the I. C. # on it.

7. FORMAL STATEMENTS:

Formal statements should be transcribed if the case goes to trial. Statements should be direct to the point and relative to the case in question. Formal statements from complainants and witnesses will be transcribed and attached to case file.

Policy, Rules, Procedure:

#15 Attention to Duty

A. REPORTING FOR DUTY:

1. Members of the department shall be punctual in reporting for duty at the time designated by their superior officers and be ready for duty when their shift begins. Failure to do so will be subject to appropriate disciplinary action.
2. Sickness or illness should be reported by a member at least one hour prior to the time he/she is due to report for duty. Once having reported off sick, the member shall keep the department advised of status and expected return to duty. All such illnesses are subject to verification by demand for medical evidence. Officers on sick leave will be at home, under the care of a medical practitioner or at a location provided to the department. Any period consisting of three (3) or more days will have to be documented by a physician.
3. Reports of Injury:
Any on-the-job injury, no matter how slight it may appear at the time, shall be reported in writing to the employee's superior officer. In the event of a serious injury, the Chief of Police shall be notified immediately.

B. ABSENCE FROM DUTY:

Every member or employee who fails to appear for duty at the date, time and place specified without the consent of a superior officer is "ABSENT WITHOUT LEAVE".

C. RESPONDING TO CALLS:

Members of the department shall respond WITHOUT DELAY to all calls for assistance from citizens, other department members or agencies.

Emergency calls shall take precedence; however, all calls shall be answered as soon as possible, consistent with normal safety precautions and vehicular laws.

- 1) Failure to answer a call for police assistance promptly is cause for disciplinary action.
- 2) If due to volume of calls or shortage of personnel, there becomes a backlog of unanswered assignments, the officer in charge will assign units on a basis of priority and such decisions shall not be challenged by subordinate personnel. If a dispute arises, the orders of the superior shall be followed and the dispute heard as time shall later permit

D. 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 and assistance shall be promptly fulfilled and members shall aid the person in otherwise obtaining the requested information or assistance.

E. OFF DUTY REPORTING IN EMERGENCY CASES:

Members off duty shall, upon notice, report for duty immediately upon receipt of notification and comply with instructions given at the time of notification. Members shall report immediately without notice in the event of any major disaster.

F. OFF DUTY SERVICE:

Members off duty shall perform necessary police service wherever they are aware of a need, excluding all traffic violators except driving while intoxicated cases. No member shall attempt to perform a police service in any case when he/she has been drinking alcoholic beverages or taking prescribed drugs to a degree that senses and actions are impaired.

G. OFF DUTY NEIGHBORHOOD DISPUTES:

Members shall not, by virtue of their employment, become involved in neighborhood quarrels or disputes when off duty. These disputes should be handled by other disinterested and detached persons or agencies.

H. ASSISTANCE TO OTHER MEMBERS:

All members are required to take appropriate police action toward giving aid to another officer exposed to danger or in a situation where danger might be impending.

I. CITIZENS IN POLICE CARS:

No person will be allowed to ride in police cars except for official business, unless approved by a superior officer.

J. NEGLECT-INCAPACITY OR INEFFICIENCY:

1. No employee shall neglect their duty and shall in every event attempt to reasonably conclude an assignment during a tour of duty and shall transmit all information to the office.
2. In the event an officer demonstrates incapacity to handle assigned duties or demonstrates inefficiency, superior officers will take reasonable steps to improve the officer's ability; however, in no cases will they allow the mission of the department or safety to suffer due to the poor performance of any individual.
3. Employees may be deemed incompetent and subject to suspension, reduction in rank or dismissal when they;
 - A. displays a reluctance to properly perform their assigned duties.
 - B. acts in a manner tending to bring discredit to themselves or the department.
 - C. fails to assume responsibility or exercise diligence, intelligence and interest in the pursuit of their duties.

K. CARE OF DEPARTMENT PROPERTY:

1. All members are responsible for the safekeeping and proper care of department property. Property shall be used only for official business and in the capacity for which it was designed. It shall not be transferred to any other member without due care and authorization of the Chief of Police.
2. Damage or loss of property shall be immediately reported in writing to the Chief of Police.
3. Officers are responsible for keeping the office in a neat and clean working environment.

Policy, Rules, Procedure:

#16 Violations

A. WHO IS SUBJECT TO DISCIPLINARY ACTIONS?

Any officer or member of the department who violates their trust by committing any offense under the laws of statutes of the United States, the State of Minnesota, ordinances of Pine River or any of its subdivisions or like statutes or ordinances in other jurisdictions or violates any of the provisions of these rules and regulations, policies or procedures of the Pine River Police Department of the conduct unbecoming to an officer is subject to appropriate disciplinary action.

B. PENALTIES:

As outlined in the City of Pine River personnel policy.

C. WHO MAY IMPOSE PENALTIES?

The, Chief of Police or their designee has the authority to impose penalties.

D. CAUSE:

The Chief of Police alone shall define "cause" for discipline.

E. EXCEPTIONS:

Any anticipated exception to the rules and regulations contained herein, or special orders, written or oral, shall require authorization from the Chief of Police.

F. RECOMMENDATIONS:

1. Any and all members of the department may report or make recommendations to the Chief of Police or a superior officer orally or in writing regarding violations of department rules.

2. Ranking officers shall prepare in writing any such reports which will be presented to the Chief of Police and to the affected employee.

Said report shall be signed and if applicable contain the following;

A. name and title of affected person.

B. shall give detailed statement of facts or description of alleged infractions.

3. Affected person(s) shall have reasonable opportunity to provide written response and other recourse per union contract.

Policy, Rules and Procedures

#17 Complaint Procedures and Internal Investigations

A. COMPLAINTS:

1. All complaints, including anonymous complaints against an officer or against the department, alleging violation of the rules of conduct shall be recorded on a standard I.C.R. form as soon as practicable by the officer receiving the complaint.
2. Any officer himself acting as the complainant may personally record and submit the complaint form pursuant to this section. The Chief of Police acting as complainant shall record and submit the complaint form in accordance with appropriate procedures.
3. The officer recording the complaint shall forward one copy of said complaint to the Chief of Police and shall submit the original copy of said complaint to for immediate review.
4. Every citizen complaint shall be recorded on a complaint form. If the officer recording the complaint from a citizen resolves the complaint to the citizen's satisfaction, the officer shall note such on the copy of the complaint form and shall forward both copies to the Chief of Police.
5. Anonymous complaints are to be accepted and investigated in the same manner that other complaints are handled.
6. Any officer who is complained against shall be notified by the Chief of Police of the complaint pursuant to section B, unless to do so might jeopardize the investigation of the complaint.

B. INTERMEDIATE REVIEW:

The Chief of Police or other designee who takes responsibility for a complaint shall; A. notify the complainant that the complaint is being investigated and provide a brief description of the investigative and appeal process, unless to do so might jeopardize the investigation or unless the complaint's address cannot be ascertained.

B. notify the officer who is complained against pursuant to appropriate procedures. c. once is has been stabled by an investigating officer that the complaint against another officer is actually a criminal offense and only at that time, the I.C.R. form will be initiated as would be in all other criminal investigations along with supportive investigative data.

D. shall forward the I.C.R. form noting any comments or recommendations relating to the investigation to the Chief of Police.

THE ACTIONS DESCRIBED IN SECTION B SHALL BE COMPLETED WITHIN FIVE (5) WORKING DAYS FROM THE DATE THE COMPLAINT FORM WAS ORIGINALLY RECORDED. THE CHIEF OF POLICE MAY AUTHORIZE AN EXTENSION OF THE TIME LIMIT FOR CAUSE.

C. INTERNAL INVESTIGATION

1. The Chief of Police shall receive all complaints against officers or against the department as provided in Section A. The Chief of Police shall have sole responsibility for overseeing internal investigations and may elect to conduct the investigation personally or may designate investigatory duties to another individual or equal or higher rank, a group of individuals or outside agency as he deems appropriate. Any such designee shall act on behalf of the Chief of Police in carrying out the Internal Investigation assigned.
2. The Chief of Police may refer the case to the Prosecuting Attorney for criminal prosecution if, in his judgment, such referral to prosecution by criminal authorities does not prevent administrative adjudication of the complaint by the disciplinary procedures contained herein.
3. Any officer who is subject of an Internal Investigation shall be afforded all rights and protections provided by the laws and by departmental rules and regulations.
4. The Chief of Police or his designee who conducts any Internal Investigations may order any officer to

cooperate in such investigations. For the purpose of conducting the investigation and issuing appropriate orders, the designee shall be acting on behalf of the Chief of Police. In addition to any other authorized methods, the investigator, be it the Chief of Police or his designee, may utilize the following investigative procedures when appropriate:

- a. An officer may be ordered to appear before the Chief of Police or his designee at a reasonable time and place to submit to questioning or other investigation.
- b. In an interrogation of an officer, the questions shall be narrowly and directly related to the matter under investigation. If a criminal prosecution is contemplated against an officer who is to be interrogated by the Chief of Police or his designee, the officer shall be afforded all the rights allowed an ordinary citizen involved in a criminal investigation. If no criminal prosecution is contemplated, the officer may be ordered to respond to questions. Counsel or other representation for the officer may be present at the discretion of the Chief of Police or his designee.
- c. An officer may at any time be ordered to submit to a line-up, breath test, voice print, handwriting exam, or other non-testimonial evidence tests. If a criminal prosecution of the officer is contemplated the officer shall be entitled to have counsel or other representation present where provided by law. If criminal prosecution is not contemplated, counsel or other representation may be present at the discretion of the Chief of Police or his designee.
- d. The Chief of Police may order a psychological examination; if reasons exist that deem this form of testing necessary for continued employment with the department.
- e. An officer's personal property shall not be subjected to search or seizure without probable cause and a warrant issued where required by law. Departmental property may be searched at any time, even if assigned to or used exclusively by an individual officer.
- f. Departmental communications facilities may be monitored at any time under conditions permitted by law. Other communications or conversations may be monitored at any time, also under conditions permitted by law.

5. Whenever an Internal Investigation yields evidence of possible criminal misconduct by persons other than officers of the department, the designee shall immediately notify the Chief of Police who shall take whatever action is may deem appropriate.

6. At the conclusion of an Internal Investigation, which shall not be more than thirty (30) calendar days after the original COMPLAINT FORM is recorded, unless a necessary extension of time is granted by the Chief of Police, the designee shall, in writing, document all evidence gathered and shall forward the report(s) to the Chief of Police. The Chief of Police has sole authority and responsibility for case disposition and shall proceed by:

- A. issuing formal charges and recommendations for corrective or disciplinary actions
- B. issuing a dismissal of the complaint.

D. FORMAL CHARGES AND DISPOSITION WITHOUT CAUSE:

1. When the Chief of Police has determined that corrective or disciplinary measures are necessary, he shall cause appropriate clauses in Minnesota State Statutes to be activated.
2. When the Chief of Police has determined that alleged misconduct is not sustained, falsely reported, unfounded or based upon other factor(s) which render formal charges inappropriate or otherwise indicated an exoneration of the accused officer, he shall note the reasons supporting the dismissal of the complaint in the appropriate space provided on the I.C.R. form. A copy of which shall be forwarded to:
 - A. the accused officer
 - B. the complainant, if known
3. Only the reports of sustained and, if appealed upheld investigations, shall become a party of the

accused officer's personnel file.

