BOULDER POLICE DEPARTMENT

POLICIES & PROCEDURES

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SECTION VII

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Vision

Service excellence for an inspired future.

Mission

Working with the community to provide service and safety

BOULDER POLICE

Values

❖ **Customer Service**

We are dedicated to exceeding the expectations of our community and our co-workers by demonstrating consistent and professional service with a solution-oriented approach.

❖ **Respect**

We champion diversity and welcome individual perspectives, backgrounds and opinions. We are open-minded and treat all individuals with respect and dignity.

❖ **Integrity**

We are stewards of the public's trust and are committed to service that is transparent and consistent with city regulations and policies. We are honorable, follow through on our commitments and accept responsibility.

❖ **Collaboration**

We are committed to organizational success and celebrate our shared dedication to public service. We believe community collaboration and the sum of our individual contributions leads to great results.

❖ **Innovation**

We promote a forward-thinking environment that supports creativity, calculated risks and continuous improvement. We embrace change and learn from others in order to deliver leading edge service.

Boulder Police Department

Rules

1. **Compliance with Values, Rules, and General Orders**
   Except as otherwise approved by the Chief of Police, members of the department perform their duties in accordance with city and department rules, policies, and procedures, and conduct themselves within the framework of the department's values.

2. **Conformance with Laws**
   Members obey the laws of the United States of America and of any state or local jurisdiction. Employees have a duty to report any custodial arrest, criminal summons or receipt of a restraining/protection order they are served to an on-duty supervisor. A conviction for violation of law is prima facie evidence of a violation of this rule.

3. **Truthfulness**
   Members are truthful in matters associated with or related to department business or responsibilities, except as recognized for legitimate investigative purposes.

4. **Respect for Others**
   Members treat others with fairness and respect.

5. **Police Authority and Public Trust**
   Members are entrusted to effectively, helpfully, and non-abusively use the authority and public trust vested in them. Members do not take any police action which they know, or reasonably should know, is not in accordance with the law, and always use their position and credentials appropriately. Members appropriately utilize city equipment, resources, and public monies.

6. **Use of Force**
   Members only use a level of force that is lawful and reasonable under given circumstances.

7. **Adherence to Orders**
   Members obey lawful orders and directives.

8. **Conduct**
   Members use reasonable judgment and refrain from conduct which reflects unfavorably on the department. This type of conduct includes that which:
   a) causes embarrassment to the department or its members, or compromises the department's reputation;
   b) reflects discredit upon the individual as a member of the department; or
   c) tends to impair the operation, effectiveness, credibility, or efficiency of the department or its members.

9. **Cooperation in Investigations**
   Members assist and cooperate with any department-authorized investigation.

10. **Security of Police Information**
    Members treat the official business of the department as confidential. Members do not:
    a) access, disseminate, or remove any official report or record for other than authorized purposes;
    b) communicate any information which may jeopardize an investigation, arrest, police action, or prosecution, or which may aid a person to escape, destroy, or remove evidence; or
    c) communicate any information which may endanger the safety or well being of others or jeopardize the operation of the department.

Boulder Police Department
General Order 101
Application of Policy and Procedure Manual

Effective: October 27, 2011
Replaces: n/a

101-1 Application of Law

POLICY

The application and goal of this policy and procedure manual is to provide guidance to department employees in the performance of their duties and responsibilities. Policies and procedures are necessary in order to establish professional standards of operation and to help ensure employee safety, community safety, fair and equitable treatment, and consistency in the services we provide. Policies and procedures also help employees maintain performance in accordance with our mission statement and organizational values. Department members are expected to follow the guidance in these policies and procedures.

Acting outside of established policies and procedures can be grounds for disciplinary action. However, it is also recognized that policies and procedures cannot be written to cover all circumstances or situations that employees may face. Employees may have an affirmative defense to acting outside of policy and procedure when faced with circumstances that they believe call for action outside of policy or procedure. In such a case, employees must be able to articulate reasonable, specific reasons for acting outside of policy or procedure to justify their actions.

The Chief of Police may waive a policy or procedure at anytime. The Chief of Police may also issue Directives at anytime to address an issue or operation not covered by any current policy or procedure. The Chief of Police may also issue temporary changes to any policy or procedure as necessary, pending review through established processes, including contract obligations for seek and consider.

101-1 Application of Law

Department members are expected to follow all Boulder Municipal Codes, Colorado State Statutes, Federal Laws, and both federal and state constitutional law in the performance of their duties.

The department also uses established case law as guidance, and, by reference, adopts the field manual "*Colorado Peace Officer's Handbook*" published by LexisNexis as a guideline on criminal procedures in the field.

In circumstances where policy and/or procedure are in conflict with any code or statute, or established case law, the law prevails.

Boulder Police Department

General Order 102

On-call Assignments and Mandatory Notifications

Effective: December 1, 2015
Replaces: General Order 102, January 11, 2006; General Order 110, Staff Duty Officer, December 21, 2005; General Order 215 Mandatory Notifications and Response, March 28, 2013
Reviewed: November 17, 2015

102-1 On-call Assignment Duration
102-2 Notification
102-3 Compensation
102-4 Use of Department Vehicles
102-5 Detective Supervisor Notification and Detective Response
102-6 Traffic Unit Notification
102-7 Staff Duty Officer/Management Staff Notification
102-8 Chief of Police Notification
102-9 Legal Advisor Notification
102-10 Staff Duty Officer Response

POLICY

In order to address community or department needs, the department may, on occasion, require its members to be available to report for duty outside their normal work hours. The department requires the immediate notification of specific personnel in prescribed situations.

PROCEDURES

102-1 On-call Assignments

A. Supervisors are responsible for placing a member on-call and determining the duration of the on-call assignment in accordance with any applicable employment agreement. On-call assignments extend from 0800 Thursday through 0800 the following Thursday.

B. Staff duty officers, detective sergeants, detectives and traffic sergeants who are on-call and others assigned on-call for a specific event, are provided with a department paging device and cell phone. While on-call, members:

1. Continuously monitor their paging device and/or cell phone.

2. Generally maintain a response time of 45 minutes or less, with the exception of their residence. On-call personnel provide Communications with a phone number where they may be reached and notify Communications of any change of contact information.

3. Do not consume alcoholic beverages.

102-2 Notification

The appropriate department sections are notified of routine or regular on-call assignments (e.g., staff duty officer, on-call detectives, etc.) through email.

102-3 Compensation

A. Compensation for call-outs is made in accordance with the applicable employment agreement and according to General Order 127, Compensation for Overtime Work.

B. Pager Pay

1. Members are compensated for being on-call in accordance with the applicable employment agreement.

2. Except as described below, detectives who miss scheduled on-call assignments and receive pager pay are expected to make up such missed assignments within twelve (12) months.

3. Members on temporary light duty as described in General Order 141 and receive pager pay:

   a. Will not miss any scheduled on-call assignments and will continue to receive pager pay.

   b. Who miss three (3) or fewer scheduled on-call assignments are expected to make such assignments up within twelve (12) months, as scheduled by the Detective Commander, from the date the member goes on Light Duty.

   c. Who miss four (4) or more scheduled on-call assignments may choose to continue to receive pager pay as long as all missed on-call assignments will be made up within twelve (12) months, as scheduled by the detective commander, following the date the member returns to full duty.

   d. Who miss four (4) or more scheduled on-call assignments may choose to stop receiving pager pay for the period of time they are on temporary light duty. Such members will not be expected to make up missed scheduled on-call assignments while on temporary light duty.

4. None of the above conditions prevents a detective to voluntarily cover on-call assignments for another detective without repayment.

102-4 Use of Department Vehicles

A. Use While On-call: The staff duty officer, detectives, detective sergeants and traffic sergeants are allowed the use of a department vehicle while on-call and for other work related purposes as authorized by the Chief of Police.

B. Take Home Vehicles: Employees in the below listed positions are responsible for functions within the organization that sometimes require timely response directly to the scene of emergencies occurring within the City of Boulder and are thus assigned take home vehicles:

- Chief of Police;
- Deputy Chiefs;
- SWAT Team Commander;
- Detective Commander; and
- Major Crimes Unit Detective Sergeant.

1. There may be occasions, when a member uses a department vehicle for non-work related purposes that such use is consecutive with traveling to or from work.

2. Members do not drive department vehicles if they have a reasonable belief they are impaired by, or under the influence of, alcohol.

C. The use of department vehicles as outlined above is granted to benefit the department and may be revoked at any time.

102-5 Detective Supervisor Notification and Detective Response

A. The following types of cases generally require immediate detective notification and response:

- Criminal acts and incidents that are grave in nature;
- Incidents requiring special investigative expertise;
- Cases that are part of a series of ongoing crimes;
- Cases that place unusual demands on the department for investigation and prosecution; and
- Incidents that go beyond the normal capabilities of the patrol section to handle.

The supervisor in charge is responsible for ensuring that the on-call detective supervisor is notified. Crimes that generally require immediate detective supervisor notification and detective response include:

1. Homicides;
2. Deaths involving suspicious or questionable circumstances;
3. Kidnappings and extortions;
4. Sexual assaults other than unlawful sexual contact;
5. Missing persons with suspicious circumstances;
6. Assaults or robberies involving deadly weapons or grave bodily injury;
7. Child abuse involving serious bodily injury or sexual abuse;
8. First degree burglaries or any burglaries occurring within dwellings while occupants are present and there is interaction between the suspect and victim;
9. Arsons to dwellings or occupied structures;
10. Incidents that are complex in nature and require the assistance of detective personnel;
11. Incidents where individuals arrive at the hospital with grave injuries with an unknown cause;
12. Bias-motivated crimes; and
13. Intentional incidents in which a domestic animal is seriously injured or killed by an officer.

B. Notification of important incidents and crimes which require detective awareness or follow-up, but not an immediate response, is accomplished in two ways: First, notations by patrol supervisors in the watchlog to include specific information to facilitate follow-up investigation. As an alternative, patrol supervisors can leave the same level of information via e-mail to the detective supervisors at "Police-Detectives-Supervisors." The on-call detective supervisor is responsible for retrieving these e-mail messages on a daily basis. Cases that require informational notification include:

1. Assaults involving serious bodily injury;
2. Felony menacing and robbery cases;

3. Burglaries involving substantial loss and safe burglaries;

4. Unlawful sexual contact and cases involving "Peeping Tom" types of behavior;

5. Cases that are likely to draw a great deal of public attention and interest and for which timely follow-up investigations would be beneficial, or any substantial incident at the supervisor's discretion; and

6. Potential bias motivated crimes.

102-6 Traffic Unit Notification

Fatal traffic accidents and traffic accidents with life threatening injuries require notification of a traffic unit supervisor and the traffic commander.

102-7 Staff Duty Officer/Management Staff Notification

When a command officer is not on duty or not available, supervisors are responsible for making notification of the staff duty officer in addition to any other required notifications. For major events, supervisors or commanders may utilize the "management staff" page to make a management staff notification. The following types of events require notification of the appropriate command personnel:

A. SWAT and/or Bomb Squad call outs;

B. Homicides;

C. Traffic fatalities or accidents involving life-threatening injuries.

D. Serious or major events likely to cause alarm or public concern;

E. Serious injury or death of a department member;

F. Officer-involved-critical incidents;

G. Complaint of serious misconduct against a department member;

H. Deaths involving suspicious or questionable circumstances;

I. Kidnappings and extortions;

J. Aggravated sex assaults other than unlawful sexual contact;

K. Missing persons with suspicious circumstances;

L. Aggravated assault involving deadly weapons or grave bodily injury;

M. Child abuse involving serious bodily injury or aggravated sex abuse;

N. First degree burglaries or any burglaries occurring within dwellings while occupants are present and there is interaction between the suspect and victim (including robberies and sexual assaults);

O. Arsons to dwellings or occupied structures;

P. Bias-motivated crimes; and

Q. Intentional incidents in which a domestic animal is seriously injured or killed by an officer.

102-8 Chief of Police Notification

The incident commander, or if none are available, then the staff duty officer, is responsible for ensuring that the Chief of Police is notified of the following types of events.

A. Homicides;

B. Traffic fatalities or accidents involving life threatening injuries;

C. Major events;

D. SWAT call-outs;

E. Officer-involved critical incidents;

F. Serious injury or death of a department member;

G. Allegations of serious misconduct by any department member;

H. Incidents likely to create public controversy, media attention or those of a politically sensitive nature; and

I. Bias-motivated crimes.

102-9 Legal Advisor Notification

The on-duty supervisor is responsible for notifying the department's legal advisor of the following types of events.

A. Officer-involved shootings; and

B. Officer actions resulting in life-threatening injury or death to another person.

102-10 Staff Duty Officer Response

The Staff Duty Officer (SDO) provides command authority and responsibility during weekends or other times during the week when on-duty command staff is not available. Department commanders and deputy chiefs alternate service as SDO. In the absence of an on-duty or available command officer, staff duty officers are expected to respond to or coordinate any event that requires a command officer involvement. However, the staff duty officer does not need to respond to an incident if another commander having operational authority (traffic, detectives, SWAT) elects to respond or otherwise coordinates an incident response. In such case, the responding commander will communicate and coordinate such response with the staff duty officer. The staff duty officer is still responsible for ensuring proper notifications have been made.

Boulder Police Department
General Order 103
Media Relations

Effective: September 3, 2008
Replaces: General Order 103, October 6, 2004

103-1 Media Access
103-2 Responsibilities of Public Information Officers
103-3 Press Releases
103-4 Information Prohibited from Release
103-5 Press Conferences
103-6 Communications Center Responsibility
103-7 Incidents Involving Deadly Force
103-8 Posing as News Media Representatives
103-9 Member Interviews and Notification

POLICY

The department recognizes the need to cooperate fully and impartially with authorized news media representatives in their efforts to gather factual, public information pertaining to activities of the department, subject to the legal and practical constraints inherent in police work.

PROCEDURES

103-1 Media Access

Each member of the department is responsible for maintaining a cooperative, professional relationship with representatives of the news media. Media representatives are allowed access to any event of public interest as long as their activity is not in violation of these guidelines and does not interfere with law enforcement operations. Incident commanders are responsible for coordination of media authorization and release of information. Incident commanders use the department's Public Information Officer (PIO) when available or assign a department member to act as a PIO during major incidents.

A. Department members extend every reasonable courtesy to news media representatives at crime scenes or major incidents.

B. Incident commanders at crime or incident scenes may release information of a factual nature to the media as governed by this general order, or refer inquiries to the PIO.

C. Authorized news media representatives are allowed access to public locations from which they may take photographs or recordings.

D. The department has no authority to invite news media representatives into private premises without the owner's consent.

E. While news media representatives may be permitted in the area of a crime scene, they do not have the authority to be within a crime scene or area that has been secured to preserve evidence, at any location that creates a public safety concern, or where their presence jeopardizes law enforcement operations.

F. With authorization from the incident commander, news media representatives may be allowed in a restricted area. If so, they are escorted by a PIO (see 103-2.D., below).

G. In the event news media access is restricted, media representatives:

1. Are provided a safe location near the outer perimeter to gather photographs and information;

2. Are not allowed to cross established perimeters; and

3. Are notified when the incident commander has appointed a PIO.

H. Regular information updates are provided to news media representatives as the situation allows.

I. Members do not assist with or discourage photographs being taken of persons taken into custody. Members do not pose or allow photographers to pose a person in custody, or pose an accused person for photographers at or near a crime scene.

J. Members do not interfere with photographers taking pictures in public places to which they normally have access as long as rescue or police operations are not hindered. The department may request pictures not be taken when it would hinder the identity protection of an undercover officer.

103-2 Responsibilities of Public Information Officers

An incident commander utilizes the department's PIO during regular business hours or for major incidents whenever he/she believes it would be beneficial for coordination of and interaction with the media. In all other after hours incidents or routine matters, the incident commander completes a press release when needed. When off-duty, the PIO is only paged or called to assist with major events or major crimes. PIOs, or members acting as PIOs, are responsible for the coordination of media access and the dissemination of information from the department. PIOs:

A. Act as liaison between the police and the news media at major events or major crime scenes.

B. Coordinate with the incident commander or designee in releasing pertinent information about police activities at the scene.

C. Assist with setting up and conducting press conferences.

D. Provide escorts to media representatives when allowed into a restricted area. It is the PIO's responsibility to:

1. Ensure that the person is a legitimate media representative;

2. Maintain a record of all media representatives who enter the scene;

3. Monitor the actions of media representatives while on the scene; and

4. Revoke permission to be in the restricted area if the media representatives' presence is causing a problem or hindering police operations.

E. Provide follow-up response to questions and requests from the media during an ongoing incident or investigation.

F. Prepare and disseminate department press releases.

103-3 Press Releases

Press releases are issued for all major incidents, major crimes, and other significant police activities of a public interest. When available, the PIO is responsible for preparing and disseminating press releases to all major local news agencies under the guidelines established herein. Otherwise, the incident commander is responsible. Copies of press releases are sent to local news agencies electronically. Copies are also forwarded to the department's Management Staff. Press releases may include the following information:

A. Report number.

B. Date, time, and location of occurrence.

C. Offense or nature of incident.

D. Victim's name, age, and city and state of residence unless the case involved sexual assault, child abuse or the victim is considered at risk or in danger (as outlined in 103-4.E., below).

E. Suspect's name, age, city and state of residence, type of employment, and description, except if a juvenile and only after an arrest is made or warrant issued.

F. A brief narrative concerning the general description of events, including the use of weapons, extent of injuries, use of force, circumstances of arrest, use of warrants, any pursuits, type of charges, and requests for assistance.

G. Basic information on juveniles who have been charged as adults or who pose significant risk to public safety.

103-4 Information Prohibited from Release

Members do not release information concerning open investigations for which they do not have ultimate responsibility without prior approval from an involved supervisor. Unless otherwise authorized by the Chief of Police, the following information is prohibited from release:

A. The identity of, or other personal information related to, a suspect prior to arrest unless such information would aid in apprehending the suspect or serve the public interest.

B. Non-local arrest records.

C. Statements or information regarding the character or reputation of the accused unless such information serves the public interest.

D. Any information revealing the substance of a confession by a person arrested.

E. Any identity information on a victim of any sexual assault, child abuse or a victim who is at-risk or considered in danger. A person is considered "in danger" in any situation where:

1. The arrested party has made threats of retaliation against the victim;

2. The seriousness of the crime or the background of the suspect make it likely that the District Attorney will seek a court order to prevent disclosure of the victim's name; or

3. Circumstances create concern for a victim's protection or safety.

F. Information which may hinder or jeopardize the successful conclusion of an investigation or subsequent prosecution.

G. Home addresses or phone numbers of department members or their family members.

H. Information on confidential informants.

I. Any information marked as confidential.

J. Information declared confidential by statute, including child abuse reports, alcohol commitments, mental commitments, and names of juveniles.

K. Identities of people killed or critically injured prior to notification of the victim's family.

L. Officer involved names will not be released for at least 24 hours after a critical incident (GO 208). An attempt will be made to notify the officer prior to release.

103-5 Press Conferences

Press conferences are conducted only with the approval of the Chief of Police. Press conferences may be utilized when it is determined to be the most effective or efficient method of disseminating information of great importance or of great public interest.

A. Prior to holding a press conference, notification is provided to local news media organizations advising them of the time and location of the conference.

B. Press releases accompany press conferences to provide additional background information, correct spellings of names and locations, applicable photographs, and other statistical information.

C. If conducted in the police building or other City building, media representatives are limited to one central location.

D. The Chief of Police or designee conducts the press conference. Other members may be present to provide additional information as needed.

103-6 Communications Center Responsibility

When receiving inquiries from the public or news media, Communications members refer the inquiry to the incident commander or when available, the PIO. When off-duty, the PIO will be paged only when requested by the SDO, the watch commander or, in the case of major breaking events, the incident commander. If members of the news media are asking to speak to the PIO after hours, an attempt will be made to have the watch commander assist them first. If the watch commander is unable to answer their questions, communications members will instruct the media to e-mail their requests to the PIO. The PIO will make every reasonable effort to respond to e-mail requests in a timely manner. Communications members do not release details of an event or incident without authority from the incident commander.

103-7 Incidents Involving Deadly Force

Members involved in the use of deadly force, whether as the victim, witness, or person who used deadly force, do not initiate or consent to an interview with a news media representative without prior approval of the Chief of Police.

103-8 Posing as News Media Representatives

Without prior authorization from the Chief of Police, department members do not pose as members of the news media for any purpose, including the conducting of an investigation.

103-9 Member Interviews and Notification

Members do not participate in media interviews or discuss criminal cases without prior supervisory approval. Supervisors are responsible for notifying the on-duty commander, or SDO and PIO of any significant incidents or controversial issues receiving interest from the media.

Boulder Police Department
General Order 104
Appearance Standards for Non-uniformed Personnel

Effective: October 30, 2014
Replaces: General Order 104, February 14, 2008

104-1 Clothing Standards
104-2 Accessories/Jewelry
104-3 Appearance Guidelines
104-4 Exceptions

POLICY

Because we are highly visible representatives of government and the policing community, our professional appearance is extremely important. The Boulder Police Department recognizes there are generally accepted norms of appearance within our community and it is important that department members present a professional business-like appearance that meets community, organizational and law enforcement expectations. Therefore, the department establishes and maintains standards with respect to the clothing, accessories and personal appearance of its members.

PROCEDURES

104-1 Clothing Standards

Members are expected to wear appropriate professional business attire according to the following general guidelines.

A. Acceptable attire

1. Coat and tie, or equivalent female attire, is required clothing when making appearances in court or public presentations, participating in news conferences, teaching classes, etc.

2. Shirts with collars, button-down dress shirts, or blouses are standard. Polo-type shirts with collars (when a tie is not required) and women's pullover dress shirts are acceptable.

3. Dress style slacks or pants are standard. Cotton "Dockers"-type pants are acceptable.

4. Sweaters are acceptable.

5. Business style dresses and skirts are acceptable for female employees.

6. Business or dress footwear is required. Weather appropriate shoes or boots are acceptable during times of inclement weather.

B. Unacceptable attire

1. T-shirts

2. Sweatshirts or sweatpants

3. Any color denim jeans (with the exception of Fridays).

4. Tennis shoes, sneakers, gym shoes, casual sandals, flip flops, slippers or Croc-type shoes.

5. Mini-skirts or shorts.

6. Any clothing with printed slogans or pictures.

7. Political buttons or other signs or symbols expressing political or social views.

8. High heeled shoes for commissioned members who are subject to enforcement activities.

104-2 Accessories/Jewelry

Non-uniformed members may wear conservative accessories and jewelry according to the following guidelines.

A. Visible jewelry is restricted to rings, wristwatches, necklaces, bracelets and earrings.

B. Conservative hats appropriate to the weather may be worn when outside.

C. Other accessories such as belts, scarves, hair clips or other ornaments may be worn if they are conservative in nature, are part of an outfit or suit and do not present any safety hazards.

104-3 Appearance Guidelines

Members are expected to maintain a neat, clean, well-groomed, professional appearance and to comply with the following guidelines.

A. Clothing must be clean and pressed and maintained in good condition. Footwear must be clean and in good repair.

B. Employees' hair must be neatly groomed. Extreme colors and styles are not permitted.

C. Commissioned males: Commissioned male employees' hair must be neatly groomed and may not exceed the shirt collar in length. Extreme colors or styles are not permitted. Sideburns must be neatly trimmed and must not be extreme in style or connect with any mustache. Sideburns shall not extend below the bottom of the ear lobe. A mustache may be worn at the option of the individual; however, it will be neatly trimmed to a length above the upper lip and will not extend below the corners of the mouth. Full beards are not permitted. Officers may grow a goatee or circle type beard where the mustache and goatee connect. This beard must be maintained in a neatly trimmed manner, extending no more than ½ inch in length in any given spot.

D. Non-uniformed personnel may not appear on duty with any visible facial, head, neck, body tattoo or decal. Visible tattoos on the upper arms above the elbow are permitted as long as they are not excessive, obscene, sexually explicit or advocate, symbolize or discriminate on the basis of sex, gender, race, religion, ethnic or national origin. Visible body art, brands, mutilations or body piercings (except as provided by policy for earrings) are prohibited.

   Visible tattoos that existed prior to January 1, 2008 and are otherwise within policy guidelines may be granted an exemption from this policy.

104-4 Exceptions

Supervisors may grant short term exceptions to this policy for specific duties or assign-

ments that necessitate more casual attire. Long term exceptions to this policy may be granted by the Chief of Police for specific assignments that are not visible to, nor involve contact with, the public.

Boulder Police Department
General Order 105
Uniforms, Equipment, and Appearance Standards

Effective: April 15, 2015
Replaces: General Order 105, November 20, 2014
Reviewed: April 15, 2015

105-1 Uniform Requirements
105-2 Dress Uniform Requirements
105-3 Uniform Equipment
105-4 Body Armor
105-5 Other Uniformed Assignments
105-6 Uniform and Equipment Distribution
105-7 Appearance Standards
105-8 Wearing Uniform Off-Duty

POLICY

Because we are highly visible representatives of government and the policing community, our professional appearance is extremely important. The Boulder Police Department recognizes there are generally accepted norms of appearance within our community and it is important that department members present a professional conservative appearance. Therefore, the department establishes and maintains standards with respect to the uniforms, equipment and professional appearance of its members. The uniform authorized by the department is the only uniform and equipment a member may wear.

PROCEDURES

105-1 Uniform Requirements

Authorized uniform requirements for police officers include the following:

A. Head gear

1. Uniform hat (optional use): The dark blue, rounded hat is issued. The department's metal shield is attached to the center-front of the hat. The shield and expansion band with buttons are silver-colored for officers and sergeants, gold-colored for commanders, deputy chiefs and chief. In addition, hats issued to the deputy chiefs and chief will have gold filigree trim on the bill.

2. Ballistic/Riot Helmet: A protective helmet and face shield is issued and worn when conditions make it necessary. In riot conditions, officers wear their helmet with the face shield attached. Helmets are also worn in hazardous situations involving firearms unless faced with an imminent threat.

3. Cap (optional use): An approved baseball-style cap with the approved department logo embroidered on the front is issued. The shape of the cap must be maintained in original style and condition.

4. Knit watch cap (optional use): A plain black knit cap capable of covering the

ears may be worn in inclement weather.

B. Jackets

1. Duty jacket: A dark blue, winter weight service jacket is issued. The department cloth badge is attached to the left center-front, a cloth name tag is attached to the right center-front and the department shoulder patch is displayed on each shoulder. Years-of-service hash marks designating completed years as a Boulder police officer (one hash mark equaling five years-blue and white in color for officers and sergeants, and gold and white in color for command rank), may be worn on the outside left sleeve, near the cuff. Sergeant stripes are placed directly below shoulder patches; command rank insignia is placed on epaulets.

2. Lightweight jacket (optional use): A dark blue light weight jacket is issued. Insignia placement is the same as the duty jacket (above).

3. Sweater (optional use): A dark blue, wool, British commando-style sweater with padded shoulders and elbows is available. Except for command insignia, placement is the same as the duty jacket (above).

4. Raincoat (optional use): A department approved raincoat is issued with approved insignia and lettering attached.

5. Safety vest: A safety vest with reflective stripes is issued and worn when directing traffic, conducting accident investigations or in other circumstances when the officer or a supervisor determines that increased visibility is beneficial.

C. Footwear (provided by the member)

1. Shoes: Plain black, laced, leather shoes or appropriate synthetic material are authorized. They must have rounded toes and low heels and must be cleaned and polished.

2. Boots: Plain black, laced or slip-on boots of leather or appropriate synthetic material are authorized. They must have rounded toes and low heels and must be cleaned and polished.

3. Socks: Must be plain dark blue or black and must be crew-length or longer to cover the ankles. While wearing shorts, short socks can be worn but must be visible outside the shoe.

D. Shirts

1. Uniform shirts: Long or short-sleeved, dark blue shirts with flap pockets and epaulets are issued. When a long-sleeved shirt is worn, sleeves must remain fully extended and buttoned. Uniform shirts are worn with every button but the top one buttoned unless worn with a tie. The department metal badge is worn over the left pocket, the department patch is affixed to each shoulder and the nameplate is centered over the right pocket. Sergeant stripes are attached directly below the shoulder patches. Command rank insignia is displayed on the shirt collars.

   a. One department-approved collateral duty insignia may be engraved under the officer's name on the nameplate.

   b. Department-issued award ribbons (# not limited) and one assignment or training pin may be worn above the name plate. The most esteemed award ribbon will be worn in the highest position in the rows of awards followed by other award ribbons, in order of prece-

dence from the wearer's right to left. One assignment or training pin may be worn in the approved order of precedence (see GO105 Addendum). Ribbons/pin are worn ¼ inch above the nameplate, with ¼ inch between rows. No more than two ribbons/pin will be worn in one row. Officers will not start a second row unless they are authorized to wear two or more ribbons/pin. Any row that contains one ribbon/pin is centered over the preceding row.

c. Department-approved insignias for members assigned to the Motor Unit may be worn ¼ inch above the nameplate or above ribbons and/or pins.

d. A department-approved enameled rectangular version of the United States flag may be worn. The flag is worn ¼ inch above all other award ribbons and pins.

e. Blue and white years-of-service hash marks designating completed years as a Boulder police officer may be worn on the outside left sleeve, near the cuff as follows:

1. Commissioned police officers who have completed at least five years of service with the department are eligible to display years-of-service hash marks.

2. Following five years of service with the department, commissioned officers with prior experience with other agencies may apply to their deputy chief for permission to display years-of-service hash marks commensurate with their prior service. Deputy chiefs should only consider the following as prior service: Fulltime employment as a sworn, non-military law enforcement officer assigned to patrol or investigative functions with authority to make arrests, enforce and investigate Federal or State or Local laws; statutory authority to carry a firearm for employment.

3. Department members hired at the rank of commander or above may display years-of-service hash marks commensurate with their service years upon employment.

4. Undershirts: When visible, undershirts must be dark navy blue or black.

5. Turtlenecks: A dark navy blue or black plain turtleneck or mock turtleneck shirt may be worn under the long-sleeved uniform shirt.

E. Pants

Dark blue uniform pants are issued and required when in uniform assignments. Department-approved utility pants may also be worn. Dark blue shorts may be authorized for specialized assignments. See section 105-5.

F. Neckties

A plain black necktie is issued and may be worn with the long-sleeved uniform shirt. The tie must be tucked between the second and third top shirt buttons.

G. Duty belts

The issued equipment and under-belts are made of plain black or synthetic leather as approved by the chief of police. All accessory items are of matching material and style.

H. Identification

When on-duty, members must carry department-issued identification on their person.

105-2 Dress Uniform Requirements

The dress uniform for all commissioned officers includes the uniform hat, long-sleeved uniform shirt, uniform pants and necktie worn outside the shirt and secured with the issued tie clasp (of rank-appropriate metal color). No utility pants or specialized uniform pieces are authorized when a dress uniform is required. All commissioned officers must maintain one full dress uniform at all times. The chief may also approve an alternate dress uniform for motor officers, commanders, deputy chiefs and chief.

105-3 Uniform Equipment

A. Mandatory equipment worn by all uniformed police officers includes:

1. Authorized mace, baton and/or taser, firearm and ammunition (see General Orders 225, Use of Force and 226, Firearms).
2. Packset radio and holder, as issued.
3. Handcuffs and case, as issued.
4. Bullet resistant vest, as issued (see 105-4, below).
5. Pager, as issued.

B. Mandatory equipment immediately available to all uniformed police officers includes:

1. Hobble, as issued.
2. Flashlight
3. Gas mask, as issued.
4. Helmet, as issued.
5. Safety vest, as issued.

C. Optional equipment includes:

1. Plain black gloves.
2. Key holder
3. Folding knife with a locking blade of no more than four inches.
4. Traffic whistle with optional silver lanyard.

105-4 Body Armor

A. Issuance: The department issues body armor, which meets or exceeds current minimum protective standards prescribed by the National Institute of Justice, to each commissioned officer. The department contributes a fixed dollar amount towards the purchase of approved body armor. Officers may choose more expensive, approved body armor, but are responsible for any expenses above the allotted amount. The department replaces body armor if damaged and on a routine schedule according to NIJ guidelines.

B. Use requirements: Commissioned officers are required to wear the issued body armor when in uniform. Except during undercover operations or as otherwise authorized, it is highly recommended that non-uniformed officers engaged in preplanned, potentially hazardous field action wear body armor as well.

C. Maintenance: Officers are expected to maintain their vests according to the manufacturer's instructions and to regularly inspect them for damage or wear.

105-5 Other Uniformed Assignments

Uniform standards or deviations from this policy for specialized assignments such as bike officer, motor officer, honor guard, civilian accident investigator, report specialist and code and animal enforcement officers are determined by the administration.

A. When in a uniformed assignment, officers will wear the standard approved uniform for the assignment. Pieces of uniforms from various assignments may not be combined.

105-6 Uniform and Equipment Distribution

Each officer is issued a standard allotment of uniforms when he/she is hired. Uniform and equipment pieces damaged during the course of duty will be replaced with the approval of the member's commander. Uniform items that are no longer serviceable due to normal wear are replaced upon request, subject to budget constraints which require supervisor or commander approval. Any item that is replaced must be submitted to Central Supply in exchange for the new item. Items not enumerated in sections A and B below will not be purchased by the department. Central Supply is responsible for tracking the uniform and equipment issued to, as well as the dollar amount spent by, each officer.

A. The following uniform and equipment pieces are provided and purchased by the department:

1. Bullet resistant vest
2. Uniform hat and cover
3. Baseball-style hat
4. Helmet with shield
5. Jacket, lightweight
6. Jacket, duty
7. Raincoat
8. Safety vest
9. Uniform shirt (long and short sleeved)
10. Uniform pants and utility pants
11. Badges and insignia
12. Flat badges (to non-uniformed assignments)
13. Belts and accessory pieces. (Holster and magazine pouches are replaced no more frequently than once every three years for members who opt to change their firearms. Exception is given when the accessory needs are based on an assignment change.)
14. Underbelt
15. Flashlight and holder
16. Leather pocket notebook holder
17. Spit guard
18. Gas mask
19. Belt keepers
20. Handcuffs and case
21. Pepper spray and holder
22. Hobble
23. Nameplates
24. Packset and holder
25. Pager
26. Traffic whistle w/lanyard
27. Holster
28. Magazine pouch
29. Necktie and tie bar (silver or gold)
30. Mic holder
31. Traffic template
32. Fingerprint kit
33. Carry bag
34. Expandable baton with holder

35. Standard issue firearm and other weapons as specified in General Orders 225, Use of Force, and 226, Firearms.
36. Other uniform pieces designated for special uniformed assignments, as determined by the administration.

B. The following optional uniform and equipment pieces may be issued with commanders' approval:

1. Turtleneck shirt
2. Uniform sweater
3. Rechargeable flashlight battery

105-7 Appearance Standards

Commissioned members and those whose assignments require that they wear a Boulder Police Department uniform, are expected to maintain a neat, clean, well-groomed, professional appearance and to comply with the following general guidelines:

A. Members are responsible for maintaining their uniforms in good condition. Uniforms must be clean and pressed. Faded or torn uniforms are prohibited. Leather must be polished and in good repair.

B. Visible jewelry is restricted to conservative rings, wristwatches and two one stud-style earrings per ear and must not present a safety hazard.

C. Male officers' hair must be neatly groomed and may not exceed the shirt collar in length. Extreme colors or styles are not permitted. Sideburns must be neatly trimmed and must not be extreme in style or connect with any mustache. Sideburns shall not extend below the bottom of the ear lobe. A mustache may be worn at the option of the individual; however, it will be neatly trimmed to a length above the upper lip and will not extend more than one inch below the corners of the mouth. Full beards are not permitted. Officers may grow a goatee or circle type beard where the mustache and goatee connect. This beard must be maintained in a neatly trimmed manner, extending no more than ½ inch in length in any given spot.

D. Female officers' hair must be neatly groomed. Hair that exceeds the shoulder in length must be secured back and away from the face and in a way that will not interfere with head gear or gas masks. Extreme colors or styles are not permitted.

E. Uniformed or commissioned members may not appear on duty or in uniform with any visible facial, head, neck, body, lower arm, leg or hand tattoos or decals. Visible tattoos on the upper arms above the elbows are permitted as long as they are not excessive (covering entire upper arm). Any visible tattoo that is obscene, sexually explicit, offensive, symbolizes violence, is affiliated with any gang, criminal or hate group, or advocates, symbolizes or discriminates on the basis of sex, gender, race, religion, ethnic or national origin is prohibited. Visible body art, brands, mutilations or body piercings (except as provided by policy for earrings) are prohibited.

If questionable, the Chief of Police will be the final arbiter as to whether a tattoo violates the above standard. If a tattoo violates any provision of the above, it must be covered at all times while on duty.

Visible tattoos that existed prior to January 1, 2008 and are otherwise within police guidelines may be granted an exemption from this policy.

105-8 Wearing Uniform Off-Duty

Members do not wear components (i.e. jacket, cap, etc.) of the uniform while in plain clothes, whether on or off duty, with the following exceptions:

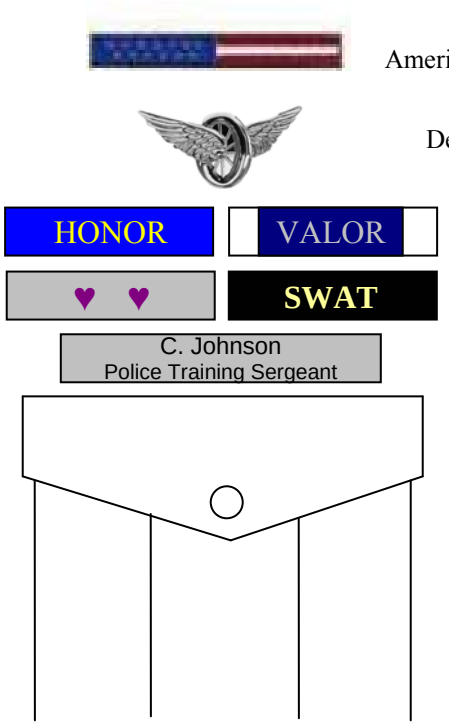
- During call-out incidents or when on duty plain clothes personnel are responding to active crime scenes. Acceptable items are hats, jackets, sweaters and/or protective clothing.

Members may wear their complete uniform, including gun belt and all required equipment, while traveling to and from work. If a member is dressed in the partial uniform and not fully equipped during such travel, they shall wear a jacket or other clothing to conceal their visible uniform.

Boulder Police Department
General Order 105 Uniforms, Equipment, and Appearance Standards Addendum

As per General Order 105, only department approved award ribbons and one assignment or training pin may be worn over the officer's nameplate in order of precedence. Approved ribbons/pin and approved order of precedence are as follows:

Medal of Honor, Medal of Valor, Medal for Life Saving, Purple Heart, Hazardous Duty, Award for Excellence, STAR Award, BETH HAYNES Memorial Award, Wellness Award, Assignment, Training.



American flag pin

Department approved insignia

Award ribbons

Award ribbon(s), assignment or training pin

Nameplate w/optional engraved collateral duty

a) Department approved insignias may be worn by members assigned to the Motor Unit may be worn ¼ inch above the nameplate or above ribbons and/or pins.

b) Collateral duty assignments that may be engraved on the uniform nameplate are:

Bomb Squad	Firearms Instructor
Crisis Intervention Team	Honor Guard
CPR/1st Aid Instructor	Officer Survival Instructor
Crime Scene Investigator	Police Training Officer
Defensive Tactics Instructor	Special Weapons and Tactics
Defensive Driving Instructor	Wellness Team or Instructor

c) If not engraved on the nameplate, assignment and training pins that may be worn above the nameplate on the uniform shirt: SWAT, PTO, CSI, CIT, Honor Guard, Bomb Squad, and FBI Training Academy

d) The department approved American flag pin measuring 1 ¾" x 5/16" may be worn above all pins.