4. Any investigative reports, affidavits or other written evidence gathered as a result of the Internal Investigation shall be retained by the Chief of Police and will not be forwarded to either recipient noted in 2, a and b.

E. PROBATIONARY OFFICERS:

1. Any person on probation may be discharged by the Chief of Police without recourse. 2. The disciplinary procedures cited in Section D, 1 thru 4, pertain only to those persons who have completed the required probationary period as established by rule of point of law.

F. RETURN OF CITY PROPERTY:

When an employee is suspended, resigns or is separated from the department for any reason, he/she shall return all city property in his possession to his immediate superior officer.

G. COMPLAINTS AGAINST OFFICERS may also be referred to the Minnesota Peace Officers Standards and Training Board.

Policy, Rules, Procedure:

#18 Weapons

POLICY:

It is the policy of the Pine River Police Department that employees will carry only firearms and ammunition authorized by the department on or off duty.

1. Authorized firearms are those with which the employee has qualified and received department approved training.

2. The Police Department shall schedule regular training and qualification sessions for all employees authorized to carry firearms. The training sessions will be graded on a pass-fail basis.

2. Employees will not be permitted to use non-deadly weapons such as contact weapons and chemical weapons unless qualified as determined by training procedures and authorized by the Chief of Police.

REPORTING USE OF WEAPONS:

A written report prepared according to department *USE OF FORCE* policy and procedure will be completed in every instance in which a weapon is used

Policy, Rules, Procedure:

#19 Use of Seat Belts

Operator and/or passenger riding in any city owned vehicle shall do so in compliance with Minnesota State Statute:

169.685 Seat belts and passenger restraint systems for children & 169.686 (1) seat belt use required.

Policy, Rules, Procedure:

#20 Radio Policy

1. All employees will follow the Federal Communications Commission Rules and Regulations for radio-telephone operators which prohibit; use of obscene, indecent, profane or insolent language and also the use of superfluous, false, joking or deceptive communications or signals. Bear in mind that the Pine River Police Department frequencies are used by other agencies such as : ambulance services, first responders, fire departments, etc.
2. All responses should be kept short, clear and concise.
3. Officers in squads are to keep dispatch informed at all times during their scheduled shift of their status and location. They are assumed to be in radio contact unless dispatch is informed otherwise.
4. Officers in squads will provide the dispatcher with the location, license number, make and any unusual characteristics about any vehicle that they are about to stop. Officers will sign off and on the air with dispatch before and after each stop.
5. Officers will run critical information through the Cass County Dispatch to have an audio record of the stop and information received. Officers may run license plate and driver's license information on their mobile computers with approval of the Chief of Police.
6. Officers will also sign on shift (10-8 at the start of their shift) and off shift (10-7 end of shift) for each tour of duty either by radio or via telephone.

Policy, Rules, Procedure:

#21 Communications Associated with Cell/Telephones and Radios

POLICY:

It is the policy of the Pine River Police Department to recognize that effective communication is extremely vital to effective Law Enforcement in our efforts of protecting life, limb and property of citizens.

PROCEDURE:

1. Employees have been issued radios and cellular telephones and will use these items for official Law Enforcement business.
2. Use of Pine River cellular telephones for employee personal use is restricted for use only when other reasonable means are not available or an emergency exists. Should an employee incur expense during personal use of a city issued cellular telephone, the employee shall reimburse Pine River the amount of the incurred expense.

Policy, Rules, Procedure:

#22 Use of Traffic Vests

POLICY:

It is the policy of the Pine River Police Department that all personnel while directing traffic or conducting an accident investigation on a public roadway shall wear a high visibility traffic vest at all times.

This is to include all injury and non-injury accidents. The vest is to be put on at the earliest time possible after arriving on scene.

Policy, Rules, Procedure:

#23 Impounding and Towing Vehicles

1. Cars should be impounded by Pine River Police Department only under the following circumstances:
 - A. when they are being impounded as items of evidence or the purpose of gathering evidence.
 - B. when the driver of the car has been placed under arrest or there is no other suitable person present to take the car away with the driver's or owner's permission.
 - C. the car is illegally parked and all attempts to locate the owner have been exhausted.
 - D. the car is parked in such a fashion as to create a traffic hazard.
 - E. the car cannot be secured or obviously expensive material, not normally considered to be car accessories, are within the car.
 - F. when the driver or the owner asks that the car is towed.
 - G. pursuant to a valid court order whether civil or criminal.
 - H. when the vehicle has been abandoned and one or more of the factors in c, d, or exists.

NOTE: It is the owner's responsibility for towing and storage costs if the vehicle is not involved in a criminal case.

MN/SS/465.75 REGULATIONS OF VEHICLE TOWERS LIMITED.

Subdivision 1. Definitions. For the purposes of this section, the following terms have the meanings given them:

1. "Vehicle tower" means a person engaged in the business of towing or recovering vehicles by means of a crane, hoist, tow bar, tow line, or dolly for the purpose of moving or transporting wrecked, damaged, disabled, replacement, or abandoned vehicles, and
2. "Municipality" means a statutory or home rule charter city or a town.

Subdivision 2. Request by owner. No municipality may prohibit the operation within its boundaries of a vehicle tower who is not licensed by that municipality and who is responding to a service request from a person who is the owner or operator or the agent of the owner or operator of the motor vehicle for which vehicle towing service is requested.

Subdivision 3. Private property. No vehicle tower may remove a motor vehicle by towing, carrying, hauling or pushing from private property, except at the request of a person who is the owner or operator or the agent of the owner or operator of the vehicle, or the owner or agent of the owner of the private property

INVENTORY/TOW SHEET:

Every officer who has a vehicle towed or impounded must complete an inventory/tow report as part of the case file. Officers will inventory the entire vehicle including the trunk, glove box and containers (open, closed or locked).

VEHICLE HOLDS:

Officers, when towing or impounding vehicles, will not place a hold on a vehicle or request the tow agency to release the vehicle under certain conditions such as licensed driver, insurance, etc. You are permitted to request that the owner pick up a vehicle or authorize it being picked up.

If a vehicle is required to be held as evidence or possibly seized, it will be towed to the Pine River Police Department impound lot.

Policy, Rules, Procedure:

#34 In Squad Camera Equipment and BWC

I. POLICY OBJECTIVES:

1. The primary use of the In Squad Camera equipment is for the purpose of collecting evidence, specifically for driving while under the influence, and to protect members against allegations of misconduct.
2. Accurate documentation of events, actions, conditions and statements made during arrests and critical incidents, so as to enhance officer reports, collection of evidence and testimony in court.
3. Secondary uses include the collection of training materials and for the possible use of performance evaluations.

II. OPERATION PROCEDURES:

1. In Squad Camera(ISC) equipment installed in city vehicles is the responsibility of the officers assigned to the unit. Prior to each shift the officers will determine that the ISC equipment is working satisfactorily and shall bring any problems to their immediate supervisor as soon as possible. The officer will also be required to document on their daily log that the unit is on and functional. The officer will also note on his reports that the ISC did record a certain event or incident.
2. ISC equipment will automatically activate when the vehicle's emergency warning devices are in operation. The equipment may be manually deactivated during non-enforcement activities such as protecting crash scenes from other traffic. Deactivation may be done by the operating officer or by the supervisor.
3. Officers should record all traffic stops, pursuits, emergency vehicle operation, and sobriety checks or when the officer feels the situation would be helpful to the department.

III. VIDEO RETENTION:

1. ISC containing an arrest or a significant incident shall be downloaded and kept as evidence according to department policy and POST Mandated BWC and In Squad Camera Policy.
2. Video which does not document an arrest or a significant incident will be marked as such and kept for a minimum of 90 days and any video that will be needed for court shall be marked and kept for the period stated in the POST Mandated Policy on BWC's and In Squad Camera. These videos will be kept in compliance with the department's evidence procedures.

V. SUPERVISOR RESPONSIBILITIES:

1. Supervisors shall ensure that all officers follow the procedures for the use and maintenance of the ISC and BWC..

Policy, Rules, Procedure:

#25 Semi-Automatic Defibrillator/Medical Equipment

POLICY:

It is the policy of the Pine River Police Department that all personnel are properly trained in the use of the AED units. The operator will follow the direction of the unit and will not defer or disregard these orders. If the unit fails for any reason the operator will provide emergency care to the best of his ability until EMS arrives.

The AED unit will be used only on non-breathing and pulse less adult patients. The operator must assure that EMS has been activated or ALS ambulance. The operator will follow the direction of the AED unit. If the unit gives a "No-Shock" advisory, the operator will initiate BLS immediately and continue until EMS arrives.

After each use the officer will be responsible for getting the medical report down loaded from the unit and the report form done within 24 hours of use. A copy will be sent to the department of public safety and to the medical director. An investigation report will also be done about the incident.

MEDICAL EQUIPMENT:

It is the policy of the Pine River Police Department for all squad cars to carry a first aid kit and oxygen. It is the responsibility of the officer to keep the first aid kit properly supplied at all times. It is also the responsibility of the officer to keep the oxygen tank filled at all times and has the proper equipment for the oxygen kit. The equipment should be replaced or filled as soon as possible after use. The officer should check his/ her medical equipment each month to ensure it is properly equipped and functional. This will be documented on the daily log.

Policy, Rules, Procedure:

#26 Hostage Situation/Bomb Calls

A. HOSTAGE SITUATION/PROCEDURE TO BE FOLLOWED:

1. The officer on duty shall take command of the scene and set up a command post.
2. The Chief of Police will be immediately notified.
3. The Chief of Police or officer in charge shall:
 - A. establish an inner perimeter at the scene.
 - B. establish an outer perimeter to guard the scene and keep outside interference to a minimum as well as maintain safety of the general public.
 - C. gather as much intelligence and background on the situation as possible.
 - D. delegate responsibility to one officer in each area of concern and maintain communications with that individual and he/she in turn shall relay instructions to the individuals in his/her charge.
4. The following should be notified and put on standby for use as required:
 - a. EMS
 - b. fire department
 - c. Sheriff's department
 - e. BCA
 - f. utilities
 - g. telephone company
5. Negotiator:
 - a. The negotiator will be chosen to comply with the circumstances. This person may be from within the department or from without.
 - b. The negotiator will perform his/her function within the guidelines set forth at the time by the Chief of Police or supervisor in charge.

B. BOMB CALLS:

1. Proceed to the scene without red lights and siren.
2. Contact the supervisor on duty.
3. Let people in charge of the building decide whether they want to evacuate; schools/superintendents; private institutions/building superintendents.
4. Make a search of the building; pair off with someone who knows the building such as a janitor, nurse, etc., and search.
5. If you find something that does not belong, leave it alone. A bomb may be in any form. Open windows, evacuate immediate area as needed. Think of people and property in view of damage from blast and fragments.

A BOMB SCARE IS FOR REAL UNTIL PROVEN OTHERWISE

Policy, Rules, Procedure:

#27 Alarm Procedures for Financial Institutions

A. POLICY:

It will be the policy of the Pine River Police Department to handle all alarm calls at financial institutions in a joint response with local law enforcement agencies.

B. DISPATCHERS RESPONSIBILITY:

The initial call for alarm at any financial institute will be received through the Pine River Police Department Dispatcher.

C. CATEGORY OF ALARMS:

1. Alarms after hours:
Are alarms which are received after the normal business hours of the bank.
2. Alarms during business hours:
Those alarms which occur during the normal business hours of the bank.
3. Alarms of a test nature:
Those alarms being tested pursuant to business practices.

D. GENERAL ALARM INFORMATION:

1. NO ALARM SHOULD BE CONSIDERED AS A ROUTINE ALARM.
2. The paramount concern of the responding officer is the safety of citizens and employees in the vicinity of the bank.
3. It will be normal procedure to have at least two police units responding to the alarm call. If only one unit is available, extreme caution should be exercised.
Caution should be exercised on use of siren when approaching the area in question.
4. Unless immediate circumstances dictate otherwise, the first unit on the scene will maintain a position that will afford the best surveillance of the bank for the purpose of visual surveillance. When the second unit arrives, the procedures outlined below will be followed.
It is important to attempt to be concealed as much as possible while awaiting the arrival of the second unit. Attempt should be made to view the main door to the bank.
5. Until the status of the alarm is determined, one unit must remain in a surveillance position.
6. At least one incident report is necessary for all bank alarm calls.

E. SPECIFIC ALARM RESPONSES:

1. Alarm Tests:
 - a. Legitimate alarm tests are always accompanied by a telephone call from the bank officer. The bank officer will use a code to authenticate the alarm test.
 - b. Should the alarm be sounded without the authentication code, the alarm will be assumed valid

UNDER NO CIRCUMSTANCES ARE SUSPECTS TO BE ENGAGED INSIDE A BANK FACILITY. DO NOT PROVOKE A HOSTAGE SITUATION.

2. Alarms during Business Hours:
 - a. Extra care should be taken to survey all exits.
 - b. The second unit should move to a position of surveillance and hold that position for several minutes. All units should note activity, people and vehicles in the vicinity of the bank both parked and moving.
3. The dispatcher should make contact by telephone with the bank and instruct them to have the person in charge meet an officer outside the front door of the bank.

4. After several minutes, one unit should approach the bank. Unless the suspicious activity exists, no weapons should be drawn as this is apt to provoke shooting. The officers should be alert and prepared at all times. Ascertain the situation and the status of the alarm. (DO NOT MAKE CONTACT WITH DRIVE-IN TELLERS AT THE BANK.)
5. There is no bank code established for non-test alarms. However, if the bank officer is present, he/she may use the test code. Do not leave the bank until you are satisfied the alarm is unfounded but don't delay your departure unnecessarily.
6. This is the most hazardous of alarms. Sound judgment and caution must be exercised.

F. ALARMS OCCURRING AFTER BUSINESS HOURS:

1. All units should move to positions which are suitable for surveillance of all exits. 2. Possible points of entry should be checked for obvious indications of forced entry. All entry points should be surveyed until the arrival of bank personnel.
3. If a point of entry or possible entry is found, extra units should be called to assist in a search of the building. One officer must remain outside the building and officers entering should be equipped with radios that have the capability of being used for communication between each officer. (A cross patch may be necessary.)
4. The bank representative should inspect the facility before officers leave the scene, but SHOULD NOT enter the building until it is determined that it is unlikely that an intruder is inside.

Policy, Rules, Procedure:

#28 Exposure Control Plan

A. RESPONSIBILITIES:

1. Employees will use as much as practical, appropriate protective equipment as required in section C-2 below.
2. Supervisors shall ensure that all requirements of Section C below are met by employees.

B. DEFINITIONS:

1. Blood:

Human blood, human blood components and products made from human blood.

2. Other Potentially Infectious Materials (OPIM):

The following human body fluids are to be considered potentially infectious: semen, vaginal secretions, cerebrospinal fluid, synovial (joints) fluid, peritoneal (abdominal) fluid, amniotic (pregnancy) fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids. They also include any unfixed tissue or organ other than intact skin from a human (living or dead).

3. Blood borne Pathogens:

Pathogenic microorganisms that is present in human blood and body fluids that can cause disease in humans. These pathogens include, but are not limited to: Hepatitis B virus (HBV), Hepatitis C, Human Immunodeficiency (HIV), malaria, syphilis and tuberculosis.

4. Personal Protective Equipment (PPE) and Supplies:

Specialized clothing or equipment that is worn by an employee for protection.

5. Contaminated:

The presence or reasonably anticipated presence of blood or other potentially infectious human bodily fluids on an item or surface.

6. Decontamination:

The use of physical or chemical means to remove, inactivate or destroy blood borne pathogens on surface or items to the point where they are no longer capable of transmitting infectious particles, and the surface or item is rendered safe for handling, use or disposal.

7. Parenteral:

Piercing mucous membranes or the skin barriers through such events as needle sticks, human bites, cuts and abrasions.

8. Universal Precautions:

An approach to infection control, where all human blood and certain body fluids are treated as if known to be infectious for HIV, HBV and other blood borne pathogens.

9. Exposure Incident:

A specific eye, mouth, other mucous membrane, non-intact skin or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties. An exposure incident includes a human bite.

10. Occupational Exposure:

Means reasonable anticipated skin, eye, mucous membranes, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

11. Regulated Waste:

Means liquid or semi liquid or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological waste containing blood or other potentially infectious material.

12. Biohazard Bag:

A plastic bag capable of being sealed to ensure no leakage or contamination spread.

13. Licensed Health care Professional:

A hospital or clinic accredited by the State.

14. Source Individual:

Any individual that can provide reliable information when dealing with a particular incident.

C. POLICY:

1. Duties where employees may reasonably anticipate coming in contact with human blood and other potentially infectious material include, but are not limited to: fire scenes; accident scenes; medical emergencies; handling deceased persons or assisting in body removal; attending autopsies; blood or urine testing including the handling of samples; searches of person, vehicles, homes and other property; job injuries; and evidence handling.
2. Employees shall take universal precautions as Section E addresses when performing official duties where it may reasonably be anticipated that he/she may come in contact with human blood and OPIM. This includes the use of appropriate personal protective equipment (PPE) to minimize or eliminate exposure. The exception to this rule is when the employee can show that the temporary and brief decline to use PPE was under rare and extraordinary circumstances. It must be in the employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or public safety services or would have posed an increased hazard to the safety of the employee or other personnel.
3. Employees shall ensure that they have all issued PPE readily accessible to them at all times while on duty. Issued PPE shall include, but not be limited to: Disposable type gloves; eye-nose-mouth protection (vapor/mist/dust face mask); plastic bags; biohazardous tags; antiseptic hand wipes and/or EPA rated germicide; paper/cloth towels; and on old uniform for change of clothes.
4. All Police Department employees are not required to come in contact with blood borne pathogens in the performance of official duties as determined by job classification. It is recommended that employees follow universal precautions and use PPE when participating in good Samaritans acts.

D. VACCINATIONS:

1. The Pine River Police Department provides to all employees, at no expense, voluntary hepatitis B vaccinations.
2. Employees must sign a declination form if they choose not to be vaccinated, but may later opt to receive the vaccine at no cost. Should booster doses later be recommended by the United States Public Health Service (USPHS), it will be offered to employees.

E. PROCEDURES: PPE AND WORK PRACTICES:

1. Precautions should be taken by employees to protect any pin breaks in the skin of the hands including cuts and abrasions with an appropriate bandage or protective covering.
2. If a garment(s) is penetrated by blood or other potentially infectious materials, the garment(s) shall be removed as soon as feasible.
3. Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes, and non intact skin and when handling or touching contaminated items or surfaces. Disposable single-use gloves shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. Disposable gloves shall not be washed or decontaminated for re-use. Utility gloves are not required, however, when used should be worn over disposable gloves for added protection. Utility gloves may be decontaminated for re-use if the integrity of the glove is not compromised. However, they must be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.
4. Eye/nose/mouth protection shall be worn whenever splashes, spray, spatter, or droplets of blood or other potential infectious materials may be generated, and eye, nose or mouth contamination can be reasonably anticipated.
5. Extraordinary care should be taken to avoid accidental wounds from sharp objects or instruments including broken glass, needles, razors, nails, etc., since these objects may be contaminated with blood or OPIM.
6. The following precautionary measures will assist in reducing the risk of infection during searches:
 - a. Employees should use great caution in searching the clothing of victims.
 - b. A flashlight should be used even during daylight hours to search hidden areas. Whenever possible, flashlights should be used to assist in searching limited view areas such as under car seats or limited access areas at scenes.
 - c. In searching purses, carefully empty contents directly from the purse by turning it upside down over a table.
 - d. Broken glass, which may be contaminated, shall not be picked up directly with hands.

F. DECONTAMINATION:

1. Personal:
 - a. Employees shall ensure that they wash their hands immediately or as soon as feasible after removal of gloves or other personal protective equipment. Employees shall ensure that they wash hands and any other skin with soap and water, or flush mucous membranes with water immediately or as soon as feasible following contact of such body areas with blood or OPIM.
 - b. If soap and water are not available, an antiseptic towelette containing 79% isopropyl (rubbing) alcohol or an EPA registered germicide can be used to disinfect the wound. When Antiseptic hand cleansers or towelettes are used, hands shall be washed with soap and running water as soon as feasible.
2. Equipment, PPE and Clothing:
 - a. The Pine River Police Department will dispose of and replace required PPE at no cost to the employee.
 - b. Consideration should be given to reducing the contamination of other items, surfaces, or clothing.
 - c. Equipment and work surfaces which have become contaminated with blood or OPIM shall be decontaminated as soon as feasible. Other surfaces may be decontaminated using gloves and hot, soapy water and disinfected using a solution of bleach in water. If splashing of clothes, skin, face or shoes are anticipated, additional PPE will be required. Prior to starting, visible material should be removed with disposable towels. The recommended ratio is one quarter cup of bleach to a

gallon of water (1:100 solutions). This procedure is to be used for color safe items. d. When contaminated PPE is removed, care should be given to avoiding skin contact and shall be placed in a leak-proof labeled bag or container for storage, washing

e. Contaminated clothing shall be removed as soon and discretely as possible after contamination, minimizing skin contact. Then laundry shall be placed, using gloves, in a leak proof labeled bag for decontamination or disposal. Care shall be given not to contaminate the outside of the bag.

f. If outside contamination of a primary container is present, the primary container shall be placed in a secondary container to prevent leakage during handling, storage, transportation or shipping.

The container shall be properly labeled with a biohazardous tag. If the specimen could puncture the primary container, the primary container shall be placed within a secondary container which is puncture resistant, in addition to the labeling requirements.

g. Contaminated clothing shall be dry cleaned as soon as practical. When using a commercial dry cleaning facility, advise the proprietor of the presence of blood and/or OPIM. The clothing shall be delivered to the dry cleaner in a biohazard labeled bag. The cleaning will be paid after the approval of the supervisor. Under no circumstances, shall contaminated clothing be laundered at home.

h. The disposal of regulated waste must be through an authorized disposal site. Arrangements should be made through the local medical facilities able to dispose of contaminated items.