Boulder Police Department
General Order 106
Peer Support Team

Effective Date: October 8, 2015
Replaces: N/A

106-1 Definitions
106-2 Organization and Administration of PST
106-3 Selection/Removal of Peer Support Team Members
106-4 Confidentiality
106-5 Non-Confidential Communication
106-6 Ethical Issues
106-7 Accessing the PST
106-8 Critical Incident Stress Debriefings
106-9 PST Meetings
106-10 Compensation

POLICY

The department recognizes that employees deal with stressful situations. These stressors can negatively impact the employee's emotional well being. Prevention and intervention services may help employees maintain their emotional well being so they can successfully perform their job duties. Such services need to be easily accessible. One method is through a department sponsored Peer Support Team (PST).

DEFINITIONS

106-1 Definitions

A. Peer Support Team (PST): Consists of department employees, sworn and civilian, and a Clinical Advisor who are selected by the Chief of Police. The PST is made up of the Clinical Advisor, the Team Coordinator, the Assistant Team Coordinator (if any) and PST members.

B. Clinical Advisor: A licensed mental health professional who's primarily responsible for overseeing the case work of PST members. The Clinical Advisor works with the PST Coordinator to ensure members are appropriately trained and their PST interactions are appropriate, effective and in compliance with applicable policies, guidance, training and statutes.

C. Team Coordinator: The PST Coordinator is a first-line supervisor whose primary role is administration, supervision, oversight and records keeping of the team. The Team Coordinator is responsible for scheduling team meetings, acting as the liaison for the team with the department's command staff and Clinical Advisor, insuring team members receive appropriate training and comply with applicable policies, guidelines and statutes to provide PST Services. The Chief of Police selects the PST Coordinator.

D. Assistant Team Coordinator: The Assistant Team Coordinator performs the Team Coordinator's role and duties in

his or her absence and other administrative tasks as delegated by the Team Coordinator. The PST Coordinator selects the Assistant PST Coordinator.

E. Peer Support Advisor (PSA): An employee who has been selected and trained to provide support to other department members. At a minimum a PSA must successfully complete a POST approved training class in peer support skills prior to providing PST duties.

F. Client: A department member who utilizes the services of the PST.

106-2 Organization and Administration of the PST

The PST operates under the general direction of the Clinical Advisor, department policy and applicable statutes. The day-to-day administration and supervision of the team is the responsibility of the Team Coordinator.

In the event of the absence of both the PST Coordinator and the Assistant Team Coordinator, an acting coordinator can be designated by the Chief of Police.

106-3 Selection/Removal of Peer Support Team Members

The selection process for any of the above positions may involve a letter of interest, an interview, peer assessments, review of the applicant's work history and relevant training classes.

The PST Coordinator submits a list of qualified applicants to the chief or his/her designee for final approval and appointment to the PST. Selection or removal from the PST is not a matter for a contractual grievance.

106-4 Confidentiality

The PST follows legal and medical guidelines of confidentiality in dealing with department members. Issues discussed during peer support sessions are confidential within the parameters specified by law CRS 13-90-107(1)(m), department policy and professional mental health supervision. Subject to the limitations of the law, information received in confidence is not revealed without the express consent of the person involved which constitutes a waiver of confidentiality. In cases where express written consent is granted, only the information authorized to be released will be provided and only to those specifically authorized to receive it.

A. Express consent is not recognized until the employee signs a Waiver of Confidentiality form. (See attachment: Waiver of Confidentiality.)

1. The original signed waiver form is given to the clinical advisor as soon as practical. A copy of it is given to the employee.

2. The identity of an employee receiving PST service is known only to the PST member providing the service and the PST Clinical Advisor unless the employee waives confidentiality or the circumstances fall under one of the exceptions described in 106-5.

3. All conversations, written or electronic, or any other information exchange between the PST member and the employee are confidential and known only by the PST member and PST Clinical Advisor unless the employee waives confidentiality or the circumstances fall under one of the exceptions described under 106-5.

4. Boulder Police Department supervisors are prohibited from directing a PST member to identify an employee who is receiving, or has received, PST services or specific information related to the delivery of PST services to any employee, past or present.

B. The peer support team member testimony confidentiality privilege is specified in CRS 13-90-107(m) and applies only to individual interactions. There is no confidentiality protection for peer support team members in group settings.

1. Team members must advise clients of the limitations of peer support team member confidentiality and receive an acknowledgement of their understanding of its limitations.

106-5 Non-Confidential Communication

Information received by or provided to a PST member is not confidential when:

A. A law enforcement peer support team member was a witness or a party to an incident which prompted the delivery of peer support services;

B. Information received by PST members is indicative of actual or suspected child abuse, as described in section 19-3-102, C.R.S.;

C. The person receiving peer support is a clear and immediate danger to themselves or others due to alcohol or other substance intoxication or abuse as described in sections 27-81-111 and 27-65-105, C.R.S.;

D. There is reasonable cause to believe that the person receiving peer support has a mental illness and is an imminent threat to themselves or others or is gravely disabled as defined in section 27-10-102. C.R.S.; or

E. There is information indicative of any criminal conduct (C.R.S. 13-90-107(m).

F. PST members are subject to all other disclosures mandated by law.

G. Peace Officer members of the PST are required to take action, including arrest, when, in the course of providing PST service, they receive information that an incidence of domestic violence has occurred and where there is probable cause to believe that a crime has been committed (C.R.S. 18-6-803.6).

Critical incident debriefings and other group interactions conducted under the facilitation of the PST Clinical Advisor are not confidential by law, however, all persons attending will be asked to keep those discussions confidential.

Violation of this confidentiality policy may result in the initiation of disciplinary action in accordance with the Boulder Police Department disciplinary policy and/or removal from the team.

106-6 Ethical Issues

PST members are expected to be role models in their personal and professional lives. They will not exercise power over clients or derive personal gain from helping them.

PSA's will not accept any gift or remuneration from a client, engage in activities to meet their personal needs at the expense of the client, or ask for favors or help from clients.

PSA's may not enter into a "dual relationship" with clients including situations where the client is an immediate subordinate or supervisor, subject officer or panel member of a Disciplinary Review Board or other process involving the PSA.

PSA's shall avoid situations diminishing their ability to remain objective.

Should any of these situations arise, the PSA shall contact the Team Coordinator and/or supervisory officer to be removed from that situation.

PSA's will advise clients at the beginning of any contact of situations when confidentiality will be breached.

106-7 Accessing the PST

A. PST members agree to be available, (with no compensation), 24-hours a day seven days a week. Team members respond to incidents where assistance may be needed under guidelines established by the Team Coordinator and Clinical Advisor.

   1. PST members contact the Team Coordinator prior to responding to a callout. If this is not possible, responding PST members notify the Team Coordinator as soon as practical.

B. PST members may respond to any traumatic incident, significant event or as requested by a supervisor or employee.

   1. PST collaborates with the Boulder Police Department's Victim Advocates, the Employee Assistance Program and other approved crisis intervention/counseling agencies when appropriate.

   2. In the event that an employee involved in a traumatic incident requests a particular PST member, their supervisor makes every effort to release the PST member from assignment so that he or she is available to provide support to the requesting employee.

   3. The supervisor of a PST member who is assigned to a support role that is on-going or anticipates a significant time commitment by the PST member ensures that the member's normal work load is sufficiently reduced to accommodate the PST assignment.

   4. PST support is available to an employee who is the subject of an internal affairs investigation or a supervisory inquiry. However, the PST member should ensure the affected employee does not reveal specifics of the investigation.

Information communicated in PST interactions is not subject to disclosure in an administrative investigation.

106-8 Critical Incident Stress Debriefings

Critical Incident Stress Debriefings are covered under G.O. 140, Employee Assistance Program. Employees who are required to attend the debriefing are compensated for their attendance.

106-9 PST Meetings

The Peer Support Team meets at least monthly. The team coordinator is responsible for addressing excessive absences individually with the specific PST member.

106-10 Compensation

Peer Support Team Members are not eligible for on-call compensation based on their PST member status. Peer Support Members who are called out to function in the PST capacity during their off-duty hours are compensated as specified in their Collective Bargaining Agreement, if any, for the time they are acting as a PST member.

Boulder Police Department
General Order 107
Community Dialogue and Engagement Panel

Effective: December 13, 2016
Replaces: N/A
Reviewed: December 13, 2016

107-1 Purpose and Authority of the Panel
107-2 Composition of the Panel
107-3 Membership
107-4 Meetings
107-5 Staff Support

POLICY

The department is committed to a philosophy of community policing, which involves building partnerships with the community to share information and work together to prevent and address crime and crime related issues. The Community Dialogue and Engagement Panel is a community resource for the police department in the dialogue on community policing strategies and increasing public awareness regarding community issues. The intent of the panel is to have a broad spectrum of viewpoints represented.

PROCEDURES

107-1 Purpose and Authority of the Panel

A. The panel is designed for open discussion regarding trends in law enforcement and other significant community issues; dialogue on community policing strategies; and increasing public awareness of the department.

B. The panel is not a review board of any specific police action, whether internal or external, and will not provide input or discuss specific employee personnel issues.

C. This panel acts in a dialogue capacity and will not be involved in decision making at any level.

107-2 Composition of the Panel

The panel is comprised of no more than 12 members representing diverse stakeholders within the community. This includes City of Boulder residents and members of the business community, leaders of faith organizations, members of the University of Colorado and Boulder Valley School District communities, criminal justice agencies, nonprofit social service providers and local advocacy and community groups.

107-3 Membership

A. Those interested in panel membership complete an application and criminal history check to determine previous arrests. Felony convictions are grounds for exclusion. Other criminal history will be considered on a case by case basis.

B. Qualifications and selection criteria include, but are not limited to:

1. Broad knowledge of, and experience in, the Boulder community.

2. Ability to work collaboratively with people of diverse perspectives and experience.

3. A commitment to continuous improvement in police services to the community.

4. Ability to be objective, open to learning about policing and willingness to express perspective.

5. Understanding of, and commitment to, the stated intent and purpose of the panel.

6. Reside or work in the city of Boulder.

7. A commitment to attend the Boulder Police Department Citizen's academy.

C. Members are selected from an interview process consisting of the City Manager and the Chief of Police or their designee(s).

D. Members shall be appointed to a term of three years. When first instituted, six appointees serve three year terms and six appointees will serve a two year term. Thereafter, all terms shall be three years. No member may serve more than two consecutive terms.

E. Members may be removed by the Chief of Police and City Manager for failing to adhere to the criteria as established in 107-3B, or any other behavior that would undermine the efficacy of the panel. In addition, members who fail to attend three consecutive regular meetings will be considered to have vacated their position and may be replaced.

F. Members are required to attend the department's Citizen Police Academy to familiarize themselves with department operations and functions.

107-4 Meetings

The panel will meet six times per calendar year on the first Thursday of every other month; beginning at 6pm. Meetings will be held at the Boulder Police Department.

107-5 Staff Support

Staff support to the panel shall be provided through the Office of the Chief of Police, including maintaining records and scheduling meetings. City and department staff members may be present at meetings as determined by the agenda items to be discussed.

The Chief of Police is the police department's liaison to the panel.

Panel meetings will be documented in the form of meeting notes which will be distributed to panel members and available on the department website.

Boulder Police Department
General Order 108
Evacuation of the Public Safety Building

Effective: December 13, 2016
Replaces: N/A
Reviewed: December 13, 2016

108-1 Initial Response during an Evacuation of the Public Safety Building
108-2 Communications during an Evacuation of the Public Safety Building
108-3 Facilities Management

POLICY

Law enforcement and other government operations are potential targets for violent acts and are exposed to the potential for natural or other emergencies that may impact the department's ability to operate from the Public Safety Building. Therefore, the department follows procedures evacuating the Public Safety Building if necessary and continues essential operations from other locations.

108-1 Initial Response during an Evacuation of the Public Safety Building

The decision to evacuate the Public Safety Building is made by the highest-ranking or senior member on the scene who has information regarding the incident dictating the necessity to force an evacuation. That member makes notification to all affected members either through a building page or telephone calling system and indicates what areas of the building are not safe for members to exit from and what directions members should exit toward, as well as the designated location to which members respond (i.e., the County Clerk's office or the King Soopers parking lot).

A. Members are aware of exit locations within the building that afford a quick egress to the exterior from their location in the building. This may not always be the closest exit, depending on the situation that necessitated the call for an evacuation, so members should be aware of nearby alternate exit locations.

B. Depending on the circumstances, and only when time and personal safety permit, supervisors and/or designated employees take the Go Box from their respective areas and relocate department vehicles according to the equipment evacuation plan.

C. During an evacuation, supervisors account for their employees at the designated location. The supervisor takes a cell phone or other means of communication so that notification of an incident commander or ranking official can be made and contact can be reestablished with this group.

D. In the event an evacuation is called within the building, members proceed from the building in an expeditious and safe manner to an established location, away from potential danger and meet with their supervisor. Any time a member is not accounted for, notification is made to the ranking official in charge of the situation.

E. Upon notification that an employee is not accounted for after an evacuation, the ranking official in charge of the situation establishes a team of officers to start a search for the missing employee at the building and along established evacuation routes when practical and safe to do so.

F. Once it has been determined that it is safe for employees to re-enter the building, notification is made to all supervisors. Once employees have returned to their office areas, the supervisor in charge will again check to ensure that all members are accounted for.

G. If not present at the time, a person in charge of the facility is notified of the evacuation. This person is apprised of the situation and, if not present, responds to assist should there be a need to disconnect gas, electric and other services to the building. This person maintains a current list of utility and shut-off valve locations, both within and external to the building.

108-2 Communications during an Evacuation of the Public Safety Building

In the event of a Public Safety Building evacuation, all normal communications functions cease immediately upon authorization of the Chief of Police or designee, the Watch Commander, the Boulder Police and Fire Communications (BPFC) Manager, or a BPFC supervisor and the following procedure is followed.

A. Police 1 dispatcher responsibility.

1. Simulcast on channels (Police 1, PTAC 2 Fire 1 and Data with alert tone that the Center is closing and that all units should go to Police 1 and standby for further instructions. The dispatcher also advises that CU dispatch will be monitoring for emergency traffic until dispatch is operational at the backup Communications Center.

B. Phone position responsibility.

1. Page BPD ALL and advise of the evacuation.

2. Contact CUPD by phone and advise them of the evacuation and request that they monitor Police 1 channel for any emergency radio traffic.

C. Data dispatcher responsibility.

1. Call the backup Communications Center and advise them of the evacuation and that the department will be relocating to their location.

2. Initiate a “TO METRO” teletype advising of the evacuation and of the emergency telephone number of the backup Communications Center.

3. Call forward the appropriate phone lines to the backup Communications Center.

D. Supervisor or fire dispatcher responsibility.

1. Forward the 911 and 911 Back Up lines to the backup Communications Center.

2. Assign dispatchers to respond to the backup Communications Center to resume dispatch operations from that location.

3. Contact an on-duty field supervisor and request that he/she monitor non-emergency radio traffic in the field.

4. Notify the on-call BPFC Supervisor and BPFC Manager of the evacuation and relocation to BCCC.

108-3 Facilities Management

If the Public Safety Building is evacuated due to a structure fire, explosion or other structural situation, a member of building maintenance is contacted to respond. Protocols are in place to deal with shut-off of water valves, gas lines, electrical equipment, heating/air-conditioning units and other mechanical equipment. If no

one can be located from facilities management, a supervisor refers to the facility shut down protocols for handling mechanical shut downs.

Boulder Police Department
General Order 111
Mutual Aid

Effective: May 5, 2015
Replaces: General Order 111, July 6, 2000
Reviewed: April 28, 2015

111-1 Definitions
111-2 Legislation and Liability
111-3 Requesting Mutual Aid
111-4 Providing Mutual Aid
111-5 Emergency Mutual Aid
111-6 Specialized and Other Mutual Aid
111-7 Interagency Agreements
111-8 Emergency Assistance

POLICY

The department recognizes the nature of law enforcement and the demands placed on department resources sometimes necessitates sharing resources with other agencies to handle emergency or large scale events. The department supports the concept of mutual aid in both receiving and providing assistance when such events occur.

PROCEDURES

111-1 Definitions

A. Mutual aid: Assistance requiring personnel, specialists, or other resources for an event too large, complex, or dangerous for an agency to handle on its own, or assistance requiring the commitment of any amount of resources over an extended period of time.

B. Emergency assistance: Quick response to an emergency situation to assist another officer in a local jurisdiction, typically lasting only a short period of time.

111-2 Legislation and Liability

Colorado Revised Statute 29-5-103 governs the legal status of agencies acting under mutual aid. In accordance with Colorado Revised Statute 29-5-108, any liability which results from the negligent acts of personnel of a providing jurisdiction is imposed upon the requesting jurisdiction.

111-3 Requesting Mutual Aid

A. Once it is determined that mutual aid from another agency is necessary, the Chief of Police or a designee contacts the chief law enforcement official of the agency from which assistance is needed and specifies the nature, quantity and probable duration of the assistance.

B. The chief law enforcement official, or designee, of the outside agency determines whether mutual aid will be provided and notifies the Chief of Police or a designee as to the resources committed and expected time of arrival.

C. All resources committed are under the control of Boulder's Chief of Police, subject to

recall by the providing agency. The agency providing aid compensates its employees according to its own compensation guidelines.

D. When aid is no longer needed, loaned resources are released by the Chief of Police or a designee. A letter of appreciation is prepared and sent to the chief law enforcement official of the provider agency.

111-4 Providing Mutual Aid

The chief law enforcement official of the agency seeking aid must contact Boulder's Chief of Police and specify the nature, quantity, and probable duration of the assistance. Based on available information and local staffing concerns, the Chief of Police then makes a determination as to what resources can be committed to the requesting agency. The requesting agency is then notified as to the resources committed and their expected time of arrival.

A. The City Manager is notified of mutual aid responses as soon as practical. Requests for the long term use of department resources must receive prior approval from the City Manager.

B. All resources committed to an outside agency are under the control of the outside agency, subject to department recall. The department compensates its employees according to current contractual agreements.

111-5 Emergency Mutual Aid

In the event that an outside request requires an immediate and emergency response to a situation, a watch commander makes the determination as to the level of response and assigns resources as needed. The Chief of Police is then notified as soon as possible as to the nature of the request and the department's response.

111-6 Specialized and Other Mutual Aid

The Chief of Police may authorize non-emergency aid to assist in special situations, events or investigations requiring additional or specialized resources such as investigative expertise, accident reconstruction, consultation, training, bomb technicians, SWAT, K-9s, crime scene processing, etc.

111-7 Interagency Agreements

In the interest of public and officer safety and due to the close proximity and working relationships with other jurisdictions, the Chief of Police, with approval of the City Manager, may enter into interagency agreements with other jurisdictions to assist each other in the performance of lawful duties upon the request of the other agency.

111-8 Emergency Assistance

Nothing in this policy prevents officers from responding to an urgent or emergency situation in close proximity to Boulder's jurisdictional boundaries to assist when an officer from an outside jurisdiction has requested such assistance.

Boulder Police Department
General Order 112
Employment Records

Effective: February 18, 2015
Replaces: General Order 112, January 31, 2008

112-1 Organization of Employment Records
112-2 Organization of Payroll Records
112-3 Internal Access to Employment Records and Payroll Records
112-4 Release of Employment Records to Outside Entities
112-5 Terminated Employees
112-6 Background and Referral Information
112-7 Litigation Holds

POLICY

The department maintains a record of employment information for each member in compliance with the city's retention schedule. The employment and payroll records document all personnel actions concerning an individual member. All governing conditions are in accordance with the applicable BMEA or BPOA contract, city or department policy and applicable law.

PROCEDURES

112-Organization of Employment Records

A. The Chief of Police designates the commander of the Personnel Unit as custodian of employment records.

B. The employment record of an employee is maintained by the Personnel Unit and consists of the following components:

1. Commendatory: documents commending an employee's performance.

2. Derogatory: written reprimands and records of disciplinary action.

3. Evaluation: performance evaluations and summaries.

4. Sealed medical: all employment-related medical documentation.

5. Sealed pre-employment: selection process documents, test materials and results, personal history statement and background investigation.

6. Employment: documents, other than those above, relating to employment activities not covered by specific categories and not sensitive in nature, including an employment application or resume.

C. The training record of an employee is maintained by the Training Unit and consists of:

1. Documentation of all formal training and education,

2. Course documentation,

3. Training certificates.

112-2 Organization of Payroll Records

The Finance Unit maintains payroll files consisting of:

A. Payroll sheets,

B. Absence slips,

C. Attendance records,

D. Personnel action forms (PAFs),

E. Personal sick leave verification records,

F. Related memoranda.

112-3 Internal Access to Employment Records and Payroll Records

A. An individual member may review his/her own employment records and payroll records.

B. Immediate supervisors may review payroll records and the following subcategories of their employee's employment records:

1. Commendatory,
2. Derogatory,
3. Employment,
4. Evaluation,
5. Training,
6. Payroll records.

C. Professional Standards Unit investigators, with authorization of the Chief of Police, may review specific subcategories; however, any review of sealed files is scheduled with the custodian of employment records.

D. The Chief of Police, the Deputy Chief of the Support and Staff Services Division and the custodian of employment records have unrestricted access to all employment records. Only these individuals may verbally release information from an employment record for department business or job verifications. With a signed release, the Chief of Police, Deputy Chief of the Support and Staff Services Division or the custodian of employment records may also release information from employment records for background or employment history purposes.

E. The Chief of Police, the Deputy Chief of the Support and Staff Services Division and Finance Unit staff have access to all payroll records. Requests for release of payroll information are referred to the City of Boulder's Finance Department.

F. The Personnel Unit is responsible for maintenance of all employment records and has access to the entire file. Finance Unit staff is responsible for maintenance of all payroll records and has access to the entire payroll file.

G. The custodian of employment records may authorize review of specific subcategories of the employment record and payroll record for transfer, special assignment or promotional selection purposes by the designated supervisor.

H. Requests to access sealed files must be approved by the Chief of Police or designee.

112-4 Release of Employment Records to Outside Entities

A. The custodian of records, the Deputy Chief of Staff and Support Services and the affected employee are notified whenever there is a request for all or part of a member's employment file. The Deputy Chief of Staff and Support Services, or designee,

will consult with Human Resources and the City Attorney's Office if necessary, regarding the release of records except under the following circumstances:

1. When the custodian of employment records is provided with a court order, a judge may review an employment record. When the custodian of records is served with a subpoena or court order for employment records, the records are turned over to the city attorney, department legal advisor or district attorney for court hearing purposes.

2. A waiver signed by the affected member grants permission to a specified individual or organization to review a member's employment record. The waiver authorizes review except for the sealed pre-employment file.

B. Training records are normally not considered to be an employment record and may be released in response to a request from the district attorney or a member of the public.

C. A log of all records released, either by request or court order, is maintained by the section responsible for the record(s). A log of all records retained pursuant to litigation holds is maintained by the section or unit responsible for the record(s).

112-5 Terminated Employees

Upon employment termination, a member's employment record, attendance record and those PAFs reflecting the most recent address change and any changes in employment status or payroll from the payroll file, are archived and retained according to the city's records retention schedule.

112-6 Background and Referral Information

Official inquiries regarding a member's or former member's employment for background or referral purposes are forwarded to the Personnel Unit. While this general order does not preclude an individual member from providing referral or background information relative to members or former members to background investigators, the official department position regarding a member's or former member's employment with the Boulder Police Department is issued by the Chief of Police or designee. Department members are responsible for knowing what types of information may be divulged to background investigators and members contact the Personnel Unit for clarification or guidance should they have questions.

112-7 **Litigation Holds**

Any record subject to a litigation hold is exempt from the city's retention schedule until such time the litigation has been resolved as determined by the city attorney's office.

Boulder Police Department
General Order 113
Performance Planning and Feedback

Effective: July 14, 2015
Replaces: General Order 113, December 26, 2000
Reviewed: July 7, 2015

113-1 Performance Agreements
113-2 Evaluations
113-3 Supervisor Working Files
113-4 Appeal Process
113-5 Management Staff Responsibility

POLICY

The department maintains a performance planning and feedback system to foster fair and impartial personnel decisions, maintain and improve employee performance, provide a medium for career counseling and personal growth, facilitate proper decisions regarding probationary employees, provide an objective means for measurement and recognition of individual performance in accordance with prescribed guidelines and identify training needs.

PROCEDURES

113-1 Performance Agreements

Supervisors first counsel each member whom they supervise concerning the member's position, tasks, responsibilities, expected performance and evaluation criteria. Members and their supervisors then agree to and sign a written performance agreement. Performance agreements are prepared at the beginning of each calendar year, or as part of the employee's annual evaluation, depending on assignment and/or classification (e.g. BPOA, BMEA, management) and include, at a minimum:

A. Professional accomplishments/goals the member aspires to attain.

B. Professional accomplishments/goals the member's supervisor has identified for the member and the appropriate department, section or unit goals.

C. Weaknesses that need to be addressed by the member.

D. Training needs/requests.

E. Any additional mentoring/coaching needs.

113-2 Evaluations

Barring administrative absences, evaluations are completed at regularly scheduled intervals and on time according to set evaluation due dates for both probationary and non-probationary members as determined by any applicable labor agreements and city policy. Evaluations:

A. Utilize a format determined by the Chief of Police and Deputy Chiefs, or City of Boulder Human Resources.

B. Cover a specific time period.

C. Are based on the member's performance during the rating period.

D. Are based upon criteria specific to the posi-

tion occupied by the member during the rating period.

E. Are reviewed and discussed with the member, who has the opportunity to make written comments concerning the evaluation.

F. Are signed by the rater and the rater's commander/manager. Performance ratings in the highest or lowest categories require the Deputy Chief's signature.

113-3 Supervisor Working Files

Department supervisors maintain working files documenting their observations of the performance of members whom they supervise.
These files provide a basis for performance rating and are not part of members' permanent records.

A. Supervisors are responsible for bringing commendable actions and other performance indicators, e.g., letters of commendation, examples of work and written warnings to the attention of members in a timely manner. A member may review his/her working file at any time.

B. After an evaluation is completed the working file documentation that pertains only to that evaluation period is purged according to the applicable collective bargaining agreement.

C. When a member transfers to a different assignment or section, his/her working file is provided to the new supervisor.

113-4 Appeal Process

A department member may request a formal review of his/her evaluation by delivering a written request detailing the issues in conflict to the Chief of Police within ten calendar days of receipt of the evaluation. The Chief or designee then meets with the member and his/her supervisor to discuss the matter. The member may be accompanied by a representative of his/her choice at the meeting. The Chief's decision on all issues in question is final.

113-5 Management Staff Responsibility

Members of the department's Management Staff are responsible for overseeing the performance planning and feedback system, which includes:

A. Reviewing performance agreements and evaluations prepared by their respective staffs.

B. Utilizing results of performance evaluations to determine members':

1. Suitability for assignment.

2. Training needs.

3. Ability to assume more responsibilities.

4. Effectiveness in assigned positions.

C. Conducting periodic reviews of the system's effectiveness.

D. Managing the evaluation appeal process consistent with this general order, any applicable collective bargaining agreement and City policy.

Boulder Police Department

General Order 114

Personnel Appointment, Transfer, Leave of Absence, and Termination

Effective: April 9, 2002
Replaces: General Order 114, May 31, 2000

114-1 New Hires
114-2 Rehire Process
114-3 New Employee Orientation
114-4 Transfers and Promotions
114-5 Leaves of Absence
114-6 Terminations

POLICY

The department establishes guidelines to ensure that all members abide by a systematic process by which employees are appointed, hired, transferred, and terminated, and that adequate and timely documentation is prepared.

PROCEDURES

114-1 New Hires

A. Selection processes:

1. For police officers are managed by the personnel commander in accordance with General Order 115, Police Officer Recruitment and Selection.

2. For non-commissioned positions are accomplished in accordance with the following general guidelines.

   a. The commander/manager of the unit that is hiring is responsible for notifying the personnel commander when he/she intends to fill a position, whether that position be standard, part-time, volunteer, work-study, temporary, or an internal transfer. The personnel commander coordinates the hiring process with the City's Human Resources and Organizational Effectiveness (HROE) Department.

   b. The Personnel Unit completes a City of Boulder personnel requisition form for all department vacancies.

      (1) The manager of the Finance Unit is advised of the personnel requisition request for budget authorization.

      (2) The Personnel Unit obtains the signatures of the hiring supervisor and the Chief of Police.

      (3) The personnel requisition form is forwarded to HROE.

   c. When a new or revised job description is required, it is the responsibility of the Personnel Unit to develop it in consultation with the appropriate commander/manager. The personnel unit submits the job description to HROE.

   d. Job applications are received by HROE and forwarded to the Personnel Unit.

e. The Personnel Unit completes initial screening of applications, with additional screening conducted at the direction of the Chief of Police, and then forwards them to the appropriate commander/manager.

f. The appropriate commander/manager is responsible for the testing of applicants. The personnel commander is made aware of testing to ensure compliance with City policies and employment law, and may assist in coordination and execution with regard to interview design, interviewing, clerical testing, or other appropriate testing.

g. All applicants submit to truth verification examinations and background investigations.

(1) Current department employees are not required to take a truth verification examination when applying for non-commissioned positions, except for positions in Property and Evidence, and the background investigation covers only their employment with the BPD.

(2) Certain positions may also require a psychological evaluation and drug testing.

h. The personnel commander ensures that the background investigation is conducted to the extent required by the position, and reviews all truth verification examinations and background investigations before any job offers are made.

i. When a selection process has been completed and an applicant has been selected, the appropriate commander/manager ensures that all all original applications, test results, interview summaries, and other documentation are forwarded to the Personnel Unit. The documentation is checked and copies are forwarded to HROE, who makes the formal offer of employment and arrangements with the applicant for the completion of forms and City orientation.

j. The Personnel Unit prepares and distributes a personnel order form for all new hires.

B. Record-keeping.

1. The Personnel Unit maintains the original copy of the selected individual's application for the department personnel file and sends a copy to HROE.

2. The Personnel Unit returns all non-commissioned position selection process materials to HROE.

3. The Personnel Unit maintains all commissioned position selection process documentation for the duration of the eligibility pool resulting from that selection process. All materials are available to HROE personnel for review. These materials are sent to HROE at the conclusion of the eligibility time span.

4. The following records are retained by the Personnel Unit in either the employee's sealed personnel file or sealed medical file and are not released:

a. Truth verification testing;

b. Drug testing;

c. Medical testing;

d. Psychological testing; and

e. Personal history statement.

5. Personal history statements are returned to applicants who have participated in the above mentioned tests but have not been hired by the department. All other test results are maintained in a separate file associated with that particular testing process.

C. Required forms and paperwork.

1. Prior to the new employee's first day of work, the new employee's commander/manager ensures the new employee:

a. Attends HROE's orientation to complete forms including the I-9 form, W-4 withholding form, health and life insurance forms, PERA forms, and pension forms. The paperwork required by the City's Information Technology (IT) Department is also completed at this time enabling a user identification to be created for the City's computer system.

b. Reports to the Personnel Unit to complete the new employee form, a copy of which is forwarded to the Finance Unit, and the emergency information form, and to obtain access to the department's computer systems.

2. Forms completed by the Finance Unit include payroll forms and a personnel action form (PAF).

3. Volunteers, work-studies, and academic interns must meet with the Personnel Unit for completion of applicable paperwork.

D. Issuance of property and equipment.

All department property issued to new employees is appropriately documented. All new employees are issued the following items by the unit/section indicated.

1. The Personnel Unit issues the department's *Reference Manual.*

2. Records and Information Services (RIS) photographs new employees. The photographs are sent to the Personnel Unit who prepares and issues a department identification card. New employees, other than police officers wearing a uniform, are required to wear the identification card while at the police department during their first two months of employment.

3. The Personnel Unit issues a department electronic access card.

4. The new employee's commander/manager ensures that the new employee is issued appropriate keys.

5. Central Supply is responsible for issuing uniforms and accessories as appropriate.

6. Communications is responsible for issuing radio and pager numbers as appropriate.

7. Upon notification from the new employee's commander/manager, the personnel unit notifies IT for placement of the new employee into the proper e-mail groups.

8. The armorer is responsible for issuance of firearms and related equipment as appropriate.

114-2 Rehire Process

Up to one year after separating from the department, and at the discretion of the Chief of Police, former members seeking to return to the department may be rehired without having to participate in the full selection process. Generally, members seeking re-employment after one year may be required to submit to a truth verification examination covering the time away from the department, a psychological test and interview, a medical examination, and a background investigation covering the period of time away from the department. Final hiring decisions are made by the Chief of Police.

114-3 New Employee Orientation

A. The new employee's commander/manager is responsible for ensuring that each new employee contacts the new employee orientation coordinator for assignment of a new employee advisor.

   1. The assigned new employee orientation advisor is responsible for issuance of department orientation materials, augmenting the respective commander's or manager's responsibility for familiarization with department layout and organizational structure, and introduction to other department personnel.

   2. The new employee orientation advisors are responsible for maintaining guidelines for the orientation program.

B. The personnel commander is responsible for ensuring that new employees are introduced to the department by issuing a memorandum which relates information about the new employee, his/her position, and a photograph, within a reasonable amount of time following hire.

114-4 Transfers and Promotions

A. When a transfer, reclassification, or promotional opportunity becomes available for which personnel from other sections are eligible to apply or which is designated as a "specialized assignment" impacted by labor agreements, the initiating commander/manager notifies the personnel commander. The respective commander/manager assists the personnel commander with creating or updating the job description, if necessary. The Personnel Unit then obtains the signature of the Chief of Police and distributes the job description for posting within the department, ensuring that the posting is consistent with any applicable general order, selection process, and labor agreement. The personnel commander is responsible for the coordination of promotional processes for all commissioned positions.

   1. Written notice of all promotions and transfers which involve a change in position title or responsibilities are provided to the Personnel Unit.

   2. All requests for development or reclassification of a position are approved by the Chief of Police; subsequent documentation is provided to the Personnel Unit for preparation, processing, and relay to HROE.

B. Upon receipt of written notification of a personnel change indicating an intra-departmental or inter-divisional transfer, promotion, or any change in position, the Personnel Unit prepares and distributes a personnel order form.

C. Upon receipt of written notice indicating a job status or pay change, the Finance Unit prepares the City's PAF03 for appropriate signatures.

D. The respective commander/manager is responsible for ensuring the issuance and return of items as appropriate.

E. The member's new supervisor notifies the Personnel Unit of the transferred or promoted employee's new phone extension, and radio and pager numbers, if any, and

the Personnel Unit updates all applicable records and files affected by the transfer or promotion. Records may not be updated for temporary assignments depending on the specific circumstances.

114-5 Leaves of Absence

A member requesting an unpaid leave of absence directs his/her request, in writing, to his/her immediate supervisor, who provides a recommendation and forwards it to the Chief of Police. The Chief of Police evaluates leave requests on a case-by-case basis, considering such factors as staffing, length of leave, and member standing, and in accordance with any applicable labor agreements and City policies.

114-6 Terminations

A. When a member's employment with the department ends, the member's commander/ manager ensures that written notice is provided to the Personnel Unit and the Chief of Police, and the employee is reminded of all check-out requirements.

B. The Personnel Unit is responsible for the following.

1. Preparation of the personnel order form.

2. Notification of all members of Management Staff.

3. Issuance of a letter to the employee that serves as a reminder of check-out responsibilities and procedures.

4. Maintenance of the check-out form and issue list. When the check-out clearance is completed and returned by Central Supply, the Personnel Unit ensures that it is retained in the employee's personnel file along with the department issue/ return record.

5. When the terminating employee is a commissioned officer, provision of written notice of termination to both FPPA and POST.

6. An exit interview with the terminating employee.

C. The Finance Unit is responsible for the following.

1. Preparation of the PAF.

2. A final accounting of compensatory time so that all monies due for unused compensatory leave are included in the employee's final paycheck.

3. If applicable, cancellation of City mobile phone services.

D. The terminating employee is responsible for the following.

1. Review of termination procedures.

2. Cleaning and return of all issued equipment, and return of the department identification card.

3. Completion of all applicable paperwork with the Personnel Unit, Finance Unit, and HROE.

4. For commissioned employees, contact with a trustee of the appropriate pension plan for explanation of the procedures and forms necessary to obtain either a refund of contribution or retirement benefits as appropriate.

E. The supervisor of the terminating employee reviews procedures and requirements with the employee to ensure that all are met.

F. IT and RIS are notified to deactivate the terminating employee's access codes and passwords.

G. The armorer is responsible for receiving and checking department issued firearms and related equipment.

H. Retired badges and identification cards are issued pursuant to General Order 117, Awards.

I. The Central Supply supervisor is responsible for receiving and checking uniforms and related equipment, and for the documentation of the return of all department equipment. This documentation then becomes part of the employee's personnel file.

J. Retired badge and radio numbers are provided to the Personnel Unit, who is responsible for maintaining a master list of numbers that have been officially retired by the department.

Boulder Police Department
General Order 115
Police Officer Recruitment and Selection

Effective: February 18, 2016
Replaces: General Order 115, January 31, 2008
Reviewed: February 9, 2016

115-1 Responsibility
115-2 Recruitment
115-3 Job Posting
115-4 Selection Process
115-5 Final Selection
115-6 Post-conditional Job Offer Testing
115-7 Process Review
115-8 Probationary Period
115-9 Status

POLICY

The goal of the department's recruitment and selection process is to hire a diverse group of police officers that is reflective of the Boulder community by creating a qualified, diverse pool of applicants.

PROCEDURES

115-1 Responsibility

The Personnel Unit commander is responsible for administering the recruitment program and police officer selection process. The City's Human Resources (HR) Department provides information on generally accepted professional public employment practices and may assign representatives to assist in designated phases of recruitment and selection. The Personnel Unit commander:

A. Consults with HR representatives as needed.

B. Coordinates recruitment efforts.

C. Develops and maintains documentation of selection processes, including descriptions of all components of the processes.

D. Coordinates the role of private sector organizations or vendors who participate in selection processes.

E. Ensures candidates are appropriately informed of their statuses throughout the process.

F. Involves and coordinates other department members in recruitment and selection efforts.

115-2 Recruitment

The department actively recruits applicants for police officer positions. Recruitment efforts may include:

A. Sending out notices to colleges and business and community groups.

B. Advertising in local media, on the Internet, job bulletins or other regularly published materials.

C. Using department members as a recruitment team to actively solicit applicants at colleges, job fairs, community events, etc.

115-3 Job Posting

A. The job announcement, which includes requirements and desired qualifications of police officer candidates, is reviewed by the administration at least annually.

B. The Chief of Police may open any position for lateral entry based upon department need, contingent upon provisions of the City of Boulder/BPOA labor agreement.

C. The length of the posting period during which applications are accepted is determined by the anticipated hiring needs.

D. All applicants are given an overview and tentative schedule of the selection process.

115-4 Selection Process

The selection process is designed to gather comprehensive, job-related information regarding police officer applicants in a fair manner consistent with applicable laws, city policy and the department's values.

A. A selection process may include the following phases.

1. Application

2. Written tests

3. Physical skills testing

4. Integrity/preemployment interview

5. Truth verification testing

6. Oral board and/or group interview

a. Department members who participate on oral board or group interview panels are provided with relevant training.

b. Oral boards and/or group interviews may be utilized to clarify information presented in the application and are designed to assess a candidate's qualifications in specific areas, which may include:

1) Communication skills

2) Judgment

3) Job awareness

4) Interpersonal skills

5) Self-presentation skills

6) Acceptance of criticism

7) Assertiveness

8) Work creativity and innovation

9) Self-improvement and learning efforts

7. Job suitability testing

8. Following B below, Management Staff interview.

B. Applicants who successfully complete the initial steps of the process are reviewed for suitability to proceed to the background phase of the selection process. Background investigations are conducted on each candidate prior to appointment.