G. BIOHAZARD COMMUNICATION

1. Employees shall affix warning labels (orange or orange-red biohazard symbol) to containers of regulated waste and other containers used to transport blood or OPIM. Red bags or containers may be used instead of labeling.

2. When equipment is contaminated, labels shall be attached to the equipment stating which portion remains contaminated.

H. POST EXPOSURE EVALUATION AND FOLLOW UP

1. When an employee has an exposure incident, he/she will notify a superior as soon as feasible. This shall be followed up with a First Report of Injury/Worker Compensation/Accident/Illness Report form within 24 hours of the incident. When appropriate PPE was not used, the employee shall include in the report the extenuating circumstances.

2. Following a report of an exposure incident, a supervisor shall make immediately available to the exposed employee, and in no event later than 24 hours, a confidential medical evaluation and necessary follow up including at least the following elements: (See Addendum 2)

a. Documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred.

b. Identification and documentation of the source individual, unless the supervisor can establish that identification is infeasible or prohibited by state law.

1) The source individual's blood shall be tested as soon as feasible after consent is obtained in order to determine HBV and HIV infectivity.

2) If consent is not obtained, the supervisor shall establish that legally required consent cannot be obtained. When the source individual refuses testing, the supervisor should consult with the Health care professional as to the necessity for a source blood test including timeliness. The supervisor, after consulting with the Health care professional, when appropriate, should give consideration to obtaining a search warrant in criminal matters such as assault to determine the degree of crime via the county or city attorney's office. In non-criminal matters, consideration should be given to a civil process, such as an administrative warrant or civil suit, demanding the test. Detention should only be made on the legal advice of the county or city attorney's office.

- 3) When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
 - 4) Results of the source individual's testing shall not be made available to the exposed employee, and the employee shall not disclose the identity and infectious status of the source individual.
3. Collection and testing of the employee's blood for HBV and HIV serological status:
 - a. The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained.
 - b. If the employee consents to baseline blood collection, but does not give consent at the time of HIV serologic testing, a supervisor shall have the Health care professional preserve the sample for at least 90 days. If within 90 days of the exposure incident, the employee elects to have the baseline sample tested, such testing shall be done as soon as feasible.
 4. The Pine River Police Department shall ensure post exposure prophylaxis, when medically indicated, as recommended by the United States Public Health Service (USPHS).
 - a. Counseling, and;
 - b. Evaluation of reported illness.
 5. Information provided to the Health care professional
 - a. The supervisor shall ensure that the Health care professional responsible for the employee's HEPATITIS B VACCINATION is provided a copy of the 20 CFR Part 1910.1030 regulations.
 - b. The supervisor shall ensure that the Health care professional evaluating an employee after an exposure incident is provided with the following information:
 - 1) A copy of 29 CFR Part 1910.1030.
 - 2). A description of the exposed employee's duties as they related to the exposure incident.
 - 3) Documentation of the route(s) of exposure and circumstances under which the exposure occurred.
 - 4) Results of the source individual's blood testing, if available.
 - 5) All medical records relevant to the appropriate treatment of the employee including vaccination status.
 6. Health care professional's written opinion:
 - a. A supervisor shall obtain and provide the employee with a copy of the evaluating Health care professional's written opinion within 15 days of the completion of the evaluation.
 - b. The Health care professional's written opinion for Hepatitis B vaccination shall be limited to whether a Hepatitis B vaccination is indicated for the employee and if the employee has received such vaccination. When a Hepatitis B vaccination is recommended and the employee has refused, the supervisor shall have the employee sign a declination form (Addendum Three). After signing the declination form, he/she may exercise his/her right to receive the vaccine at any time thereafter.
 - c. The Health care professional's written opinion for post exposure evaluation and follow up shall be limited to the following information.
 - 1) The employee has been informed of the results of the evaluation, and;
 - 2) That the employee has been told about any medical conditions resulting from exposure to blood or OPIM which require future evaluation or treatment. All other findings or diagnoses shall remain confidential and shall not be included in the written report.

NOTE:

Medical evaluation and necessary follow- up and counseling is provided at no cost to the employee. Payments shall be made by Pine River with the approval of the supervisor. A copy of the medical costs should be filed with the first report of injury.

I. INFORMATION AND TRAINING

Training on 20 CFR Part 1910.1030 must be conducted upon initial assignment and annually. Employees who have received appropriate training with the past year need only receive additional training in items not previously covered.

1. Training will be at no cost to the employee.
2. Training will be completed within 90 days of the effective date of the policy.
3. Training shall be conducted annually thereafter.
4. Additional training will be given whenever changes are made.

J. RECORD KEEPING

1. The employee and supervisor shall supply the Police Department with the originals of all required reports and related documents including but not limited to: records of exposure incidents, post exposure follow up, Hepatitis B vaccinations, Non use of PPE, etc.
2. Medical records must include name and social security number, Hepatitis B vaccination status, including dates, and any medical records relative to the employee's ability to receive vaccinations. Are required, results of any examinations, medical testing and follow up procedures as required, a copy of the Health care professional's written opinion, and a copy of information provided to the Health care professional.
3. All medical records shall be treated confidentially and are not to be disclosed without the employees consent as required by law. Medical and training records must be made available to the subject employee upon request.
4. Medical records shall be maintained for each employee with occupation exposure for the duration of employment plus 30 years.
5. Employees shall complete Addendum 4 when refusing post exposure evaluation and Follow up. When a vaccine is recommended by the Health care professional and refused by the employee, the employee shall sign an additional declination Form C found on Addendum 3.
6. Employees training records will be maintained in the Pine River Police Department. Training records will be maintained for three years and must include dates, contents of the training program or a summary, trainer's name and qualifications, names and job titles of all persons attending the sessions.
7. OSHA has legal right to review and copy any and all records that are required to be maintained according to CFR 29 Part 1910.1030.

K. SUPERVISOR EVALUATION AND RE EVALUATION

1. The supervisor shall ensure that as much as practical, employees use appropriate personal protective equipment as required in B above.
2. OSHA regulations mandates that supervisors shall investigate and document violations as outlined in this Exposure Control Plan. The supervisor shall use Addendum 5 to report their investigation. Disciplinary action shall also be noted on Addendum 5.
3. Immediate supervisors shall ensure that all required PPE is readily available during personal inspection.
4. The exposure control plan shall be updated annually or more often, if necessary, to accommodate work place changes.

Policy, Rules, Procedure:

#29 Critical Incident: Department Response

POLICY:

The Pine River Police Department recognizes that employees involved in critical incidents may be subject to the stress reactions both during and post incident. Knowing that these stress reactions may have a corrosive effect on the employee, potentially leading to long term professional and personal

problems, the policy of the Police Department will be to provide immediate follow up care to involved employees as the Police Department deems necessary.

PURPOSE:

To clearly establish for Departmental Personnel:

- Events, which are critical incidents.
- Reporting responsibilities for supervisors.
- Command legal response to critical incidents
- Involved employee responsibilities

SCOPE:

This section shall be applicable to employees involved in critical incidents directly and may extend to employees with indirect involvement. This policy applies to incidents that occur while the employee is on-duty, or acting within their capacity as an employee of the Pine River Police Department.

1. DEFINITIONS:

A. Administrative Leave:

Paid leave granted to an employee that does not affect or reduce the employee's annual/vacation or sick leave balance.

B. Critical Incident:

1. An incident in which an officer uses deadly force, as defined in MN stat. 609.066
2. An incident resulting in death, great bodily harm, or Substantial bodily harm to an employee of the Pine River Police Department or to a member or members of the public.
3. Particularly gruesome suicides or homicides, brutal child abuse cases, or several difficult incidents occurring within a short time frame.
4. A life threatening event or an employee involved with a life or death struggle with another.
5. Additional examples of critical incidents may include, but not limited to:
 - a. Hostage situations
 - b. Pursuits
 - c. Sudden death or serious injury to a child
 - d. Difficult rescue efforts
 - e. A victim and/or family known to the responder.
 - f. A victim with overwhelming traumatic injuries.
 - g. Natural disasters or mass casualty incidents or
 - h. Significant unfavorable media coverage of an event

B. Critical Incident Stress Debriefing:

A critical incident stress debriefing is a formal group discussion provided 24-72 hours after an incident. It is a psychological and educational procedure conducted to lessen the impact of a critical incident and accelerate normal recovery, in normal people, having normal reactions to abnormal events. Information acquired by peer group members in a public safety peer counseling debriefing is private data.

C. Critical Incident Diffusing:

Informal process which takes place immediately after a critical incident. It involves employees, supervisors, and a representative of the Critical Incident Stress Management Team. This process focuses on immediate reaction and education of those involved in a critical incident. Team members may distribute material to those involved.

D. Critical Incident Stress Management Team (CISM):

A team of trained volunteers that respond to assist with peer support, crisis intervention and critical incident stress management in the Pine River area. The CISM Team conducts defusing, debriefings, demobilization and on-site stress management.

F. Immediate Family Members:

Employee's spouse, children, or stepchildren, parents and siblings.

E. Involved Employee:

An employee of the Pine River Police Department, or support personnel who are directly or indirectly involved in a critical incident. This includes but is not limited to, Deputy Sheriffs, Police officers, and/or Communications Personnel.

1.REPORTING AND RESPONSIBILITIES:

A. The officer on duty shall determine if the event is a critical incident as defined by this policy. Through knowledge of the incident, observation of and discussion with involved employees, the on-duty officer will assess whether or not involved employees will be granted immediate leave from the work place, or continue their respective shifts. Occurrences determined to be critical incidents are to be reported immediately to the Chief of Police.

B. The Chief of Police or designee may grant employees demonstrating an emotional reaction to the incident Administrative leave up to three working days in length.

C. The Chief of Police may extend Administrative leave for up to two weeks in duration. Employees seeking administrative leave beyond the three days must be engaged in a treatment or counseling program intended to alleviate the effects of the critical incident upon the employee.

3. CHIEF OF POLICE:

The Chief of Police may order an immediate Critical Incident Defusing. Additionally, the Chief of Police may order a Critical Incident Debriefing. This debriefing may be arranged through the CISM Team. All such debriefings shall occur as soon as possible but no later than 72 hours after the incident. The Chief of Police retains the authority to require or make optional Diffusing or Critical Incident Stress Debriefings and employees shall be compensated per City personnel policy as appropriate.

4. EXTENDING SERVICES TO FAMILY:

Critical Incidents not only affect the employee, but immediate family members as well. If requested, at the Chief of Police discretion, the Police Department may assist with arranging professional counseling and follow up care by an experienced psychologist or mental health professional for immediate family members affected by the aftermath of the incident.

5. POSTTRAUMATIC STRESS SYNDROME BENEFIT:

Minnesota State Statute 299A.411 requires law enforcement agencies to provide certain benefits to

officers who have been clinically diagnosed as suffering from Posttraumatic Stress Syndrome as a result of the lawful taking of a life and are unable to perform other peace officer jobs duties provided by the employer. Officers involved in incidents covered by this legislation will be afforded the benefits as required by State Law.

Rules, Policy, Procedure:

#30 Emergency Response Unit

There is created within the Cass County Sheriff's Office an Emergency Response Unit (ERU). Officers of the Pine River Police Department upon the Chief of Police and City Council's approval may submit a letter of Intent to the Cass County Sheriff's Office and ERU team for approval to join.

I. ORGANIZATION:

The Emergency Response Unit consists of licensed police officers headed by a team leader.

II. FUNCTION:

High risk situations require prompt response by highly trained and equipped teams of officers. The Emergency Response Unit will be used to handle high risk situations at the decision of the Sheriff or Chief Deputy or their designee. Examples of the ERU call out situations are:

1. Hostage
2. Barricaded/Armed Suspect(s)
3. Sniper
4. Terrorists
5. Civil Disturbances
6. Dignitary Protection
7. Other Special Situations
8. High Risk Search

III. AUTHORITY AND RESPONSIBILITY:

The Emergency Response Unit's purpose is to support the Sheriff's Office and is given their mission from a ranking officer. How to accomplish the mission is left to the ERU Team Leader or his acting designate. The Sheriff or Chief Deputy always remains in command of the entire situation.

IV. PROCEDURE:

The purpose of this section is to establish a plan to use in cases where ERU intervention is appropriate. Following the plan will ensure quick and consistent response to high risk situations.

V. GENERAL POLICY

In hostage situations, the safety of the public and/or hostage(s) is our primary concern. Safe release of the hostage(s) is our primary goal and the arrest of the suspect our secondary goal. These goals will be attained while also safeguarding the lives of the hostage(s), the police and the suspect, when possible. We will strive to prevent the escape of a suspect with or without a hostage. We will not grant immunity nor pay ransom to resolve a hostage situation. Any exception to this must come from the Sheriff or Chief Deputy.

When a suspect is barricaded and does not hold a hostage, we will use all reasonable non-lethal tactics (Governed and directed by Minnesota State Statute 629.32 and 629.33) to make an arrest, based on the situation and the safety of department personnel and the public.

Strong command, control, restraint and great flexibility are critical to a successful police response. Direct hasty action against the suspect is ill advised and risky. Firearm discipline is essential. Time is our greatest ally and we should use it to our advantage.

1. ERU members are expected to respond to every call out that affects them.
 - a. When on regular duty, ERU members will respond if their position can be filled by callout.

- b. Off-duty ERU members may carry the pager with them while in the county area and are expected to respond to callouts unless their response time would be too long to be effective. Duty shifts may need to be filled by part time officers when feasible to cover training and callouts.
 - c. Notification to the Chief of Police of a callout should take place when practical.
 2. Things to consider determining if an ERU callout is appropriate.
 - a. Is specialized equipment needed?
 - b. Is specialized knowledge of tactical operations needed?
 - c. Will the safety of the citizens and police officers be increased by calling for ERU, knowing full well that a delayed response will follow?
 - d. Can the situation be contained pending the arrival of ERU?
 - e. Is the situation presently or potentially violent?
 - f. Is the suspect known to be at a certain location and how valid is the information?
 - g. Is the suspect armed? If so, what weapons does he have?
 - h. Is there now, or will there be some obvious resistance to police officers in the performance of their duties?
 3. Callout Procedure:
 - a. On instruction from the Sheriff, Chief Deputy or Designee, the dispatchers will initiate an ERU callout.
 - b. The dispatchers will contact the ERU Team Leader who will determine the level of callout. (If the ERU Team Leader is unavailable, contact the ERU Sergeant.)
 - c. Dispatchers will activate the appropriate level ERU callout at the direction of the ERU Supervisor contacted.
 4. Emergency Response Unit Actions
 - a. Pine River Police Department ERU members that respond to a callout will meet at the Pine River Fire Hall prior to going to the designated staging area so that only one Pine River squad car is utilized during a callout.
 - b. ERU members will report to a designated staging area for briefing and assignment.
 - c. If the ERU Team Leader and Sergeant are not available, Team Members will advise the Sheriff, Chief Deputy or designee on whether they can handle the situation or if tactical mutual aid should be activated.
 - d. ERU personnel who cannot respond immediately should inform the dispatcher and advise as to approximate response time or their inability to respond.
 - e. Mutual aid to other communities will occur only after notification of the ERU Team Leader or Sergeant, in his absence. Response to mutual aid requests will comply with established guidelines.
 - f. No mutual aid will commence either to/from other agencies without authorization of the Sheriff, Chief Deputy, or designee.
 5. Initial response to possible ERU callout situations – hostage / barricaded suspect / sniper incidents. The following is a guideline for line officers / supervisors encountering possible ERU callout situations:
 - a. Actions of the first responding officer(s)
 - Provide for their own safety using cover, concealment and survival tactics. Do not advance on suspect(s).
 - Locate the subject(s) position in order to contain them.
 - Notify the dispatcher and adviser of the situation; request necessary assistance to contain the area; and notify a supervisor

- Provide the dispatcher with the best safe-route for responding squads. All personnel should be advised of the boundaries of the kill zone. This will be known as the inner perimeter.

b. Actions of assisting officers

- Officers must report to the command post or staging area. The biggest problem for the field commander is control of responding officers. Officers will not deploy unless directed by the on scene commander.
- Deploy as directed by the officer-in-charge at the scene (As designated by a supervisor prior to on-scene arrival).
- Evaluate the situation; ensure that the area is contained.
- Check officer positions to avoid potential hazards.
- Evacuated citizens from the inner perimeter if they are in immediate danger. If safe evacuation is not possible, citizens should be advised to take a position of cover inside their home until advised that the situation is resolved.
- Select a Command Post (C/P) area. This area should be:
 - Reasonably close to the scene – out of sight and line of fire.
 - Enough room to park 12-15 vehicles.
 - Situated upwind in case of gas deployment.
 - Suitable examples are schools, parks, service stations, business areas, etc.
- Provide the location of the C/P to the dispatcher and the safest route for responding personnel.

c. Actions of the Sheriff, Chief Deputy or Chief of Police

- Take charge of the scene/situation.
- Obtain a situation report from the officer-in-charge.
- Evaluate the situation and determine whether ERU assistance is needed. Advise dispatchers to notify ERU of callout.
- Confer with the arriving ERU Team Leader and provide a situation report.
- Obtained a briefing from ERU Team Leader on the anticipated plan.
- Determine if additional dispatchers or other personnel should be called out. The supervisor should remember that the ERU elements are there to assist them. The supervisor must first concern himself with evacuating the injured and those in direct line of fire, cordoning the area, maintaining control of the area and directing units responding to the scene. ERU should assume responsibility for apprehending the suspect(s), thereby relieving the field supervisor of that responsibility.

V. SUMMARY

The following is a simple guide to the successful handling of barricaded situations:

Officers should seal avenues of escape (cordon the area) and call for assistance. Once the suspect is isolated, time is to the benefit of the officers and the full resources of the department are available to assist the officers in removing the suspect from his location. If possible, an effort should be made to contact the suspect before force is used. Appropriate special equipment and trained personnel (ERU elements) should be requested to minimize the possibility of injury to officers and others.

Rules, Policy, Procedure:

#31 Traffic Stops

A. TRAFFIC STOPS:

1. Members of the department shall use appropriate actions when stopping a vehicle for a traffic offense and advise dispatch of the location of the stop. Emergency lights, video camera and when needed, the siren should be activated. An ICR should be created for all traffic stops.
2. All critical information is to be communicated with dispatch. As soon as practicable, relay the status of the stop to dispatch and request any additional information. Registration checks on license plates (28s) and status checks on driver's licenses (45s) should be relayed to dispatch over the radio, but can also be run on the squad computer with the approval of the Chief of Police.
3. Calling in the stop over the radio to dispatch is primarily for officer safety and assists other officers in case of an emergency where the officer on scene requires assistance.
4. The emerts system and ISC/BWC resources in the city squad cars is to be **used as a tool but not to be the sole reason for the stop, citation or arrest.**
5. Failure to follow this policy can and will result in disciplinary action being taken against the officer.

Rules, Policy, Procedure:

#32 Use of Chemical Weapons

POLICY:

It is the policy of the Pine River Police Department that all uniformed and non-uniformed members of the department shall have available or carry authorized chemical weapons while on duty. The chemical weapon shall be provided to each member of the department to ensure that each officer has a weapon that may be used to gain control of a person or persons who otherwise could cause harm to themselves or others.

The chemical weapon is not meant to replace calming verbal tactics but instead is meant to provide officers with the means short of using lethal weapons to gain control of or restore order of an out of control person or situation which might otherwise result in harm to themselves or others.

Uniformed members of the department may carry the chemical weapon on the duty belt along with the other required items. Officers wearing plain clothes need not carry chemical weapons on their person. However, they shall have the chemical weapon available in a fashion which would permit access to the chemical weapon in the field.

In addition to the chemical weapon provided to each officer, the department will provide training in the proper care and use of the weapon. Training in use of the weapon will occur prior to the officer carrying or having available the non-lethal weapon.

In all cases where a chemical weapon is used it shall be reported to the supervisor. A report detailing the reasons why the chemical weapon was used, the circumstances surrounding its use and all officers involved in the situation where the chemical weapon is used will be submitted to the chief of police.

Officers using a chemical weapon are governed by the “Non-Deadly Force” policy in addition to this policy.

Rules, Policy, Procedure:

#33 Use of Taser

POLICY:

This policy applies to all sworn officers of the Pine River Police Department who are engaged in the discharge of official duties. The purpose of this section is to provide officers with guidelines regarding the use and deployment of the X26P Advanced Taser.

MSS 609.066 – Authorized Use of Deadly Force by Peace Officers

Subd. 1 Deadly Force Defined

For purposes of this section, “deadly force” means force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing death or great bodily harm. “The intentional discharge of a firearm, or other than a firearm loaded with less lethal munitions and used by a peace officer within the scope of official duties, in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.”

“**Less Lethal Munitions**” means projectiles, which are designed to stun, temporarily incapacitate, or cause temporary discomfort to a person.

“**Peace Officer**” has the meaning given in Section 626.84, Subd. 1.

PROCEDURE:

- A. Advanced Tasers shall be issued to and used only by POST licensed officers who have completed the Advanced Taser program. A certified Advanced Taser instructor will do the training.
- B. Only properly functioning Advanced Tasers shall be carried in the field.
- C. Each discharge, including accidental discharges of an Advanced Taser shall be investigated and documented utilizing a Taser use of force report narrative. Office sanctioned training (i.e. test fire) shall be exempted from this requirement.
- D. The Taser is a defensive weapon listed on the force continuum at the same level as chemical aerosol. It is located after verbal commands at the soft empty hand control level of force.
- E. The Taser is not a replacement for the firearm and should not be used without firearm backup when the use of deadly force is justified.
- F. The Taser should not be deployed in areas that are potentially flammable.
- G. Never aim the Advanced Taser at the eyes or face.
- H. If the subject is maced and the officer knows that if the mace is flammable, then the Advanced Taser should not be deployed.

- I. The Advanced Taser should not be fired near flammable liquids or fumes. Nor should it be deployed in highly flammable conditions such as methamphetamine laboratories.