1. Background investigators may include Boulder Police Department officers and detectives or contracted outside investigators. Background investigators are

trained for these specific investigations.

2. A record of each candidate's background investigation is maintained on file for at least three years.

115-5 Final Selection

Based on recommendations from Management Staff, after a review of all relevant information, test results, and background information the Chief of Police makes the final selection for hiring.

115-6 Post-conditional Job Offer Testing

The following examinations are conducted for each candidate after a conditional offer of employment is extended and prior to appointment to probationary status.

A. Medical examination

B. Psychological examination, conducted by a professional psychologist, a record of which is maintained by the department's Personnel Unit.

115-7 Process Review

Following each police officer selection process, a review is conducted to evaluate the process and incorporate improvements for future processes. Process reviews include an analysis for adverse impact based on race, gender and ethnicity of participants for each process component, as well as a review of the utility of each component.

115-8 Probationary Period

The successful completion of a probationary period is required of each candidate before permanent status is granted. The probationary period is considered an integral part of the selection process in that much is learned concerning the ability of the candidate to fulfill the job requirements during the Police Training Program and actual work performance. During the probationary period, an employee may be terminated without cause at the discretion of the Chief of Police. The following procedures govern the probationary period.

A. There are no exceptions to a candidate completing the entire probationary period.

B. The specific procedures of the probationary period are addressed by the City of Boulder/BPOA labor agreement.

C. The work performance of each probationary candidate is evaluated using any or all of the following:

1. Procedures of the Police Training Program

2. City of Boulder/BPOA labor agreement

3. Information from employee evaluations

4. Information from the employee's working file

5. Disciplinary matters

6. Supervisory knowledge and observation

115-9 Status

A. The department hires those who are State of Colorado P.O.S.T. certified and those who are not.

B. Those hired are titled "Police Officer" for purposes of defining City of Boulder pay and benefits, inclusion into the bargaining unit, coverage under the State of Colorado Fire and Police Pension Association as well as inclusion in the "New Hire" pension plan.

C. Those hired are not “Police Officers” or “Peace Officers” as defined by Colorado Revised Statutes until meeting State of Colorado P.O.S.T. standards and certification as well as Boulder Police Department standards.

D. Persons accepting a sworn position are administered an oath of office prior to assuming their sworn duties.

Boulder Police Department
General Order 116
Promotions

Effective: April 15, 2015
Replaces: General Order 116, Promotions, July 12, 1999
Reviewed: April 15, 2015

116-1 Responsibility and General Guidelines
116-2 Establishing Promotion Eligibility Requirements
116-3 Promotion Opportunity Announcements
116-4 Processing Applications
116-5 Promotion Process Components
116-6 Selection
116-7 Candidate Debriefing
116-8 Process Debriefing

POLICY

The department fills its supervisor and manager positions with qualified, experienced personnel through fair selection processes that are equally open to those who meet the established minimum requirements.

PROCEDURES

116-1 Responsibility and General Guidelines

The department is responsible for all promotion processes for positions other than Chief of Police. When needed, and as appropriate, the City's Human Resources (HR) Department is used as an advisory resource.

A. The Chief of Police determines department selection processes, including whether they are internal or external, and grants final approval for the candidates who are selected for promotion.

B. The personnel commander is responsible for organizing and managing all promotion processes. The commander:

1. Works with HR as appropriate; and
2. Develops and maintains records of all procedures used for each promotion process and all other pertinent documentation.

C. Specific promotions are generally made according to the following guidelines:

1. The Chief of Police is appointed by the City Manager.
2. Commissioned vacancies above the rank of sergeant are generally filled by an internal process, but may, as determined by the Chief of Police, be filled from an external process.
3. Commissioned vacancies at the rank of sergeant are filled by an internal process.
4. Non-commissioned promotion opportunities are evaluated on a case-by-case basis, and may involve an internal or external process as determined by the Chief of Police.

5. All vacancies open to non-department members are posted by HR.

116-2 Establishing Promotion Eligibility Requirements

The administration establishes promotion eligibility criteria and the components of promotion processes. The eligibility criteria are finalized sufficiently in advance of the anticipated date of the testing process to allow time for notice to those interested in competing.

116-3 Promotion Opportunity Announcements

For each promotion process, the personnel commander prepares a written announcement and ensures that it is posted prominently throughout the department. At a minimum, the announcement includes:

A. A description of the position and its minimum requirements and desired qualifications.

B. A description of the promotion process.

C. A timetable of events within the promotion process.

116-4 Processing Applications

Within five working days of the application period, the personnel commander:

A. Issues a list of all persons who expressed an interest in the promotion opportunity and met the eligibility requirements.

B. Maintains a master list of all persons who applied.

C. Provides written notice and explanation to those applicants who did not meet the eligibility requirements.

116-5 Promotion Process Components

Promotion processes may include one or more of the following components:

A. Written tests

B. Skills testing

C. Practical exercises

D. Presentations

E. Interviews

F. Others as deemed appropriate

116-6 Selection

The Chief of Police notifies the selected candidate of his/her promotion, the effective date, and announces the promotion to the department. The following applies to all promotions.

A. Members who are promoted serve a probation period based upon the applicable bargaining agreement or city policy.

B. The member's performance is monitored and evaluated during the probation period.

C. Any extension of the probationary period which the department may grant is in accordance with the applicable bargaining agreement and/or city policy.

116-7 Candidate Debriefing

Following the promotion decision, the personnel commander ensures the opportunity for every candidate to review appropriate process materials and meet with members of the selection committee for feedback and advice.

116-8 Process Debriefing

Following each promotion process, the personnel commander holds a process debriefing to evaluate the promotion process. The debriefing includes:

A. Consideration of the utility, effectiveness, fairness and any adverse impacts of components of the process.

B. Documentation of debriefing so that future promotion processes may be revised as necessary.

Boulder Police Department
General Order 117
Awards

Effective: August 6, 2014
Replaces: General Order 117, January 5, 2012

117-1 Award Categories
117-2 Awards Committee
117-3 Nomination and Selection
117-4 Service and Retirement Awards
117-5 Public Recognition

POLICY

When department members perform their duties in a manner which exceeds its highest standards, the department recognizes such outstanding conduct with official awards. The department also honors those citizens of the community who substantially assist the department in a manner beyond their normal civic responsibilities. Additionally, the department honors its members who have dedicated years in its service.

PROCEDURES

117-1 Award Categories

For all awards described below, incontestable proof of the act is required and the recommendation is considered on the basis of extraordinary merit.

A. Medal of Honor

1. The Medal of Honor is the highest decoration awarded by the department and is reserved for members who have performed acts of courage or heroism in which they gravely risked their lives in the performance of their duties.

    a. The act performed must have been one of conspicuous bravery or self sacrifice so notable as to set the individual apart from his/her peers, and in which the risk of life was extraordinary and the member indicated willingness to risk his/her own life in the performance of duty.

    b. When a weapon was employed against the member, causing serious bodily injury, and the member's actions reflected great merit to him/her and the department, the member is eligible for the Medal of Honor.

    c. Any member who gives his/her life in the line of duty as a result of the performance of an act of valor is considered for the Medal of Honor posthumously.

2. The award is a gold medal on a red, white, and blue ribbon, displayed with a plaque and certificate specifying the act for which the award is granted, and an insignia, a blue enameled bar with gold lettering, that can be worn on the uniform.

B. Medal of Valor

1. The Medal of Valor is presented to members who distinguish themselves by conspicuous bravery under unusual, complicated, or hazardous conditions in which they risked grave personal danger and used excellent judgment in accomplishing a specific mission.

2. The award is a silver medal on a white and blue ribbon, displayed with a plaque and certificate specifying the act for which the award is granted, and an insignia, a white and blue enameled bar with silver lettering, that can be worn on the uniform.

C. Medal for Lifesaving

1. The Medal for Lifesaving is presented to members who save the life of another person using exceptional or extraordinary actions.

2. The award is a silver medal on a white and red ribbon, displayed with a plaque and certificate specifying the act for which the award is granted, and an insignia, a white and red enameled bar with silver lettering, that can be worn on the uniform.

D. Purple Heart

1. The Purple Heart is presented to members who are killed or seriously wounded at the hands of an offender, or in the act of saving a life, while in the performance of their official duties.

2. The award is a gold medal on a purple ribbon, displayed with a plaque and certificate specifying the act for which the award is granted, and an insignia, a purple enameled bar with gold lettering that can be worn on the uniform.

E. STAR (Superior Tactics and Response) Award

1. The STAR award is presented to members who, through exceptional tactics, decision-making, or skills, act to successfully resolve a critical incident, with no serious injury to anyone, thereby setting a standard for safety and professionalism to which all officers should aspire.

   a. For the purposes of this award, a "critical incident" refers to any rapidly unfolding and dynamic incident in which the suspect is armed and the ability or intent to use lethal force is present but not imminently apparent, or the officer reasonably believes the suspect to be so armed. The tactics displayed or performed must be conspicuously effective and above the standard expected.

   b. "Exceptional tactics" include utilization of proper tactics, decision-making, skills, *and* appropriate force, which mitigate the level of danger to the officer and which are directly responsible for preventing the incident from escalating to a deadly force situation.

2. The award is a certificate mounted on a plaque, and an insignia, a blue enameled bar with a silver star, that can be worn on the uniform.

F. Award for Excellence

1. The Award for Excellence is presented to members based upon, but not limited to, consideration of the following factors.

   a. A member demonstrated continued service at a level of excellence;

b. A member performed an outstanding administrative accomplishment;

c. A member developed and initiated a means of significantly increasing the department's administrative or operational efficiency or effectiveness;

d. A member made a significant positive impact on the community through the use of problem-solving and partnership development, or made an outstanding contribution in the area of community service;

e. Through personal initiative and great effort, a member acted to solve a major crime or crimes resulting in the arrest of the criminal. It is intended for extraordinary cases involving diligent investigation; or;

f. By exemplary conduct and demeanor a member successfully resolved an extraordinarily hazardous situation.

2. The award is a certificate mounted on a plaque, and an insignia, a green enameled bar with gold lettering that can be worn on the uniform.

G. Police Chief's Certificate of Commendation

1. The Police Chief's Certificate of Commendation is presented to members who demonstrate exceptional initiative while performing a police action or who perform an expected function in an exceptional manner. "Exceptional" is defined as: worthy of imitation; ideal; serving as a model.

2. The award is a certificate mounted on a plaque.

H. Unit Citation

1. The Unit Citation is awarded to an identified group, unit, or section within the department that has displayed exemplary teamwork, effectiveness, exceptional service, or other accomplishments in support of the department mission.

2. The award is a certificate mounted on a plaque, suitable for display in the unit area. Plaques are awarded to the unit and, when practical or appropriate, names of unit members are inscribed.

I. Outstanding Citizenship Award

1. The Outstanding Citizenship Award is awarded to citizens who substantially assist the department, or any of its members, above and beyond the scope of normal civic responsibility. It may also be awarded for special administrative or enforcement assistance provided the department or any of its members by the recipient. The individual must have provided the special service in the course of assigned responsibilities and the service must embody both exceptional effort and superior performance.

2. The award is a certificate mounted on a plaque.

117-2 Awards Committee

The department's awards committee provides standardized review of all conduct nominated for an award. The committee is responsible for reviewing, evaluating, and classifying nominations for awards, and for relaying its recommendations to the Chief of Police.

A. Awards committee membership includes diverse, broad-based representation from the various sections within the department.

Members are appointed by the Chief of Police and serve for a period of three years.

B. Service as the chairperson of the committee is a collateral duty of the Professional Standards Unit supervisor. The chairperson does not have a voting right except to break a tie.

117-3 Nomination and Selection

When a member performs an act worthy of consideration for a department award, nomination is made by memorandum directed to the Professional Standards Unit supervisor. The name of the person nominated and a description of the incident and circumstances is included in the memorandum. Supporting documentation may be included as well. If more than one person participated in a meritorious act, all names are included. Nominations may come from anyone within or outside the department.

A. The Professional Standards Unit supervisor reviews all nominations for completeness and accuracy and obtains additional information as needed.

B. The awards committee meets on a quarterly basis (January, April, July, October), but may meet prior to the quarterly meeting in the event of a significant incident.

C. The awards committee evaluates the basis of nominations for the awards from all nominations submitted so it can recommend to the Chief of Police which type of award is merited, if any, in each case. The committee may also conduct additional investigation of the incident.

D. Recommendations for awards are accomplished by a simple majority vote of the committee and reviewed by the Chief of Police for final decision. A copy of the award announcement signed by the Chief of Police, and the nominating memo, are placed in the personnel file and working file of each member selected for an award. The chairperson ensures proper distribution of the notice. The award is presented as soon as possible after the awards committee's quarterly meeting.

E. Requests for reconsideration of awards committee recommendations are made by presenting any additional information, in writing, to the committee. The person making the request is given an opportunity to appear at a future committee meeting. Any further appeal is made to the Chief of Police, whose decision is final.

117-4 Service and Retirement Awards

The department recognizes its members who have achieved benchmark anniversaries in their years of service and its members who retire or resign in good standing.

A. Members who have attained 20 years of service with the department and five year benchmarks thereafter receive a certificate of recognition and a gift. This program is administered by the Professional Standards Unit.

B. The department recognizes each member who retires in good standing after 20 or more years of service, or who medically retires after 10 years of service. The department honors these retirees with a farewell gathering.

1. Retiring commissioned members receive a framed certificate with mounted badge, and a retired identification card and flat badge.

2. Retiring non-commissioned members receive a framed certificate with mounted city insignia, and a retired identification card.

C. Members with less than 10 years of service who receive a medical retirement are evaluated on a case by case basis for recognition by the department.

D. Members who resign in good standing and with 10 to 19 years of service receive a certificate of appreciation and a farewell gathering.

117-5 Lifetime Achievement Award

Members who retire after a minimum of 30 years of service may be eligible for a Lifetime Achievement Award. This award is reserved for members who have made significant contributions to the department and community throughout their career, regardless of rank or assignment in the department. The Lifetime Achievement Award is awarded at the discretion of Management Staff.

117-6 Public Recognition

Press releases concerning all department awards are prepared by the office of the Chief of Police and distributed with appropriate photographs to local media.

Boulder Police Department
General Order 118
Department Memorial

Effective: July 14, 2015
Replaces: General Order 118, December 4, 2000
Reviewed: July 7, 2014

118-1 Care and Maintenance
118-2 Eligibility Requirements
118-3 Final Decision

POLICY

The department maintains a memorial to department members who have lost their lives while on duty and while performing law enforcement actions or at the hands of an assailant. The purpose of the memorial is to recognize and remember those who have given their lives in service to the community.

PROCEDURES

118-1 Care and Maintenance

The memorial and surrounding garden are respected by all members. It is used only as a place of remembrance and not as a picnic area, smoking area, play area or for any other similar activity. The department maintains the memorial and surrounding area in a clean, trimmed and well-lighted condition at all times. Necessary repairs are made in a timely fashion.

118-2 Eligibility Requirements

A. Any department member who has lost his/her life while on duty and while performing a department function is eligible for inclusion on the memorial if the following conditions are met.

   1. The incident that led to the member's death was the result of that member performing his/her law enforcement duties.

   2. The cause of death was not the result of a medical condition, disease, illness or self-inflicted injury.

   3. The member was acting in good faith at the time of his/her death.

B. Members who were recognized by the department as being eligible for memorial prior to January 1, 2000 are included on the permanent memorial.

118-3 Final Decision

If there is a disagreement over whether a death qualifies for inclusion, the final decision rests with the department's Executive Staff after seeking department member input.

Boulder Police Department
General Order 119
Gifts and Gratuities

Effective: August 5, 1999
Replaces: Rule #7, Gifts and Gratuities, November 14, 1991
Reviewed: April 15, 2015

119-1 Shopping
119-2 Goods and Services
119-3 Gifts
119-4 Notification Required
119-5 Department Donations

POLICY

Members of the department do not use their position or status to seek or accept any favors, gifts, or gratuities for personal gain or benefit that would not ordinarily be afforded the general public.

PROCEDURES

119-1 Shopping

With the exception of meals and daily personal items, members are prohibited from doing personal shopping while in uniform.

119-2 Goods and Services

Members are prohibited from seeking or accepting free or discounted goods or services, including food and drink, from any business establishment or vendor, or their employees, that are otherwise unavailable to the general public.

119-3 Gifts

A. Members do not accept money, goods, or other gifts from any person, business, or organization for services provided as a member of the Boulder Police Department. This does not prohibit members from accepting awards of appreciation or recognition from other agencies or community groups.

B. As long as an offer is not solely based on a member's status as an employee of the Boulder Police Department, members may accept materials, prizes, promotional items, or discounts as a member of a professional organization while attending a job related conference or training program, or while participating in a community fund raising event, as long as such offer is open to others.

C. Periodically, the department receives gifts from businesses or members of the community in thanks for the general services it provides. It is acceptable to receive such offers as long as the offer is for the department in general and there is no expectation of anything in return.

119-4 Notification Required

Members who become aware of businesses or organizations, or their employees, offering free or discounted goods and/or services to department members are to advise the business or organization that the department prohibits members from accepting such offers. The member is then required to report the infor-

mation to the Professional Standards Unit. A representative from the Professional Standards Unit then contacts the individual, business, or organization and explains the department's policy and requests that the offer be discontinued.

119-5 Department Donations

The department may, on occasion, accept donations based on the following guidelines.

A. The donation must be made in the interests of the community. A donation intended to support a police/community program or project, or to allow the police department to better serve the public, is acceptable.

B. The donation must be made free of any attached expectations of special consideration or enhanced services from the department.

C. Any offers of donations, whether monetary or otherwise, must be presented to the department's Management Staff for review and recommendation to the Chief of Police.

D. The Chief of Police makes the final decision for accepting or declining donations to the department.

Boulder Police Department
General Order 120
Professional Standards Investigations

Effective: January 9, 2017
Replaces: General Order 120, August 15, 2016
Reviewed: January 3, 2017

120-1 Definitions
120-2 Member Responsibilities
120-3 Member Rights
120-4 Classifications and Basis for Professional Standards Investigations
120-5 Basis for Professional Standards Investigations
120-6 Acceptance and Initial Processing of Complaints
120-7 General Investigative Procedures
120-8 Supervisory Disposition Review
120-9 Professional Standards Review Panel
120-10 Police Chief's Review
120-11 Disposition Classifications
120-12 Administrative Hearings and Final Dispositions
120-13 Discipline
120-14 Record-keeping
120-15 Purging of the Professional Standards Unit Records
120-16 Disclaimer

POLICY

The intent of this policy is to maintain the integrity of the department by conducting thorough and impartial investigations of complaints of member misconduct, to protect the community from member misconduct and to protect members from false or malicious allegations. The Professional Standards Unit is responsible for coordinating and recording complaints and investigations of employee misconduct.

PROCEDURES

120-1 Definitions

Investigations of employee misconduct and complaints from community members are classified and defined as follows.

A. Class 1 Professional Standards Investigation: the allegation is serious in nature and/or serious discipline may result if the allegation is sustained. It may also include allegations of great concern to the community. Normally the Professional Standards Unit conducts the investigation.

B. Class 2 Professional Standards Investigation: the allegation is non-serious in nature and any resulting discipline may not exceed a permanent letter of reprimand. Normally the investigation is conducted by the affected member's immediate supervisor (see General Order 121, Supervisory Reviews).

C. Referral: the allegation is not based on a member's intentional misconduct, but rather a complaint of a minor performance or protocol issue. A formal investigation is

not conducted; however, the affected member's immediate supervisor is notified and makes the appropriate disposition decision.

D. Inquiry: questions as to the propriety of policy and procedures or issues with regulations or actions of other agencies that are resolved by appropriate referral and not subject to a Professional Standards investigation, supervisory review or referral.

120-2 Member Responsibilities

Members are responsible for ensuring that complaints are processed in accordance with the value-based management system.

120-3 Member Rights

A. Without express authorization from the Chief of Police, members, with the exception of subject members, may not share or discuss any information relevant to a Professional Standards investigation with any person except the Professional Standards investigator, legal counsel or other designated representative. Members involved in a Professional Standards investigation may not contact the complainant(s) or any witness(es) regarding the allegation(s) except through the subject member's legal counsel or designated union representative.

B. Members who are either subjects or witnesses in a Professional Standards investigation may seek legal and/or other representation. Such members may have their representative present at all interviews. However, the attorney or other representative is not allowed to turn the interview into an adversarial proceeding.

C. Each member has the option to stipulate to the facts of a complaint and may request a waiver of a complete Class 1 Professional Standards investigation after being advised of the complaint and that some form of serious discipline may result if the allegation is sustained. However, the Chief of Police makes the final determination of whether an investigation continues.

1. When all parties are in agreement, the investigator and the subject member sign the Professional Standards investigative report.

2. The investigation then proceeds, with the possible below exception, through the normal Class 1 Professional Standards investigation review process.

3. When an investigation waiver has been granted, the Chief of Police may choose to forego the Professional Standards Review Panel process.

D. Any member who becomes the subject of a Professional Standards investigation is entitled to the following administrative due process.

1. The member is entitled to a presumption of innocence and a fair, impartial investigation.

2. The member is informed in writing of the complaint or charge which initiated the Professional Standards investigation.

3. The member is given an opportunity to reply to all allegations.

4. The administration considers a member's reply.

5. When serious disciplinary actions are recommended or likely, the member is given the opportunity for an administrative hearing before the Chief of Police or designee. The member may be represented and may discuss evidence and provide any mitigating information.

6. The member is entitled to notification of a decision within a reasonable amount of time.

7. The member has the right to appeal a decision.

E. The subject member has the opportunity to review all evidence obtained during a Professional Standards investigation (excluding confidential informant identity) upon reasonable notice and as such information becomes available.

1. This review may be made with counsel or other representatives present.

2. The review must be made by appointment with the Professional Standards investigator and must be completed within seven business days after receipt of the notice.

3. The subject member may request additional investigative work and has the right to attach any comment or assessment he/she believes should be included in the case file prior to disposition review. Polygraph or other lie detection examination results will only be added to the case file if they were completed in compliance with 120-3 (I) (2). An exact copy of all reports and/or graphs from a polygraph or other lie detection examination must be submitted, partial or incomplete results will not be accepted.

F. Members being interviewed are treated with fairness and respect.

1. When investigative interviews are conducted, questions are specifically directed and narrowly related to the performance of a member's official duties, fitness for duty or alleged violations of rules and general orders.

2. Members honestly, completely and to the best of their knowledge and ability, answer all questions that relate to the conduct under investigation.

3. The subject member is entitled to copies of all recorded statements prior to subsequent interviews.

G. Members who are the subject of, or a witness in, a Professional Standards investigation are required to answer all questions related to the conduct under investigation. Should a member refuse to obey a lawful order to answer, the member may be subject to disciplinary action for insubordinate conduct.

1. Involuntary statements given in response to a direct order during an investigation into alleged procedural misconduct are prefaced with language that the statement is not voluntary.

2. The order given to obtain such involuntary statements says:

a. That the statements may be the basis for subsequent discipline, up to and including termination; and

b. That neither the member's statement nor any information directly gained from his/her statements will be used against the member in any subsequent criminal proceedings.

H. The Professional Standards interview may be halted and appropriate authorities advised if, during the interview, misconduct is discovered which creates a fair probability that criminal charges will be filed.

I. A member may not be compelled to take a polygraph or other lie detection examination.

1. A member's refusal to submit to such examination may not be grounds for disciplinary action.

2. Should a member request or agree to the department's request for such an examination, the location and firm conducting the examination is mutually agreed upon. Determination of truth verification questions is at the sole discretion of the department.

3. In the event the complainant(s) has taken such examination, the subject member(s) will use a different firm.

4. Upon request, the member is provided an exact copy of all reports or graphs compiled.

120-4 Classifications and Basis for Professional Standards Investigations

Any time the department determines that it is necessary to investigate events or circumstances that may lead to disciplinary action, a Professional Standards investigation is initiated. Member misconduct may be either minor or serious depending on the specific alleged act(s) and the likelihood of a consequence of non-serious or serious discipline.

A. Serious misconduct includes allegations which charge criminal misconduct, serious deviations from rules or general orders, or repeated less serious deviations and which involve the likely consequence of serious discipline if sustained.

   1. Some examples of serious misconduct are:

      a. Any violation of law which would impair a member's ability to fulfill his/her duties or would jeopardize public safety. Such criminal misconduct includes, but is not limited to:

         (1) Felony: The commission of any felony is considered criminal misconduct.

         (2) Controlled Substance Violation: Any violation of laws governing controlled substances or any use of controlled substances without medical supervision is considered misconduct.

         (3) Negative Impact Offense: The commission of a crime with negative consequence to persons or property or the commission of which reflects unfavorably on the department because of the individual's status as a member, is considered criminal misconduct.

      b. Intoxication while on duty.

      c. Acceptance of a bribe or gratuity.

      d. Misuse of police powers.

      e. Unauthorized release of confidential information.

      f. Use of excessive force.

   2. Serious misconduct complaints are handled as Class 1 investigations by the Professional Standards Unit.

   3. If it is deemed to be in the best interest of the community, department or employee the Chief of Police may place the employee on administrative leave or reassign the employee during the investigation. No employee is placed on

administrative leave without pay, without due process.

B. Minor misconduct includes allegations which are determined to be appropriate for review but which appear to involve the likely consequence of non-serious discipline if sustained.

1. Examples include, but are not limited to, discourtesy or other lesser violations of rules or general orders.

2. Minor misconduct may be investigated by the Professional Standards Unit or referred to the member's supervisor for investigation as a Class 2 Professional Standards investigation (supervisory review; see General Order 121). Traffic accidents involving members driving city-owned vehicles are normally investigated as a Class 2 Professional Standards investigation, and are conducted by a designated traffic supervisor (see General Order 309-6).

C. Minor complaints in reference to job performance rather than intentional misconduct may be classified as a referral to a member's supervisor for disposition. Unless otherwise instructed, supervisors provide follow-up or disposition information to Professional Standards for the referral record. The Professional Standards Unit maintains a record of a referral for a period of three years.

D. Inquiries from the public as to the propriety of policies or procedures or general questions about department activities are not the subject of a Professional Standards investigation or supervisory review and need not be referred to the Professional Standards Unit. Supervisors are encouraged to answer questions from the public concerning department operations. The Professional Standards Unit maintains records on inquiries.

1. If the basis for a community member's complaint appears to be an objection to a policy or procedure rather than any particular problem with an identified member, the supervisor of the identified member may be notified.

2. Either the Professional Standards investigator or the supervisor informs the complainant of the propriety of the member's actions.

E. Complaints against another agency's members or policies made mistakenly to this department are referred to the appropriate agency, if it can be identified.

120-5 Basis for Professional Standards Investigations

Any investigation initiated to determine the possibility of or to establish the basis for serious disciplinary action, whether such investigation is initiated by an internal, external, formal, or informal complaint, requires investigation by the Professional Standards Unit or Police Chief designate. The Professional Standards Unit investigates allegations in accordance with the guidelines herein provided.

A. The Professional Standards Unit is an extension of the Office of the Chief of Police and a Professional Standards investigator acts as the direct representative of the Chief of Police with authority commensurate to that responsibility regardless of rank.

B. All members respond to requests or orders from Professional Standards personnel just as they would respond to requests or orders from the Chief of Police.

C. The Professional Standards Unit conducts administrative investigations of allegations of serious misconduct.

1. When the alleged misconduct is criminal, the Professional Standards Unit monitors the progress and outcome of the authorities' investigations into the criminal charge. Depending on circumstances, a Professional Standards investigation may proceed either concurrently or upon completion of a criminal investigation.

2. Lack of evidence substantiating a criminal charge does not preclude disciplinary actions arising out of a Professional Standards investigation into a possible violation of written rules or general orders.

3. If the investigation concerns misconduct that might also result in criminal charges, or the investigation discovers criminal conduct, the investigator advises the appropriate authority and notifies the Chief of Police.

4. If appropriate, the Chief of Police may halt an administrative investigation.

D. The Chief of Police may direct any supervisor or manager to conduct or review a special internal investigation as needed.

E. The Professional Standards Unit may also be involved in reviews which are usually not directly generated by an outside source, but rather are initiated within the department as a quality control measure or in defense of a civil proceeding.

1. The Professional Standards Unit may conduct a civil investigation with the assistance of the City Attorney's Office and/or the department's legal advisor to prepare a defense to any suit filed against the city as a result of acts of omission or commission by a member. Copies of such investigations are available to any member named as a defendant in the suit.

2. The Professional Standards Unit may conduct an administrative investigation into any case of a member discharging a firearm, whether on- or off-duty.

3. The Professional Standards Unit may, pursuant to General Order 225, conduct an investigation into use of force cases.

F. When an investigator discovers evidence of additional misconduct during the course of an investigation, he/she causes such discoveries to be enumerated, investigated and submitted for review and disposition with the original case.

G. Upon receipt of complaints of minor misconduct, the Professional Standards Unit may refer those complaints to the subject member's supervisor for investigation and disposition as a Class 2 Professional Standards investigation. Refer to General Order 121, Supervisory Reviews.

120-6 Acceptance and Initial Processing of Complaints

The Professional Standards Unit investigator documents all allegations of member misconduct on the Professional Standards complaint form for the initiation of an investigation or referral as appropriate. All such reports, logs, and investigative reports are considered personnel files as that term is defined in C.R.S. 24-72-202-(4.5).

A. A member who receives a serious complaint against him/herself or another department member directs the complainant immediately to the Professional Standards Unit.

B. Should the Professional Standards investigator not be available or on-duty, the complainant is directed to an on-duty supervisor.

1. The supervisor documents receipt of the complaint and subsequently relays it to the Professional Standards Unit.

2. Should the alleged misconduct be such that immediate attention is required, the supervisor immediately attempts to notify the Professional Standards investigator and the involved member's commander/man-ager.

   a. Contact with the Professional Standards investigator is attempted prior to severing contact with the complainant.

   b. Examples of serious misconduct that require immediate notification are:

      (1) Member's alleged commission of a felony.

      (2) Member's alleged violation of the alcohol and controlled substances sections of General Order 125.

3. When immediate on-scene attention is not necessary, the supervisor ensures that written documentation is received by the Professional Standards investigator at the start of the next standard business day.

C. Complaints are taken from all sources including, but not limited to, in person, by telephone and written.

1. The person registering the complaint is afforded the opportunity to review the complaint report and to receive a copy, if requested.

2. To this end, a brochure is published outlining the Professional Standards process.

3. These brochures are printed in both Spanish and English and are available at the Public Safety Building, Community Police Centers and the Municipal Building. Electronic versions of the brochures are available online.

4. While initial complaints are taken from all sources, the original involved party of an allegation must be willing to be interviewed by the Professional Standards investigator as part of the investigation.

D. Complaints alleging non-serious misconduct which occurred more than six months prior to receiving the complaint are handled as supervisory referrals.

E. Complaints alleging serious misconduct are investigated regardless of time elapsed, unless the amount of time makes investigation of the allegation impractical.

120-7 General Investigative Procedures

The Professional Standards Unit investigates impartially and maintains careful documentation of all proceedings.

A. The Professional Standards Unit maintains the Professional Standards review logs to note incoming complaints which will be investigated, referred to supervisors or cleared by explanation of policy or procedures.

B. If the initial complaint is not substantiated, the investigation goes no further and no statement is required of the member against whom the complaint was made. The fact that the complaint was not substantiated is noted on the Professional Standards log.

C. All Professional Standards investigations are initiated within 14 calendar days of knowledge of an event with the exercise of reasonable diligence.

1. Professional Standards investigations are conducted in a timely fashion within the limits specified below.

2. Class 1 Professional Standards investigations, as a general rule, are completed within 30 calendar days after initial receipt of the complaint.

3. One due date extension of up to 10 calendar days may be allowed by the Professional Standards supervisor.

   a. Requests for additional extensions must be submitted in writing to the Chief of Police at least 48 hours before the due date.

   b. Subject members are notified in writing of any due date extensions.

D. Upon receiving a complaint and after completing a complaint report, the Professional Standards investigator forwards a copy of the complaint report to the subject member as notification of the complaint and pending investigation.

E. When possible, a member who is the subject of or a witness in a Class 1 Professional Standards investigation is given at least 72 hours advance notice of the scheduled interview.

   1. At their option, members may waive the 72-hour notice requirement.

   2. A synopsis of the complaint is attached to the interview notice.

F. Advance notice is not given for cases of extreme sensitivity when evidence could be removed, destroyed, or altered or potential witnesses intimidated or influenced.

   1. If the complainant is to be treated as a confidential informant, their identity is not divulged, subject to administrative review by the City Manager or his/her designee, either in the notification or during any subsequent interview.

   2. If the complaint was filed anonymously, the subject member is advised of the exact circumstances of its receipt.

G. When the Professional Standards investigator determines that a written statement from the subject or witness member would be acceptable in lieu of a personal interview, he/she informs the member of this option in the interview notice.

H. In addition to the complaint report, a statement is taken from a complainant who alleges a member's serious misconduct unless the complainant was anonymous.

   1. The statement includes the complainant's full name, date of birth and business and home addresses and telephone numbers.

   2. Everyone present is also identified for the record.

   3. Complainant interviews are recorded electronically in all cases alleging serious misconduct.

   4. The Professional Standards investigator completes a synopsis of the complainant's statement, identifying specifics of the allegation.

   5. In cases of alleged serious misconduct, the complainant's statement is transcribed only with the approval of the Chief of Police or designee.

I. Interviews of witnesses and subject members are conducted in the same general manner as for the complainant.

1. In cases of alleged serious misconduct, witness and subject member statements are transcribed only with the approval of the Chief of Police or designee.

2. All members who are interviewed for any Professional Standards investigation are advised prior to making any statement whether they are witnesses or subjects of the investigation.

   a. The interview takes place within the police department or in an area where privacy is assured.

   b. Interviews are conducted at a reasonable hour, preferably at a time when the member is normally on duty, unless the seriousness of the allegation requires immediate action.

   c. Interviews are conducted for a reasonable length of time allowing for personal necessities.

   d. In cases alleging serious misconduct all witness and subject member interviews are recorded electronically, and there are no unrecorded or off-the-record questions. Everyone present for the interview is identified for the record.

120-8 Supervisory Disposition Review

The Professional Standards investigator routes the completed Class 1 Professional Standards investigative file, the review and recommendations for disposition form to the reviewing Deputy Chief or designee.

A. In turn, each supervisor in the member's chain of command recommends a disposition for each alleged violation.

B. Supervisors may also identify other violations that were not initially charged.

C. Each supervisor who recommends a sustained disposition also includes a recommendation for discipline.

D. Each disposition and discipline recommendation is supported by written justifications.

E. Prior to recommending discipline, the supervisors in the chain of command consider past performance and disciplinary actions for the purpose of determining appropriate disciplinary remedies.

F. Mitigating or aggravating circumstances which may affect determination of appropriate disciplinary action are presented in detail.

G. Any recommendation for changes in rules, general orders, or directives which relate to the case being considered is presented in detail, with thorough justification.

H. When the subject member has been transferred prior to disposition of the case, the member's supervisors at the time that the alleged incident occurred prepare the response.

I. A Deputy Chief has 14 calendar days from date of receipt of the Professional Standards investigative report in which to ensure that the disposition review is completed and returned to the Professional Standards Unit. Extensions may be granted by the Chief of Police for good cause.

120-9 Professional Standards Review Panel

A Professional Standards Review Panel (PSRP) is maintained to assist in the function of reviewing Class 1 investigative complaints against employees and making subsequent recommendations to the Chief of Police. The Chief of Police may also request review of other administrative investigations as needed. The

panel is comprised of department and community members.

A. The PSRP consists of 12 members.

1. Six of the members are Boulder community members selected by the City Manager, or his/her designee, from a pool of qualified applicants.

   a. Qualified applicants are those community members who have completed and passed the application and selection process.

   b. In order to serve on the PSRP, community members must lawfully reside in the United States and have been a resident of the City of Boulder for the past three years, be 21 years of age or older and agree to a background check.

   c. Community member panelists must be willing to serve for a minimum of two years and sign a non-disclosure agreement.

   d. Community member applicants who wish to serve on the PSRP must obtain an application form and submit it prior to the announced closing date.

      (1) The applications are reviewed to ensure that applicants meet the established criteria.

      (2) Applicants who meet the criteria in 120-9 (A) (1) are then allowed to proceed with the following process:

         (a) A criminal history is used to determine past arrests, traffic violations and any other incidents involving law enforcement.

         (b) Other information submitted on the application form may be confirmed at the reviewer's discretion.

         (c) Commission of any felony misdemeanor conviction in the last five years, excessive traffic violations, or any apparent conflict of interest are grounds for denying service on the panel.

         (d) Past arrests and traffic convictions may be considered in determining suitability to serve on the panel.

         (e) Any false information supplied by an applicant is grounds for denial.

   e. Qualified applicants are interviewed by a panel managed by the City Manager or his/her designee. A police department Management Staff member, BPOA member and BMEA member are represented in the interview process.

   f. The City Manager or his/her designee(s) select the applicants who will serve on the PSRP.

2. Six of the members are department representatives selected by the Chief of Police with input from BPOA and BMEA.

   a. Representatives consist of three commissioned officers, one commissioned sergeant, and two BMEA employees.

b. If an insufficient number of applications are received to fill a representative vacancy, the Chief of Police may chose to allow applications from non-union management employees after discussion with affected bargaining units.

3. All panel members must attend training designated by the Chief of Police prior to serving on the panel.

4. The Chief of Police selects a Management Staff member to serve as the facilitator for the PSRP.

a. It is the facilitator's responsibility to schedule meetings, make notifications to panel members, and facilitate panel meetings to insure adherence to policy and procedure.

b. The facilitator is not a voting member of the panel and does not offer recommendations to the panel or Chief of Police.

B. When the supervisory disposition review has been completed and returned to the Professional Standards Unit, the Professional Standards investigator presents the investigative file with supervisory recommendations to the Professional Standards Review Panel.

C. Except for disciplinary recommendations, all information and evidence in the current Professional Standards case file is made available to the PSRP members prior to and during the meeting.

1. Panel members do not have access to previous Professional Standards files.

2. Panel members are not allowed to make unauthorized copies of Professional Standards materials nor remove any Professional Standard materials.

D. The panel is advisory only and does not have any investigative or decision making authority, but reviews the case file and makes written comments and recommendations per the Professional Standards Unit procedure on the following issues:

1. Whether the investigation was conducted fairly, completely and reported accurately.

2. Based on the material contained in the case file, a recommendation on disposition; recommendations must include written justification.

E. Individual members or small groups of the PSRP may submit dissenting opinions along with the majority opinion.

F. PSRP meetings are scheduled on an as needed basis to review current cases in a timely manner. Panel recommendations are completed prior to adjournment of the meeting. A quorum of seven panel members is required and will consist of at least three community members and at least three department members which includes, at a minimum, one BMEA member when subject member is BMEA and two BPOA members when subject member is BPOA.

G. While not for the purpose of receiving formal disciplinary recommendations, the Police Chief may confer with the PSRP regarding any case the panel has reviewed for additional input.

H. The City Manager, or designee, may remove any community panel member for a conflict of interest concern, violation of any applicable law, regulation, policy, non-disclosure agreement or non-attendance to duty.

I. In the event that a panel member is also a subject member, complainant, witness or otherwise involved in a Professional Stand-

ards investigation, that member may not participate in the review of that case. Panel members notify the facilitator of any conflict of interest so that if needed, an alternative panel member may be arranged.

J. The Review Panel is part of the administrative review process and meetings are not open to complainants, subject members, witnesses or the public. In order to encourage discussion and deliberation, Review Panel deliberations are considered confidential, and are not made available to complainants, subject members, witnesses, or the public.