PROCEDURE FOR THE DEPLOYMENT OF THE X26P ADVANCED TASER:

- A. Identify threat if acceptable for the use of an Advanced Taser and if it falls within the guidelines regarding the use of force continuum.
- B. Call for backup and advise the deployment of the Taser.
- C. Pull Advanced Taser from holster with live air cartridge. The range of the yellow air cartridge is 15 feet, the range of the silver cartridge is 21 feet and the range of the green cartridge is 25 feet.
- D. Give strong verbal commands to the subject to stop any threats or actions towards the officer.
- E. Aim Advanced Taser at center body mass (upper back or chest if possible)
- F. Give instructions for subjects to stop the threat.
- G. Identify that you will use the Taser to deliver an electrical shock if the subject does not cooperate with your commands.
- H. If not cooperating, and still a threat, fire the Advanced Taser.
- I. Continue with the use of Advanced Taser until the subject falls to the ground or is incapacitated. A full 5-second cycle deployment should be given without interruption unless circumstances dictate otherwise.
- J. Have another officer(s), if at the scene, handcuff and apprehend the subject.

PROCEDURE AFTER THE ADVANCED TASER IS DEPLOYED:

- A. Remove barbs from the subject. Request medical personnel if available to examine a person at the scene if probes cannot be removed because of depth of penetration, hit to the head, groin or women's breast. Officers are to wear rubber gloves when removing probes from the skin. Use a two-finger method for removing probes. Administer instant sanitizing gel or spray to each puncture site and apply band-aid. Take photographs of injuries if applicable.
- B. Transport subject to a medical facility for examination and treatment if appropriate. There may be injuries that the officer cannot treat at the scene, or the subject is requesting to go to a medical facility.
- C. Complete the Taser use of force statement and submit with a copy of the incident report.
- D. The air cartridge and probes shall be tagged into evidence. The probes shall be placed back into the spent cartridge and the wire shall be wrapped around the cartridge. Tape should be placed over the portals to secure probes in the cartridge. Place into an evidence envelope. Collect several AFIDs from the scene and place them in the evidence

envelope.

USE OF FORCE REGARDING THE ADVANCED TASER:

A. The use of the Advanced Taser constitutes the use of force. The Advanced Taser is placed on the use of force continuum before the soft empty hand technique level.

B. The Advanced Taser may be used up to 21 feet when:

1. The suspect is punching or kicking, or
2. Threatening to punch or kick, or
3. Lesser force options are likely to be ineffective, or
4. Lesser force options are ineffective, or
5. The officer reasonably believes the suspect poses a credible threat, or
6. The suspect poses a threat from a distance and the officer is at risk of injury if he/she attempts to close the gap, or
7. The suspect fails to comply with verbal (voice) commands, or
8. The subject uses passive or defensive resistance towards the officer, or

9. Other considerations on deployment are:

- a. Imminent threat to officers or others.
- b. The suspect is actively resisting arrest (detention).
- c. Circumstances are tense, uncertain, and rapidly evolving.
- d. Severity of the crime at issue.
- e. Attempting to evade by flight.

10. Officer / Subject factors that may be considered:

- a. Age
- b. Sex
- c. Pregnancy (Avoid use, if possible, on late term women as the Advanced Taser could cause complications from a secondary injury, fall, and contractions.)
- d. Skill level

e. Multiple subjects / officers

f. Relative strength

11. Special circumstances:

a. Closeness of weapon

b. Injury or exhaustion of officer

c. Officer on ground

d. Distance between officer and subject

e. Special knowledge

f. Availability of other weapons

REQUIREMENTS FOR CARRYING THE X26P ADVANCED TASER: A. Complete a

course of instruction under the guidance of a certified instructor, and

B. Pass a written exam, and

C. Pass the functional test, and

D. Pass the practical test.

E. Annual department qualification is required.

Although it is recommended that each officer receive a test shock from the Taser, it is not required. However, officers that have taken the shock will be able to better testify in court as to the Taser's effect.

Policy, rules, procedure:

#34 Evidence Room Policy

It is the policy of the Pine River Police Department to ensure all employees adhere to the following guidelines for proper handling, identification, storage and security of evidence and other property in the custody of this agency.

A Property

Property consists of: evidence collected by an officer during the course of an investigation, abandoned, stolen, or found property that has been turned in to the police department for safekeeping, surrendered firearms, vehicles and anything else of value held by the agency not belonging to the city of Pine River.

B. Secure Property Storage Room

All property held by the department will be properly stored in the secure property storage room. (Items too large for the property room such as vehicles and bicycles can be stored in the police impound area.) Access to the property room will ONLY be allowed by the Chief of Police and his designee. The Chief of Police will designate an officer from the department to manage the contents of the property room and will be assigned as the Property Room Officer or (PRO). The PRO will control incoming and outgoing property in order to maintain the chain of custody. He will keep a log of all property in secure storage to determine the status of each item and if it should remain in the custody of the department or be disposed of pursuant to statute. The PRO can retrieve property from the room for court purposes or testing at the request of the submitting officer or the Chief of Police. Any item transferred to or from the room will be documented by the PRO on the related chain of custody form.

C. Property Collection Procedures

An ICR (Initial Complaint Report) should be created for every time property is collected by an officer. The property should be photographed and placed in an appropriately sized property bag for storage. Photographs will be attached to the ICR. Items too large for a bag can be tagged with a property label. Any controlled substances should be weighed and a presumptive test should be conducted on the substance prior to placing into a secure storage bag. Multiple items from the same case may be placed in the same property bag unless contamination or destruction may occur. Property should then be labeled with the ICR number and as much appropriate information as possible regarding the contents of the bag. The officer collecting the property shall then lock the property in a temporary property storage locker until the PRO can collect the items and log them into the secure property storage room. If the PRO determines that the submitted property has been improperly labeled or needs additional information before storage,

he will contact the submitting officer and request the information prior to logging the property into the secure storage room.

D. Court Ordered Firearm Surrenders

Surrendered firearms pursuant to a court order can be accepted by the Pine River Police Department. The transfer should take place in the conference room or interview room of the police department to ensure audio and video recording of the process. The officer will complete a firearms proof of transfer form and photograph the firearms to be surrendered. The officer will check/clear the firearms, then run the serial numbers through dispatch. The officer should also run the 45 of the defendant to check their firearm possession eligibility. Following the transfer, the defendant should be provided with a copy of the proof of transfer form. The firearms should then be labeled appropriately with the ICR number and other information, as any other property report, then submitted to the property room manager for processing. Video of the transfer should be saved and retained along with the surrendered firearms.

E. Property Room Management

An annual audit of the property storage room will be conducted by the PRO and the Chief of Police. At that time, the items in the property room will be inventoried. Property that no longer needs to be retained for evidence, or that the owner of the property has not been located for the designated period, can be disposed of pursuant to statute (MN 626.04 (b), MN 629.361).

F. Property Retention

Property that is not required by statute to be retained by the department will be held for a minimum of 90 days. Reasonable attempts will be made to contact the owner of found or stolen property and/or evidence that is not needed for an ongoing investigation if contact information is available. Property not claimed and not held for any other purpose may be publicly advertised for auction or destroyed. All property that has been claimed, sold, or destroyed will be properly documented in the chain of custody and the related ICR by the PRO.

G. Special instructions for certain property types

Explosives or flammable material

Any items that would be considered explosive or flammable will not be retained by the department. The officer should contact the appropriate agency for disposal of such material safely according to state law and local ordinance.

Cash

Any cash collected by an officer should be thoroughly counted (preferably on video in the police department) and photographed. It should be placed into an evidence bag and labeled accordingly. Follow normal procedure to submit the cash to the PRO for secure storage. Any cash without claim or held for evidentiary purposes past the required period will be deposited into the general fund of the City of Pine River and documented on the related ICR.

Bodily Fluid Evidence

Any bodily fluid evidence collected by an officer should be considered biohazardous and handled with the appropriate PPE. The evidence should be properly dried and placed in a paper bag prior to secure storage. Follow normal procedure for completion of the property details form on the bag and submit to the PRO for processing into property room.

Controlled Substances

Any drugs or controlled substances should also be handled with proper PPE. Drugs seized as evidence should be weighed in the original container, photographed, and field tested prior to placing into an evidence bag. Controlled substances no longer required to be held as evidence or released by court order will be destroyed and documented.

Firearms and ammunition

Care should be taken by an officer collecting firearms to ensure that all firearms are unloaded and safe for storage. Ammunition should be stored in a sealed property bag separate from any firearms but can otherwise be stored in the same manner as other bagged evidence. Firearms should be placed in appropriately sized box if available to protect them from damage. Officers should inspect the firearms for marks and any damage prior to storage and photographed. Document any notable characteristics. Any property forms related to the firearm will be stored in the same box, or attached to the trigger guard so the information cannot be separated from the associated firearm.

Vehicles

Any vehicles held by the Pine River Police Department will be secured in the impound area behind the police department. Vehicles will only be held if they are subject to forfeiture pursuant to statute. A proper inventory will be conducted and thoroughly documented. All related vehicle information will be entered into the case file of the associated ICR. Vehicles will be held until the proper disposition of the court, then either publicly auctioned by the City of Pine River or returned to the registered owner. It will be the seizing officer's responsibility to maintain contact with the court and the documentation and retention of the vehicle and its contents.

POLICY, rules, procedures;

#35 SRO Policy

The primary purpose of this policy is to provide guidelines which define the relationship between law enforcement agencies and the schools utilizing school resource officers (SRO). It will further facilitate the understanding of this relationship with regards to criminal matters and law enforcement situations, which will arise at the local school level. The goal of the SRO programs is to provide safe learning environments, provide valuable resources to school staff members, foster a positive relationship with students and develop strategies to resolve problems that affect our youth with the goal of protecting all children, so they can reach their fullest potential.

GUIDING PRINCIPLES

The SRO employed by (Pine River/Backus School/Pine River Police Department) should be carefully selected, thoroughly trained, and appropriately equipped to fulfill their role within the school community. The SRO should actively engage in early prevention and early intervention educational programs that focus on and support student needs.

SROs shall be specially trained in the principles and standards identified in Minn. Stat. 626.8482, Subd. 4 which recognize the unique role of an SRO to foster positive relationships, open communication and mentorship while providing a safe and constructive environment for students, staff and visitors in the school setting.

SROs are expected to recognize and consider alternatives to formal criminal referral such as diversion and restorative justice programs where possible and as appropriate for the incident, the involved students and families, victim(s) and the larger school community.

When a criminal incident also involves a violation of school rules, SRO's should consider referral of the matter to school authorities in lieu of formal criminal referral, as appropriate for the incident, the students and families involved, the victim(s) and the larger school community.

Nothing in this policy should be construed as limiting any other duty or responsibility imposed on peace officers; the expectation that peace officers will exercise professional judgment and discretion to protect the health, safety, and general welfare of the public when carrying out their duties; or creates a duty for school resource officers to protect students, staff, or others on school grounds that is different from the duty to protect the public as a whole.

DEFINITIONS

School: An elementary school, middle school, or secondary school, as defined in section 120A.05, subdivisions 9, 11 and 13.

School resource officer: A licensed peace officer who is assigned to work in an elementary school, middle school, or secondary school during the regular instructional school day as one of the officer's regular responsibilities through the terms of a contract entered between the peace officer's employer and the designated school district or charter school.

Positive School Climate: A school environment that makes students feel safe, supported and welcome.