K. After the final disposition has been made, the Chief of Police notifies the PSRP of the disposition and discipline, if any.

120-10 Police Chief's Review

After the PSRP has made its recommendations, the Professional Standards investigator forwards the case file and all input received during the disposition review process to the Chief of Police. The Chief reviews the Professional Standards investigative report and the review and recommendations for disposition and discipline, and considers information provided in any administrative hearing. The Chief of Police is then responsible for making a determination as to final disposition and discipline.

120-11 Disposition Classifications

A. Exonerated: The incident occurred, but member actions were lawful and proper, and/or a justified departure from policy.

B. Exonerated with Commendation: The incident occurred, but member actions were justified, lawful and proper under cases of exceptional circumstances.

C. Unfounded: The complainant admits to false allegation; the charges were found to be false; the member was not involved in the incident; or the complainant has voluntarily withdrawn the complaint prior to the conclusion of an investigation and a decision is made not to continue the investigation.

D. Not Sustained: An allegation is not supported by a preponderance of the evidence.

E. Sustained: An allegation is supported by a preponderance of the evidence.

F. No Finding: Cases that are, with the approval of the Chief of Police, handled in an alternative manner or cases in which a subject member resigns and the department elects not to continue the investigation.

120-12 Administrative Hearings and Final Dispositions

In all cases in which any recommendation of discipline is more serious than a letter of reprimand, the Chief of Police holds an administrative hearing. In all other cases, hearings are held at the discretion of the Chief of Police, however, the member may request one. The Chief of Police has five working days to consider all recommendations and to set a date for an administrative hearing.

A. The opportunity for an administrative hearing is provided to the member prior to imposition of serious discipline so that he/she may offer any information in mitigation or explanation of the behavior for which disciplinary action may be imposed.

B. When the Chief of Police schedules an administrative hearing the subject member is provided a minimum notice of 72 hours.

1. The member may request in writing to waive an administrative hearing. Approval of this request rests with the Chief of Police.

2. The member may be represented by counsel and/or other representation of his/her choice, provided that representation is limited to three persons.

3. The department may be represented by a staff member from the City Attorney's Office should the Chief of Police request such representation.

4. After the administrative hearing, the Chief of Police has up to three working days to render a decision on disposition and discipline.

C. In cases that involve non-serious discipline and in which an administrative hearing is not held, the Chief of Police has five working days to reach a decision on disposition and discipline.

120-13 Discipline

Discipline may be administered when an allegation is sustained at the conclusion of a Professional Standards investigation.

A. Disciplinary action is intended to be corrective and, as such, is normally intended to progress from less to more severe.

1. This is not to be interpreted as limiting the authority of the Chief of Police to impose whatever discipline seems appropriate as warranted by the circumstances under consideration.

2. The Chief of Police may increase, decrease, or set aside any recommended disciplinary action.

B. The severity of disciplinary action against a member is relative to the gravity of the consequences generated by the member's misconduct. For these reasons, graduated forms of disciplinary action are available to correct member transgressions. These include:

1. Non-serious discipline:

a. Any verbal warning;

b. Twelve month letter of reprimand;

c. Long-term (five year minimum) letter of reprimand;

2. Serious discipline:

a. Involuntary transfer;

b. Suspension;

c. Demotion; and

d. Termination.

3. Any other discipline agreeable to the employee and to the Chief of Police.

C. If appropriate, professional counseling and/or remedial training may be required.

D. The Chief of Police renders the decision as to appropriate discipline when a complaint has been sustained after a Professional Standards investigation.

E. The Office of the Chief of Police provides the member with a notice of disciplinary action.

1. The notice includes a reference to the behavior for which discipline is being administered, what discipline is being administered, and when it is effective.

2. If admonitions against further misconduct are warranted, they are made.

F. Copies of the disciplinary notice are submitted to the member, the member's super-

visors and to the Professional Standards Unit case file. If appropriate, a copy is filed in the member's personnel file, after processing as appropriate by the Support and Staff Services Division.

G. The terms of the imposed disciplinary action are carried out within ten working days of final determination by the Chief of Police unless, as determined or approved by the Chief of Police, the case is extended for the benefit of the department or at the request of the member, or the member is not available. In such a case, the disciplinary action follows as soon as practical.

H. Professional Standards investigative files are maintained as confidential personnel records. However, in order to maintain organizational integrity and accountability and to minimize organizational rumors, the Chief of Police may notify members of dispositions and imposed discipline. The Chief of Police may also share pertinent case facts if deemed to be in the best interests of the department. In matters of high-profile, public-interest cases involving the public trust, the Chief of Police may publicly disclose pertinent case facts, disposition and discipline.

120-14 Record-keeping

The Professional Standards Unit securely maintains all records and documents related to the Professional Standards function.

A. A file is maintained indicating complainant name, date of birth, address and the Professional Standards Unit case number.

B. Each member against whom a complaint has been made which required a Professional Standards investigation (Class 1 or 2) or referral has a file maintained in the Professional Standards Unit.

1. The file includes case number, name, nature of complaint, disposition, discipline, if applicable, and completion date.

2. Only the Chief of Police and personnel assigned to the Professional Standards Unit have access to the files. Supervisors may review specific employee files with authorization from the Chief of Police.

3. Subject members may review their respective files.

C. The complainant will be notified of the disposition and discipline imposed, if any, after the final resolution.

120-15 Purging of the Professional Standards Unit Records

Time frames for purging documents related to Professional Standards investigations are set by the city's records retention ordinance.

A. Records and evidence of sustained violations resulting in disciplinary action are purged 10 years after the subject member's retirement or separation from the department.

B. Except as described in 120-15C, records and evidence from allegations resulting in dispositions of not sustained, exonerated or unfounded, and records generated from referrals not resulting in discipline, are purged after five years.

C. All Class 1 Investigations into allegations of excessive force or criminal misconduct, not resulting in discipline, are maintained throughout an employee's career.

D. In no instance are records or evidence related to pending civil or criminal cases (including appeal or statute of limitation periods) purged, regardless of allegation or

disposition. Risk Management and or the City Attorney are consulted before records pertaining to civil matters are purged.

E. Statistical records of referrals, supervisory reviews, or Professional Standards investigations may be kept for an indefinite period, as long as the records do not identify subject members.

F. The method of destruction is in accordance with Records procedure.

120-16 Disclaimer

A. Any provisions contained in this general order adjudged to be illegal, incorrect or inapplicable do not affect the validity of the remaining provisions.

B. Time constraints described in this order have been established to expedite investigation and disposition of complaints against members and to minimize the strain and frustration of members and the public while awaiting investigation results. Occasionally, more time will be needed to properly investigate and reach disposition of a complaint. The failure to meet an established deadline will not be the sole cause for dismissing a case or reversing or amending disciplinary action.

Boulder Police Department
General Order 121
Class 2 Professional Standards Investigations (Supervisory Reviews)

Effective: September 20, 2016
Replaces: General Order 121, February 14, 2014
Reviewed: September 13, 2016

121-1 Definition
121-2 Member Rights and Responsibilities
121-3 Supervisor Responsibility
121-4 Acceptance and Initial Processing of Complaints
121-5 Timely Action and Discipline by Supervisor
121-6 General Investigative Procedures
121-7 Final Disposition
121-8 Discipline
121-9 Record-keeping
121-10 Disclaimer
121-11 Purging of Records

POLICY

The intent of the policy is to maintain the integrity of the department by conducting thorough and impartial investigations of complaints of member misconduct, to protect citizens from member misconduct, to protect department members from false or malicious allegations and to provide an alternative process for investigating complaints of minor misconduct.

PROCEDURES

121-1 Definition

Class 2 Professional Standards Investigation (Supervisory Review): the allegation is non-serious in nature and any resulting discipline may not exceed a permanent letter of reprimand. Normally the investigation is conducted by the affected member's immediate supervisor.

121-2 Member Rights and Responsibilities

Members cooperate fully with supervisory review investigations in accordance with rules, policies and procedures. Members' rights generally include those defined in General Order 120, Professional Standards Investigations.

121-3 Supervisor Responsibility

In cases in which minor allegations, if sustained, would result in non-serious discipline, immediate supervisors may conduct Class 2 Professional Standards investigations and administer discipline in accordance with this order and existing contracts.

121-4 Acceptance and Initial Processing of Complaints

All allegations of member misconduct are documented and forwarded to the Professional Standards Unit in accordance with the procedures in General Order 120, Professional Standards Investigations. All such reports, logs, and investigative reports are considered

personnel files as that term is defined in C.R.S. 24-72-202(4.5).

A. Professional Standards Unit responsibility

The Professional Standards investigator documents the receipt of all allegations of minor misconduct and assigns a case number to the complaint. Non-serious complaints may be forwarded to the immediate supervisor for investigation and disposition. A copy of the preliminary complaint report is given to the subject member and the member's commander/manager and deputy chief.

B. Exception for referrals

Complaints classified by the Professional Standards Unit as referrals are handled in accordance with GO120-4.C. and are not the subject of a supervisory review.

C. Complaint sources

1. The department takes complaints from all sources including, but not limited to, in person, by telephone and written. The person registering the complaint is afforded the opportunity to review and sign the preliminary complaint report and to receive a copy, if requested. To this end, the department publishes a brochure outlining the supervisory review process. These brochures are printed in both Spanish and English and are available at the Public Safety Building, Community Police Centers and City Hall.

2. While the department takes initial complaints from all sources, the original involved party of an allegation must be willing to be interviewed by the supervisory review investigator as part of the investigation.

D. Traffic Accidents

Traffic accidents involving members driving city-owned vehicles, where the member may be at-fault or contributed to the accident are normally considered Class 2 Professional Standards investigations, and a designated traffic supervisor is responsible for ensuring the investigation is complete (see General Order 309-6). Accidents involving serious violations of department policy are normally handled as Class 1 investigations (see GO120).

121-5 Timely Action and Discipline by Supervisor

A. The department recognizes that some minor misconduct issues are better handled at the supervisory level in a timely fashion. Therefore, supervisors are authorized to provide disciplinary counseling or issue letters of reprimand for minor misconduct without completing a formal supervisory review in any of the following situations.

1. The supervisor personally witnessed the misconduct.

2. The member admits to the conduct.

3. The facts of the allegation are not in dispute.

B. Prior to making a decision on disciplinary action, the supervisor provides the member with an opportunity to explain his/her actions.

C. In any case involving discipline, the member has the right to a full supervisory review process and may request a full supervisory review prior to receiving any disciplinary action. If so requested, the allegation is documented and forwarded to the Professional Standards investigator for assignment.

D. Whenever disciplinary action is taken by a supervisor under 121-5, the supervisor documents the circumstances and action taken on an internal affairs complaint form, attaches any other documentation, and forwards the information to the Professional Standards investigator for record-keeping.

121-6 General Investigative Procedures

The investigating supervisor investigates impartially and documents all information obtained during the investigation. Supervisors interview subject members and, if necessary, any witnesses, on issues of non-serious misconduct.

A. Investigative report

Upon completion of an investigation, the supervisor completes an investigative report which includes the allegation, a list of witnesses, summaries of statements, any physical evidence, a finding of fact and a recommendation for disposition.

B. Serious misconduct

If any supervisor in the member's chain of command determines that the allegation would likely result in serious discipline if sustained, then the investigation is given back to the Professional Standards Unit for investigation per General Order 120, Professional Standards Investigations.

C. Recommendations

Supervisors recommend a disposition for each alleged violation. Supervisors may also identify other violations that are not initially charged. Any supervisor recommending a sustained disposition also includes a recommendation for discipline. Each disposition and discipline recommendation is supported by written justification. Prior to recommending discipline, the supervisors in the chain of command consider past performance and disciplinary actions for the purpose of determining appropriate disciplinary remedies.

D. Review of investigation and recommendations

The commander/manager reviews the supervisor's investigation and recommendations prior to the case going to the deputy chief for final disposition. The commander/manager may comment on the recommendations or request more investigation prior to forwarding the case to the deputy chief. After final disposition, the deputy chief forwards the completed file to the Professional Standards Unit.

E. Time limitation

1. All supervisory review investigations are initiated within 14 days of knowledge of an event with the exercise of reasonable diligence.

2. Once a complaint is referred for supervisory review, the supervisor and commander/manager have 14 days to complete the investigation and submit recommendations to the Professional Standards Unit.

3. Commanders/managers are responsible for insuring that the reviews are completed in 14 days or less.

4. If longer than 14 days is needed for the investigation, an extension may be granted by the deputy chief for good cause. In the event that an extension is granted, the commander/manager requesting the extension must notify the subject member of the extension as soon as practical.

121-7 Final Disposition

After the investigation and recommendations have been completed, the commander/manager forwards the case file and all recommendations to the member's deputy chief for final disposition. The deputy chief has five working days to consider all input and make the final determination as to the disposition of the supervisory review. The Chief of Police reserves the right to review or alter any action taken as the result of a supervisory review.

A. Disposition classifications

1. Exonerated: The incident occurred, but member actions were justified, lawful and proper.

2. Exonerated with Commendation: The incident occurred, but member actions were justified, lawful and proper under cases of exceptional circumstances.

3. Unfounded: The complainant admits to false allegation; the charges were found to be false; the member was not involved in the incident; or the complainant has voluntarily withdrawn the complaint prior to the conclusion of an investigation and the department elects not to continue the investigation.

4. Not Sustained: An allegation is not supported by a preponderance of the evidence.

5. Sustained: An allegation is supported by a preponderance of the evidence.

6. No Finding: Cases that are, with the approval of the Chief of Police, handled in an alternative manner or cases in which a subject member resigns and the department elects not to continue the investigation.

B. Notification

After the final disposition, the deputy chief ensures that notice is provided to both the subject member and the complainant within three working days.

C. Professional Standards Review Panel

Supervisory reviews are not subject to review by the Professional Standards Review Panel (PSRP). However, the Professional Standards Unit advises the panel of all complaints handled as supervisory reviews, including the disposition of those complaints and makes adjudicated investigations available for informational purposes. The PSRP may provide feedback on the process to the Chief of Police.

121-8 Discipline

When an allegation of non-serious misconduct has been sustained, non-serious discipline may be administered. Non-serious discipline includes any verbal warning, 12 month letter of reprimand or permanent letter of reprimand. If appropriate, the department may also require remedial training or professional counseling. In absence of the need for additional investigation, the deputy chief renders his/her decision as to any discipline to be imposed within 48 hours.

A. Notice

The Professional Standards Unit provides the member with written notice of disciplinary action.

B. Imposition of discipline

The terms of the imposed disciplinary action are carried out within 10 days of final determination by the deputy chief unless, as determined or approved by the deputy chief, the case is extended for the benefit of the department or at the request of the

member, or the member is not available. In such a case, the disciplinary action follows as soon as practical.

C. Verbal warning

Supervisors may issue verbal warnings through counseling only after the investigation is completed. Verbal warnings are documented in the member's working file.

D. Letter of reprimand

Supervisors may issue letters of reprimand to subject members only after the investigation is completed and the letter of reprimand has been reviewed and approved by the deputy chief, via the chain of command.

1. Letters of reprimand are filed in a member's working file.

2. Long-term letters of reprimand are filed in a member's personnel file.

121-9 Record-keeping

The Professional Standards Unit securely maintains all records and documents related to Class 2 Professional Standards investigations (supervisory reviews).

A. A file is maintained indicating complainant name, date of birth, address and supervisory review case number.

B. Each member against whom a complaint has been made which required a supervisory review investigation has a file maintained in the Professional Standards Unit.

1. The file includes case number, name, nature of complaint, discipline, if applicable, and completion date.

2. Only the Chief of Police and personnel assigned to the Professional Standards Unit have access to the files. Supervisors may review specific employee files with authorization from the Chief of Police.

3. Subject members may review their respective files.

121-10 Disclaimer

A. Validity

Any provision contained in this general order adjudged to be illegal, incorrect or inapplicable does not affect the validity of the remaining provisions.

B. Time limitations

Time constraints described in this order have been established to expedite investigation and disposition of complaints against members and to minimize the strain and frustration of members and the public while awaiting investigation results. Occasionally, more time will be needed to properly investigate and reach disposition of a complaint. The failure to meet an established deadline will not be the sole cause for dismissing a case or reversing or amending disciplinary action.

121-11 Purging of Records

See GO120-15, Professional Standards Investigations, Purging of the Professional Standards Unit Records.

Boulder Police Department
General Order 125
Use of Alcohol, Medications, and Controlled Substances

Effective: October 30, 2014
Replaces: General Order 125, March 18, 2010

125-1 Use of Alcohol
125-2 Use of Medications or Controlled Substances
125-3 Use of Marijuana
125-4 Chemical Testing
125-5 Employee Rights
125-6 Removal from Duty
125-7 Testing Positive
125-8 Pre-employment Drug Screening

POLICY

The department recognizes that the consumption of alcohol, medications and controlled substances can reduce work performance, be a source of danger to members, coworkers and the public and cause a loss of confidence by the public. Because of these impacts, the department regulates its members' use of alcohol, medications and controlled substances.

PROCEDURES

125-1 Use of Alcohol

A. On duty

1. Members do not appear for scheduled duty, nor are they on duty, with alcohol in their system. In a call-back situation during a law enforcement emergency, members use reasonable judgment when evaluating whether they should respond based on any alcohol they have consumed. Under no circumstances do members respond if they have reasonable belief they are impaired by or under the influence of alcohol.

2. Members do not consume alcohol during any unpaid meal break or other break in their workday.

3. Members do not consume alcohol while on duty, except while in plain clothes and under proper and specific orders from a supervisor for law enforcement purposes.

B. Off duty

1. Members off duty refrain from consuming alcohol to the extent that the consumption results in behavior which tends to discredit the department or renders them unfit to report for their next regular tour of duty.

2. Members do not consume alcohol while attired in full or partial uniform or while wearing official identification which is readily identifiable with the Boulder Police Department.

3. Members do not consume alcohol while carrying any type of firearm on their person.

C. Possession of alcohol

Members do not store or bring into any police facility or vehicle any alcoholic beverage except when it is held as evidence or when necessary in the performance of a police task.

125-2 Use of Medications or Controlled Substances

A. Members do not possess or use any controlled substance except as follows.

1. When such use is prescribed by a person authorized by the State of Colorado to prescribe drugs.

2. When such possession is in the line of duty, such as the collection or handling of evidence.

B. Members who have been prescribed or have consumed medications that affect their ability to perform their duties must notify their supervisor.

125-3 Use of Marijuana

Members do not use, possess, distribute or grow marijuana in any form, including but not limited to any and all derivatives from marijuana plants, unless such possession is in the line of duty. Members are prohibited from owning, operating or having any interest in marijuana or a marijuana related business. While use of recreational and medical marijuana is legal in the State of Colorado, it is not appropriate for members to use marijuana for the following reasons:

A. Possession, use, distribution or cultivating marijuana is illegal under federal law and in violation of department rule #2.

B. There are real public and employee safety concerns should a member be under the influence of THC, the active ingredient in marijuana. The short and long term effects of marijuana use are well documented. These effects can have serious detrimental consequences to critical thinking skills as well as officer and public safety. These effects include:

1. Distorted perception;

2. Adverse impact on memory and learning;

3. Negative impact on cognitive abilities;

4. Diminished reaction time;

5. Loss of coordination;

6. Trouble with problem solving; and

7. In some cases, feelings of anxiety, fear, distrust, and/or panic.

C. THC can remain in the body for days or weeks after consumption, placing the department and city at risk of liability should a member be involved in a critical incident with THC in his/her system.

125-4 Chemical Testing

In conformance with Boulder Municipal Ordinance and the Federal Drug Free Workplace Act, the department fairly and equitably administers chemical testing to its employees who, based upon reasonable suspicion, are believed to be under the influence

of any drug or alcohol, to any degree, while on duty.

A. Any member with reasonable suspicion that any other member is under the influence of a drug or alcohol reports his/her observations to a supervisor.

B. After giving the member an opportunity to respond, a supervisor may require the member to submit to a chemical test for alcohol or drug use when the following conditions are met.

1. At the time of the request to take a chemical test a supervisor has individualized reasonable suspicion, based upon specific, objective, clearly expressed factors, to believe that the employee is under the influence of drugs or alcohol, to any degree, while on duty. These factors may include, but are not limited to:

   a. Odor of an alcoholic beverage;

   b. Bloodshot, watery eyes;

   c. Slurred speech;

   d. Impaired manual dexterity; and/or

   e. Preliminary breath test.

2. The facts supporting the supervisor's reasonable suspicion are documented in writing and presented to the member at the time the test is ordered, along with a copy of B.R.C. Title 12, Chapter 3, 1981 (attached).

C. Testing procedures are conducted in a manner that does not unduly demean, embarrass, or cause unnecessary physical discomfort to the member.

1. Drug testing

   a. Based upon reasonable suspicion that a member is under the influence of drugs, to any degree, the member shall submit to a blood test or other approved test to determine the presence of drugs.

2. Alcohol testing

   a. Based upon reasonable suspicion that a member is under the influence of alcohol, to any degree, the member shall submit to a preliminary test on a portable breath tester and a blood test or other approved test, to determine the presence of alcohol.

   b. Department of Health regulations prohibit the use of the intoxilyzer for non-DUI related tests and members shall not use this instrument for tests conducted pursuant to this General Order.

3. Collection of samples and chain of custody

   a. The room where the sample is obtained must be private and secure. The supervisor documents that the area has been searched and is free from any foreign substances that may be introduced to the sample.

   b. The collection of any blood sample shall be conducted according to current department practices for the collection of blood sam-

ples and two vials shall be collected.

c. The collection of any urine sample is accomplished without direct observation of the genitals by any person other than the member being tested.

d. A sufficient sample is collected to perform two tests. One untested portion is maintained for an independent test or for a period of not less than one year following the date on which the specimen is collected.

e. For purposes of chemical testing, samples are only tested for the presence of alcohol or drugs.

f. The collection, storage, and transportation of the sample is accomplished in tamper-proof containers. The sample is stored in accordance with current department practices.

g. Specimen samples are sealed, labeled, and documented to ensure they match the person taking the test, with chain of custody documentation identifying how the sample was handled and stored at all times.

h. Specimen samples are tested by a laboratory meeting the standards set by the Colorado Department of Health.

i. The member, at his/her expense, may contract with a laboratory meeting the standards of the Colorado Department of Health to have an independent test performed on an untested portion of the original sample, subject to the same chain of custody assurances provided for the original test.

D. The release of test results is prohibited except as authorized by the person tested or to those members of the department with a reasonable business need to know, or as required by a court of law.

125-5 Employee Rights

A. A supervisor who has reasonable suspicion to believe that a member is under the influence of drugs or alcohol, to any degree, immediately orders the member to submit to a chemical test.

B. The affected member has up to one hour, after being ordered to take a chemical test, to comply with such order. During this time, the member may confer with an attorney and/or union representative.

C. A member may refuse to submit to a chemical test when ordered by a supervisor, however, a refusal to comply with a lawful order subjects the member to additional disciplinary action.

125-6 Removal from Duty

A member whose chemical test results are positive or unknown is placed on administrative leave with pay pending review by the Chief of Police.

125-7 Testing Positive

Employees are provided all records maintained of the employee's positive confirmation of the test results and may submit written information explaining such results. Employees who test positive for drug or alcohol

use are subject to the department's conduct review process and are referred to the Professional Standards Unit for investigation.

125-8 Pre-employment Drug Screening

The department conducts pre-employment drug screening of applicants for the position of police officer and other positions as determined by the Chief of Police. Notice is included in the application for employment that a chemical test for alcohol and drug use will be conducted.

OFFICE OF THE BOULDER CITY ATTORNEY
TITLE 12 HUMAN RIGHTS
Chapter 3 Drug Testing
Adopted by Ordinance No. 5195

12-3-1 Definitions

The following terms used in this chapter have the following meanings unless the context clearly indicates otherwise:

"Commercial vehicle" means any vehicle which meets the definition set forth in the Colorado Department of Public Safety Minimum Standards for the Operation of Commercial Vehicles.

"Employee" means a person treated as an employee for purposes of federal income tax withholding (a) who is assigned or anticipated to be assigned to an immediate supervisor located in the city and does not have a principal out of home office located outside of the city or (b) who is assigned or anticipated to be assigned more than thirty-three percent of the time on the job for a period of more than three months to a job located in the city.

"Employer" means a person who pays wages or salary to an employee, an agent of such a person, or a person in a position of authority over an employee.

Ordinance No. 5688 (1994)

12-3-2 Post-Employment Drug Testing Requirements

Except as provided in Section 12-3-4 below, no employer shall request or require from an employee any urine, blood, or other bodily fluid or tissue test for any drug or alcohol or determine an employee's eligibility for promotion, additional compensation, transfer, disciplinary, or other personnel action, or the receipt of any benefit, based in whole or in part on the result of such test, unless all of the following conditions are met:

(a) At the time of the request or requirement, the employer has individualized reasonable suspicion, based on specific, objective, clearly expressed facts, to believe that the employee is under the influence of a drug or alcohol on the job, or his or her job performance is currently adversely affected by use of a drug or alcohol, or the employee has agreed to the test as a part of an employee assistance program after a finding or admission of prior drug or alcohol abuse;

(b) Prior to the administration of any drug or alcohol test, the employer adopts a written testing policy and makes it available to all employees. But a copy need not be provided directly to each employee, so long as a copy is made available freely for inspection by employees at any reasonable time during working hours, without personal identification of the employees. Such testing policy must, as a minimum, set forth all of the following information:

(1) The employees subject to testing under the policy;

(2) The circumstances under which drug or alcohol testing may be requested or required;

(3) The right of an employee to refuse to undergo drug or alcohol testing and the consequence of refusal;

(4) Any disciplinary or other personnel action that may be taken based on a confirmatory test verifying a positive test result on an initial screening test;

(5) The right of an employee to obtain, immediately upon request to the employee's custodian thereof, a copy of all records maintained of his or her initial positive confirmatory test results, and to submit written information explaining any such results;

(6) Any other appeal procedure available; and

(7) A copy of this chapter.

(c) The collection of any urine specimen is accomplished without direct observation of the genitals by any person other than the employee being tested;

(d) A sufficient specimen is collected to perform two tests, and the one untested specimen is maintained until a negative test result is obtained, or, in case of a positive result, for a period of not less than one year following the date on which the specimen is collected;

(e) No portion of any specimen is tested for pregnancy, and except for pre-employment physicals, no portion of any specimen is examined for evidence of any other medical condition, other than for the presence of alcohol or drugs;

(f) The collection, storage, and transportation of the specimen is accomplished in tamper-proof containers;

(g) Chain-of-custody documentation identifies how the specimen was handled, stored, and tested, at all times;

(h) Positive test results are confirmed by means of gas chromatography/mass spectrometry or an alternate method of equal or greater sensitivity and accuracy;

(i) The employer permits the employee, at the employee's request and expense, to contract with a laboratory meeting the National Institute of Drug Abuse Standards to have a second confirmatory test performed on an untested portion of the original specimen, subject to the same chain-of-custody assurances provided for the original test; and

(j) The release of the test results is prohibited, except as authorized by the person tested, or to those employees of the employer with reasonable business need to know, or as required by a court of law.

Ordinance No. 5688 (1994)

12-3-3 Job Applicant Drug Testing Requirements

Except as provided in Section 12-3-4 below, no employer shall conduct a drug or alcohol test as part of a pre-employment screening or pre-employment physical except under the following circumstances:

(a) The employer includes notice that a drug or alcohol test will be part of the pre-employment screening process or pre-employment physical in the application for employment, or if no application form is required, in all advertisements soliciting applicants for employment, and all applicants for employment are personally informed of the requirement for a drug or alcohol test at the first formal interview;

(b) The drug or alcohol test is required only of Colorado residents who are the single finalist for the position or out-of-state resident finalists for the position who come to Colorado for an interview, if the same test is required of all finalists for that position; and

(c) Subsections 12-3-2(b) through (j), B.R.C. 1981, are complied with concerning job applicants as well as employees.

Ordinance Nos. 5271 (1990); 5688 (1994)

12-3-4 Exemptions

(a) The following are exempt from this chapter:

(1) United States government;

(2) Colorado state government;

(3) The University of Colorado;

(4) Boulder County government;

(5) Boulder Valley School District; and

(6) Testing of an employee operating a commercial vehicle weighing over 26,000 pounds and for which a Commercial Driver's License is required, or which transports sixteen or more passengers, including the driver, under the Controlled Substances Testing Provisions set forth in the U.S. Department of Transportation regulations for commercial vehicles.

Ordinance No. 5688 (1994)

12-3-5 Employers' Rights

(a) Nothing in this chapter restricts an employer's ability to prohibit the use of, possession of, or trafficking in, illegal drugs during work hours, or restricts an employer's ability to discipline an employee for being under the influence of, using, possessing, or trafficking in, illegal drugs during work hours or on the employer's premises. Nothing in this chapter restricts an employer's ability to prohibit the use of alcohol during work hours, or restricts an employer's ability to discipline an employee for being under the

influence of alcohol during work hours or on the employer's premises.

(b) Nothing in this chapter prevents an employer from conducting routine medical examinations of employees or medical screening in order to monitor exposure to toxic or other unhealthy substances encountered in the work place or in the performance of an employee's job responsibilities. But no employer shall extend medical screening beyond the specific substance being monitored, and any inadvertently obtained information concerning drug or alcohol use shall be maintained in confidence in the medical record and not disclosed to any employer. No employer shall use any such evidence to determine promotion, additional compensation, transfer, termination, disciplinary or other personnel action or the receipt of any benefit.

(c) It is an affirmative defense that a person was required to conduct drug or alcohol testing or take disciplinary action against an employee based on such testing in order to comply with a statute or regulation of the United States or the State of Colorado or any of their agencies or any agency interpretation of such statute or regulation. It is a specific defense that a person, based on specific, objective, clearly expressed facts, was reasonably required to conduct such testing or take such action in order to compete effectively to obtain a contract with the United States or the State of Colorado or any of their agencies.

Ordinance No. 5688 (1994)

12-3-6 Enforcement

(a) The penalty for violation of any provision of this chapter is a fine of not more than $1,000.00 per violation. In addition, upon conviction of any person for violation of this chapter, the court may issue a cease and desist order and any other orders reasonably calculated to remedy the violation. Violation of any order of the court under this section is a violation of this section and is punishable by a fine of not more than $2,000.00 per violation, or incarceration for not more than ninety days in jail, or both such fine and incarceration.

(b) Any person who commits or proposes to commit an act in violation of this chapter also may be enjoined therefrom by the municipal court or by any other court of competent jurisdiction.

(c) An action for injunctive relief under this chapter may be brought by the city attorney, upon ascertaining that a violation is likely to occur. Nothing in this chapter shall be construed to create a private right of action for damages.

Ordinance Nos. 5195 (1989); 5639 (1994); 5688 (1994)

Boulder Police Department
General Order 127
Compensation for Overtime Work

Effective: May 22, 2015
Replaces: General Order 127, September 8, 2000
Reviewed: May 19, 2015

127-1 Call-out
127-2 Court Appearances
127-3 Overtime
127-4 Adjusted Shift
127-5 Compensation Options
127-6 Compensatory Time Record-keeping
127-7 Payment for Unused Compensatory Time

POLICY

Supervisors manage their respective overtime budgets balancing day-to-day operations of the department with the needs of the community, keeping in mind the department is expected to operate within its allocated budget. When appropriate, overtime money or compensatory time is granted to eligible members in accordance with applicable bargaining agreements.

PROCEDURES

127-1 Call-outs

Members called out during their normal work week for an immediate response are compensated for overtime hours subject to the following guidelines and restrictions and according to the terms of individual employment agreements.

A. A member called back to work in conjunction with their normal work week:

   1. May replace their normally scheduled work hours with call-out hours in lieu of overtime compensation with approval of a supervisor.

   2. May work their normally scheduled hours in addition to call-back hours and be compensated for additional hours at overtime rate.

   3. May not have a shift adjusted without his/her consent.

B. When a member is called for an immediate response without prior notification, he/she is granted one hour travel time at his/her respective overtime rate.

127-2 Court Appearances

Members are compensated for court appearances according to their bargaining agreement.

127-3 Overtime

A. Additional hours to an employee's normal workday may be necessary to complete assignments and compensated as overtime.

B. Part-time employees are not eligible for time and one-half overtime compensation until an excess of 40 hours has been reached in a week.

C. Travel time is not compensated for scheduled overtime. The department does not compensate employees travel time for off-duty police work.

127-4 Adjusted Shift

The Chief of Police or designee, in accordance with department needs, may adjust a member's shift, except as specified in 127-1A3, above. An adjusted shift is a change in hours within a week or pay period, according to the appropriate contract.

127-5 Compensation Options

The two forms of compensation available for hours worked in excess of a normal work week/day, calculated at current rates are paid overtime and compensatory time. Requests for overtime and compensatory time are made by completing the request for compensation form, which requires supervisory approval.

127-6 Compensatory Time Record-keeping

Compensatory time records are kept according to the following guidelines.

A. Time credited or used is recorded electronically in the city payroll system.

B. Compensatory time balance levels are governed by the applicable bargaining agreement.

C. At year-end, compensatory time balances accrued are paid or carried over pursuant to the member's bargaining agreement.

D. It is the member's responsibility to bring discrepancies to administration's attention at that time. The finance unit audits the compensatory time periodically.

127-7 Payment for Unused Compensatory Time

Payment for unused compensatory time is made at the department's discretion or in accordance with applicable bargaining agreements and at the member's regular pay rate at the time payment is made.

Boulder Police Department
General Order 128
Off-Duty/Secondary Employment

Effective: December 5, 2014
Replaces: General Order 128, August 21, 2013

128-1 Definitions
128-2 General Requirements
128-3 Off-Duty Police Employment
128-4 Off-Duty Coordinator Responsibilities
128-5 Compensation
128-6 Private Employer Responsibilities
128-7 Secondary Employment

POLICY

Based on an interest in furthering public safety and professionalism, protecting the reputation of the agency, and ensuring the agency receives full and faithful service in return for its expenditure of resources, the department imposes conditions on off-duty and secondary employment or prohibits it altogether in accordance with this general order.

PROCEDURES

128-1 Definitions

A. Off-duty police employment: Employment involving the use of police authority, which occurs outside of a member's normal shift and the member, receives remuneration of material value from an employer who contracts with the police department.

B. Secondary employment: Any work for which the member receives remuneration of material value, including self-employment performed by the member which is not part of the duties assigned to that member by the department. This does not include work performed as a volunteer for a service club, school, or other similar activity.

128-2 General Requirements

A. Members engaged in off-duty and secondary employment is subject to all rules, policies and procedures of the department.

B. Working off-duty and secondary employment does not relieve department members from the responsibility of being available for court, training, meetings or returning to work at any hour.

C. Members are prohibited from working any assignment, including off duty and/or secondary employment, or any combination of assignments, which exceeds sixteen (16) hours in a 24 hour period unless there has been an intervening eight (8) hour break, without specific authorization by a commanding officer. During times of emergency, major incidents, or for officer/public safety reasons, members may be required to exceed this limitation. In such cases, commanding officers will consider fatigue factors in making assignments and relieve members from duty as soon as practical.

D. Reporting for a shift when unfit for duty may subject members to department discipline and an officer being removed from the off-duty eligibility list for a period of

time determined by the Chief of Police. Members are responsible for managing their time in accordance with this policy.

E. Members do not engage in any off-duty or secondary employment while on FMLA, sick, or emergency leave, on jury, or administrative leave, or while on injury leave or light duty, without prior express consent of the Chief of Police.

128-3 Off-Duty Police Employment

Commissioned personnel may engage in off-duty employment which requires the commissioned powers of a police officer, as assigned by the department. Officers are not authorized to perform off-duty police work until they have been released from their initial training program. Commissioned members at or above the rank of commander are prohibited from engaging in off-duty police work without specific approval from the Chief of Police.

A. Off-duty employment contracts are approved, managed, scheduled and assigned by the department through the off-duty coordinator and the special events commander.

B. Members shall not enter into a contract to serve as a broker to provide off-duty employment. Members shall not work on a commission basis or are paid a percentage of the salaries of other members performing off-duty police employment.

C. Members are not granted leave time specifically for the purpose of working overtime hours funded by the City of Boulder.

D. Travel time is not paid for off-duty employment assignments.

E. Commissioned members indicate their interest in participating in off-duty employment by contacting the off-duty coordinator via e-mail.

F. The off-duty coordinator works in conjunction with the special events commander and assigns, schedules and manages assignments with the intent to distribute off-duty assignments in an equitable manner.

G. While engaging in off-duty police work, commissioned members:

1. Possess the status and authority of a police officer acting within the course and scope of their employment. This authority applies to commissioned personnel who are in uniform or plain clothes;

2. Are responsible for notifying Communications of location and hours of assignment, nature of duties and personnel assigned;

3. Use personal vehicles for transportation to and from assignments unless the Chief of Police or designee authorizes use of a department vehicle;

4. Enforce only the Boulder Revised Code, state and federal statutes; and

5. Are responsible for completing initial reports and seeking assistance of on-duty patrol personnel when affecting arrests. The assisting unit transports and books the prisoner and any associated evidence.

H. Commissioned members inform the off-duty coordinator of any pre-existing contract police service commitments when placed on injury or administrative leave.

I. Each officer who has accepted an assignment is committed to perform the assignment or is responsible for finding a replacement.

1. The off-duty coordinator is contacted to see if alternate names are available for his/her replacement. Officers refer to the alternate list for reassignments whenever possible.

2. An officer who has had to secure a replacement for an assignment outside of standard business hours notifies the off-duty coordinator.

3. An officer who fails to secure a replacement for an assignment because of sudden illness or emergency informs an on-duty supervisor as soon as practical.

4. Failure to work the assignment or find a replacement two times or more within a twelve month period may result in an officer's removal from the eligibility list for a period of time determined by the Chief of Police, and may subject him/her to department discipline.

5. Officers removed from the eligibility list are notified in writing by the special events commander.

6. An officer who has been removed from the eligibility list has a period of ten calendar days to appeal the decision. Appeals are reviewed by the Chief of Police or designee.

J. Members who are on-call may engage in off-duty police work with the approval of their supervisor and the approval of the special events commander and notification of the employer.

K. The Chief of Police may revoke an officer's eligibility for off-duty police work, ensuring that the member is notified. Revocation may be based upon the following.

1. Off-duty employment is judged detrimental to department employment or the employee.

2. The employee's job performance has diminished as evidenced by unsatisfactory performance.

L. The department and the City are not liable for any civil or criminal action arising from an employee's unauthorized off-duty employment.

128-4 Off-Duty Coordinator Responsibilities

A. The off-duty coordinator develops and manages the system for assigning members to off-duty employment assignments and maintains eligibility lists.

B. When scheduling ongoing, large scale events, the off-duty coordinator schedules the entire duration of the event prior to its onset.

128-5 Compensation

A. A schedule of compensation rates and fees, updated annually, is provided to the employer.

B. Compensation rates for contract police services and police vehicles are established by the Chief of Police.

C. Members receive a minimum of three hours compensation for any event worked.

D. Members who are cancelled from an off-duty assignment are only eligible for compensation if notice of the cancellation has not been made before the officer reports for the assignment. Any compensation for a cancelled assignment must be approved by the special events commander and the finance manager. If so approved the officer is compensated for two (2) hours at their

overtime rate but only if payment has been received from the contractor.

128-6 Private Employer Responsibilities

A. Unless approved by the Chief of Police, costs associated with off-duty employment are paid by the contractor and not the department.

B. Prepayment of costs for off-duty employment is required unless prior arrangements are made with approval of the special events commander.

C. An employer must notify the off-duty coordinator and complete a contract for police service employment no later than seven days in advance of the date of employment. Contracts are valid for the length of the event, but not longer than twelve months.

D. If a contract for off-duty officers is received within seven days, but more than seventy two hours of the date of employment a ten percent administrative fee is assessed. If a contract is received within seventy two hours of the date of employment a 20 percent administrative fee is assessed.

E. The department reserves the right to refuse any request for off-duty employment not received within seven days in advance of the date needed.

F. Three calendar weeks advance notice is required if the event requires 10 or more officers.

G. Contractors agree to pay a minimum of three hours employment per officer, per event.

H. Contracts cancelled with less than twenty four hours notice will result in the employer incurring the three hour minimum, per officer cost. However, in cases of extreme or unforeseen circumstances, exceptions may be granted at the discretion of the special events commander.

I. Employers contracting police service contract sufficient officers and supervisors as determined by the special events commander.

J. Employer requests for specific officers to work an assignment, based solely on preference or past assignments are denied. Should the employer still wish to fill the assignment, it is filled according to the standard assigning system.

K. Employer requests for specific officers due to special circumstances are referred to the special events commander. The coordinator advises the BPOA president of such referrals.

L. Employers who fail to pay any fees will be denied future contracts until all such fees are paid.

128-7 Secondary Employment

Secondary employment is permitted as long as it does not interfere or present a conflict of interest with the member's employment with the department. The hours of secondary employment must not overlap those of department employment or impair attendance or efficiency as a department employee.

A. The Chief of Police must approve all secondary employment.

B. Members do not perform secondary employment which conflicts with their employment with the department, damages the department's public image, creates conflicts of interest or conflicts with police ethics.

C. Commissioned members do not stop by a private employer's business while on duty, unless assigned a call at that location.

D. Members do not access police information, files, records or assist in case preparation or testify against law enforcement officers or agencies for the defense of any criminal or civil action as a condition of secondary employment.

E. Examples of work which is prohibited include, but are not limited to:

1. Employment as a private investigator.

2. Employment as a private security officer or guard.

3. Employment as a process server, bill collector for any credit or collection agency and in any capacity involving repossession of property or eviction from premises.

4. Employment in any capacity which interferes with a member being called for emergency police duty or otherwise interferes with the member's departmental responsibilities.

F. Examples of work which is usually prohibited but which may be approved by the Chief of Police include, but are not limited to:

1. Employment for the sole purpose of providing personal security.

2. Employment in any capacity in or upon any premises licensed as a tavern, club, marijuana related business, retail liquor store or any establishment selling or dispensing any alcoholic beverage.

3. Off-duty police work involving the use of police powers outside the incorporated limits of the City of Boulder.

BOULDER POLICE DEPARTMENT
2013 – PRIVATE EMPLOYER CONTRACT FOR OFF-DUTY POLICE SERVICES
(Shaded areas to be completed by Police Department)

I. EMPLOYER & EVENT INFORMATION

Name of Person Completing Contract:	Date:	
Title/Position:	Phone Number:	
Business/Organization Name:	Business/Organization Type:	
Business Street Address:	Business Phone Number:	
Type of Event:	Start Date of Event:	End Date of Event:
Location of Event:	Number of Attendees:	
Hours of Assignment: From: To:	Nature of Duties Requested:	
Special Instructions:		
Number of Officers Requested:	Number of Officers Required:	Number of Supervisors: (1 supervisor for every 5 officers)

II. COSTS

- Contracts are valid for the length of the event, not to exceed 12 months
- Prepayment of costs is required
- Employers pay a minimum three hours per officer, per assignment
- Three calendar weeks notice is needed if the event requires 10 or more officers
- Contracts received within seven days, but more than seventy two hours, of the date of employment will be assessed a ten percent administrative fee
- Contracts received within seventy two hours of the date of employment will be assessed a twenty percent administrative fee
- The department reserves the right to refuse any request for off-duty employment not received within one week in advance of the date needed
- Contracts cancelled with less than twenty four hours notice will result in the employer incurring the three hour minimum, per officer cost

Hourly Rate (Officer): $55.00 $55.00 / hour (X) _____ hours, (X) _____ Officers = $_____	
Hourly Rate (Supervisor): $70.00 $70.00 / hour (X) _____ hours, (X) _____ Supervisors = $_____	
Vehicle Rate: $50.00 / day $50.00 (X) _____ Vehicles = $_____	
Administrative Fee: = $_____	
Total Amount Due: = $_____	
Paid in full: Yes [ ] No [ ] If no, amount outstanding:	Check #

BOULDER POLICE DEPARTMENT
2013 – PRIVATE EMPLOYER CONTRACT FOR OFF-DUTY POLICE SERVICES
(Shaded areas to be completed by Police Department)

III. EMPLOYER CLARIFICATION (Contract valid for length of event, not to exceed 12 months)

I specifically agree and hold harmless the City of Boulder, its officers, agents and employees for any claim whatsoever arising from acts or omissions of said officer(s) while employed by me and agree to indemnify and hold harmless the City of Boulder for the costs of defense, including reasonable attorney's fees, for such acts or omissions. I understand that this contract is not a guarantee for police services. The Boulder Police Department will make every effort to fill the request however; the request may be cancelled without notice in the event of a public safety emergency. In such cases the department will issue a full refund.

Signature of Authorized Employee Representative	Title	Date

I further agree that I have obtained the necessary permits to hold the event that I have specified above. This includes having met and obtained approval from the City of Boulder, Housing Authority; The City of Boulder, Fire Department; The City of Boulder, Zoning Inspectors; The City of Boulder, Environmental Enforcement Office; City of Boulder, Parks and Recreation, and the City of Boulder, City Manager's Office (including any other offices where a special permit may be required in order for a special event to be held).

Signature of Authorized Employee Representative	Title	Date

IV. DEPARTMENT REVIEW & AUTHORIZATION (Contract valid for length of event)

Special Events Coordinator:		Special Events Coordinator Signature:
Date:	Comments:	

(Payment must be received in advance of employment)
Please send payment to:

Boulder Police Department
Attn.: Coleene Berry - Off-Duty Coordinator
1805 33rd Street
Boulder, Colorado 80301

Office Phone # (303) 441-3315
Fax # (303) 441-1941

Boulder Police Department
General Order 129
Legal Process

Effective: December 19, 2013
Replaces: General Order 129, December 5, 2000

129-1 Definition
129-2 Service of Legal Process by Members
129-3 Receipt of Process Related to Police Business
129-4 Procedures for Receipt of Criminal Subpoenas from Local Public Defender
129-5 Notification of Department and City of Service of Civil Complaint
129-6 Depositions and Affidavits in Civil Actions Involving the City or the Department
129-7 Requests to Talk with Investigators/Attorneys for Parties in Pending Court Cases Not Involving the City
129-8 Appearing as Witness in Civil/Criminal/Administrative Hearings

POLICY

The department maintains a procedure for service of legal process that requires notification when directed by policy and accommodates the legal system while maintaining the confidentiality of a member's personal information.

PROCEDURES

129-1 Definition

Legal process: Any subpoena, subpoena *duces tecum*, restraining/protection order, notice to appear or similar document.

129-2 Service of Legal Process by Members

Department members do not serve legal process, or render similar assistance in court or administrative cases, except when the City of Boulder is a party or at the request of the prosecutor in a criminal procedure.

129-3 Receipt of Process Related to Police Business

Members expect to receive legal process in matters resulting from the performance of their official duties. Legal process may involve civil, criminal or administrative matters. Because most legal process must be served personally upon the member and because the home addresses of members are not available to the public, members cooperate in receiving legal process while on duty. It is necessary for members to accept legal service of civil process.

A. A process server may contact a department member at any time. A member does not attempt to avoid or refuse service.

B. When a process server arrives at the department to execute service, the receptionist advises the server whether the member is on duty.

   1. If the member is not on duty, the server is informed of the member's next scheduled duty day and time.

   2. If the member is on duty, the receptionist notifies the member of the server's presence and the member advises the receptionist of a time when he/she will return to the Public Safety Building to accept service.

C. Members do not, under any circumstances, disclose any department member's home address or phone number to a process server.

D. Members do not accept legal service for another department member. Should a process server insist on leaving a subpoena for a department member who is not present, the receiving member writes his/her name and the date and time of service on the document. The receiving member immediately takes steps to inform the department's legal advisor, and then forwards the subpoena to him/her.

E. Members of the Records and Information Services (RIS) Section accept legal service for the Custodian of Records, even if a specific member of RIS is not identified.

129-4 Procedures for Receipt of Criminal Subpoenas from Local Public Defender

Because of the large volume of criminal case subpoenas served by the local public defender's office, the department and the local public defender's office have entered into an agreement for this process. This agreement is mutually beneficial to the parties and facilitates the subpoena process.

A. Subpoenas from the Boulder Public Defender's Office are personally accepted by members in RIS. Mailed subpoenas are directed to RIS.

B. Members of RIS verify that the appearance date scheduled in each subpoena is 14 calendar days or more from the date the subpoena is delivered to RIS.

1. In calculating the 14 day period, the day on which the subpoena is received by RIS is not included.

2. Any tendered subpoena which calls for an appearance in less than 14 calendar days is refused at time of service and is identified in a log maintained by RIS.

C. RIS date stamps and forwards the subpoena to the Patrol Section where it is processed by Operations.

D. Operations Division secretarial staff maintains a permanent log of all subpoenas received from the Boulder Public Defender's Office. The log contains the name of the member subpoenaed, the date the subpoena was received by Operations, and the date scheduled for appearance.

E. On the day they are received by Operations Division secretarial staff and after being logged, all subpoenas are immediately forwarded to the subpoenaed member's section/unit.

F. Each section/unit distributes the subpoenas forwarded to them by Operations Division secretarial staff.

1. The section/unit member distributing the subpoenas verifies that the scheduled appearance date is not during the subpoenaed member's scheduled vacation/leave dates.

2. If a scheduled appearance coincides with a member's scheduled vacation/leave, the subpoena is immediately returned to Operations Division secretarial staff with appropriate notation.

3. All other subpoenas are served on the member by a supervisor.

G. If a subpoena is returned to Operations Division secretarial staff because the subpoenaed member is scheduled for vacation/leave on the specified appearance date, the secretarial staff calls the Boulder Public Defender's Office and so informs them.

1. This call is made within three business days of the date the subpoena was first received by RIS.

2. The subpoena is then mailed back to the Boulder Public Defender's Office with a notation that the member is scheduled for vacation/leave on the specified appearance date.

3. Any subpoena returned to the Boulder Public Defender's Office because the member is scheduled for vacation/leave is noted in the permanent subpoena log.

H. If a subpoenaed member receives a subpoena for an appearance date that was not, at the time the subpoena was received by the member's section, listed in the section's records as the member's vacation/leave date, the member is personally responsible for notifying the Boulder Public Defender's Office, within three days of receipt, and making acceptable arrangements.

129-5 Notification of Department and City of Service of Civil Complaint

A member who is served with a civil complaint naming him/her as a defendant as a result of employment, or a subpoena to appear as a witness in a civil action on behalf of a party suing the City and/or department, notifies his/her commander, the department's legal advisor, and the City Attorney's Office. Copies of the documents, an indication of the date and time of service, and copies of any existing reports related to the allegations in the complaint are sent to these parties.

129-6 Depositions and Affidavits in Civil Actions Involving the City or the Department

Members do not make statements or provide depositions or affidavits in civil cases involving the City or the department without prior consultation with the department's legal advisor and/or the City Attorney.

129-7 Requests to Talk with Investigators/ Attorneys for Parties in Pending Court Cases Not Involving the City

In cases in which the City is not a party, members use their discretion in deciding whether to talk with an attorney/investigator representing party in a pending civil/criminal case or administrative hearing. Members are under no obligation to talk with the parties in these circumstances. Members may refer the requesting party to their official reports in the matter. Members realize that by doing this they may be served with a subpoena and/or deposed in the pending matter. If a member decides to speak with an attorney/investigator representing a party in these circumstances, the member notifies the deputy district attorney or civil attorney assigned to the case.

129-8 Appearing as Witness in Civil/ Criminal/Administrative Hearings

Generally a formal subpoena or written notice is required for a member to appear in a civil or criminal action. Members testifying on duty, as department members, remit all fees received for such appearance to the department. Members testifying off duty, as department members, may remit witness fees and request overtime compensation or keep witness fees and appear without compensation.

Boulder Police Department
General Order 130
Criminal Process

Effective: July 14, 2015
Replaces: General Order 130, November 3, 2000
Reviewed: July 7, 2015

130-1 Investigation
130-2 Officer Discretion
130-3 Supervisor and Legal Advisor Notification of Potential Civil Issues
130-4 Opposing Complaints

POLICY

Commissioned members enforce the criminal laws in compliance with department general orders, constitutional principles, state and municipal laws and rules of criminal procedure contained in the current edition of the *Colorado Peace Officer's Handbook*. The contents of the *Handbook* are adopted as department guidelines.

PROCEDURES

130-1 Investigation

After consideration of the evidence in reported crimes, members arrest, summons, or take other action as appropriate, and seize evidence that is involved. Members may contact a supervisor, the department's legal advisor, or a district or city attorney, if there is a question as to the existence of probable cause or correct procedures. In matters that appear more civil than criminal in nature and no physical danger to persons exists, a report is taken and referred to the department's legal advisor, or a district or city attorney, for a charging decision.

130-2 Officer Discretion

Members are aware that there are alternatives to criminal charging in some cases. These are used in limited circumstances. After members investigate a case they may, even though probable cause exists, exercise discretion as to whether to arrest or issue a summons. Some cases may be more appropriate for mediation, restorative justice or civil court. Members follow department guidelines in utilizing alternatives to criminal charging. If no department guidelines exist, members are consistent in utilizing these alternatives.

130-3 Supervisor and Legal Advisor Notification of Potential Civil Issues

Members advise their supervisor and the department's legal advisor when they receive a notice of claim involving a civil action, or when they are concerned that their actions handling an incident or an investigation may potentially involve a civil suit against the member or the department. Additional actions should include retaining reports, videos or other documentation as appropriate.

130-4 Opposing Complaints

After an incident is investigated and appropriate legal action is taken, persons who were suspects or defendants in the initial investigation may want to be complainants for criminal charges against the parties who were initially determined to be the victims or witnesses in the incident. Members doc-

ument opposing complaints. If a member determines that the opposing complaint is valid, appropriate legal action is taken. If the member believes the matter warrants additional review, copies of the reports are forwarded to the department's legal advisor, or a district or city attorney, for a decision.

Boulder Police Department

General Order 131

Municipal Warrants, Writs of Execution, and Bonding

Effective: November 21, 2000
Replaces: General Order 61-2, Municipal Warrants, May 27, 1994, and 61-3, Municipal Bonding, June 15, 1992

131-1 Tracking of Municipal Warrants and Writs of Execution
131-2 Execution of Municipal Warrants
131-3 Bonding During Normal Court Hours
131-4 Bonding After Normal Court Hours

POLICY

The department, in conjunction with Boulder Municipal Court, maintains a procedure for handling, processing, and tracking municipal warrants, writs of execution, and bonding.

PROCEDURES

131-1 Tracking of Municipal Warrants and Writs of Execution

The Records and Information Services (RIS) Section:

A. Receives active warrants and writs issued by the Boulder Municipal Court;

B. Enters the warrant or writ into the CCIC computer network, indicating the extradition boundaries;

C. Files the original municipal warrant or writ;

D. Confirms that the warrant or writ is still active when notified of an arrest for an outstanding Boulder municipal warrant or writ;

E. After the arrest removes the warrant or writ from the CCIC computer network; and

F. Sends the original warrant or writ back to the court with the cancellation notice.

131-2 Execution of Municipal Warrants

Regardless of time of day, persons with outstanding municipal warrants are placed in custody and transported to the Boulder County Jail for processing and the posting of bond. Officers do not accept bonds on warrants. Under exceptional circumstances, an officer may refer the person to the municipal court for disposition. When referring someone to municipal court, the officer must follow-up to insure compliance.

131-3 Bonding During Normal Court Hours

During normal business hours the municipal court is responsible for accepting bonds when an individual is required to post bond on a municipal citation or has an outstanding municipal writ of execution. If the subject can post the bond in cash, transportation or an escort to the municipal court is arranged for the posting of the bond. If bond cannot be posted by cash, the subject is transported to the Boulder County Jail for processing.

131-4 Bonding After Normal Court Hours

An individual required to post bond on a municipal citation or who has an outstanding municipal writ of execution is not taken to Boulder County Jail if the bond can be posted, without delay, in cash. To post a bond after hours, the officer:

A. Escorts the individual to the front lobby of the Public Safety Building;

B. Obtains the RIS receipt book and completes a receipt for the bond amount;

C. Places the copy of the municipal writ of execution or municipal citation, along with the cash, in the deposit box; and

D. Ensures that RIS personnel cancel any outstanding writ when bond has been posted.

Boulder Police Department
General Order 134
Transportation Guidelines

Effective: February 14, 2014
Replaces: General Order 134, November 10, 2004

134-1 Use of Safety Belts
134-2 Transport of Prisoners
134-3 Search of Police Vehicles Regarding Transportation of Prisoners
134-4 Transport of Children
134-5 Exceptions

POLICY

It is necessary for department members, during the course of their duties, to regularly drive and transport persons in department vehicles. The following guidelines are used to help ensure the safety of the officer and other persons during such transports.

PROCEDURES

134-1 Use of Safety Belts

A. Department members wear safety belts whenever driving or riding in a City vehicle, or when traveling in any vehicle on City business.

B. All passengers in a City vehicle or in any vehicle on City business have safety belts fastened.

C. Prisoners being transported in department vehicles have safety belts fastened, when possible.

134-2 Transport of Prisoners

When transporting prisoners, officers advise the Communications Center of the mileage of the vehicle being used at each end of the trip.

A. This information, as well as the corresponding trip times, is documented by way of the Communications Center audio recording system.

B. If the officer fails to provide the starting mileage as required, the dispatcher requests the information from the officer as soon as practical.

C. This practice may be applied to the transportation of others, including victims, witnesses, suspects, and citizen assist relays as the officer deems necessary.

D. This practice is not applicable to authorized civilian ride-alongs.

134-3 Search of Police Vehicles Regarding Transportation of Prisoners

All vehicles that may be used for transporting prisoners are examined for contraband and weapons at the start and conclusion of the assigned officer's shift, as well as prior to and after actual transportation of a prisoner.

134-4 Transport of Children

When transporting children, officers adhere to applicable state laws.

A. The department maintains age appropriate child safety seats and booster seats. Supplemental restraints are required for children under age 8; booster seats can be used for most children age 4 and above.

B. Children shall always be placed in the back seat of any vehicle used for transportation. Children are not transported in caged cars; child safety seats or booster seats cannot be used in vehicles equipped with shields or cages.

134-~~5~~ Exceptions

A. Examples of when safety belts may be unfastened or not worn include:

1. When an officer is involved in a tactical situation requiring a quick exit from the vehicle.

2. When a prisoner resists being safety-belted and attempts to secure the prisoner may result in the officer being assaulted.

3. When a prisoner is restrained in such a manner (i.e., hobbled) that makes conventional safety belts unusable.

4. When the vehicle has no safety belts.

B. Absent extraordinary circumstances, there are no exceptions for the transportation of persons under age 8.

Boulder Police Department
General Order 137
Victim Assistance

Effective: January 19, 2016
Replaces: General Order 137, September 20, 2006
Reviewed: January 19, 2016

137-1 Definitions
137-2 Victim Services Unit
137-3 Volunteer Victim Advocate Team
137-4 Victim Rights Amendment
137-5 Officer Responsibilities
137-6 Victim Rights Pamphlet
137-7 Arrest/Release from Custody Notification
137-8 Post-arrest Victim Services

POLICY

The department is committed to offering quality services to victims and witnesses of crimes and critical incidents. Department members treat all victims and witnesses with fairness, dignity and respect, recognizing that law enforcement is the initial source of protection for victims and can influence a victim's or witness' desire to cooperate further in the criminal justice process.

PROCEDURES

137-1 Definitions

A. Victim: Any person against whom any crime has been perpetrated or attempted, including spouse, parent, child, sibling, grandparent, significant other or other lawful representative if the victim is deceased or incapacitated.

B. Secondary victimization: The emotional, financial, physical and social challenges faced by victims and witnesses.

C. Significant other: Any person who is in a family-type living arrangement with a victim and who would constitute a spouse of the victim if the victim and such person were married.

D. Lawful representative: Any person who is designated by the victim or appointed by the court to act in the best interest of the victim.

137-2 Victim Services Unit

The Victim Services Unit is a specialized service unit within the department that advocates the needs of victims and witnesses of crimes and critical incidents. While all department members are expected to be knowledgeable and demonstrate their skills in relating to persons in crisis, the staff and volunteers of the Victim Services Unit focus more specifically on providing direct service and therefore are afforded more time, resources and special training. Services provided by the Victim Services Unit include:

A. Crisis intervention.

B. Supportive services and advocacy to victims affirming their right to receive re-

spectful treatment and receipt of their rights by law.

C. Information regarding victimization and emotional responses to trauma.

D. Contact information regarding status of the case.

E. Information about the criminal justice process and restraining orders.

F. Advisement to victims experiencing intimidation and harassment.

G. Availability of communication and alarm equipment.

H. Referrals to police officers or outside agencies to address violations of law.

I. Information regarding community resources, compensation and assistance programs.

J. Coordination of victim rights and training needs for department members.

137-3 Volunteer Victim Advocate Team

A. Victim advocates provide crisis intervention, in person or on the phone, and:

1. Are normally available by pager 24 hours a day, seven days a week.

2. Are available to respond at the request of the department, the Boulder Fire Department, CU Police Department, and the Boulder County Coroner's Office.

3. While on a call out, work under the direction of the department member in charge of the investigation.

4. If the victim requests a Boulder Police Department (BPD) Victim's Advocate, they will respond to assist with either domestic violence or sexual assaults and will provide the victim with information regarding Safehouse Progressive Alliance for Non-Violence (SPAN) and/or Moving to End Sexual Assault (MESA).

B. Department members may utilize victim advocates in the following situations after considering member safety, status of the offender, protection of the scene for evidentiary purposes and investigatory needs.

1. Death notifications.

2. Sudden or unattended deaths, including sudden infant death syndrome, suicide, accidental death and homicide.

3. Robberies.

4. Domestic assaults.

5. Serious assaults which are not the result of mutual brawling.

6. Traffic accidents resulting in serious injuries or death.

7. Natural or man-made disasters which impact individuals by displacing them from their homes, cause injuries or deaths or because of which witnesses are likely to be traumatized.

8. Residential structure fires or other fires in which lives are threatened or disrupted or there is significant emotional impact.

9. Burglaries in which there have been significant monetary losses from the victims' perspective, or in which the

losses or violations of the home were emotionally significant.

10. Child abuse or sexual assault on a child when the perpetrator is not a family member, or when the perpetrator is a family member but not the primary care giver.

11. Sexual assault.

12. Any other crime including, but not limited to, harassment, phone harassment and indecent exposure, when any of the following is present.

    a. The victim or witness feels threatened for his/her personal safety or that of a loved one.

    b. The victim has just experienced a life threatening incident in which he/she had no control or is triggered back to past traumatic incidents.

    c. The victim exhibits signs of shock, fear or distress.

    d. There seems to be a lack of support (family, friends) for the victim.

137-4 Victim Rights Amendment

The Victim Rights Amendment to the Colorado Constitution requires that law enforcement agencies inform victims of certain crimes as defined in Colorado Statute 24-4.1-302 of their constitutional rights by providing them with a victim rights pamphlet. Those rights include, but are not limited to:

A. Being treated with fairness, dignity and respect.

B. Being free from intimidation, harassment or abuse.

C. Being kept informed of the status of the investigation.

D. Being informed when a suspect has been taken into custody unless such notification is inconsistent with the requirements of the investigation.

E. Being informed about the right to be notified when the person accused of the crime against them is released from custody and how to make this notification request through Victim Information Notification Everyday (VINE) program.

F. Being informed prior to the filing of charges with the court, or in the case of misdemeanor crimes, when charges will not be filed.

G. Being informed about restitution as a condition of sentencing or pursuing civil judgment.

H. Knowing about the right to inform the court by writing or orally presenting a victim impact statement.

I. Being informed of the process for enforcing compliance with this amendment.

J. Obtaining return of their property when it is no longer needed as evidence.

K. Being informed about crime compensation or financial support, and the right to be helped in completing application forms in a timely manner.

L. Being afforded reasonable efforts to minimize contact between the victim and the defendant and the relatives of the defendant before, during and immediately after a judicial proceeding.

M. Knowing that law enforcement may intervene if an employer attempts to discharge

or discipline any victim for honoring a subpoena to testify in a criminal proceeding or for participating in the preparation of a criminal proceeding.

N. Being informed of the results of any HIV testing that is ordered and performed.

137-5 Officer Responsibilities

A. In order to comply with the victim rights statutes, officers shall provide victims with the file number of the case and the name, business address and business telephone number of the officer assigned to investigate the case. Officers will also provide a Victim Rights Pamphlet that explains the rights for victims of crimes identified in section 137-6.

B. The reporting officer notes in his/her report that the pamphlet, case number and the officer's name were provided to the victim. If, on review, it is determined that the victim was not provided with the pamphlet, the approving supervisor ensures that one is provided and the report narrative is updated.

C. Officers will provide the victim with information concerning any change in the status of the case. In addition, upon the written request of the victim, the department will provide an update, at least annually, to the victim concerning the status of a cold case involving one or more crimes for which the criminal statute of limitations is longer than three years.

D. Any final decision not to make a misdemeanor arrest or issue a misdemeanor summons against a person accused of committing any crime specified in 137-6 will be communicated to the victim. Officers will document notification in his/her report. The District Attorney's Office will make notification when it is their decision to not file misdemeanor charges or when they dismiss a misdemeanor charge.

137-6 Victim Rights Pamphlet

A. As defined in Colorado Statute 24-4.1-302, victims (or co-victims, witnesses, survivors) of the following crimes receive a victim rights pamphlet:

1. First and second degree murder;
2. Manslaughter;
3. Criminally negligent homicide and vehicular homicide;
4. First, second and third degree assault, and vehicular assault;
5. Menacing;
6. First and second degree kidnapping;
7. Sexual assault, unlawful sexual contact, sexual assault on a child, sexual assault on a child by one in a position of trust, sexual assault on a client by a psychotherapist, indecent exposure, invasion of privacy for sexual gratification, violation of a protection order on a sexual assault case;
8. Aggravated robbery, aggravated robbery of a controlled substance, robbery of the elderly or disabled;
9. Incest and aggravated incest;
10. Ethnic intimidation;
11. Harassment by stalking;
12. Child abuse;
13. Sexual exploitation of children;

14. Any crime against at-risk adults and at-risk juveniles;

15. Any crime which includes an act of domestic violence;

16. A bias-motivated crime;

17. Failure to stop at the scene of an accident resulting in death;

18. Careless driving resulting in death;

19. Retaliation against or tampering with a witness or victim, intimidating a witness or victim and aggravated intimidation of witness or victim; and

20. Any criminal attempt, conspiracy, criminal solicitation and any accessory to a crime involving any of the crimes above.

21. Human trafficking in adults and children;

22. Retaliation against a judge, juror or prosecutor.

137-7 Arrest/Release from Custody Notification

In those crimes identified in 137-6, and when not inconsistent with the requirements of the investigation, victims are entitled to know whether an offender has been taken into custody and whether the offender has been released and any condition of release. Victims are also entitled to know if the suspect is going to be released from custody. Officers must give the victim information about the VINE program.

137-8 Post-arrest Victim Services

In order to avoid duplicating services, post-arrest victim assistance is rendered through the District Attorney's Victim/Witness Unit.

The Boulder Police Department
General Order 138
Training and Career Development

Effective: July 5, 2016
Replaces: General Order 138, July 14, 2010
Reviewed: June 28, 2016

138-1 Department Training
138-2 Police Training Officer (PTO) Program
138-3 Training Conduct Acknowledgement Form
138-4 Career Development

POLICY

The ability of the department to meet current and long-range goals and objectives in an efficient and effective manner is largely dependent upon the level of skill, knowledge and ability members bring to their individual assignments, duties and responsibilities. The department provides training, counseling and professional development opportunities to its members in choosing, preparing for, entering into and progressing through department assignments and individual professional growth opportunities that promote efficiency, effectiveness and job satisfaction.

PROCEDURES

138-1 Department Training

A. The department maintains an integrated and formulated approach to training its personnel. Generally, this is accomplished in the following ways.

1. Commissioned members

   a. Recruit officers are required to be conditionally certified by the Colorado Police Officer Standards and Training (POST) Board before they are commissioned as "Peace Officers." This training is provided by a Colorado POST-certified academy. New officers also attend a post-academy held at the department.

   b. The department maintains a police training officer (PTO) program for new officers, officers returning from non-line assignments and leaves of absence, new detectives and new sergeants in accordance with the applicable training manual.

2. Non-commissioned members

   New department members are provided with orientation and an on-the-job training program established by their respective commander/manager.

3. Human Resources Department Training

   Offers training on specific topics, including leadership, career development and diversity and inclusion and has educational and reference materials available for employees.

4. In-service training

   Training needs that are wide-ranging (across watches, units or sections) are

identified and prioritized by Management Staff on an annual or as-needed basis. The Training Unit is then responsible for facilitating and scheduling the training.

5. Roll-call training

   Training that can be provided in an abbreviated format, which is usually specific to commissioned members, may be provided during roll-call briefings. Training needs are identified and prioritized by the Operations Division, with supervisors or the Training Unit facilitating and scheduling the training.

6. Specialized training

   The department identifies and provides, to the best of its ability, the appropriate training required by specialized assignments and promotions.

B. The department's Training Unit:

1. Facilitates and coordinates department and specialized training, including skills programs and mandatory Peace Officer Standards and Training (POST) requirements.

2. Establishes and maintains department instructors/trainers in certain disciplines.

3. Establishes and maintains a department training calendar.

4. Maintains all training files for department members, curricula and courses.

5. Maintains and disseminates mandatory POST training records as required by the State of Colorado.

6. Locates instructors or courses for identified training needs and schedules accordingly.

7. Meets at least annually with the Professional Standards Unit supervisor to discuss patterns or trends related to performance issues and complaints and uses of force by and against officers to identify any applicable training needs.

138-2 Police Training Officer (PTO) Program

A. The department, in keeping with the demands of the community for professional police service, has established the Police Training Officer (PTO) program. The attainment of highly trained police officers is a fundamental goal of the department. The PTO program is responsible for providing entry-level on the job training to the newly hired employee.

B. PTO Duties and Responsibilities

1. PTO's are chosen based on a selection process as determined by the Commander of the PTO program.

2. PTO's shall perform the training function in conjunction with the duties of their field assignment.

3. PTO's are working examples for their trainees. They demonstrate initiative, resourcefulness, intelligence, judgment and professional bearing to a greater degree than is ordinarily required.

4. PTO's maintain a professional instructor/recruit relationship with trainee officers during the PTO program. No fraternization or socializing is allowed between PTO's and trainees during the training program.

5. PTO's are activated, deactivated and removed from the program at the discretion of the Chief of Police or designee.

138-3 Training Conduct Acknowledgment Form

All department instructors/trainers and PTO's who train or assist in training any new employee or recruit officers during the recruit's basic academy, Boulder's post academy or during the PTO program shall sign the Conduct Acknowledgement Form. A copy of the Conduct Acknowledgment Form is attached to this General Order. A signed copy of the Conduct Acknowledgement form will be maintained by the Training Unit or PTO Commander as appropriate.

New trainees will also be required to sign the Conduct Acknowledgement form. The signed copy of the form will be maintained in the trainee's training file.

138-4 Career Development

A. Mentoring program

The department maintains a flexible mentoring program available to all members, whose purpose is to provide opportunities for career enhancement, transition and personal growth. While primary responsibility for mentoring is assumed by department supervisors and field training officers, individual members must avail themselves of mentoring and pursue definitive measures to advance their own careers in order for it to be effective. Employee mentoring needs are also addressed through the department's performance planning and feedback system (see General Order 113).

B. Tuition reimbursement

The department encourages a member's efforts to continue his/her formal education to enhance career opportunities and, to the degree practical, facilitates such efforts through adjustment of work schedules and related responsibilities. The City of Boulder tuition reimbursement program provides employees with opportunities for reimbursement in accordance with city policy and the availability of funds.

Training Conduct Acknowledgement Form

To ensure and maintain professional relationships during training, all employees shall adhere to the following.

1. Instructor's/trainer's and/or PTO's will maintain a strictly professional relationship with recruit officers at all times while the recruit is attending their basic academy, Boulder's mini-academy and during the PTO program. Unless established with a specific recruit prior to the start of training, personal relationships, socializing, or friendships are forbidden. Previously established personal relationships and/or friendships will be disclosed to Training or PTO leadership prior to the start of training.

2. Instructor's/trainer's and/or PTO's who inadvertently interact or socialize with a trainee away from work will, at the earliest opportunity, notify Training or PTO leadership of the circumstances of that contact (excluding incidental interactions).

3. Trainees who inadvertently interact or socialize with an instructor/trainer or PTO away from work will, at the earliest opportunity, notify Training or PTO leadership of the circumstances of that contact (excluding incidental interactions).

4. Instructor's/trainer's and/or PTO's who are contacted by a recruit officer attempting to establish a personal relationship, or who has conducted themselves in an unprofessional or unethical manner, will at the earliest opportunity notify Training or PTO leadership of the circumstances of that contact or behavior.

5. Trainees who are contacted by an instructor/trainer or PTO attempting to establish a personal relationship, or who have conducted themselves in an unprofessional manner, will at the earliest opportunity, notify Training or PTO leadership of the circumstances of that contact or behavior.

Boulder Police Department employees who fail to comply with these requirements may be subject to the disciplinary process and may also be in violation of the city's nepotism policy.

[ ] Instructor/Trainer
[ ] PTO
[ ] Trainee

_____ _____

Signature Date

Boulder Police Department
General Order 139
Support for Critical Injury or Death

Effective: February 18, 2016
Replaces: General Order 139, April 9, 2002
Reviewed: February 16, 2016

139-1 Definitions
139-2 Notification
139-3 Appointment of Department Coordination Personnel

POLICY

The department, with guidance from the employee assistance program, provides liaison assistance to the immediate survivors of a department member who dies or who is critically injured in the line of duty and provides support during this traumatic period of readjustment for the surviving family. Although not specifically covered by this general order, the department also provides support to the immediate survivors of a department member who dies outside the line of duty or to a member who has sustained a critical injury or illness.

PROCEDURES

139-1 Definitions

A. Line-of-duty death: The death of a department member by felonious or accidental means during the course of performing police functions while on or off duty.

B. Line-of-duty injury: The critical injury of a department member by felonious or accidental means during the course of performing police functions while on or off duty.

C. Survivors: Immediate family members of the deceased or seriously injured member including spouse, children, parents, siblings, fiancé, fiancée and significant others.

139-2 Notification

The following procedures are adhered to in cases of line-of-duty deaths and critical injuries for which there is a poor prognosis of survival.

A. Notification:

1. On a periodic basis, all department employees should review and revise their emergency contact information forms. Copies of the forms are sealed and maintained in the employees' working and personnel files. The employees' wishes should be followed unless circumstances make it impossible or impractical.

2. The name of the deceased or injured member is not released to the media or other parties before immediate survivors are notified.

3. The Chief of Police or designee informs the immediate family of the member's condition or death. When possible, notifications are made in person. Death notifications should be made in coordination with the coroner's office. To help prevent premature announcement, department members are prohibited from disseminating information about the deceased or critically injured member to anyone or by

any means, including social media, until official notification has been made.

B. Whenever possible, the Chief of Police or designee joins the family at the hospital in order to emphasize the department's support.

C. The department works with medical personnel to provide pertinent medical information on the member's condition to the family.

D. The department assists family members, in accordance with their desires, in gaining access to the injured or deceased member.

E. The department provides hospital personnel with all necessary information on billing for medical services, ensuring that all medical bills are directed to the department and not forwarded to the member's family or other survivors.

F. The department utilizes its employee assistance program and/or Peer Support Team as appropriate.

139-3 Appointment of Department Coordination Personnel

For line-of-duty deaths and critical injuries, designated department members serve in the following capacities.

A. The *Department Liaison*, in accordance with the member's wishes or in consultation with the member's family, serves in a long-term liaison and support capacity for the family. His/her duties include:

1. Acting as a facilitator between the member's family and the department during the wake and funeral, including:

a. Being available to the family prior to and throughout the wake and funeral.

b. Assisting the family in working with the funeral director on arrangements.

2. In coordination with the appropriate victim advocacy organization, providing contact with surviving family members in order to keep them abreast of criminal proceedings related to the death of their family member.

3. In coordination with the appropriate victim advocacy organization, accompanying family members to criminal proceedings and explaining their nature.

4. Providing routine contact with family members to offer companionship and emotional support and to maintain an ongoing relationship between the department and the immediate family.

5. Relaying the concerns and needs of the family to those individuals or organizations that may provide assistance and encouraging others to visit and help as necessary.

B. The *Administrative Coordinator*, who is normally a member of Management Staff, serves as a facilitator between the family, via the Department Liaison, and the department. His/her duties include:

1. Relaying any information to the surviving family via the Department Liaison concerning the circumstances of the member's death or injury and appropriate information regarding any investigation.

2. Coordinating with the Public Information Officer and Department Liaison

including issuing statements or holding press conferences and assisting surviving family members in dealing with general media inquiries.

3. Filing Workers' Compensation and, if applicable, death benefit claims and related paperwork.

4. Presenting information on all benefits available to the surviving family.

5. Documenting inquiries and interest in public donations to the family and establishing a mechanism for receipt of such contributions.

6. In conjunction with the Chief, will be the primary point of information dissemination regarding the incident to department members.

7. For line-of-duty deaths of sworn members, coordinate 24-hour casket watch of the deceased until burial.

C. The *Funeral Liaison* acts as a facilitator between the members surviving family, via the Department Liaison, and the department during the wake and funeral. Whenever possible, the surviving family's wishes for services will take precedence. His/her duties include:

1. Identifying locations that will accommodate a law enforcement funeral.

2. Coordinating all law enforcement notifications and arrangements including the honor guard, pallbearers, traffic control and visiting law enforcement agencies.

Boulder Police Department
General Order 140
Employee Assistance Program

Effective: May 5, 2015
Replaces: General Order 140, February 18, 2000
Reviewed: April 28, 2015

140-1 EAP Availability
140-2 Confidentiality
140-3 EAP Advisory Board
140-4 Critical Incident Stress Debriefings
140-5 Reporting

POLICY

The department provides an employee assistance program (EAP) to directly assist its members and their families with the resolution of any problem or stressful incident that affects the quality of their personal lives or work. The program provides critical incident debriefings, consultation and training as needed.

PROCEDURES

140-1 EAP Availability

The EAP is available to all members of the department, including volunteers and their immediate families, significant others and other affiliates, as appropriate.

140-2 Confidentiality

Because the effectiveness of the EAP depends on maintaining the highest standard of confidentiality, the EAP follows legal and medical guidelines of confidentiality in dealing with all clients.

140-3 EAP Advisory Board

At the direction of the Chief of Police, the department maintains an advisory board, comprised of members from throughout the department that:

A. Gathers input from department members regarding concerns and needs related to psychological wellness; and

B. Reviews quarterly reports to assist in determining what actions would facilitate the most effective use of the EAP.

140-4 Critical Incident Stress Debriefings

A critical incident stress debriefing (CISD) is held in response to the stressful impact of an incident on those directly involved and is differentiated from a tactical debriefing in which tactical components of an event are reviewed and critiqued.

A. Anyone involved in a traumatic incident may request a CISD by stating the need to a supervisor or member of the EAP advisory board or by contacting the EAP provider directly. The EAP provider may also contact the department to initiate a debriefing if a need is recognized.

B. Once a need for a CISD is determined, the EAP provider works with the department to set a date, time, and location for the CISD and to distribute this information.