Developmentally appropriate practices: Means individualized, responsive care that is appropriate for the child's age, cultural context, disability status and personality.

Great bodily harm: As defined in Minn. Stat. 609.02 Sub. 8 means 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.

Prone restraint: As defined in Minn. Stat. 121A.58 and for purposes of this policy, prone restraint means placing a child in a face down position.

Custodial arrest: A custodial arrest is the actual, physical restraint of a person and subsequent detention. Custodial arrest may occur with or without a warrant depending on the circumstances.

De-escalation: Refers to the methods and actions taken to decrease the severity of a conflict, whether physical or verbal in nature.

PROCEDURE

General contractual requirements: The law enforcement agency's contract with a school district or charter school shall define the SRO duties in compliance with Minn. Stat. 626.8482, Subd. 2.

Additional issues to be addressed in contract. The contract between the parties:

Must address a mutually agreed upon policy regarding the use of plain clothes, modified uniforms, and other changes to SRO attire with the goal of fostering a positive school climate, facilitating the establishment of positive relationships with students, and promoting open communication;

1. Shall articulate the role, if any, of the school district in the selection, vetting and retention of the SRO;

2. Should address how the SRO will be informed of school district resources available to school staff to assist with de-escalation of conflicts in school, e.g. specialized crisis teams, mediation opportunities, etc.; and
3. Shall establish a public notification process that an SRO will be present in the schools.

A school district or charter school may contract with a school resource officer's employer for the officer to perform additional duties to those described in paragraph IV.A.

Fostering a Positive School Climate and Constructive Relationships:

1. SRO's should consider establishing a presence at times that allow opportunities to build connections and relationships.
2. SRO's should establish connections based upon mutual trust and respect while encouraging communication.
3. SRO's are a resource for educating students on what concerns should be reported to a responsible adult.

SRO's work in collaboration with the schools to Providing Campus Safety Training:

1. Use developmentally appropriate practices that take into consideration differences in culture, language, trauma and an individual's disabilities.
2. Use methods that help ensure school safety and security, focusing on safety over violence.
3. Encourage students to ask questions about school safety.

Crisis Intervention and De-escalation

SRO's are often required to make assessments of rapidly evolving situations, analyze potential responses and act upon various levels of safety concerns. Crisis intervention and de-escalation strategies should be used whenever possible in response to crisis or safety situations. The safety of the individual, SRO's, school staff, students, and others present should not be compromised during de-escalation tactics.

SRO's should understand and use developmentally appropriate principles of evidence-

based crisis intervention and de-escalation strategies. These strategies include, but are not limited to:

1. Be empathetic and non-judgmental
2. Respect personal space
3. Use non-threatening nonverbal communication
4. Avoid challenging questions
5. Allow time for decisions

Use of Force.

SRO use of force is governed by and will comply with Minn. Stats. 609.06 Authorized Use of Force; 609.066 Authorized Use of Deadly Force by Peace Officers; 626.8475 Duty to Intercede and Report; and the Law Enforcement Agency Use of Force Policy.

Specific tactics and strategies to minimize uses of force or the use and duration of prone restraint or physical holds of students:

1. Employ de-escalation techniques, the least restrictive physical intervention strategies, as reasonable, for addressing conflicts in schools as identified in the training required under Minn. Stat. 626.8482, Subd. 4., and 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.

2. Consistent with training after any use of force, the SRO shall assess the condition of the student and render aid as needed including restoring the student to a non-prone position as soon as possible,

Additional considerations for SROs when using force as allowed in Minn. Stat. 609.06 in a school situation, should include:

1. Immediacy and severity of the threat to officers or others.

2. Potential for injury to officers, students, and others

3. The conduct of the individual being confronted, as reasonably perceived by the officer at the time.

4. Officer/individual factors (e.g. age and/or maturity, physical size

and/or abilities).

5. The individual's ability to understand and comply with officer commands

6. The effects of suspected drug or alcohol use.

7. The individual's mental state or capacity.

8. The student's education plan or accommodations, if known.

9. Proximity of weapons or dangerous improvised devices.

10. The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.

11. The availability of other reasonable and feasible options and their possible effectiveness (Minn. Stat. § 626.8452).

12. The immediate need for intervention versus allowing time and distance for additional de-escalation.

13. Seriousness of the suspected offense or reason for contact with the individual.

14. Training and experience of the officer.

15. Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.

16. The risk and reasonably foreseeable consequences of escape.

17. Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.

18. Prior contacts with the individual or awareness of any propensity for violence.

19. Any other exigent circumstances.

When a criminal incident also involves a violation of school rules, SRO's should consider referral of the matter to school authorities in lieu of formal criminal referral, as appropriate for the incident, the students and families involved, the victim(s) and the larger school community.

SROs should exercise age-appropriate practices when interacting with children, and developmentally appropriate practices with youth and individuals known to have physical, mental health, developmental or intellectual disabilities recognizing that the individual's disability may affect their ability to understand or comply with commands from SROs.

Arrest considerations.

1. As much as is reasonably practical, SROs should seek to utilize alternatives to formal criminal referral such as diversion and restorative justice programs where possible and as appropriate for the incident, the students and families involved, victim(s) and the larger school community.
2. Custodial arrests in school should be avoided if reasonably practical. If a custodial arrest is necessary because of exigency or public safety considerations, the arrest should be made in a non-communal area away from the view of other students if practicable.
3. When reasonably practicable, appropriate school staff should be notified prior to and/or present during the custodial arrest of a student.

Training

Except as provided for in paragraphs E.2., E.3., and E.4. below, beginning September 1, 2025, a peace officer assigned to serve as a school resource officer must complete a training course that provides instruction on the learning objectives identified in Minnesota Statutes, section 626.8482, subdivision 4 prior to assuming the duties of a school resource officer.

A peace officer who has completed either the School Safety Center standardized Basic School Resource Officer Training or the National School Resource Officer Basic School Resource Officer course prior to September 1, 2025, must complete the training

mandated under paragraph E.1. above before June 1, 2027. A peace officer covered under this paragraph may complete a supplemental training course approved by the board pursuant to Minnesota Statutes, section 626.8482, subdivision 4, paragraph (b), to satisfy the training requirement.

Whenever practicable, it is preferable that a peace officer completes the training required under this section prior to filling the role of SRO.

However, if an officer's employer is unable to provide the required training course to the officer prior to the officer assuming the duties of a school resource officer, the officer must complete the required training within six months of assuming the duties of a school resource officer. The officer is not required to perform the duties described in Minnesota Statutes, section 626.8482, subdivision 2, paragraph (a), clause (4) or (5), until the officer has completed the required training course. The officer must review any policy adopted by the officer's employer pursuant to section 626.8482, subdivision 6 before assuming the other duties of a school resource officer and must comply with that policy.

An officer who is serving as a substitute school resource officer for fewer than 60 student contact days within a school year is not obligated to complete the required training or perform the duties described in Minnesota Statutes, section 626.8482 subdivision 2, paragraph (a), clause (4) or (5), but must review and comply with any policy adopted pursuant to subdivision 6 by the law enforcement agency that employs the substitute school resource officer.

An SRO will complete a refresher course at a minimum of once every three years.

For each school resource officer employed by an agency, the chief law enforcement officer must maintain a copy of the most recent training certificate issued to the officer for completion of the training mandated under this section.

Data practices

The contract between the school district and the law enforcement agency must address data practices policies and procedures. These procedures and policies shall identify the education records that can be shared with the law enforcement agency generally and with the SRO specifically and for what purposes.

Law enforcement records that contain student and parent data that are maintained by the law enforcement agency shall be governed by the agency's data practices policy and in compliance with the

requirements of the Minnesota Government Data Practices Act, Minn. Stats., chapter 13, and Minnesota Rules, parts 1205.0100-1205.2000.

Policy, Rules, Procedures:

#36 *Body-Worn Camera Policy*

Purpose

The primary purpose of using body-worn cameras (BWCs) is to capture evidence arising from police-citizen encounters. This policy sets forth guidelines governing the use of BWCs and administering the data that results. Compliance with these guidelines is mandatory. Officers are excused from recording requirements, however, when they must prioritize other primary duties or safety concerns, especially in circumstances that are tense, uncertain, and rapidly evolving.

Policy

It is the policy of this department to authorize and require the use of department issued BWCs as set forth below, and to administer BWC data as provided by law.

Scope

This policy governs the use of BWCs in the course of official duties. It does not apply to the use of squad-based (dash-cam) recording systems. Unless otherwise prohibited by law, the chief or chief's designee may supersede this policy by providing specific instructions for BWC use to individual officers, or by providing specific instructions pertaining to particular events or classes of events, including but not limited to political rallies and demonstrations. The chief or designee may also provide specific instructions or standard operating procedures for BWC use to officers assigned to specialized details, such as carrying out duties in courts or guarding prisoners or patients in hospitals and mental health facilities.

Definitions

The following phrases and words have special meanings as used in this policy:

- A. MGDPA or Data Practices Act refers to the Minnesota Government Data Practices Act, Minn. Stat. § 13.01, et seq.
- B. Records Retention Schedule refers, depending on context, to the General Records Retention Schedule for Minnesota Cities (last revised March 2021) or to the agency's records retention schedule approved pursuant to Minnesota Statutes section 138.17. \

- C. Law enforcement-related refers to activities or information pertaining to a stop, arrest, search, seizure, use of force, investigation, citation, or charging decision.
- D. Evidentiary value means that the information 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.
- E. General citizen contact means 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, assisting a motorist with directions, summoning a wrecker, or receiving generalized concerns from a citizen about crime trends in his or her neighborhood.
- F. Adversarial refers to 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.
- G. 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 and 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.
- H. Official duties, for purposes of this policy, refers to law enforcement activities and services performed by an officer of this agency while on duty. In circumstances where an officer is also employed by another agency as a peace officer, the officer is not performing official duties on behalf of this agency while acting in the course and scope of their employment for the other agency.

Use and Documentation

- A. Officers may use only department issued BWCs while engaged in the performance of official duties.
- B. Officers who are engaged in the performance of official duties and have been issued BWCs shall use and operate them in compliance with this policy. This requirement includes situations where the officer is under the command and control of another chief law enforcement officer or federal law enforcement official while performing official duties for this agency.
- C. Officers shall conduct a function test of their issued BWCs at the beginning of each shift. Officers noting a malfunction during testing or at any other time shall promptly report it to the officer's

supervisor and shall document the report in writing. Supervisors shall take prompt action to address malfunctions and document the steps taken in writing.

D. Officers shall wear their issued BWC at or above the midline of the waist in a position that maximizes the capacity of the device to record video footage of the officer's activities.

E. Officers must document BWC use and non-use as follows:

1. Whenever an officer makes a recording, the existence of the recording shall be documented on the incident report or ICR
2. 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 or ICR. Supervisors shall review these reports and initiate any corrective action deemed necessary.

F. The department will maintain the following records and documents relating to BWC use, which are classified as public data:

1. The total number of BWCs owned or maintained by the agency;
2. A daily record of the total number of BWCs actually deployed and used by officers and, if applicable, the precincts in which they were used;
3. The total amount of recorded BWC data collected and maintained; and
4. This policy, together with the applicable records retention schedule.