C. In most circumstances, attendance at a CISD is voluntary unless otherwise determined by the Chief of Police.

140-5 Reporting

The EAP provider provides annual reports on usage to Management Staff, reporting only numbers of individuals served and general trends.

Boulder Police Department
General Order 141
Employee Illness/Injury

Effective: December 19, 2013
Replaces: General Order 141, November 17, 2011

141-1 Definition
141-2 Supervisory Notification
141-3 Required Reports
141-4 Treatment for Minor and Moderate Duty-related Injuries/Illnesses
141-5 Treatment for Serious Duty-related Injury/Illness
141-6 Payment/Reimbursement of Medical Costs
141-7 Injury/Illness during Secondary Employment
141-8 Injury Leave
141-9 Member Pregnancy
141-10 Temporary Light Duty
141-11 Return to Duty
141-12 Physical and Mental Evaluations

POLICY

The department complies with City of Boulder and insurance authority procedures when members suffer job-related injuries or illnesses within the scope and course of their employment. Members have an obligation to notify their supervisors of any injury, illness or medical condition that would reasonably be expected to impact their job. Temporary light duty positions may be authorized for members recovering from illnesses or injuries, realizing that each incident presents a different set of circumstances. Permanent light duty assignments (one year or more in duration) are not available nor created for members whose impairments prevent them from performing essential functions associated with their positions. In addition, the department maintains uniform procedures for the use of physical or psychological examinations, or combined physical and psychological examinations of its members for job related issues and the business needs of the department.

PROCEDURES

141-1 Definition

Fitness for Duty: The physical and mental ability to perform a member's assigned duties and those duties for which the member is responsible.

141-2 Supervisory Notification

When a department member is injured or becomes ill as a result of a job-related incident, the member notifies a supervisor by the end of the shift on which the injury or illness occurred, or when it is first discovered.

Members are required to report their injury or illness within 24 hours of the incident. Notification not made within the time frame may cause the member's compensability of their claim to be affected.

141-3 Required Reports

A. After a job related injury or illness occurs, regardless of whether treatment is needed, a City of Boulder Injury/Illness Report is required. The purpose of this report is to provide the city and, eventually, the insurance authority with documentation of the incident and with as much information as possible as to the cause of the illness or injury.

B. Supervisors are responsible for completing the injury/illness report. The on-duty supervisor is responsible for sending the original to Support & Staff Services.

C. As necessary, the on-duty supervisor investigates the incident as soon as practical within the same shift. Should the on-duty supervisor be unable to complete the investigation before end of shift, he/she ensures that another supervisor is directed to do so. In cases of serious injuries, supervisors are required to investigate and prepare a more detailed report.

D. The personnel unit ensures that the injury/illness report is appropriately distributed, forwarding copies to the Chief of Police and the city's Human Resources (HR) Department.

141-4 Treatment for Minor and Moderate Duty-related Injuries/Illnesses

The following procedures are followed when a member requires medical attention for a minor or moderate illness or injury.

A. During standard business hours, the supervisor notifies the personnel commander or personnel coordinator of the employee's injury and requests an appointment be made with the city's medical provider.

B. After standard business hours, the supervisor sends the member to Boulder Community Hospital's emergency room. The supervisor ensures that subsequent notice is provided to the personnel unit as soon as possible on the next business day.

C. After treatment, if symptoms subsequently worsen, the member is responsible for seeking immediate medical treatment and for contacting the department's personnel unit on the next business day.

D. The city's medical provider reports its findings on the employee disposition report, which documents the member's condition when examined and specifies any restrictions, follow-up instructions, or return appointments scheduled.

1. The medical provider gives a copy of the form to the member who signs to indicate his/her understanding and compliance. The member then provides a copy to his/her immediate supervisor or to an on-duty supervisor.

2. The supervisor provides copies of the form to the member's supervisor and the personnel unit.

E. If the injury prevents the member's return to work, the city's medical provider schedules any necessary follow-up.

141-5 Treatment for Serious Duty-related Injury/Illness

In the case of a serious injury or illness, the on-duty supervisor ensures the member's immediate transport to Boulder Community Hospital's emergency room.

A. The supervisor monitors the member's status and whether he/she is released or hospitalized, ensuring that the personnel unit is notified no later than the next business day.

B. When the hospital releases the member, the member's supervisor is responsible for ob-

taining the hospital's release form and forwarding it to the personnel unit for attachment to the injury/illness report.

C. For serious injuries, the member is responsible for following up with the city's medical provider.

141-6 Payment/Reimbursement of Medical Costs

Neither the city nor the insurance authority pays for or reimburses any treatment which has not been authorized by the city's medical provider.

A. When there may be a third party liability for the on-duty illness or injury, the member is required to complete the State of Colorado election of remedies form. The insurance authority sends the form to the member and the member returns the completed form to the department's personnel unit. A copy is retained for the member's file and the original is sent to HR for relay to the state. The insurance authority does not pay any medical bills until it receives this completed form.

B. Members send all bills for work-related medical treatment as soon as possible to the personnel unit who ensures they are relayed to HR for processing and payment.

141-7 Injury/Illness during Secondary Employment

Any injury or illness which occurs while a member is working an off-duty assignment in a city-contracted capacity is dealt with as a duty-related injury. An injury or illness resulting from any other secondary employment or activity is the responsibility of the secondary employer or of the member, unless the member is acting as a peace officer within those authorized rights and responsibilities at the time he/she incurred the illness or injury. Any time the member's illness or injury is caused by actions taken as a peace officer, the same procedures apply as for on-duty illness or injury.

141-8 Injury Leave

When members are not able to return to work and fully assume their normal duties as a result of an on-duty injury or illness, the member is continued on injury leave subject to state guidelines and any governing agreements, or on temporary light duty in keeping with procedures described below.

141-9 Member Pregnancy

The department recognizes that a pregnancy is neither an illness nor injury but is a condition which can be affected adversely by situations encountered in law enforcement.

A. Pregnant members may request Temporary Modified Duty assignments for any or all of the pregnancy.

B. The department cannot re-assign a pregnant member without her consent unless it can be shown that a member is not fit for duty.

C. Following pregnancy, members are not required to submit to a return to duty test, however, the member must provide a note from their personal physician authorizing the employee to return to full-duty. The clearance is placed in the employee's personnel file.

141-10 Temporary Light Duty

The department makes every reasonable attempt to first accommodate those members who have sustained an on-duty injury or illness, as opposed to those suffered off-duty.

A. Any temporary light duty assignment is based on availability and benefit to the department. Light duty assignments are not guaranteed and are not always available.

B. Members receiving a temporary light duty assignment as a result of an injury or illness are likely to find their work days/hours adjusted to meet the scheduling needs of the section/unit assigned. Members receiving a temporary light duty assignment as a result of an off-duty injury or illness are subject to displacement by members who were injured on-duty if no other temporary light duty positions are available.

C. The member's Deputy Chief determines the availability of light duty assignments. Assignments in excess of three months require the approval of the Chief of Police.

D. All assignments require documentation, including the issuance of a personnel order.

E. The member's temporary supervisor for the light duty appointment becomes that member's supervisor of record for the duration of the temporary light duty assignment.

F. Before being assigned to temporary light duty, members may be required to report to the city's medical provider for examination. This examination, if required, establishes the member's ability to perform in the specified temporary light duty function, and prognosis for recovery. The department may elect to accept a report containing the same information from the member's personal physician if the illness or injury occurred off-duty. If, however, an examination by the city's medical provider is required and there is any difference of opinion as to the member's ability to perform or function, the city's medical provider's opinion governs.

G. While assigned to a temporary light duty assignment, the member does not wear a police uniform or any part thereof. Unless otherwise determined by the Chief of Police, commissioned members assigned to temporary light duty assignments may not take enforcement action as a Boulder police officer, do not have department authority to carry a firearm on or off-duty, and cannot be placed on-call as outlined in General Order 102. Members on light or modified duty will receive a letter from the Staff Services Deputy Chief as to their restrictions.

H. Unless specifically approved by their immediate supervisor, members suffering on-duty injuries or illnesses schedule therapy sessions and medical appointments for on-duty time. No overtime or compensation time will be paid for members to attend doctor's appointments or physical therapy. Members are required to keep track of their time and adjust with their first-line supervisor as needed.

141-11 Return to Duty

A. Medical Return to Work Clearance

1. On-duty: A written medical return-to-work clearance is required before members are authorized to return to full duty as a result of any on-duty injury leave.

2. Off-duty: If a member suffers an off-duty illness or injury and is temporarily incapable of performing his/her full duties for more than two consecutive scheduled work weeks (80 hours), a written medical return-to-work clearance is required by a licensed physician before he/she is authorized to return to full duty. The physician must sign a department form indicating the member is physically able to perform the necessary functions of the job.

B. Return to duty physical qualification tests are given to members whose job function requires the completion of a physical qualification test as part of their initial hiring

process, under the following circumstances.

1. Regardless of whether the injury/illness occurred on or off-duty, in addition to the required written medical return-to-work clearance, a member is required to successfully complete a physical qualification test, adopted by the department, whenever the effects of any injury or illness raise reasonable concerns about a member's ability to fully perform all functions of his/her job.

   Members will only be required to complete portions of the physical qualification test that is in question as a result of the injury or illness.

2. The personnel unit coordinates the return-to-duty physical qualification testing.

141-12 Physical and Mental Evaluations

The Chief of Police may require a department member to undergo a physical and/or psychological examination to determine a member's fitness for duty.

A. Requests for a physical examination, a psychological examination, or a combined examination, are made on the basis of such considerations, separately or collectively, as:

   1. Nature and length of time the member is ill or injured;

   2. The member's medical history;

   3. The member's work history;

   4. The member's absence history;

   5. Complaints or observations of citizens or coworkers;

   6. Medical evaluations already existent;

   7. Noticeable changes in behavior or critical thinking skills;

   8. Work performance issues that raise a physical, medical or psychological health concern; or

   9. Other factors which, in light of the total circumstance, suggest the need for such examination.

B. In ordering a fitness for duty evaluation, the Chief of Police provides a written directive to the member outlining the basis for such directive.

C. The Chief of Police or designee selects the examining provider.

D. The cost of examination is borne by the city.

E. Both the Chief of Police and the member who has been the subject of examination are provided with copies of the examination report.

Boulder Police Department
General Order 142
Employee Absence

Effective: June 3, 2008
Replaces: General Order 142, Employee Absence, January, 31, 2008

142-1 Use of Sick Time
142-2 Family Medical Leave Act
142-3 Use of Vacation, Holiday, and Compensatory Time
142-4 Donation of Vacation Time

POLICY

The department provides personal leave time for its members, however, use of such time is balanced with the needs of the organization and the community.

PROCEDURES

142-1 Use of Sick Time

While the department recognizes the need for members to use sick leave in order to recover from illness or injury, or to provide care for sick or injured family members, excessive use of sick time impacts staffing, workload, and the efficiency of the department. Members on sick leave are considered to be on paid leave and are therefore subject to reasonable oversight by the department.

A. Sick leave is used when employees are incapacitated by sickness or injury (other than injuries sustained in the performance of their duties), for medical treatment, when exposure to contagious diseases would jeopardize the health of others, and for attendance to the illness, injury, or medical care of an employee's related household. In addition, use of sick leave is governed by appropriate employment agreements.

B. Members taking paid time off for illness or injury sustained off-duty must speak with their supervisor or, in the event that their supervisor is unavailable, speak with an on-duty supervisor in their division/section/watch as soon as practical before the start of their next shift. After notification to the supervisor, it is the supervisor's responsibility to complete the absence report and deliver it to the appropriate division/watch/section. Members report the nature of the leave to be taken (employee or family illness or injury) and the anticipated duration. Calls to Communications or Records will be forwarded to the appropriate supervisor.

C. Members who are on paid time off for personal or family illness or injury are available for contact by a supervisor during their normal work hours. If necessary, a supervisor may contact the member in a reasonable manner by pager, phone, or in person during the member's normal work hours to verify the member's need for paid sick leave. Members are not restricted from seeking medical care for themselves or family members, voting, or exercising their religious beliefs. Supervisors may require medical verification for sick leave use in accordance with the applicable employment agreements.

D. Employees who abuse sick time are subject to disciplinary action.

142-2 Family Medical Leave Act

Employees may be eligible for benefits under the Family Medical Leave Act. The city's Human Resources and Organizational Effective-

ness Department is responsible for administration of benefits under the act.

142-3 Use of Vacation, Holiday, and Compensatory Time

Supervisors schedule or cancel vacation, holiday, and compensatory time leave according to the following guidelines.

A. Vacation, holiday, and compensatory time leave is requested by completing the department absence report, and is governed by the employment agreement or City policy applicable to the member.

B. Scheduled vacation, holiday, and compensatory time leave is honored unless it interferes with department operations. Vacation, holiday and compensatory time leave is subject to cancellation in the event of workforce shortages or other emergency situations. Members notified of leave time cancellations report for duty without unnecessary delay.

C. If vacation or compensatory time leave is cancelled, a member works a normal shift with no additional compensation, except that governed by the appropriate employment agreement. Travel time is not compensated unless cancellation occurs after a shift starts; in such cases regular compensation occurs from the time of the phone call. Compensation for members who are required to work on city-recognized holidays is governed by the appropriate employment agreement.

146-4 Donation of Vacation Time

The donation of vacation time from one employee to another who is experiencing a personal illness crisis is governed by City policy.

Boulder Police Department
General Order 143
Telephone, Mobile Communication Devices and Email Usage

Effective: February 25, 2015
Replaces: General Order 143, September 8, 2000
Last Reviewed: February 25, 2015

143-1 Secondary Telephone Required
143-2 Department Business
143-3 Use While Driving
143-4 Personal Use of MCDs
143-5 Email Use Guidelines
143-6 Exchange of Information

POLICY

The department provides hard-wired and wireless telephones for the purpose of facilitating department related business and members utilize department owned/issued phones according to the guidelines established herein. Smart phones are issued to commissioned employees and certain non commissioned employees to facilitate communication within and outside the department in order to fulfill the department's mission of providing service and safety to the community. This policy applies to department owned and issued phones, other department issued mobile communication devices (iPads, tablets, MDCs, etc) and personally owned cell phones and other mobile communication devices used while on duty. These are collectively referred to as Mobile Communication Devices (MCD).

The department provides email for the purpose of facilitating department related business and members utilize department email according to the guidelines established herein. The email system is the property of the City of Boulder and may be monitored by the city and is subject to open records requests.

PROCEDURES

143-1 Secondary Telephone Required

A. Employees are required to have a secondary telephone device separate from the department issued cell phone and are required to provide their secondary telephone number, along with their current physical home address, to the department. Department issued cell phones are not a substitute for a private telephone.

B. All changes to the secondary telephone number and current home address shall be reported to the Personnel Unit Administrative Specialist within 72 hours.

143-2 Department Business

An employee who is issued a department owned cell phone is required to have the device with him or her and to have it turned on while on-duty. Employees are expected to

answer incoming calls and messages when safe and practical to do so.

A. Employees are expected to provide personal contact to victims, complainants and others whenever practical. However, use of department cell phones is permissible when victims or complainants request a phone call or to augment personal contact.

B. Department issued text enabled cell phones may be carried while on duty in lieu of the department issued pager as required by GO 105. Employees will have their department issued pager available as a backup.

C. MCDs, whether department issued or personally owned, should not be used to replace regular radio communications.

D. Employees are required to setup a voice mail greeting on their department issued cell phone and to check their voice mail and email at least once per shift.

E. The department utilizes a Mobile Device Management (MDM) program to control the content on department phones (e.g. Apps, contact lists, etc). With limited exceptions, employees are not to purchase or download applications that are not part of the MDM platform.

F. Employees are encouraged to use approved applications to improve efficiency and safety.

G. The MDM is administered by the department's PTT (Police Technical Team) under the oversight of the Deputy Chief of Staff and Support Services.

H. Cameras on department issued MCDs are only to be used for department related business. Evidentiary images and recordings are transferred to Property and Evidence or RIS in the manner prescribed by training and in compliance with GO 207.

I. All communication by, and other use of department issued MCDs is done in a manner that does not negatively affect the employee's performance or violate the public trust.

J. Employees have no expectation of privacy with regard to any communication with, through or stored in a department issued device. Department owned MCDs, including voice, text and email are subject to audit.

K. Employees will immediately notify a supervisor and the PTT if a department owned device is damaged, lost or stolen. The PTT has the ability and authority to remotely wipe a lost or stolen device.

143-3 Use While Driving

Employees comply with state laws and municipal ordinances governing the use of cell phones and other MCDs while driving.

143-4 Personal Use of Department Issued MCDs and Personally Owned MCDs on Duty

A. Employees may use department issued MCDs for reasonable personal use provided it is not excessive, disruptive or results in any added expense to the department. Department issued cell phones are not a substitute for a private telephone.

B. Failure to promptly reimburse the department once notified for personal use charges may result in disciplinary action.

C. Employees may use personally owned MCDs while on duty provided that such use is not excessive or disruptive to the extent that performance is affected.

D. Supervisors should monitor, to the extent practical, the use of MCDs in the work place and take appropriate corrective action if an employee is observed or reported to be improperly using an MCD.

143-5 Email Use Guidelines

Department members are responsible for ensuring that the department's email system is used in an effective, ethical and legal manner. All laws governing written communication also apply to email messages. Correspondence in the form of email may be public record under the State of Colorado's public records law and may be subject to public inspection under Section 24-72-203 (C.R.S.)

A. The email system may be used for the following purposes:

1. Communications and information exchanges directly relating to department business.

2. Announcements of department, section, unit or workgroup procedures/policies, directives, meetings or activities.

3. Training bulletins, advisements or announcements.

4. Employees are expected to check their department email account at least once per work shift.

B. Inappropriate Email Usage

Messages sent over the department email system may be considered, or appear as, official communications approved by management. The email system may not be used for the following purposes:

1. To send department, division or unit wide messages that may be interpreted as a policy, procedure, directive or approved training technique or information. Members who would like to share such information must first have the message approved by management.

2. For use as a department-wide debate forum or to air grievances.

3. To make personal attacks against any department member.

4. To send abusive, offensive or defamatory messages.

5. Posting of classified ads or for selling personal items.

C. Personal Use of Department Email

Occasional personal use of the email system is permissible, providing such use does not violate policy and does not interfere with work performance. Occasional use implies that the use of time is minimal, similar to a short personal phone call.

143-6 Exchange of Information

Nothing in this policy is intended to prohibit or hinder the free exchange of feedback, ideas or input between employees and management. The email system is a recognized method of communicating such information so long as it is done in a respectful, appropriate manner.

Boulder Police Department
General Order 144
Physical Fitness

Effective: April 5, 2012
Replaces: General Order 144, Physical Fitness, March 28, 2007

144-1 Assessments
144-2 Recognition

POLICY

The department understands and recognizes the importance of physical fitness and overall health. To assist members with their wellness endeavors, the department has appointed a Wellness Team that is an accessible resource for all department members. In addition, team members are available year-round for private consultations. In its efforts to create healthy, fit, and mindful employees, the City of Boulder has created and integrated a city wellness program. The department encourages its members to actively participate in the program.

PROCEDURES

144-1 Assessments

Voluntary fitness assessments are conducted two times per calendar year offering three different assessment options for members to choose from:

- Cooper Assessments
- LawFit Assessments
- Agility Course

144-2 Recognition

A. In order to be eligible for a white fitness pin, department members must:

   1. Participate in at least one of the above assessments (Cooper, LawFit, or Agility Course).
   2. Actively participate in the wellness program managed by the City of Boulder.

B. In order to be eligible for a black fitness pin, department members must:

   1. Participate in at least one of the above assessments (Cooper, LawFit, or Agility Course) with at least a 90% score.
   2. Actively participate in the wellness program managed by the City of Boulder.

General Order 144, Physical Fitness Addendum

Cooper Assessments

A. Testing consists of the following activities:

1. Pre-screening of Blood Pressure and Heart Rate to determine that it is safe for employee to participate (mandatory).
2. One and one-half mile run or Schwinn Airdyne Test (mandatory).
3. Push-ups (mandatory).
4. Sit-ups (mandatory).
5. Bench press (mandatory).
6. Vertical jump (mandatory).
7. 300-meter run (optional).
8. Body fat composition (optional).
9. Sit and reach (optional) however, to be eligible for the 90% pin, the sit and reach test is mandatory.
10. One mile walk is optional for a white fitness pin.

B. The individual being tested is compared with the Cooper Institute's fitness standards database based on age and gender norms.

Lawfit Assessments

A. Testing consists of the following activities:

1. Pre-screening of Blood Pressure and Heart Rate to determine that it is safe for employee to participate (mandatory).
2. One and one-half mile run (mandatory).
3. Bench press (mandatory).
4. Sit-ups (mandatory).
5. Sit and reach (mandatory).
6. Pull-ups or lat pull-downs (mandatory).

B. The individual being tested is compared with the LawFit fitness standards database based on age and gender norms.

Agility Course

A. Testing consists of the following activities:

1. Pre-screening of Blood Pressure and Heart Rate to determine that it is safe for employee to participate (mandatory).
2. Officer is given a physical description of a suspect. Time begins.
3. Run twenty-five yards.
4. Jump three feet in length.
5. Run twenty-five yards.

6. Climb over five foot wall.
7. Run ten yards.
8. Crawl under obstacle 24” high and 10 feet long.
9. Run twenty-five yards.
10. Climb eight inch step up and down twelve times.
11. Run fifteen yards.
12. Crawl through window opening 36”w x 30”h x 3’ above ground.
13. Run ten yards.
14. Identify original suspect.
15. Run fifteen yards.
16. Drag 175lb dummy five yards.
17. Run twenty yards.
18. Pick up an unloaded double-action handgun, place the muzzle of the gun into a 6-inch ring and pull the trigger once with the dominant hand. Repeat this with the non-dominant hand. The barrel of the gun may not touch the ring.
19. Time stops when the handgun is placed back down on the table.

Boulder Police Department
General Order 145
Master Police Officer Program

Effective: February 22, 2012
Replaces: General Order 145, April 10, 2008

145-1 Program Administration
145-2 Application and Minimum Requirements
145-3 Selection Process
145-4 Expectations
145-5 Compensation
145-6 Forfeiture of MPO Status

POLICY

The department maintains a Master Police Officer (MPO) program as a career enhancement opportunity for its police officers. The program is designed to encourage and reward experienced officers who excel at their work, who are leaders among their peers, and who make significant contributions to the department and/or community.

PROCEDURES

145-1 Program Administration

The Chief of Police determines the number of new MPO slots that will be available each year. Selection of Master Police Officers is conducted annually and is administered by the Personnel Commander. An MPO Board, consisting of a commander, sergeant, Boulder Police Officers Association (BPOA) board member, and four current MPO's appointed by the Chief of Police, assists the Personnel Unit with administration of the MPO selection process, and reviews the program annually, making recommendations for program adjustments to the Chief of Police. Members of the MPO Board serve on the board for a period of three years.

145-2 Application and Minimum Requirements

A. An MPO application must be completed by both new MPO applicants and current MPO's seeking reappointment and submitted by a designated date in November. Applications are submitted to the MPO Board which reviews them for eligibility and completeness. Recommendations are forwarded to Management Staff for their input and final review and approval by the Chief of Police.

B. In order to be considered, both new MPO applicants and current MPO's seeking reappointment must meet the following minimum requirements:

   1. Ten years of law enforcement experience, in a sworn capacity, seven with the Boulder Police Department. Military police experience (2 years full-time active duty will count for 1 year of law enforcement experience). Applicants must hold the rank of officer or detective. Applicants may not have been on a leave of absence, medical leave, or other leave for more than 480 hours in the previous twelve months.

   2. Receipt of a higher-than-midpoint "Competent" overall rating on the most

recent performance evaluation within the previous twelve months. The "Competent" overall rating must meet the minimum standard outlined in the Master Police Officer Program Requirements, Application & Scoring Matrix (see attached), and may not include any "Needs Improvement" rated anchors in any category. In addition, the applicant must have complied with his/her Department Expectations and Individualized Performance Goals.

3. No sustained Class 1 Professional Standards Investigation within the previous three years and no sustained Class 2 Professional Standards Investigation within the previous twelve months, except for minor property traffic accidents, which will be evaluated on a case by case basis by the applicant's Deputy Chief.

4. Collateral duty participation; applicants must serve as:

   a. Police/Detective Training Officer, SWAT Team Member or Bomb Technician or;

   b. Serve in at least two of the following collateral assignments:

      1) Community Liaison or Coordinator of a community program or project;

      2) Computer Voice Stress Analyzer (CVSA) Operator;

      3) Crime Scene Investigator;

      4) Police Skills or In-service Instructor;

      5) Intoxilyzer Instructor;

      6) Recruitment Team Member;

      7) Wellness Instructor;

      8) Honor Guard Member;

      9) Background Investigator; or

      10) Identified Spanish Speaker (An officer who identifies him/herself in Computer Aided Dispatch (CAD) and routinely provides translations.)

5. Obtain the endorsement of his or her sergeant and commander. The MPO candidate's sergeant and commander review the application, ensuring all information is accurate, that the candidate actively participated in the collateral duties indicated, and that the candidate's recent performance meets or exceeds the standards set forth in his/her most recent performance evaluation. The commander and sergeant then indicate on the application whether or not they endorse the candidate's application for MPO. A written justification, prepared by the sergeant and commander is attached to the application. Any application that is not endorsed is forwarded to the Chief of Police for review.

145-3 Selection Process

A. Current MPO's must meet the following criteria in order to maintain their MPO status:

   - complete the MPO renewal application
   - meet or exceed the performance evaluation requirement
   - obtain endorsements of his/her sergeant and commander

- obtain Management Staff's approval of sustained performance over the previous 12 months

- final approval by the Chief of Police

B. New MPO applicants who meet minimum program requirements compete for the predetermined number of new MPO positions by participating in a four-step scored selection process.

1. The four components of the selection process include the following:

a. A review of the applicant's performance to include the most recent evaluation.

b. Endorsements of sergeant and commander.

c. Written examination

1) A written examination is administered to MPO applicants by the Personnel Unit.

2) An MPO applicant who receives a 60% or lower score in any one category, or lower than an 80% overall score, is disqualified from consideration.

d. Peer assessment

1) All department members may participate in assessing an applicant's suitability for MPO status.

2) Members who choose to complete a peer assessment for an MPO applicant must identify themselves by signing the form. Completed peer assessment forms are not directly available to the candidate for review, though summary information is provided.

3) A minimum of 20 completed peer assessments per MPO applicant is required. An average score is determined for each question on the MPO applicant's peer assessments. An overall average of less than 3.0 (out of a possible total of 5.0) on any one peer assessment question disqualifies the applicant from consideration.

2. The four selection process components (performance evaluation, supervisory endorsement, written examination, and peer assessment) are scored according to the scheme set forth in the attached scoring matrix. When only one position is available, the Personnel Commander and Master Police Officer Board will submit the top three highest scoring applicants to Management Staff for final selection. Management Staff will assess the demonstrated leadership skills and review performance over the last 12 months before making a final recommendation to the Chief of Police. For every position available beyond one, two additional applicants may be forwarded by the MPO Board for consideration by Management Staff.

145-4 Expectations

Those who are awarded MPO status agree to:

A. Wear a designator on their uniform identifying them as Master Police Officers.

B. Demonstrate leadership by making significant contributions to the community and/or department while working to meet department goals and objectives.

C. Assume additional duties assigned by supervisors. These duties include:

   1. Being listed as first available to be utilized in hiring processes (recruitment, background investigations, and oral boards).

   2. Assisting with supervisory duties when supervisors are unavailable.

   3. Provide roll-call training as assigned.

145-5 Compensation

Monetary compensation, in the form of a bonus, is awarded MPO's once per year, payable in January. The bonus amount is based on available funding and is determined by the Chief of Police. Continuation of the MPO bonus compensation is dependent on the department's ability to fund it; therefore, the program is subject to annual review and approval by the Chief of Police.

145-6 Forfeiture of MPO Status

MPO's who fail, at any time, to maintain the minimum requirements of the MPO program are removed. The MPO's commander notifies the Chief of Police if an MPO fails to meet minimum requirements, and the Chief of Police determines whether the MPO is removed from the program. An officer/detective who is removed from MPO status may compete for a new MPO position when it becomes available by participating in the four-step scored selection process once he/she again meets the minimum program requirements. MPO program participation, selection, and forfeiture are not subject to the grievance procedure.

BOULDER POLICE DEPARTMENT
Master Police Officer
Program Requirements, Application & Scoring Matrix

Applicants must satisfy each of the Section I requirements to be eligible to compete for Master Police Officer status (or, if currently an MPO, to retain status.) Section II includes the scoring matrix to be completed by the MPO Board, and is required only of those applications new to the MPO Program.

Applicant's name	☐ Current MPO applying for reinstatement ***(skip to Section II)*** ☐ New candidate applying for MPO status

SECTION I: Minimum requirements
(to be completed by applicant)

Experience

Applicants must have a minimum of ten years of law enforcement experience, in a sworn capacity, seven of which with the Boulder Police Department. Applicants must hold the rank of officer or detective, which includes service in specialized assignments.	
Years with the Boulder Police Department	
Years with another law enforcement agency (specify)	
Years in military (if applicable)	

Section II. *Performance Evaluation* (applicant must attach most recent evaluation)

Applicant's most recent performance evaluation must reflect a higher-than-midpoint "Competent" overall rating.			
Number of "Exceptional" rated categories		X 10	
Number of "Exceptional" rated anchors			*A minimum score of 51 is required.*
Total			
Note: The Performance Agreement category is not counted in this section.			
Did applicant's most recent performance evaluation contain any "Needs Improvement" anchor ratings? ☐ Yes ☐ No *A "Yes" disqualifies the applicant.*			
Did applicant meet Department Expectations and Individualized Performance Goals? ☐ Yes ☐ No *A "No" disqualifies the applicant.*			

Sustained Misconduct

Has the applicant been the subject of any sustained Class I misconduct complaints within the previous last three years? ☐ Yes ☐ No
Has the applicant been the subject of any sustained Class II misconduct complaints within the previous twelve months? ☐ Yes ☐ No Minor property accident? ☐ Yes ☐ No

Collateral Duties

Applicant must participate in the following collateral duties:	List collateral duties in which applicant is currently active:
1. Police/Detective Training Officer, SWAT Team Member or Bomb Technician or; 2. At least two of the following: • Community Liaison or Coordinator of a community program or project • Computer Voice Stress Analyzer (CVSA) Operator • Crime Scene Investigator • Police Skills or In-Service Instructor • Intoxilyzer Instructor • Recruitment Team Member • Wellness Instructor • Honor Guard Member • Background Investigator • Identified Spanish Speaker	

Applicant's Signature

I understand that as an MPO, additional duties will be assigned to me by supervisors. These will include being listed as first available to be utilized in hiring processes (recruitment, background investigations, and oral boards), assisting with supervisory duties when supervisors are unavailable, demonstrate leadership by making significant contributions to the community and/or department while working to meet department goals and objectives, and provide roll-call training as assigned. I further understand that as an MPO, I will be expected to wear a specified designator on my uniform identifying me as an MPO.

_____ _____

Applicant's signature ***Date***

Memo of endorsement/non-endorsement is attached.

Sergeant initials _____

Commander initials _____

SECTION III: Scoring Matrix

(to be completed by members of the MPO Board)

Peer Assessment

Average score for Question 1	
Average score for Question 2	
Average score for Question 3	
Average score for Question 4	
Average score for Question 5	
Total	

A minimum of 20 completed peer assessments is required per candidate. An overall average of less than 3.0 on any one question disqualifies the applicant.

X 3 | |

MPO Examination

Number of correct answers (out of 50) | | X 1.5 | |

Exam contains five sections of ten questions each. A score of 60% or lower (four incorrect answers) in any one section disqualifies the applicant. An overall test score of 80% or less (ten incorrect answers) also disqualifies the applicant.

Performance Evaluation

Number of "Exceptional" rated categories		X 10			
Number of "Exceptional" rated anchors					
				X .57	

Total Score |

Boulder Police Department
General Order 146
Training Room

Effective: January 11, 2016
Replaces: General Order 146, March 14, 2006
Reviewed: January 5, 2016

146-1 Scheduling Use of Training Room
146-2 Cancellations
146-3 Training Room Use

POLICY

The Boulder Police Department training rooms are designed for the use of the police department to meet the training, conference and meeting needs of the department. At times, when not otherwise in use, the department may allow other city departments or organizations use of the room as approved by the Staff Services Commander or designee. At all times, the use of the training room will be in accordance with established procedures.

PROCEDURES

146-1 Scheduling Use of Training Room

All users who have received permission to use the training room must schedule its use through the Training Unit.

A. The room will not be considered reserved until the Training Unit or a designee has scheduled the room.

B. Non City of Boulder departments, agencies or organizations that wish to use the training room may be assessed a user's fee to cover department costs such as utilities, maintenance and custodial.

C. The amount of such fees will be set by the Chief of Police and is subject to change as operating costs increase.

D. Outside departments, agencies or organizations may schedule use up to 30 days in advance.

146-2 Cancellations

A. All cancellations must be received by the Training Unit no less than 72 hours prior to scheduled use.

B. The Boulder Police Department has precedence over the use of the training room and reserves the right to use the training room at any time based on training needs or emergencies that may arise from time to time. This will result in the cancellation or change in time and/or location of a previously scheduled user's group. Outside agencies, departments or organizations will be advised of this clause at the time of scheduling.

146-3 Training Room Use

A. Anyone using the training room shall have a designated "user" who will be responsible for the conduct of the group and ensure the room is restored to the conditions existing prior to use.

B. Those using the training room accept responsibility for damage or loss of equipment. Damage fees may be charged for repair and/or replacement of the facilities and/or equipment.

   1. The training room will be equipped with a variety of equipment, including laptop computers, projection devices, DVD players etc. Before using any of this equipment a user must receive instruction from a member of the training unit or their designee.

   2. Anyone using the training room is responsible for the immediate reporting of any damage to property and for the reporting of any injury/illness that occurs during the use of the facility to a member of the training unit.

C. Food may be permitted in the training room at the discretion of the Staff Services Commander or designee.

D. All non-Boulder Police or Fire Department users shall wear an appropriate law enforcement or Boulder Police Department visitor I.D.

E. When outside agencies, departments or organizations are granted use of the training room, the department will provide a liaison to oversee and assist with use of the facility and equipment.

F. Users of the training room are expected to leave the room in the same condition it was found. Equipment must be put away and any trash must be picked up. Any tables and/or chairs moved must be replaced prior to leaving the facility. Users who fail to follow the procedures may be denied future use of the room.

Boulder Police Department
General Order 147
Indoor Range

Effective: March 18, 2015
Replaces: General Order 147, September 1, 2010
Last Reviewed: March 18, 2015

147-1 Safety
147-2 Authorized Personnel
147-3 Access
147-4 Ammunition
147-5 Weapon Cleaning
147-6 Control Room
147-7 Storage
147-8 Equipment Maintenance
147-9 Lead Management

POLICY

The department manages the indoor firearms range in a controlled and safe environment. All members are responsible for safety. The range is used for the purpose of training and testing officers in the use of a variety of firearms. All users must adhere to the rules of the range as established by the department.

PROCEDURES

A. Definitions

1. *Indoor range* – the underground facility in which authorized personnel conduct firearms training.

2. *Control room* - area that contains controls for the target systems, telephones, computers and HVAC system. Only authorized personnel operate systems from this area.

3. *Cleaning room* – the area that is designated and equipped for personnel to clean weapons.

4. *Staging Area* – area where personnel unload and clear weapons, store personal items and receive instruction for training prior to entering the indoor range.

5. *Bullet trap* - collects and contains projectiles that are fired into it.

6. *Safety walls* - walls perpendicular to the bullet trap that have the capability to collect and contain frangible projectiles.

7. *Lead free ammunition* - manufactured in a manner that reduces airborne or aerosolized lead particles in the air.

8. *Frangible ammunition* - manufactured in a manner that allows it to be

used in the bullet trap and safety walls. It also has reduced lead exposure qualities.

9. *Safety ceiling* - series of baffles suspended from the ceiling that when impacted direct the projectile toward the bullet trap.

10. *HVAC system* - provides a clean air flow through the indoor range during live fire training exercises. This system must be operational during live fire training.

11. *Target systems* - ceiling mounted turning target units, ceiling mounted running man unit or portable targets used in the indoor range.

147-1 Safety

All training is conducted in a controlled, safe environment. It is the specific responsibility of the range master and the firearms instructors to insure that the range safety rules are followed for each and every shooter (see addendum). The following firearms safety rules apply to the indoor range and any outdoor range activities.

1. All weapons must be treated as if they are always loaded.

2. Never let the muzzle of a weapon point at anything you are not willing to shoot.

3. Keep your finger off the trigger until the sights are on the target and you are prepared to shoot.

4. Always be certain of the target and beyond.

5. Commissioned members are responsible for the safe storage, carry and transportation of department approved and department owned weapons while on and off duty.

A. No loaded firearm shall be permitted to be handled behind the line of fire.

B. The range master and firearm instructors have authority over the range and all shooting activities.

1. Members reporting to the range for firearms training will unload all their magazines and speed loaders for primary, back-up and secondary weapons prior to entry in containers provided. Firearms will be unloaded in the clearing tube. Unloaded firearms will be re-holstered before entering the range. The only exception to entering the range with a loaded firearm(s) is when duty ammunition will be expended during the firearms training.

2. Members who will be shooting secondary weapons will leave them in the staging room locker until the shooter retrieves it for qualification.

3. Members who will be shooting a back-up weapon must unload it in the clearing tube and re-holster. Magazines and speed loaders will be unloaded and ammunition will be left in a staging room locker or other secure area.

4. Members not shooting back-up or secondary weapons must leave them in the staging room or locked in their locker.

C. The use of the range is restricted to the commissioned members of the department and others as approved by the Chief of Police.

D. Rules governing specific firearm practices and safety procedures in the indoor range are posted at the range in the staging area by the range master. All members shall follow range safety procedures and range safety rules.

1. Access to the indoor range is prohibited to unauthorized personnel.

2. Rules may include the number of personnel and the flow of personnel in the range, bullet trap area, cleaning room and control room.

3. Only the range master or the assigned firearms instructor issues instructions and commands during firearms training and qualification courses.

E. Commissioned members who are certified firearms instructors may function in the capacity of range master when directed by the Chief or department's armorer/range master.

F. Handling of firearms, including loading and unloading, by any personnel at the police firearms range, or at any other training facility, is done according to the procedures established by the range master or assigned firearms instructor.

G. Any person found to intentionally or seriously violate range safety rules and procedures is required to immediately exit the range, and his/her supervisor is advised as soon as practical. During a qualification shoot, this circumstance is considered a failure to qualify.

H. Sound Level Management

1. Instructors establish a baseline hearing level which is monitored biennially by the department at department expense.

2. Hearing protection must be worn in the indoor range. Hearing impairment will be evaluated in consultation with the city's medical provider for determination of continued participation as a firearms instructor.

3. Acoustical wall panels and ceiling panels must be inspected and repaired as needed.

I. Eye Protection must be worn in the indoor range while training, practicing or qualifying with firearms.

147-2 Authorized Personnel

A. Commissioned Boulder Police Department members.

B. Open Space and Mountain Parks Rangers who are commissioned peace officers.

C. Outside agency personnel attending authorized firearms training by Boulder Police Department.

D. Other persons attending firearms orientation, firearms training, weapon demonstrations, ammunition demonstrations or other activities approved by the Chief of Police.

147-3 Access

The department provides access to the indoor firearms range for training, practice, qualification and ammunition and weapon testing by authorized personnel. Use of the range is scheduled in advance through Training.

A. Firearms training, practice and qualification shall be supervised by authorized firearms instructors.

B. Ammunition and weapon testing shall be supervised by the Boulder Police Department range master or his/her designated firearms instructor.

C. Outside agency access to the range must be authorized by the Chief of Police and shall be supervised by the Boulder Police Department range master or his/her designee.

147-4 Ammunition

Only ammunition approved by the Chief of Police or his/her designee shall be used or possessed in the indoor range.

A. Duty ammunition may be expended in the indoor range at the direction of the range master or his/her designated firearms instructor.

B. Lead free ammunition should be expended in the indoor range for training as well as qualification purposes. Lead free ammunition typically has a bullet that encapsulates the entire projectile, has a propellant that has no lead or reduced lead and a primer that has no lead in its composition.

C. Ammunition that is frangible may be lead free or lead reduced. This ammunition is manufactured in department approved handgun, shotgun and .223 calibers. The bullet is a compressed powder composition that allows it to disintegrate upon contact with a surface harder than itself. This bullet may be used in a training environment where targets can be engaged on the safety walls as well as in front of the bullet trap. This ammunition will be dispensed at the direction of the range master.

E. Other ammunition that may be expended in the indoor range at the discretion of the Chief of Police or his/her designee may include less lethal shotgun, Simmunitions, SWAT specialty munitions and .22 rim fire ammunitions.

F. Members who decide to voluntarily practice with their authorized firearms may only use ammunition approved by the department. The member provides his/her own ammunition. Instructors ensure that the ammunition meets or exceeds the performance, design and safety criteria established by the Chief of Police.

147-5 Weapon Cleaning

There is a weapon cleaning room behind the indoor firearms range. After completing an indoor range firearms training event, members are directed to the cleaning room to conduct weapons cleaning.

A. Absent permission from the Chief of Police, no ammunition is allowed in the cleaning room.

B. Members in the cleaning room may not re-enter the indoor range from this area without permission from the range master or firearms instructor.

C. Members that are returning to the cleaning room to clean weapons while the range is open must stop and check in with an instructor prior to cleaning their weapon.

D. The clearing tube will be used when disassembling a weapon that requires the trigger to be pulled.

147-6 Control Room

The police indoor firearms range has a control room that operates various systems for the range.

A. Most of the training is controlled from the control room. Target systems, HVAC systems, lighting, data management and communications are controlled from this room. There are remote control systems that can be used on the indoor range floor, however those systems communicate with hardware located in the control room.

B. Weapons cleaning procedures can be observed by firearms instructors in the control room.

C. A range master or firearms instructor should be stationed in the control room.

D. Only authorized personnel should be in the control room during training exercises.

147-7 Overnight Storage

Storage in the indoor range is for targets, props, range maintenance equipment and cleaning equipment.

A. Weapons will not be stored in the indoor range, staging area, control room or cleaning room.

B. Ammunition will not be stored in the indoor range, staging area, control room or cleaning room.

147-8 Equipment Maintenance

A. Equipment maintenance shall be performed by authorized personnel or department approved vendors.

B. Maintenance records shall be kept by the training unit and facility management unit.

147-9 Lead Management

The department manages Personal Exposure Limits (PEL) to lead in the indoor range through proactive policies and procedures for range personnel, range users, vendors and maintenance workers.

A. The ventilation system must be used and be working properly when firearms training is conducted.

B. Air filters must be changed per recommended guidelines.

C. The bullet trap(s) must be cleaned and cleared on a regular basis.

D. The indoor range will be regularly cleaned to include safety ceiling, safety walls and floor.

E. Lead free, reduced lead or frangible ammunition will be the primary ammunition used for normal firearms training.

F. Only HEPA vacuums will be used to clean unburned powders and particles from the floor.

G. Instructors establish a baseline lead level for blood which is monitored biennially by the department at department expense.

H. Hygiene Practices:

1. Employees are encouraged to wash their hands and face prior to leaving the range.

2. Food, beverages and chewing gum are prohibited in the range.

RANGE SAFETY RULES
Boulder Police Department

1. Shooters will only enter the range at the direction of a firearms instructor. All magazines and speed loaders will be unloaded prior to entry. Firearms will be unloaded in the staging room using the clearing tube and will be re-holstered before entering the range.

    a. A firearms instructor will verbally confirm with each shooter entering the range that all firearms, magazines/speed loaders are empty.

    b. If a shooter has a back-up firearm on their person with which they are going to shoot or train with, it will remain unloaded and holstered. If a shooter has a secondary weapon, it will remain in the staging room locker until the shooter retrieves it for qualification.

    c. Anyone not shooting a firearm on his or her person must leave it in the staging room or otherwise properly stored.

    d. A firearms instructor will insure that anyone entering the range has authorized eye and ear protection.

2. Shooters will be issued their allotted appropriate caliber ammunition by a firearms instructor. Shooters are to load their magazines/speed loaders in the designated area.

3. Firearms instructors will instruct shooters to load weapons (make weapon ready) when they are on the firing line.

4. At the completion of the course of fire and while still on the range, shooters will perform a safe clearing of their weapon with the muzzle pointed downrange; removing the magazine, manually operating the slide (action) to eject any chambered round, lock the slide in the open position, perform visual and physical checks insuring that the weapon is empty and safe and wait for an inspection by a firearms instructor before holstering.

    a. A firearms instructor will perform a visual and physical check of the shooter's weapon, insuring that it is clear and safe; magazine has been removed and the chamber or cylinder is empty and then instruct the shooter to holster their weapon.

    b. An instructor will direct shooters to remove any remaining ammunition from their magazines, speed loaders and person. All unspent ammunition will be handed to a firearms instructor who will return the ammunition to the ammunition cart.

5. After shooters have collected their brass, posted new targets, etc., a second clearing of all weapons/magazines/speed loaders shall be performed on the line, PRIOR to any shooter entering the cleaning room.

    When instructed, shooters with Glock firearms will remove the slide from the firearm.

6. Shooters will conduct a weapon clearing and “buddy check” inside the cleaning room before disassembly of their firearm, when appropriate.

7. After reassembly, shooters performing a function test of their firearm in the cleaning room will use the clearing tube.

Boulder Police Department

General Order 149

Criminal Justice Records Inspection

Effective: June 1, 2016
Replaces: General Order 149, October 16, 2009
Reviewed: May 24, 2016

149-1 Requirements
149-2 Hours
149-3 Timeliness
149-4 Right of Inspection
149-5 Adult Criminal Justice Records
149-6 Juvenile Criminal Justice Records
149-7 Release of Records and Information to the Media
149-8 Written Denial of Inspection

POLICY

The department recognizes the need to establish guidelines regarding the inspection of criminal justice records by the public. This policy is not intended to replace the requirements contained in state statutes, but will provide additional guidance in areas the law does not cover.

PROCEDURES

149-1 Requirements

Community members wishing to view a police report will be directed to Records & Information Services (RIS). All copies of report requests will be completed by RIS personnel to ensure that a record of the request is maintained with the original report. When requesting a police report, community members will be required to fill out and sign a Records Inspection Request form, affirming that such records will not be used for the direct solicitation of business or monetary gain.

149-2 Hours

Records available for inspection may be requested during the hours RIS is open to the public. Law enforcement and credentialed media may request reports during off-hours.

149-3 Timeliness

A. If the record is in the custody/control of RIS, it shall be provided to the requestor within a reasonable amount of time. For time consuming projects, the Custodian of Records or designee will provide an anticipated completion date.

B. Records requested at a Community Police Center (CPC) will require the completion of a Records Inspection Request form, which will be faxed to RIS. RIS will complete the request and e-mail a copy of the report back to the CPC to provide to the community member. RIS will review the report to insure that it is open for inspection prior to e-mailing it to the CPC.

149-4 Right of Inspection

A. The Chief of Police is the official custodian of Records. The Chief and/ or a designee may make such rules as are reasonably necessary for the protection of such records and the unnecessary interference with the regular discharge of the duties of the custodian or their office. The Records Custodian or designee may allow inspection of any criminal justice record that is within their custody or control, as long as said record does not fall under any of the exceptions enumerated in Colorado Statutes including 24-72-301 through 310; 24-7-202 and 204; and CRS 19-10-120.

B. Inspection of any original record is not permitted if there are reasonable grounds to suspect that the record may be damaged, destroyed, altered or removed from the police department without authorization.

C. If the record is not in the custody of RIS, the Records Custodian or designee must notify the applicant of this fact, in writing if requested, and must tell the applicant to the best of their knowledge, where the requested record is located.

149-5 Adult Criminal Justice Records

A. Information Available for Public Inspection:

1. Records of official action: Most law enforcement agencies know records of "official action" as criminal histories or arrest reports.

2. Criminal history information means a listing of Boulder police contacts with an individual.

3. Accident reports

4. Traffic and criminal citations, unless of a criminal nature involving a juvenile defendant.

5. CAD information may be released with appropriate approval with the exception of names of sexual assault victims, juvenile victims or juvenile suspects and medical information as protected by HIPAA.

6. Dispatch audio recordings may be released with appropriate approval with the exception of conversations related to sexual assault, child abuse or medical information as protected by HIPAA.

7. Crime reports, as long as none of the restricted information listed in 149-5B is released.

8. List of registered sex offenders in the City of Boulder.

9. Suicide reports, after next of kin have been notified.

10. With permission of the Chief of Police or designee, non-arrested adult suspect names may be released if the case has been closed, is no longer under investigation, or in some cases, when a case is open if the release of the name will not hinder an investigation and is otherwise in the public interest. In closed cases where no official action has been taken, consideration will be given to individual privacy rights. Redaction is appropriate if those rights outweigh the public interest.

B. Information Not Available for Public Inspection:

1. Sexual assault victim names shall be redacted prior to release of the report to the public.

2. Any reports that meet one of the following criteria cannot be released:

   a. If it is determined it could be contrary to the public interest.

   b. Interferes with law enforcement activities.

   c. Reveals a confidential source.

   d. Discloses investigative tactics and procedures that may hinder an investigation.

   e. Endangers the safety or livesof law enforcement personnel.

   f. Constitutes the unwarranted invasion of personal privacy.

3. Reports of mistreatment or self-neglect of an at-risk adult.

4. Mental Health reports and Emergency Commitment (alcohol) holds cannot be released.

   a. Exception: Mental health case workers may have access in the provision of services or appropriate referrals.

   b. Law enforcement officers may review Emergency Commitment (alcohol) holds or Mental Hold reports. A copy of the report cannot be released.

6. CCIC/NCIC printouts, reports and files are not releasable per Colorado Bureau of Investigation (CBI) policy. When no longer needed, members must properly dispose of CCIC/NCIC criminal history documents by shredding.

7. Intelligence reports, files and FI cards.

8. Gang intelligence reports, files and FI cards.

9. Medical records included in reports may not be released.

10. Report of Death: The death certificate and autopsy report must be released by the Coroner's office as the police department is not the custodian of these records.

11. When the victim requests confidentiality and the reporting or investigating officer believes there is a possibility of retaliation.

12. Reports received from other law enforcement agencies that were not generated by the Boulder police department.

13. Sealed records

C. Sealed Records

   1. Any request for records after sealing must be denied with the response being, “No such record exists.”

   2. For records sealed after July 1, 1996, criminal justice agencies may have access to sealed records.

149-6 Juvenile Criminal Justice Records

A. Information Available for Public Inspection

   1. Reports involving juveniles who commit an act that would

constitute a class 1, 2, 3 or 4 felony, or any crime that involves the use or possession of a weapon,

2. Juvenile victim and witness information contained in written reports can be released unless it involves a victim of child abuse or neglect or a victim of sexual assault.

3. Runaway reports

4. Child abuse or neglect reports can be released when the suspect is the subject of an arrest as long as the victim's name is redacted.

B. Information Not Available for Public Inspection

1. Juvenile arrests and criminal histories.

2. Juvenile suspect unless there is a legitimate public safety concern.

3. Victims of crimes which were committed by a juvenile may obtain juvenile arrest and complaint information only with the approval of the district attorney.

4. Child abuse and neglect reports.

a. Victim names may be released only to:

1. Victim

2. Parent/guardian

3. Child protection teams

4. Department of Social Services

5. Schools, if needed to perform their legal duties and responsibilities.

6. Private adoption agencies

7. Treating physician

b. The name of the victim can be released to the public if the death of the victim has occurred.

149-7 Release of Records and Information to the Media

See General Order 103, Media Relations.

149-8 Written Denial of Inspection

The Custodians of Records may be requested to provide a written statement of the grounds for denial. That statement must be provided within 72 hours and cite the law or regulation under which access has been denied. In computing the 72 hour period, the first day shall be excluded and if the last day is on a Saturday, Sunday or a legal holiday, the period is extended to the next day which is not a Saturday, Sunday, or legal holiday.

Boulder Police Department
General Order 150
Employee Speech, Expression and Social Media

Effective: July 18, 2012
Replaces: N/A

150-1 Guidance for Use
150-2 Privacy Expectation
150-3 Prohibited Speech, Expression, and Conduct
150-4 Unauthorized Endorsements and Advertisements
150-5 Communicating on Behalf of the Department
150-6 Police Applicant Background Investigations
150-7 Personal Use

POLICY

Police employees occupy a trusted position in the community and are rightly held to a high standard of conduct. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and effectively provide service to the public, the Boulder Police Department will carefully balance the individual member's rights against the department's needs and interests while exercising a reasonable degree of control over its member's speech and expression.

This policy provides guidelines and rules for all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all internet services, e-mail, digital files, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, websites, video and other file sharing sites. Integrity is essential while using social media sites.

PROCEDURES

150-1 Guidance for Use

A. On-line activity during working hours or while using department equipment must be primarily business related. Incidental personal use is permitted; however, it must not impede the member's or other member's work or adversely impact access to or the use of the department's electronic resources for business purposes.

B. Be respectful in all communications.

C. Do not participate in political activity or political communication during work hours, when representing the department, when identified as a department member, or when using department equipment.

D. Department members are personally responsible for the content they publish and need to be mindful it will be public

information for a lengthy amount of time.

E. Protect your privacy. Before posting any content, determine what personal information you are comfortable sharing, including family or personal interests. Set privacy settings high, be careful who you befriend, and watch what photos you post. Remember content can be forwarded digitally and manually.

F. When identifying yourself as a department member ensure that content associated with you is consistent with your duties and is an authorized communication or expression.

G. Respect copyright, fair use, and public records laws.

150-2 Privacy Expectation

Members need to understand they forfeit any expectation of privacy with regard to anything published or maintained through file sharing software or any internet site open to public view.

The department also reserves the right to access, audit, and disclose for whatever reason all messages, including attachments, and any information transmitted over any technology that is owned, issued or maintained by the department, including the department e-mail system, computer network or any information placed into storage on any department system or device.

150-3 Prohibited Speech, Expression and Conduct

To meet the department's safety, performance, credibility and public-trust needs, the following is prohibited:

A. Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the department or its employees.

B. Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to the department and tends to compromise or damage the mission, function, reputation or professionalism of the department or its employees.

C. Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination, or illegal behavior.

D. Speech or expression that could reasonably be foreseen as having a negative impact on the safety of any employee of the department.

E. Speech, expression, or sharing in any format that which is in violation of any city ordinance, state or federal law.

F. Use or public disclosure, through whatever means, of any information, photograph, video, or other recording obtained or accessible as a result of employment with the department for financial or personal gain, or without the express authorization of the Chief of Police or designee.

G. Use of department devices to access illegal or inappropriate (such as sexual content) websites for non-authorized purposes. Refer to the city policy, "Computer User Security" for further guidance.

150-4 Unauthorized Endorsements and Advertisements

Unless specifically authorized by the Chief of Police, members may not represent the Boulder Police Department or identify themselves as being affiliated with the Boulder Police Department in order to do any of the following:

A. Endorse, support, oppose or contradict any political campaign or initiative.

B. Endorse, support, oppose or contradict any social issue, cause or religion.

C. Publicly endorse, support or oppose any product, service, company or other commercial entity.

D. Knowingly appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast, or on any website. This does not include being recorded by media in the normal course of police business.

This is not intended to limit member unions from participating in public education efforts or political activity on behalf of their union members.

150-5 Communicating on Behalf of the Department

The Chief of Police, members of Management Staff, Public Information Officer, and any employee authorized by the Chief of Police may communicate and share information on behalf of the department. Members communicating on behalf of the department identify themselves as department members.

150-6 Police Applicant Background Investigations

It is mandatory for officers conducting background investigations on police officer applicants to check any and all social media sites the applicant maintains. This includes blogs, Facebook, MySpace, Twitter, and other public sites.

If the applicant refuses to provide access, the consequences will be discussed and the refusal documented in the report for consideration. If the investigator observes anything he deems suspicious on any of the sites, it will be thoroughly documented.

150-7 Personal Use

Members are encouraged to use discretion while maintaining and updating their personal social media sites. Profile pictures in uniform, twitter tags referencing the Boulder Police Department (i.e., BPDOfficerJoe), conversing about an on-going investigation or call, etc. is not recommended. Members who share information in violation of this policy may be disciplined.

Boulder Police Department
General Order 200
Discretion, Arrest Standards and Enforcement Action

Effective: January 25, 2017
Replaces: General Order 200, July 7, 2016
Reviewed: January 24, 2017

200-1 Limits of Discretion
200-2 Use of Discretion
200-3 Arrest Standards
200-4 Basis for Enforcement Action
200-5 Information Provided
200-6 Juvenile Offenders
200-7 Undocumented Persons

POLICY

The department recognizes that police action varies with the facts and circumstances of each situation. Members exercise discretionary judgment, which is reasonable and appropriate, with the intent of ensuring fairness, safety and security of the community. Members are provided guidance in the use of discretionary judgment to establish a framework for decision making and to protect the public from discriminatory or unfair enforcement of the law.

PROCEDURES

200-1 Limits of Discretion

Members are limited in the use of discretion as defined by and according to:

A. Federal and state laws, city ordinances and case law.

B. Department rules and general orders.

C. Training

D. Recommendations of the 20th Judicial District.

200-2 Use of Discretion

When legal or policy limitations are not defined for a particular situation, members make enforcement decisions with consideration of the following guidelines.

A. Nature and circumstances of the situation or offense.

B. Intention to resolve a situation or problem.

C. Risk to the community.

D. Utilization of the least restrictive alternative, including issuing warnings, when it accomplishes the intent of the law and resolves the situation.

E. Input from the victim/complainant.

200-3 Arrest Standards

Unless otherwise prohibited by ordinance, law, or department policy, officers are allowed to arrest based on probable cause to believe an individual violated a municipal ordinance, state statute or federal law or on the basis of an arrest warrant. When making the decision to make a warrantless custodial arrest, officers

consider the following guidelines and the Boulder County Incarceration Standards (Attachment A).

A. Seriousness of the offense and danger to the community.

1. Felonies require an arrest in most situations.

2. Crimes against persons require an arrest in most situations.

3. Domestic violence cases require an arrest in most situations (see General Order 313).

4. Driving under the influence of, or impaired by, alcohol or drugs requires an arrest absent circumstances that make a custodial arrest impractical, e.g. medical treatment of the suspect.

5. Officers may arrest for driving under restraint (suspension, denial, revocation or cancellation) when such restraint is the result of hazardous moving violations or when it is a multiple driving under restraint offense. For first time offenses on administrative restraints, such as for non-payment, non-driving offenses, no insurance, etc., a summons is appropriate unless other criteria under 200-3 apply.

B. The likelihood that the suspect will re-offend without arrest intervention.

C. Whether the suspect is a failure to appear (FTA) risk. The fact that a person does not reside in the city is not alone probable cause to believe a person will FTA.

D. Influence of drugs or alcohol on the suspect.

E. Whether the suspect has been adequately identified or falsely identifies himself/herself.

F. The person refuses service of a summons.

G. Whether there is a safe alternative to custodial arrest, including:

1. Summons and release.

a. For less serious offenses and most traffic offenses, it is appropriate for officers to issue a summons and release offenders at the scene.

b. Offenders refusing to sign a promise to appear may be arrested when authorized by state statute. Under Rule 204 of the Colorado Rules of Municipal Court Procedures, a defendant is not required to sign a municipal summons. It is sufficient to serve the summons on the defendant with the officer's signature affirming that he/she personally served the defendant.

2. Arrest, summons and release.

a. Certain offenders may be eligible to receive a felony summons. The felony summons process and eligibility are outlined in the Boulder County Incarceration Standards (Attachment A).

3. Release to a responsible person.

200-4 Basis for Enforcement Action

In making law enforcement decisions, officers may not use race, ethnicity, gender, national origin, language, religion, sexual orientation, gender identity, age, disability to any degree or immigration status except that officers may rely on the listed characteristics in a specific

suspect description. Enforcement actions, stops, detentions and arrests are based on articulable, objective reasons, facts or observations.

A. Officers do not contact a person based solely on a "Soundex" match (the practice of running a license plate to obtain registration information, then using that information to run the owner's name without a date of birth or other identifying information). A Soundex match only means the name entered matches the name on a warrant and is not confirmation that the officer has the right person. A Soundex listing does not constitute reasonable suspicion and officers must have other articulable reasons to make a stop. In the event an officer is in contact with someone who matches a Soundex listing, the officer proceeds cautiously and obtains further information before detaining the person or placing the person in restraints.

200-5 Information Provided

On traffic stops, when no summons is issued or arrest made, officers provide the driver with a business card bearing their name and department phone number(s).

On all other stops, detentions and arrests, officers advise the person(s) of the reason and nature of the stop, detention or arrest. Department members provide their title and name and/or their business card bearing their name and department phone numbers(s), when requested.

200-6 Juvenile Offenders

In dealing with juvenile offenders, officers use the least stringent enforcement alternatives that are consistent with the severity of the offense, preserving public safety, order and individual rights. In addition to arrest and/or summons to court, this may include diversion opportunities, outside agency referrals, or restorative justice programs.

200-7 Undocumented Persons

Member's act pursuant to Boulder Municipal Code (BRC) 12-5, which provides direction regarding inquiries into and actions (prohibited and permitted) based on a person's immigration status.

A. Prohibited activities, except as provided in 200-7 B:

    1. No member shall inquire about a person's immigration status.

    2. No member shall take any action based on a person's immigration status.

    3. No member shall cooperate with any federal authority with respect to any investigation of a person's immigration status.

    4. No city funds shall be used to assist with any investigation into a person's immigration status or to assist with the enforcement of federal immigration law.

    5. No city funds shall be used to assist in the detention of any persons suspected immigration status.

B. Permitted activities, nothing in this policy shall prohibit:

    1. Any member from discussing a person's immigration status as part of a service request from that person.

    2. Any member from obeying a lawful order issued with all of the protections of the United States Constitution, including but not limited to probable cause and due process.

    3. Any member from taking action to protect a person or respond to an emergency.

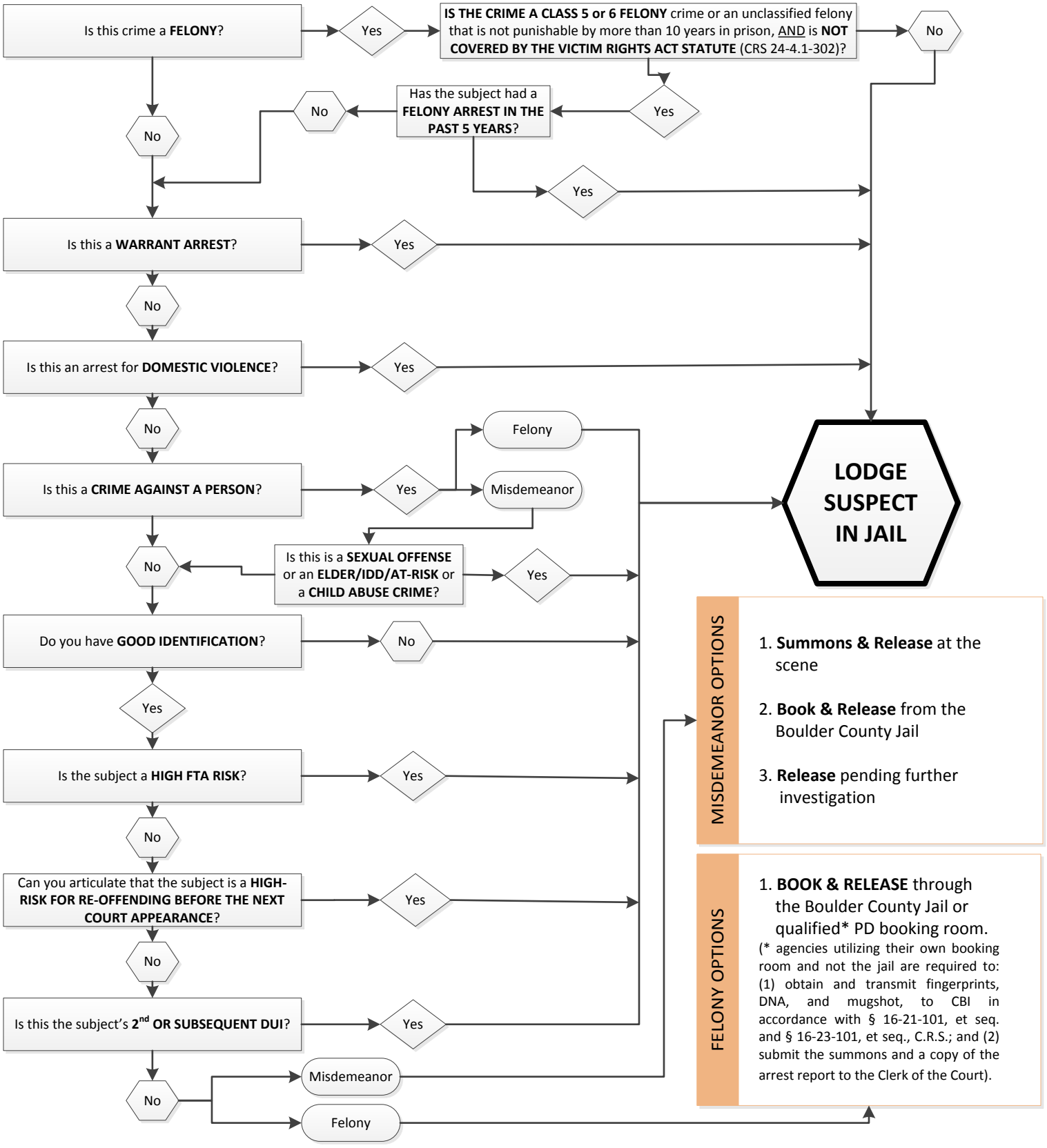
4. Any police officer from investigating or assisting with investigations of criminal activity other than a violation of immigration law.

BOULDER COUNTY SHERIFF'S OFFICE

INCARCERATION STANDARDS

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

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



Boulder Police Department
General Order 201
Report Writing

Effective: October 30, 2013
Replaces: General Order 201, March 18, 2010

201-1 General Requirements
201-2 Reporting Guidelines
201-3 Reporting Guidelines at the Community Police Centers
201-4 Report Form Guidelines
201-5 Report Review
201-6 Call/Incident Documentation Through the Use of Electronic CAD Notes
201-7 Destruction of Officer Field Notes
201-8 Court Testimony Based Upon Reports
201-9 Online Reporting

POLICY

Department members write complete reports to ensure that facts and circumstances relevant to criminal and non-criminal incidents are properly recorded.

PROCEDURES

201-1 General Requirements

Calls for service/reports that are dispatched to officers are taken in person unless phone contact is specifically requested or personal contact is not practical. The following are the minimum requirements for all reports submitted by department members.

A. The information obtained is accurately and objectively stated in a clear and concise manner.

B. Reports are filled out as completely as possible.

C. The location of the occurrence includes the street address (or approximate location), city, state and zip code.

D. The details of the incident and the sequence of events are arranged in chronological order.

E. Reports are written in first person.

F. Spelling and grammar are checked and verified.

G. Abbreviations may be used if they are defined the first time they are used.

H. Reports must be generated using the Records Management System (RMS) unless the computer system is unavailable. When handwritten, reports are legible and appropriate upper and lowercase format is used.

201-2 Reporting Guidelines

Any criminal or non-criminal incident may require a police report. In many cases, the investigating officer uses his/her discretion to determine the proper documentation of an incident. If an officer has a reasonable belief that a crime occurred, the incident is documented as a crime report. A report *must* be taken in the following circumstances:

A. Any arrest

B. Any crime that constitutes a class one misdemeanor or felony, even if the victim does not want to prosecute.

C. Felony criminal attempts

D. Assaults involving injuries that are likely to require medical attention, even if the victim does not want to prosecute.

E. Incidents involving possible sexual assaults.

F. Domestic violence or incidents involving possible domestic violence cases.

G. Unattended deaths

H. Suicides and suspected suicide attempts.

I. Reports of child abuse or neglect.

J. Recovered stolen property.

K. Incidents for which the victim or complainant requests that a report be taken.

L. Incidents for which a recording of the circumstances is beneficial to explain action taken or the lack of action taken.

M. When a summons is issued and the notes are not sufficient to adequately document involved persons or the details of the incident.

N. When an on-duty officer discharges a firearm for any reason other than training.

O. When an officer seriously injures or kills any domestic animal or wildlife per guidelines in GO244, Animal Response.

201-3 Reporting Guidelines at the Community Police Centers and Records Front Desk

Trained non-commissioned staff is authorized to generate the following types of reports (with the exception of domestic violence cases).

A. Third Degree Assault with minimal suspect information or evidence (cold).

B. Check fraud/bad check

C. Credit card fraud

D. Criminal impersonation

E. Criminal mischief

F. Embezzlement with or without suspect information.

G. Follow-up information

H. Forgery (all except counterfeit bills and prescriptions)

I. Found property

J. Harassment

K. Indecent exposure (cold only)

L. Lost property

M. Prowler (cold only)

N. Runaway/missing person over 12 years of age with no suspicious circumstances.

O. Suspicious incidents (cold only)

P. Tampering (including mail tampering)

Q. All misdemeanor thefts

R. Felony thefts with no suspect information.

S. Second and Third Degree Criminal Trespass (cold)

T. Cold hit and run accidents, cold property damage accidents and cold injury accidents.

U. Identity theft

V. Other property crimes with no suspect information and the passage of time makes the processing of evidence improbable.

W. Internet/e-mail scams

201-4 Report Form Guidelines

A. Format

1. If a crime is committed it is classified as a crime and not an incident, regardless of whether the victim wants to prosecute.

2. A single criminal episode with multiple victims at one location requires one report number. For one crime report to be drawn, offenses must have occurred during unbroken time duration and at the same or adjoining locations.

3. Financial crimes impacting one checking or credit account are reported under one case number, regardless of the number or location of the uses.

4. Each person involved in the incident, or mentioned in the narrative, is indexed on the police report or supplement.

5. Supplemental reports are written under the original report number.

6. Estimates of dollar amounts for damages or loss of property are required.

B. Persons involved

1. All persons involved are indexed on the police report. When known, the report contains the complete name, address, phone numbers, business address, date of birth and physical description of all persons involved. The notes section is utilized when it is necessary to summarize the role of the persons involved.

2. Officers who had an active role in the incident are indexed. The notes section is used to summarize the officer's involvement. Officers need not be indexed if they complete their own supplemental report.

3. Fire and ambulance personnel are indexed using the fire department prefix. Doctors and/or medical personnel are indexed using the last name and first initial. The notes section is used to summarize these individuals involvement.

C. The summary is a brief description of the nature of the report which includes the venue and disposition.

D. The narrative is a detailed description of the events, facts, evidence, interviews, officer's observations and actions, in chronological order, including (when applicable):

1. How the call was received, including the date and time.

2. The officers who responded and their involvement including Police Training Officers (PTO's).

3. Answers to the questions: Who? What? Where? When? How? Why?

4. No police jargon or slang.

5. Indication of the elements of the crime as identified in the Colorado Revised Statutes and/or Boulder Revised Code.

6. Description of how the crime scene was processed, the nature and quality of the evidence, where the evidence was found and whether a canvas was completed. If the scene was not processed, an explanation of why is necessary.

7. Results of the investigation, pending charges and any follow-up that is needed.

E. The property section of the report includes fields for entry of individual items and a property narrative section.

1. Item entry tabs: Individual items being submitted to Property and Evidence are entered on these tabs.

2. Property narrative: The property narrative is used as needed to clarify information for items already entered on the entry tabs.

F. For crime reports, the status indicates one of the following options.

1. Open: The report contains leads or details which require further investigation; the case will be assigned to the reporting officer or an investigator for follow-up.

2. Closed: No follow-up investigation is required or practical; no one will be assigned to the case.

3. Unfounded: Through investigation, the complaint has been determined to be false or baseless.

4. Cleared: A suspect has been arrested or issued a summons or the case has been direct filed by the district attorney's office.

5. Exceptional Clearance: A suspect has been identified and probable cause exists to believe that a crime was committed by the suspect and the location of the suspect is known, however, due to one of the following circumstances, an arrest or issuance of a summons is not completed.

   a. Death of the offender.

   b. Offender prosecuted by an outside jurisdiction.

   c. Extradition denied or prosecution declined by the District Attorney.

   d. Victim refuses to cooperate with a prosecution.

   e. Juvenile diversions or referrals to restorative justice programs.

G. For incident reports, the status indicates either "Open" or "Closed."

201-5 Report Review

Reports are submitted for review as soon as possible, and must be completed prior to the end of the work day. Any exception requires supervisory approval.

Arrests are reviewed by the on-duty supervisor throughout the shift. All arrests must be supervisor approved before the member's end-of-shift.

B. Unapproved reports

1. All reports are reviewed by a supervisor to ensure that report writing guidelines have been met. Reports are returned to the author of the report as "unapproved" for the following reasons:

   a. Deviation from the established format.

   b. Poor grammar that adversely impacts readability or frequent misspelled words.

   c. Failure to collect physical evidence, process crime scenes or document unsuccessful attempts. In the event no attempts were made, an explanation is required.

   d. Failure to complete a neighborhood canvass or provide a reason for no canvass.

   e. Failure to establish the elements of the crime.

   f. Information missing from the incident, persons or property tabs or narrative.

   g. Reports that are not properly linked.

   h. Missing or incomplete paperwork.

   i. For any other reason deemed appropriate by the supervisor.

2. Incomplete reports

   a. At a minimum and with supervisory approval, members must complete the incident and persons tabs and a brief summary.

   b. The member completes the report the next day. In no case is a report held during days off or while the member is on vacation.

C. After reports are approved by a supervisor, they are submitted electronically to Records.

D. Records supervisors have the discretion to correct minor mistakes in reports if changes do not affect the overall content.

201-6 Call/Incident Documentation Through the Use of Electronic Computer Aided Dispatch Notes

Incidents that do not require a report per 201-2 may be documented through the use of the Computer Aided Dispatch (CAD) system in the form of electronic notes.

A. CAD notes may be used in lieu of a full report in the following type of circumstances:

   1. Minor disputes resolved by the officer in which no charges are filed. Examples would be an argument between two neighbors or minor civil disputes.

   2. Cases of minor criminal behavior (less than class 1 misdemeanors) in which no one wants to press charges and the officer believes the issue has been resolved.

   3. To document any information an officer believes is beneficial in reference to a call for service or initiated activity, but does not rise to the level of requiring a report.

B. CAD notes are not used to document premise hazards, officer safety information, or in lieu of FI cards for suspicious per-

sons/activity or required warnings (i.e., noise, trespass warnings) or required reports.

C. Each relevant person involved in the incident should be listed at the beginning of the narrative by their last name, first name and date of birth.

201-7 Destruction of Officer Field Notes

Because of the inherent limitations on case file storage, the department allows members, at their discretion, to destroy their field notes after they have written their reports and such reports have been approved by a supervisor.

201-8 Court Testimony Based Upon Reports

Members understand that in subsequent court proceedings involving an incident, they may be questioned about items that they did not include in their reports. Members know that when questioned about items that are not in their reports, they testify to the best of their recollection about the issue and explain why it was not in the report.

201-9 Online Reporting

A. The Boulder Police Department supports online reporting to provide citizens the opportunity to self-report specified crimes and non-criminal incidents over the Internet. Online reports may be completed by citizens through an internet interface. The types of reports that may be filed online must meet all the following criteria.

1. Non-emergency event

2. Non-violent crime

3. No suspect information

4. The type of report has been approved by the Chief of Police for online reporting.

B. Access to online reporting is through the Boulder Police Department Internet home page.

C. The specific types of reports available for online reporting are described on the online report form instructions.

D. The public may utilize the online reporting system twenty-four hours a day, seven days a week, by following the online report instructions.

E. People utilizing the online reporting system are expected to provide the information necessary to complete the report process (i.e., call-back telephone number or email address).

F. Communications procedures

1. The dispatcher (or call taker) determines whether the call for service meets the criteria for online reporting.

2. If the call meets the criteria, the dispatcher advises the reporting party of the online reporting service offered by the Boulder Police Department and provides the website address.

3. If the reporting party chooses not to use the online reporting service, the call is dispatched or referred according to Communications protocols.

G. Community Police Center (CPC)/Records and Information Services responsibilities

1. CPC personnel have primary responsibility for downloading and reviewing online reports on a regular basis. Records personnel have the same capability as CPC personnel for downloading and reviewing reports in the event CPC staff is not available.

2. CPC personnel review the online reports and verify that they meet the online reporting criteria. If a report does not meet the criteria, the reviewing CPC member contacts the Communications Center to have the report reassigned according to Communications protocols.

3. CPC personnel review the reports for completeness and assign case numbers. CPC personnel notify the complainant of the case number by email, telephone, or U.S. Postal Service.

4. If there is information missing from a report, CPC personnel contacts the complainant by telephone or email to obtain the missing information.

5. CPC personnel are responsible for entering required data into the Records Management System (RMS).

Boulder Police Department
General Order 202
Jurisdiction

Effective: July 14, 2015
Replaces: General Order 202, June 26, 2002
Reviewed: July 7, 2015

202-1 On-duty Authority
202-2 Off-duty Authority
202-3 Restrictions on Acting While Off-duty
202-4 Action is Discretionary
202-5 Guidelines for Exercising Authority While Off-duty
202-6 Reporting Responsibilities
202-7 Injuries

POLICY

Commissioned members are authorized to enforce the ordinances of the City of Boulder and the laws of the State of Colorado and the United States and members carry out all duties specified in the City Code and Charter.

PROCEDURES

202-1 On-duty Authority

A. Within city limits. On-duty officers have full peace officer authority within the City of Boulder. The Chief of Police may limit these powers when appropriate.

B. Outside city limits, within the State of Colorado. On-duty officers outside the city limits may:

1. Take enforcement action when they are attempting to contact a suspect who has violated city, state, or federal law;

2. Execute search warrants or make a pre-planned arrests when they are accompanied by an officer from the jurisdiction in which the action is being taken;

3. Take enforcement action when they are assigned to a multi-agency law enforcement group;

4. Take enforcement action when they are present in that jurisdiction pursuant to a mutual aid request;

5. Take enforcement action when they are acting pursuant to an intergovernmental cooperation agreement; or

6. Take enforcement action when they observe a felony or misdemeanor occur in their presence.

C. Outside State of Colorado. Boulder officers have no police jurisdiction outside the State of Colorado unless assigned to a multi-agency law enforcement group with federal jurisdiction.

202-2 Off-duty Authority

Within the State of Colorado, an off-duty officer is authorized to exercise his/her authority when a felony or misdemeanor is committed in the officer's presence that involves the use or threatened use of physical force, creates a serious danger to others, or involves significant damage to or loss of property.

202-3 Restrictions on Acting While Off-duty

A. Officers do not take any off-duty police action prior to obtaining state certification.

B. Off-duty officers may not stop or arrest for any traffic violations unless those violations create a serious danger to others and immediate intervention is necessary.

C. Off-duty officers may not initiate or engage in a motor vehicle pursuit, but may follow a suspect in a vehicle if the officer obeys all traffic laws.