General Guidelines for Recording

A. Officers shall activate their BWCs when they become involved in, should reasonably anticipate becoming involved in, or when witnessing another officer engage in a pursuit, Terry stop of a motorist or pedestrian, search, seizure, arrest, use of force, adversarial contact, and during other activities likely to yield information having evidentiary value. 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, part (E)(2) (above).

- B. Officers have discretion to record or not record general citizen contacts.
- C. Officers have no affirmative duty to inform people that a BWC is being operated or that the individuals are being recorded.
- D. Once activated, officers should continue recording with their BWCs 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 direct that recording be discontinued when additional recording is unlikely to capture information having evidentiary value. If the recording is discontinued while an investigation, response, or incident is ongoing, the officer shall state the reasons for ceasing the recording on camera before deactivating their BWC. If circumstances change, officers shall reactivate their cameras as required by this policy to capture information having evidentiary value.
- E. Officers shall not intentionally block the BWC's audio or visual recording functionality to defeat the purposes of this policy.
- F. Notwithstanding any other provision in this policy, officers shall not use their BWCs 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 the recording is authorized as part of an administrative or criminal investigation.

Special Guidelines for Recording

Officers may, in the exercise of sound discretion, use their BWCs:

- A. 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.
- B. To take recorded statements from persons believed to be victims of and witnesses to crimes, and persons suspected of committing crimes, considering the needs of the investigation and the circumstances pertaining to the victim, witness, or suspect.

In addition,

- C. Officers need not record persons being provided medical care unless there is reason to believe the recording would document information having evidentiary value. When responding to an apparent mental health crisis or event, BWCs shall be activated as necessary to document any use of force and the basis for it, the basis for any transport hold, and any other information having evidentiary value, but need not be activated when doing so would serve only to record symptoms or behaviors believed to be attributable to the mental health issue.

- D. Officers should use their BWCs and squad-based audio/video systems] to record their transportation and the physical transfer of persons 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.

Downloading and Labeling Data

- A. Each officer using a BWC is responsible for transferring or assuring the proper transfer of the data from their camera to the docking station 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 BWC and assume responsibility for transferring the data from it.
- B. Officers shall label the BWC data files at the time of capture or transfer to storage, and should consult with a supervisor if in doubt as to the appropriate labeling. Officers can contact supervisor by phone if they need assistance with labeling. Officers should assign as many of the following labels as are applicable to each file:
1. Evidence—criminal: The information has evidentiary value with respect to an actual or suspected criminal incident or charging decision.
 2. Evidence—force: Whether or not enforcement action was taken or an arrest resulted, the event involved the application of force by an officer of this agency of sufficient degree or under circumstances triggering a requirement for supervisory review. Recordings that document the use of deadly are covered separately.
 3. Evidence—deadly force: The event involved the application of deadly force by a peace officer, regardless of whether death occurred.
 4. Evidence—administrative: The incident involved an adversarial encounter or resulted in a complaint against the officer.
 5. Evidence—other: The recording has potential evidentiary value for reasons identified by the officer at the time of labeling.
 6. Training: The event was such that it may have value for training.
 7. Not evidence: The recording does not contain any of the foregoing categories of information and has no apparent evidentiary value. Recordings of general citizen contacts and unintentionally recorded footage are not evidence.

C..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:

1. Victims and alleged victims of criminal sexual conduct and sex trafficking.
 2. Victims of child abuse or neglect.
 3. Vulnerable adults who are victims of maltreatment.
 4. Undercover officers.
 5. Informants.
 6. When portions of the video are clearly offensive to common sensitivities.
 7. Victims of and witnesses to crimes, if the victim or witness has requested not to be identified publicly.
 8. Individuals who called 911, and services subscribers whose lines were used to place a call to the 911 system.
 9. Mandated reporters.
 10. Juvenile witnesses, if the nature of the event or activity justifies protecting the identity of the witness.
 11. Juveniles who are or may be delinquent or engaged in criminal acts.
 12. Individuals who made a complaint of a violation pertaining to the use of real property.
 13. Officers and employees who are the subject of a complaint related to the events captured on video.
 14. Other individuals whose identities the officer believes may be legally protected from public disclosure.
- D. Labeling and flagging designations may be corrected or amended based on additional information.

Administering Access to BWC Data:

A. Death resulting from force

Access to data by survivors and legal counsel. Notwithstanding any other law or policy to the contrary, when an individual dies as a result of force used by an officer of this agency, all BWC data documenting the incident, redacted only as required by law, must be made available for inspection by any of the following individuals within five days of their request:

1. The deceased individual's next of kin.
2. The legal representative of the deceased individual's next of kin.
3. The other parent of the deceased individual's child.
4. The request may be denied if there is a compelling reason that inspection would interfere with an active investigation. If access is denied, the chief of police must provide a prompt, written denial to the requestor with a short description of the compelling reason that access was denied. The written denial must also provide notice that relief may be sought from the district court pursuant to Minnesota Statutes section 13.82, subdivision 7.

B. Death resulting from force—release of data to the public.

When an individual dies as a result of force used by an officer of this agency, all BWC data documenting the incident, redacted only as required by law, must be released and classified as public within 14 days after the incident, unless the chief of police asserts in writing that the public classification would interfere with an ongoing investigation, in which case the data remain classified by Minnesota Statutes section 13.82, subdivision 7.

C. Data subjects.

Under Minnesota law, the following are considered data subjects for purposes of administering access to BWC 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.

D. BWC data is presumptively private.

BWC recordings are classified as private data about the data subjects unless there is a specific law that provides differently. As a result:

1. BWC data pertaining to people is presumed private, as is BWC data pertaining to businesses or other entities.
2. Some BWC data is classified as confidential (see part E, below).
3. Some BWC data is classified as public (see part F, below).

E. Confidential data.

BWC 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 in part D, and the “public” classifications listed below in parts F(2)(a) and (b). However, special classifications and access rights are applicable to BWC data documenting incidents where an officer’s use of force results in death (see parts A and B, above).

F. Public data.

1. Data that documents the final disposition of a disciplinary action against a public employee is classified as public without regard to any ongoing criminal investigation.
2. The following data is public unless it is part of an active criminal investigation or is subject to a more restrictive classification. For instance, data that reveals protected identities under Minnesota Statutes section 13.82, subdivision 17 (e.g., certain victims, witnesses, and others), should not be released even if it would otherwise fit into a category of data classified as public.
3. Data that record, describe, or otherwise document actions and circumstances surrounding the use of force by a peace officer that results in substantial bodily harm, or 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.

4. 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.

G. Access to BWC data by non-employees.

Officers shall refer members of the media or public seeking access to BWC data to the Chief of Police, 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 BWC 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 Minnesota Statutes section 13.82, subdivision 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.

H. Access by peace officers and law enforcement employees.

No employee may have access to the department's BWC data except for legitimate law enforcement or data administration purposes:

1. Officers may access and view stored BWC 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 shall document their reasons for accessing stored BWC data at the time of each access via ICR case notes or daily log input.. Agency personnel are prohibited from accessing BWC data for non-business reasons and from sharing the data for non-law enforcement related purposes, including but not limited to uploading BWC data recorded or maintained by this agency to public and social media websites.
3. Employees seeking to inspect or have copies of BWC data for non-business reasons may make a request for it in the same manner as any member of the public.

I. Other authorized disclosures of data.

Officers may display portions of BWC footage to witnesses as necessary for purposes of investigation as allowed by Minnesota Statutes section 13.82, subdivision 15, as may be amended from time to time. Officers should generally limit these displays in order to protect against the incidental disclosure of 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. BWC 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. BWC data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.

Data Security Safeguards

- A. Personally owned devices, including but not limited to computers and mobile devices, shall not be programmed or used to access or view agency BWC data.
- B. This policy prohibits altering, erasing, or destroying any BWC data or metadata prior to the expiration of the applicable retention period.
- C. As required by Minnesota Statutes section 13.825, subdivision 9, as may be amended from time to time, this agency shall obtain an independent biennial audit of its BWC program.

Agency Use of Data

- A. At least once a month, supervisors will randomly review BWC usage by each officer to whom a BWC is issued, or available for use, to ensure compliance with this policy
- B. In addition, supervisors and other assigned personnel may access BWC 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.
- C. Nothing in this policy limits or prohibits the use of BWC data as evidence of misconduct or as a basis for discipline.
- D. Officers should contact their supervisors to discuss retaining and using BWC footage for training purposes. Officer objections to preserving or using certain footage for training will be considered on a case-by-case basis. Field training officers may utilize BWC data with trainees for the purpose of providing coaching and feedback on the trainees' performance.

Data Retention

- A. Retention periods for BWC data are established by law and the Records Retention Schedule. When a particular recording is subject to more than one retention period, it shall be maintained for the longest applicable period.
- B. All BWC data shall be retained for a minimum period of 90 days. There are no exceptions for erroneously recorded or non-evidentiary data.
- C. Certain kinds of BWC data must be maintained for a minimum period of one year. These are:
 - 1. Data that document the accidental discharge of a firearm by a peace officer in the course of duty.
 - 2. Data that document an incident resulting in a formal complaint against an officer. However, a longer retention period applies if the recording is relevant to an internal affairs investigation.
- D. Data documenting the use of force by a peace officer that results in substantial bodily harm, or force that is of a sufficient type or degree to require supervisory review under the agency's policy, must be retained for a minimum period of seven years.
- E. Data determined to have evidentiary value in any internal affairs investigation must be retained for five years after termination or separation of the employee who is the subject of the investigation. (POL 05880.)

- F. Other data having evidentiary value shall be retained for the period specified by law or the records retention schedule.
- G. Subject to Part (below), all other BWC footage that is classified as non-evidentiary, becomes classified as non-evidentiary, or is not maintained for training shall be destroyed after 90 days.
- H. Upon written request by a BWC data subject, the agency shall retain a recording pertaining to that subject for an additional time 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.
- I. The department shall maintain an inventory of BWC recordings having evidentiary value.
- J. The department will post this policy, together with [a link to] its records retention schedule, on its website.

Compliance

Supervisors shall monitor for compliance with this policy. Noncompliance may constitute misconduct and subject individuals to disciplinary action and criminal penalties pursuant to Minnesota Statutes section 13.09.

Policy, Rules, Procedures:

#37 Ride Along Policy

PURPOSE:

The purpose of this policy is to outline the rules governing persons riding with officers of the Pine River Police Department. The policy also defines the limitations on persons riding with officers in the department.

POLICY:

It is the policy of the Pine River Police Department to permit ride-a-longs at the discretion of the Chief or a supervisor. Any non-law enforcement person must sign a liability waiver prior to riding with the officer.

DEFINITIONS:

Citizen Rider. A community member who expresses an interest in riding with an officer while on patrol.

Family Member:

Immediate family member of the department employee who is at least sixteen years of age.

Part-Time Peace Officer:

A licensed part-time peace officer.

Ride-a-long:

The accompaniment of an officer on a duty shift by a person who is not a full-time peace officer.

PROCEDURE:

Persons interested in riding with an officer must obtain permission from the Chief of Police or department supervisor. All persons, other than part-time officers, who ride along must sign a liability waiver prior to riding with the officer. Person under the age of eighteen (18) must have their parent/guardian sign the waiver prior to riding.