D. Absent exigent, life-threatening circumstances, an off-duty officer may not take action pursuant to this general order if the officer has a reasonable belief he/she is impaired by alcohol or prescription medication.

202-4 Action is Discretionary

Taking action outside the Boulder Police Department's jurisdiction and/or while off-duty is discretionary. This general order is for department use only and expressly does not create any duty to third parties.

202-5 Guidelines for Exercising Authority While Off-duty

Off-duty officers acting under the provisions of this general order may exercise full peace officer authority when they reasonably believe there is a compelling need for immediate police intervention. The officer:

A. Identifies him/herself as a peace officer prior to taking action, if possible;

B. Adheres to all Boulder Police Department rules and general orders; and

C. Considers the safety of the officer's companions or any bystanders.

202-6 Reporting Responsibilities

A. After an officer exercises police authority while acting outside the department's jurisdiction, the officer immediately notifies the law enforcement agency having jurisdiction and remands any detained person to the custody of that agency.

B. An officer involved in any type of enforcement action while off-duty contacts, as soon as practical, the on-duty Boulder Police Department supervisor and informs him/her of the circumstances surrounding the incident. The supervisor then makes any necessary notifications.

C. The officer involved submits an incident report stating the details of the incident and, if force was used by or against the officer, a department use of force form is completed.

202-7 Injuries

Any officers who sustain physical injuries as a direct result of actions he/she has taken pursuant to this general order is eligible for Workers' Compensation benefits as specified in the Colorado Revised Statutes. Any actions taken by an off-duty officer that are in compliance with this general order are considered by the City of Boulder as occurring on-duty.

Boulder Police Department
General Order 203
Investigative Responsibility and Case Assignments

Effective: March 4, 2010
Replaces: General Order 203 March 14, 2006

203-1 Investigative Responsibility
203-2 Case Assignments
203-3 Case Processing

POLICY

The department utilizes general and specific guidelines for assigning and managing the investigation of both routine and major cases. In general, the responsibility for conducting follow-up investigations of felony and violent crime rests with the Detective Section, and the responsibility for conducting follow-up investigations of routine misdemeanor and traffic cases rests with the Patrol Section, usually with the reporting officer.

PROCEDURES

203-1 Investigative Responsibility

The following guidelines are intended to assist supervisors with making decisions on case assignments.

A. Patrol Section

1. Responding officers:

   a. Are generally responsible for preliminary investigations. For those incidents requiring detective call-out (see General Order 215, Mandatory Notifications), patrol officers may conduct the preliminary investigation to the extent that any immediate danger is removed, aid is provided to injured persons; conditions, remarks, and events are documented; witnesses are separated; and the crime scene is secured;

   b. Apprehend suspects at or fleeing the scene;

   c. Are responsible for securing the crime scene and protecting evidence;

   d. Normally conduct misdemeanor follow-up investigations;

   e. Are responsible for processing misdemeanor and non-serious crime scenes;

   f. Are responsible for calling out a crime scene investigator to process crime scenes in serious cases, or those requiring a higher level of expertise; and

   g. In the case of a major crime scene, refer to the major crime scene management checklist (attached) for guidance.

2. Crime scene investigators:

   a. Are responsible for processing crime scenes at those incidents that require a higher level of expertise; and

   b. Work at the direction of a criminalist for those incidents requiring a criminalist call-out;

c. Process crime scenes at the direction of a detective for those incidents requiring a detective call-out.

3. Patrol supervisors:

a. Authorize follow-up efforts by patrol officers for those incidents that do not require detective call-out;

b. Notify Detective Section personnel of those incidents that require detective call-out;

c. Ensure that the crime scene is processed when detective personnel do not respond; and

d. In the case of a major crime scene, refer to the major crime scene management checklist (attached) for guidance.

B. Traffic Unit

In general, reports involving motor vehicles as the instrument of a crime (traffic infractions, petty offenses, misdemeanors) are followed-up by the reporting officer. Hit and run accidents, serious violations, and felony cases that cannot be resolved by the reporting officer are forwarded to the Traffic Unit for follow-up and disposition. In the event of a traffic accident that may result in vehicular assault, vehicular homicide, or attempted vehicular assault or homicide charges, a Traffic Unit supervisor is notified, and Traffic Unit officers are generally dispatched to conduct the investigation.

C. Detective Section

1. Detectives:

a. Are generally responsible for follow-up investigations of serious/complex misdemeanor cases, domestic violence (DV) cases, and felony cases;

b. Coordinate the preliminary and follow-up investigations of those incidents requiring detective call-out; and

c. Are responsible for ensuring that the crime scene is processed at those incidents requiring detective call-out.

2. Detective supervisors:

a. Either ensure that a detective responds or determine the extent to which a patrol officer conducts the investigation of those incidents requiring detective call-out;

b. Assign cases for investigative follow-up; and

c. Supervise investigative efforts by detectives.

D. Property and Evidence / Criminalists

1. Property and Evidence Personnel:

a. Are available to respond to a major crime scene to assist with evidence marking, packaging, and transportation;

b. While on a scene, work at the direction of a detective or traffic supervisor, or the detective or traffic investigator responsible for the crime scene.

2. Criminalists:

a. Are available to respond to a major crime scene to search for, document, process, and collect physical evidence;

b. While on a scene, work at the direction of a detective or traffic supervisor, or the detective or traffic investigator responsible for the crime scene;

c. Perform specialized processing and examinations of physical evidence within the capabilities of the department's crime laboratory.

203-2 Case Assignments

A. With the exception of DV cases, or serious/ complex cases, open misdemeanor cases are reviewed by a detective supervisor for solvability, and assigned to a patrol officer for follow-up and final disposition, if appropriate. This includes open reports taken by civilian report specialist personnel. Misdemeanor cases are not forwarded to the Detective Section unless the patrol officer has exhausted all options available to him/her to resolve the case, or in the case where an exigent need exists to obtain an arrest warrant for a suspect (due to the potential of physical danger to a victim) and a detective is needed to obtain the warrant.

B. Detective supervisors review cases referred for further investigation on the basis of case assignment criteria guidelines (below) to determine whether there exists sufficient solvability potential to warrant assignment to detectives.

1. Cases that are assigned based upon their seriousness or danger to the community, regardless of solvability potential include:

   a. Suspicious deaths;

   b. Kidnappings;

   c. Assaults involving serious bodily injury or deadly weapons;

   d. Aggravated robberies;

   e. Felony sexual assaults;

   f. First degree burglaries or burglaries occurring within dwellings while the residents are at home;

   g. Arsons to dwellings or occupied structures;

   h. Bias motivated crimes;

   i. Sex crimes against children;

   j. Felony child abuse; and

   k. Missing persons with suspicious circumstances.

2. Cases not in the above category are assigned for follow-up investigation if:

   a. The suspect is in custody;

   b. The suspect can be named, is known, or can be located;

   c. The suspect vehicle's license plate number is known;

   d. The suspect vehicle can be located;

   e. The stolen property can be lo cated;

   f. A significant modus operandi is present;

   g. Significant physical evidence is available; or

   h. A belief exists that the case can be solved with the exercise of reasonable investigative effort.

3. Cases that include the following criteria may be assigned based upon supervisory discretion:

   a. A suspect can be described or identified;

   b. The suspect vehicle can be described or identified;

   c. Property can be identified or serial numbers have been provided;

   d. Significant property loss or damage occurred;

   e. Identifiable latent fingerprints were obtained from the scene;

   f. Blood, hair, fibers, or less positive identifiers were obtained from the scene;

   g. Any other physical evidence was present that might identify the suspect; or

h. The original investigation was not properly completed.

4. After the decision has been made to assign a case, the detective supervisor assigns the case to a detective(s).

5. Cases that do not meet the previous criteria are forwarded to assigned personnel who make the appropriate outreach contact. Cases that do not meet the criteria but are of significant informational importance may be forwarded as information to all, or groups of, detectives.

203-3 Case Processing

A. When a case is assigned to an officer or detective for follow-up, the supervisor ensures that the assigned officer or detective receives notification that the case is assigned to him/her for follow-up. An original copy of the report is forwarded to the Records and Information Services (RIS) Section following standard report approval procedures.

B. Once a patrol supervisor has approved and assigned an open misdemeanor case to a patrol officer, the assignment is noted in the automated records management system. Detective supervisors are responsible for making this entry and for tracking cases assigned to detectives.

C. When a report is cleared or closed by an investigating officer or detective, a supplemental report is completed and forwarded to the officer's or detective's supervisor. Once approved, the report is forwarded via normal channels to RIS. In the case of closed or cleared investigations from patrol officers, the approving supervisor ensures that the disposition of the case has been entered into the automated records management system. Detective supervisors accomplish this for the Detective Section.

MAJOR CRIME SCENE MANAGEMENT CHECKLIST
Boulder Police Department - Patrol Division

A. ARRIVAL AND ASSESSMENT

- ☐ Establish perimeter/secure area.
- ☐ Render aid to victims/ensure scene is safe for medical response.
- ☐ Coordinate arriving units.
- ☐ Record names and unit numbers of fire/rescue personnel and officers on scene (remove unneeded personnel from scene ASAP).
- ☐ Assign officer to escort or ride with victim to hospital.
  1. Secure clothing, evidence, statements.
  2. Camera and tape recorder to hospital as well.
- ☐ Initial assessment: does this appear to be a crime or possible crime?
- ☐ Assess need for an immediate suspect arrest. P.C.? Evidence present on person? Exigency? Assign officer to any suspect(s).

B. ESTABLISHING COMMAND

- ☐ Designate command. Who=s in charge? Command name?
- ☐ Designate common channel (code 3, if needed).

C. STABILIZE AND SECURE SCENE

- ☐ Clear crime scene area ASAP and establish a perimeter. Tape off. Record time. Establish crime scene security. Appoint personnel, **start log**, record time. Possible assistance from B.E.S., B.C.S.D., etc.?
- ☐ Assign officers to locate, separate, and obtain initial statements from witnesses.
- ☐ Begin initial area canvas. Assign personnel. Record info on all contacts.
- ☐ Establish command post/staging area.
  1. I.C.V. or other vehicles?
  2. Building or home we can use?
  3. Secure area for equipment?
  4. Bathroom facilities?
- ☐ Obtain case # and have it broadcasted.

(see reverse)

D. NOTIFICATIONS

- ☐ Detective supervisor paged.
- ☐ Coroner paged.
- ☐ PIO paged.
- ☐ Staff paged.
- ☐ Victim Services paged.
- ☐ Notify Records at #3300 for info.

E. MAINTENANCE

- ☐ Key witnesses separated, officer assigned, secured or transported to PD. Begin taking written statements.
- ☐ Suspect(s) secure, Mirandized, hands bagged? Officer assigned. Record any statements.
- ☐ Perishable evidence protected from elements or tampering.
- ☐ Begin photography of overall scene from outside of secured area.
- ☐ Select staging/briefing area for media.

F. TRANSFER OF COMMAND

- ☐ Meet and brief detective supervisor, PIO, and staff officer.
- ☐ Help determine need for warrant.
- ☐ Assist detective supervisor and PIO in preparing initial statement for press release.
- ☐ Help assess further staffing needs and assign personnel.
- ☐ Direct all patrol reports to be completed ASAP and turned-in to one supervisor/detective prior to EOW.
- ☐ Make arrangements for needed equipment, personnel, etc., to respond.
- ☐ Transfer command to detective supervisor.

Boulder Police Department
General Order 204
Property and Evidence

Effective: October 1, 2014
Replaces: General Order 204, October 3, 2013

204-1 Standard Packaging
204-2 Marking and Packaging Evidence
204-3 Special Packaging
204-4 Packaging for Subsequent Submission to Laboratory
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204-9 Collection and Storage of DNA Evidence
204-10 Submitting Trace Evidence from Examinations
204-11 Problems with Property Reports or Logged Items
204-12 Analyzing Evidence
204-13 Department Crime Laboratory and Criminalists
204-14 Use of Clean Room
204-15 Outside Laboratory Analysis
204-16 Maintaining Custody
204-17 Processing by P&E Personnel
204-18 Return of In-custody Property to Storage
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204-20 Disposition Procedures
204-21 Photographing or Videotaping Evidence Prior to Return
204-22 Property and Evidence Responsibilities
204-23 Property and Evidence Security
204-24 Spot Audits and Inventories

POLICY

Department members are responsible for the proper collection, preservation, marking, packaging, storage, and submission of evidence for analysis from the crimes and incidents they are called to process.

Members make every effort to package and mark evidence to protect it from contamination, alteration, damage, destruction, and to preserve the integrity of the evidence through the prosecution stages of a case.

Department members who take an individual into custody are responsible for the safekeeping of their personal property. Personal property may be left with a friend or family member if both parties agree. Otherwise, it is left with the owner at the jail or other care facility or placed into Property and Evidence.

PROCEDURES

204-1 Standard Packaging

A. Submitting members package all items properly and appropriately unless the shape

or size of the item makes it impractical to do so. In such cases, items are tagged securely with identifying information (tag & bar code).

1. Packages are sealed with evidence tape and the seal is marked with the date, employee initials and the employee number of the submitting officer. Members securely affix a Records Management System (RMS) Bar Code Label to the outside packaging of the item.

2. Multiple trace evidentiary items from the same source (i.e., fingerprint cards) receive only one numeric designation. (It is therefore essential that the individual item or package is marked with information on the collector, origin, and placement).

3. All items submitted to Property and Evidence (P&E) must be sealed with evidence tape or appropriate seal/tag device. P&E personnel will not accept unsealed or improperly sealed evidence. Any unsealed or improperly packaged items are left in the evidence intake bin until the submitting member or supervisor has been notified and the submitting member has properly sealed the package.

204-2 Marking and Packaging Evidence

A. When marking evidence directly (not on the packaging or tag) the following guidelines apply.

1. Markings are as small as possible and in an area not normally visible on the item's outer surface.

2. Markings are not easily duplicated.

3. Markings are placed to prevent alteration, contamination, or destruction of the item's evidentiary value or reduction of its market value.

4. Markings are made as soon as practical by the member submitting the item.

5. Members do not normally mark an item if it bears a permanently inscribed serial number, or if marking would change or damage the item or likely damage the evidentiary value of the item, or if the item is a flag. Instead, these items are tagged or packaged individually.

B. Some items require special consideration when being marked so as not to destroy the evidentiary value of the item.

1. Ammunition cartridges are not normally marked. Cartridges and shell casings are individually packaged and the packaging marked. They are marked and numbered according to their position in a cylinder (with a corresponding diagram) or their position in a chamber or magazine, from top to bottom. Cartridges or casings collected from a scene are accompanied by a corresponding diagram showing the location from where they were collected.

2. Trace evidence cannot be individually marked. It must be packaged and the packaging marked. The preferred method for collecting such items is to collect and package the object on which they are deposited, i.e., bed sheets and sofa cushions, rather than collecting and packaging the evidence itself. Such items are packaged in bindles of brown (undyed and unbleached) paper, marked and labeled, and then placed in envelopes and re-marked. The markings include the location of the evidence (left, right, etc.), the name of the member who collected it, and the

time, in addition to information normally marked. The outer envelope is sealed with initialed evidence tape.

C. Victim/witness statements are normally attached to the original report and submitted to the Records Section. If the investigator believes that the written statement has evidentiary value other than the statement itself (prints, handwriting sample, etc.), he/she photocopies the statement and submits the original to P&E and the copy to Records.

204-3 Special Packaging

A. Unpreserved body fluids include blood, semen, and urine. Liquid samples are packaged in glass vials or plastic specimen cups, sealed and submitted via the P&E refrigerator by the member. P&E staff will then refrigerate or freeze the item as necessary per contemporary standards, guidelines and procedures.

1. The submitting member clearly labels the container as to its contents. In addition to the standard marking requirements, the submitting member must indicate the donor's name, date of birth, and gender, and the name of the person who drew the sample.

2. Normally, biological fluids collected from a crime scene are air dried, and then packaged in paper. The preferred method for collection is to collect the object upon which the sample has been deposited, and submit the entire object after air drying (e.g., shards of glass with blood on them, bloody clothing, semen stains on sheets). When impractical to do so, fluids may be swabbed, air dried, and submitted in paper packaging.

B. Sharp objects present a special hazard to P&E personnel and need to be packaged and marked to prevent injury.

1. Broken glass, syringes with evidentiary value, knives, etc., are packaged in rigid containers and marked with a "Caution" notice and description of the item. P&E stocks rigid cardboard containers and syringe tubes for this purpose.

2. Syringes used for blood draw specimens, or that are "found property," are not placed into P&E, but are disposed of in a "Sharps Container" provided for biological hazardous waste.

C. Projectiles recovered from a person during surgery or autopsy are rinsed and then rolled in tissue, and placed in a pill box, vial, or empty, clean film canister. The container is then placed in an envelope to facilitate standard marking and sealing of evidence.

D. Items that may contain fingerprints are typically packaged in paper. However paper items that may contain fingerprints should be packaged in plastic to protect the prints.

E. All explosives with the exception of standard ammunition and reasonable quantities of fireworks are considered unsafe for members' handling and inside storage. Members do not take such items into their custody. Bomb technicians are called upon to handle, dispose of, and/or store explosive materials.

F. Prior to submitting firearms to P&E, members ensure that they are rendered safe. Firearms are unloaded in the designated safe area by the submitting member prior to submittal. If an employee does not possess adequate firearms training receives a firearm that is to be submitted to P&E, he/she contacts a commissioned member to render the firearm safe and make the submittal.

1. In special circumstances, a primary investigator or supervisor may determine that weapon(s) recovered from crime scenes should be left in their found condition (loaded) until necessary testing can be accomplished. Or, in some cases, it may not be possible to clear an unusual or damaged weapon. In these cases, the firearm is placed in an intake bin and clearly placarded as a "Loaded Gun" with caution indicators. Detectives have used bullet proof vests that may be placed over the barrel for added safety. P&E personnel do not move or handle the weapon. It is the responsibility of the submitting member or primary investigator to make appropriate arrangements for transporting, testing, and clearing such weapons. The department armorer may assist with these matters.

2. Revolvers are unloaded and the positions of live and spent ammunition cases are diagrammed. The revolver and all ammunition are packaged separately. Automatic and semiautomatic weapons are rendered safe by removing the magazine and clearing the chamber. The position of rounds in the magazine are identified and packaged separately. The weapon, magazine and round (s) recovered from the chamber and magazine are packaged separately.

3. Firearms boxes are clearly placarded to indicate that they contain a loaded or unloaded weapon. The box indicates the direction of the barrel and the firearm is secured inside using zip ties.

G. When submitting cash to P&E, the member counts the money in the presence of a witness (a witness is not needed for amounts of cash less than $50; a supervisor is required to witness any amount over $1000). The cash is sealed in an envelope and marked with the submitting member's information as well as the witness' information. All envelopes containing cash are sealed with evidence tape as previously described.

H. Before packaging and submitting drugs to P&E, the submitting member should perform the appropriate presumptive test unless the substance is readily identifiable as marijuana. The gross weight of the substance and its container (in grams) is printed on a paper tape. Finally the item is sealed along with the paper tape (gross weight) and submitted to P&E.

1. P&E stocks presumptive drug test kits for officer use.

2. P&E maintains a scale that provides a record of the weight of items measured on it. This record or "tape" is packaged with the substance prior to sealing and submitting it.

3. Witnessing of drug testing and weighing by a second officer is highly recommended for any quantity of drug. Witness information is recorded on the packaging and in the officer's report.

I. Motor vehicles seized as evidence and requiring processing are taken to an authorized storage area for protection and processing. They are sealed with evidence tape, as previously described, and secured in an indoor facility whenever possible. When necessary, the entire storage area may be sealed and secured.

J. Checks and other documents are photocopied prior to submission to P&E. Photocopies are submitted to Records. The originals are preserved as evidence.

K. Biological or physical evidence found in stains or soaked material are thoroughly air

dried prior to packaging and submission. Drying cabinets which act as large intake bins to P&E are provided for this purpose.

1. Clean/new butcher or wrapping paper should be placed on the floor, under the drying items. Once the item(s) have dried, the paper is collected and submitted as evidence as well.

2. In the RMS report, the submitting member indicates the location of the items in the drying room to alert P&E personnel of the need for follow-up. The key to the drying cabinet is submitted with the RMS report.

3. Stained items from different people are placed in separate drying cabinets.

204-4 Packaging for Subsequent Submission to Laboratory

Upon the direction of the primary investigator, all materials that may be submitted to a full service lab at a later date are collected and packaged in accordance with the requirements of that lab. Members should refer to the Colorado Bureau of Investigation's (CBI) *Physical Evidence Handbook* for instruction on the proper collection and packaging of evidence that may be submitted to their laboratory.

204-5 Hazardous Materials

Hazardous materials are not submitted to P&E, nor are they taken into the member's custody. The assistance of a supervisor is requested to oversee the proper documentation and disposition of such items, and that the proper experts, Fire Department or Bomb Squad are notified to assist with subsequent destruction or disposal. A supervisor may authorize the retention of a small quantity of volatile fluids, in an appropriate container, so that it can be later identified. The supervisory authorization for retention should be documented in the RMS report.

A. No more than 6.25 millimeters (approximately two ounces or 1/4 cup) of volatile fluid may be retained.

B. Items of evidence that are comprised of hazardous materials are photographed, measured, and/or weighed, to whatever extent is reasonable and practical, prior to destruction or disposal. Approximate original size, shape, weight, or amount must be documented prior to destruction or disposal. Destruction or disposal is done on-scene or as managed by the Fire Department or Bomb Squad.

C. A RMS record of the destruction or disposal, as well as all personnel involved is submitted along with the accompanying sample amounts.

204-6 Reporting Evidence and Property

Members who assume custody of property are responsible for its proper submission to P&E as soon as practical and prior to ending shift.

A. The responsibility is the same whether the property is evidence, found, safekeeping, or relinquished.

B. The person who takes initial custody of the property submits and reports it to P&E in most cases, except when a specific "property scribe" has been appointed in a major case or when another officer or detective is assisting with a large amount of property or evidence.

204-7 Inventory Procedure for Members Submitting Items to P&E

The purpose of a property inventory is safekeeping, not to find evidence. While a container may always be subject to a thorough examination, a thorough examination is required only if a cursory examination indicates the container may contain identification, a weapon, contraband, or items of substantial value. Any perish-

ables discovered are noted in the RMS report and are discarded into the trash or turned in to P&E as a separate item for destruction.

A. If possible, personal property is left with an arrestee at the jail. Otherwise, it is sealed in a plastic bag and submitted to P&E for safe keeping.

B. When an item or container is wet, it is placed into a drying cabinet and P&E personnel are notified of its location. If possible, wet items from the container are spread out to facilitate drying. P&E personnel notify the submitting member if further action is needed.

C. When identification is found in a container, it is packaged and numbered separately from the container, or the identification is placed on the outside of the container so that it is visible through clear packaging. Otherwise, after listing significant contents and a general description of the insignificant contents, the member seals the container and its contents for submission to P&E. This guideline applies to purses, backpacks, suitcases, etc.

D. Any weapons, drugs, money, jewelry or contraband found during an inventory of a larger container are packaged separately from the container.

204-8 Completing the Property Module of a RMS Report

All items of evidence, found property, relinquished property, and items taken for safekeeping are reported in a RMS report. Each member who takes custody of property completes the property module of the RMS report.

A. At a minimum, the following information is documented.

1. Description of item, including make, model, and serial number, if any, and any other valid descriptors.

2. Item's source and ownership to the extent possible.

3. Collector of the item.

4. Date and time of submission.

B. The submitting member clears all serial numbers through NCIC/CCIC before submitting the item to P&E, and documents the computer check and results in the report.

204-9 Collection and Storage of DNA Evidence

The department collects and stores DNA evidence in compliance with Colorado State Law.

A. If evidence collected is of such size or physical character as to render retention impractical (e.g. door frame, carpet, wall board), portions of the evidence may be removed and preserved that are likely to contain biological material, in a quantity sufficient to permit DNA testing. For this reason, large items normally will not be collected but processed for evidence at the scene whenever possible. Samples of large items may be collected if needed (part of door frame, piece of carpet, etc.).

B. Evidence collected that may contain DNA, can be processed (swabbed) for later development of a DNA profile by a certified lab. The authorization to test a swab is given by the lead investigator.

204-10 Submitting Trace Evidence from Examinations

When members find or identify evidence derived from property already submitted, that

employee documents those new items of evidence. That documentation must link the new item of evidence to the original piece of evidence.

204-11 Problems with Property Reports or Logged Items

P&E personnel will not accept or process evidence for which there are critical procedural,

packaging or marking errors. Those items will remain in an intake bin until corrections are made.

A. Minor technical problems with either property items or reports may be corrected by P&E personnel.

B. The following steps will be taken when problems requiring correction by the submitting member arise.

   1. P&E personnel try to notify the member first.

   2. If the member cannot be notified or fails to correct the problem, P&E personnel may notify the member's supervisor.

   3. After correcting the problem, the member resubmits the property or report.

204-12 Analyzing Evidence

The following guidelines apply when authorizing or requesting analysis.

A. Normally the primary investigator requests and authorizes analysis by an outside laboratory or in-house crime lab.

B. When a complex crime scene or serious incident involves multiple investigative personnel, a detective supervisor assumes overall responsibility, or appoints an evidence coordinator, to ensure that appropriate examination and analysis is requested and accomplished.

C. When a traffic fatality or serious traffic accident requires multiple investigative personnel, a traffic unit supervisor assumes responsibility, or appoints an evidence coordinator to ensure that appropriate examination and analysis is requested and accomplished.

D. All requests for examination and analysis are made in writing and written reports from the expert or laboratory are required.

   1. Requests for in-house examination or analysis are made by completing a request form. The request is submitted to the P&E supervisor, who reviews it, forwards it to the appropriate person to conduct the examination, and maintains a log of assigned requests.

   2. Requests for outside laboratory analysis require written requests and letters of transmittal which conform to the specific requirements of the lab. These requests must be prepared by the primary investigator or designated evidence coordinator for a major case (see 204-14 below).

E. Requests are not needed to have blood/alcohol kits from DUI arrests forwarded for analysis. If a submitting member does not want a blood/alcohol kit automatically mailed to the lab, the member must clearly communicate that to P&E in the narrative section of the report, and on the property sheet that accompanies the kit.

204-13 Department Crime Laboratory and Criminalists

The department's crime laboratory is a unit within P&E, managed by the P&E supervisor. Department criminalists are available to re-

spond to major crime scenes to document, process, and collect physical evidence.

A. While at a crime scene, the criminalist works at the direction of a detective supervisor, or at the general direction of the detective responsible for the crime scene. A criminalist may be assisted by crime scene investigators, who work at the direction of the criminalist.

B. Major crime scenes to which a criminalist may be called include:

   1. Homicides and suspicious deaths, as well as post-mortem examinations.

   2. Kidnappings.

   3. Felony sexual assaults.

   4. Felony crimes involving shots fired.

   5. Fatal or serious injury vehicle accidents in which a traffic supervisor believes the expertise of a criminalist is needed.

   6. Other serious cases in which the expertise of a criminalist would be beneficial to processing the crime scene, at the discretion of a supervisor.

C. A criminalist is on-call at all times (with rare exception), with a response time to the department of less than two hours. Since it can take several hours for a search warrant to be obtained, a detective supervisor may delay calling out a criminalist until their skills are needed at the PD or crime scene.

D. Criminalists perform specialized processing and examinations of physical evidence within the capabilities of their training, and the capabilities of department's crime laboratory. Those processes may include:

   1. A variety of latent fingerprint development processes.

   2. Fingerprint examinations, including AFIS.

   3. Specialized photography.

   4. Video and audio processing.

   5. Shoe and tire print comparisons.

   6. Collection of trace and biological evidence.

   7. Crime scene diagramming and overall documentation.

   8. Alternate light source examinations.

   9. Image enhancement.

   10. Crime scene reconstruction.

E. Criminalists may conduct training in physical evidence collection and processing.

F. Criminalists complete reports to document all activities at crime scenes as well as laboratory examinations and analyses.

204-14 Use of Clean Room

The department's clean room is specifically designed to enhance the identification and collection of trace evidence.

A. The clean room is used for identification and collection of trace evidence, such as:

   1. Hair.

   2. Fibers.

   3. Semen.

   4. Blood.

5. Other biological fluids.

6. Other trace materials.

B. The item being examined for trace evidence is photographed before any evidence is collected.

C. An alternate light source may be used in the clean room to locate evidence.

D. Only department criminalists and detective personnel authorized by the Detective Commander have access to the clean room. CBI employees assigned to work at CBI's DNA Lab at the Public Safety Building may also be authorized to use the clean room.

E. Personnel using the clean room are required to wear protective clothing such as Tyvek (or similar brand) coveralls, with shoe and hair covers, and gloves. The P&E supervisor is responsible for maintaining the department's supply of protective clothing and making it available.

F. Personnel using the clean room are responsible for cleaning the room after each use.

204-15 Outside Laboratory Analysis

When an outside laboratory is required, the analysis is first approved by a supervisor from the investigating section. The primary investigator or assigned evidence coordinator then prepares the previously mentioned requests for analysis. Original forms are sent with the property and copies are retained in a case file.

A. P&E personnel assume the primary responsibility for transporting evidence to and from CBI or any other lab, whether in person, by mail or by an authorized courier. CBI employees may also transport evidence to/from the Public Safety Building to their main lab for both the Department and other law enforcement agencies.

B. When one item of evidence contains multiple sources of evidence (i.e., fingerprints, blood transfers, and tool marks) the item is normally sent to one full service lab, which can handle all aspects, and not partially processed in-house or at different labs.

C. When evidence is not personally transported to the lab, the individual responsible for sending the item ensures that the custody record includes all of the following information:

1. Name of the department member who is turning it over to the shipping agent.

2. Date, time, and method of transmittal.

3. Date and time of receipt at the laboratory and the signature of the receiving person (documented by a return receipt).

D. Any member who takes custody of any evidence that is to be delivered to, or picked up from an outside laboratory for analysis shall deliver the evidence immediately to the laboratory or P&E.

E. P&E personnel will pickup/deliver or ship items to CBI or other labs at least once a week.

F. Nothing in this policy precludes a detective (including BCDTF detectives) from traveling to CBI to drop off or pick up paper work or evidence.

204-16 Maintaining Custody

All members who take custody of property or evidence are responsible for abiding strictly by all safeguarding requirements and time lines.

A. Only a department member may submit or authorize withdrawal of property from P&E.

B. Members who take custody of property are responsible for safeguarding it until its return, or until custody is formally transferred to P&E.

C. Each transfer of custody of property or evidence requires documentation.

204-17 Processing by P&E Personnel

When P&E personnel receive a property report and items, they assign a control number to the submission. They assign a storage location for each item, and code and record the location in the electronic property management system. P&E personnel maintain records of all in-custody property and evidence.

A. P&E personnel do not break seals on packaged property and evidence until a final disposition is authorized. Exceptions include found property, property taken for safekeeping, or property to process for evidence or for viewing upon receiving an official request from an officer or investigator.

B. P&E personnel log and store the package.

C. Once final disposition has been authorized; P&E personnel are responsible for verifying that the contents of sealed packages match those described on the property report.

204-18 Return of In-custody Property to Storage

When property or evidence is being returned after P&E open hours, members return property via the intake bins, utilizing the clock stamp on the custody receipt to document the date and time of return.

204-19 Disposition Authorization

Only department members or a court order can authorize final release of property and evidence.

A. Final disposition of evidence requires the primary investigator's authorization or appropriate supervisor when the primary investigator is no longer available, or when a supervisor's approval is required.

B. Any evidence that may contain DNA that is subject to the provision of C.R.S. 18-1-1102 (Class 1 felonies), or any evidence that is subject to C.R.S. 18-1-1103 (any crime that resulted in a conviction), shall be held until written authorization of a final evidence release is received from the District Attorney's Office that prosecuted the crime involving the evidence.

C. Final disposition of found property or property taken for safekeeping is noted in the property section of the RMS report by the submitting member at the time of the original submission.

D. Final disposition of evidence in cases of homicide, suspicious death, first degree sexual assault, first degree assault, and kidnapping require authorization from the Detective Section commander or designee.

E. The P&E Sergeant is responsible for overseeing the release and or destruction of firearms collected as evidence as well as non-evidentiary firearms (i.e.) found property, safekeeping or firearms relinquished for destruction.

Evidentiary firearms require either of the following for their release, a Notice of Final Action or a Release Form from the DA's Office. Evidentiary firearms may also be released through the Detective Section Commander or

their designee when the criminal investigation no longer requires the Boulder Police Department to maintain custody of the firearm.

Non-Evidentiary firearms require the following for their release. If the owner of the firearm is known a notice is sent advising them they have 60 days to claim their firearm. If the owner of the firearm is unknown the firearm is posted in the public notices according to Boulder Revised Code (BRC) requirements. If a firearm is relinquished due to a domestic violence case the department will hold it for a minimum of 90 days.

Prior to the release of any firearm the recipient must pass a background check to make sure they are not prohibited from possessing a firearm.

Unclaimed and non releasable firearms are usually destroyed. In rare cases the Chief of Police may request a firearm be converted to department use. Before a firearm is destroyed the Detective Section is consulted to determine if the firearm should be submitted to CBI for further testing.

204-20 Disposition Procedures

P&E personnel follow set procedures for the disposition of all items.

A. P&E personnel handle the intake, storage, and disposal of evidence, found property and items relinquished for safekeeping in accordance to Boulder Revised Code (BRC) 2-4-5 and 2-4-6.

B. Holds on the release of property or evidence past normal time limits may be based upon pending litigation or extenuating circumstances. In such cases, P&E personnel do not release any item without authorization from the person placing the hold or without a supervisor's approval if the person who placed the hold is no longer available to release the item.

C. When releasing property to the public after final disposition. All released property will be simultaneously inspected by a P&E Tech and the recipient of the property. The recipient will then sign for the acceptance of the property.

204-21 Photographing or Videotaping Evidence Prior to Return

When it is advisable to do so, or a request has been made by the District Attorney or primary investigator, members ensure that evidence is photographed, videotaped, or both, prior to release to the owner. In such cases, the member also has the owner complete a declaration of ownership prior to release.

204-22 Property and Evidence Responsibilities

The P&E supervisor is responsible for the control of all property accepted by or stored in the P&E's storage areas. The P&E supervisor may assign one person to be ultimately responsible for each property management activity.

204-23 Property and Evidence Security

The P&E room and storage areas are secured with access restricted to those assigned to P&E, persons who are constantly accompanied by a P&E member, or authorized maintenance personnel for a specific purpose.

204-24 Spot Audits and Inventories

An annual limited inventory and spot audit of P&E is conducted by a management staff member who is not directly associated with the control of property or stored items. A full inventory will be conducted at a minimum of every five years. To ensure the integrity of the system the following will take place.

Spot Audits - Spot audits are random inspections that can be initiated by the P&E Sergeant and/or the Personnel Commander. Spot audits

can start with a piece of property/evidence on the shelf followed by a confirmation in the RMS entry for that item. Spot audits can also start with the RMS entry and then confirm the item's location in P&E. Spot audits also confirm proper packaging and labeling of each item.

Annual Inventory – All items stored in the Vault; money, guns, drugs and jewelry are inventoried annually. The annual inventory is completed by the Personnel Commander and the P&E Sergeant.

Full Inventory - Once every (5) years or at the discretion of the Personnel Commander or as otherwise directed by the Chief of Police a full inventory of all items in P&E will be completed.

Boulder Police Department
General Order 205
Radio Usage

Effective: May 7, 2014
Replaces: General Order 205, August 21, 2013

205-1 FCC Regulations
205-2 General Responsibilities
205-3 Recording
205-4 Radio Frequencies
205-5 Radio Call Designators
205-6 Message Delivery
205-7 Unit Status
205-8 Emergency and Non-emergency Calls
205-9 Pagers

POLICY

The department recognizes the police radio as an essential tool in disseminating information in the delivery of police service and that radio communications are important to officer safety and are an indicator of professionalism. Members utilize the radio procedures outlined within this general order.

PROCEDURES

205-1 FCC Regulations

A. Station identification call numbers must be broadcast at least once every 30 minutes by the base station.

B. All transmissions are restricted to the minimum practicable transmission time and must use an efficient operating procedure. The only types of transmissions permitted are:

1. Communications related directly to the imminent safety of life and property;

2. Communications directly related and necessary to those activities which make the department eligible for the station license; and

3. Communications for testing purposes required for proper station and system maintenance.

C. All department communications including radio and computer (MDC) are reserved for official business and are not used for personal purposes.

D. Use of profane, obscene, derogatory or indecent language is prohibited.

205-2 General Responsibilities

Practicing proper procedures makes radio communication automatic and reduces confusion. Except where a code is designated, users of the radio system use clear speech.

A. Except in cases of emergency, the operator listens to ensure that no one is on the air prior to transmitting.

1. If the operator knows that a transmission from someone else is anticipated (e.g., unit acknowledging a call, a re-

quired message from Communications), he/she waits until that has occurred unless his/her radio traffic is more urgent.

2. In an emergency, a field unit can transmit while the dispatcher is broadcasting. The dispatcher will hear the field unit and can stop transmitting to allow the field unit to transmit its message. Field units cannot override each other, thus when multiple field units transmit simultaneously, none of them is understood.

3. An emergency transmit button, located on each vehicle radio and portable radio, is used when an officer needs emergency assistance. Depressing the button locks the radio of the officer in need on the DATA channel with an open microphone (mic). All other officers use a channel designated by dispatch to coordinate a response.

B. The operator attempts to make his/her voice as calm and clear as possible on the air, regardless of the situation. To avoid being misunderstood, particularly in critical situations, every effort is made to keep emotional inflections out of radio transmissions.

C. The operator uses assigned radio designators on the air, not addressing any person by his/her name except during officer held hostage situations. When an officer is held hostage, the officer responds to radio traffic giving his/her name. Upon hearing an officer's name, the dispatcher invokes the Code 11 protocol.

D. Members are professional on the air at all times. Unnecessary voice inflection, superfluous transmissions and attempts at humor are avoided. Anger, impatience or sarcasm heard in one's voice is never appropriate.

205-3 Recording

Radio traffic on specific frequencies, as well as telephone calls into the Communications Center are recorded. Recordings are normally retained for approximately 24 months.

205-4 Radio Frequencies

The department has duplex and simplex frequencies. *Duplex* frequencies require a repeater, *simplex* frequencies do not. Thus, duplex frequencies are only functional when used within range of the repeaters. Simplex frequencies, because they do not use a repeater, are limited in range by the power of the radio.

A. POLICE-1: is a duplex frequency that serves as the primary operational channel for dispatching and/or responding to calls for service and for managing personnel.

B. POLICE-2: is a duplex frequency used for tactical coordination or car-to-car traffic.

C. PTAC-1: is a simplex frequency used for tactical coordination or car-to-car traffic.

D. PTAC-2 Channel: is a duplex frequency used for tactical coordination or car-to-car traffic.

E. DATA Channel: is a duplex frequency used for CCIC/NCIC queries and other non-operational information and tasks. This channel is designated as the backup channel in the event that the POLICE-1 channel is unavailable.

F. SCHOOL SAFE BOULDER and FAIRVIEW Channels: are simplex frequencies that allow for radio coverage in both Boulder and Fairview High Schools.

G. PTAC-3 Channel: is a simplex frequency used for tactical coordination or car-to-car traffic.

H. PTAC-4 Channel: is a simplex frequency used for tactical coordination or car-to-car traffic.

205-5 Radio Call Designators

Every user of the Boulder Police Department radio system is assigned a radio call designator. It is the responsibility of each user of the department radio system to use his/her individual radio designator when operating the radio.

A. Communications personnel are not required to identify themselves prior to transmitting while they are operating from a base station.

B. Radio designator concept.

1. Radio numbers are a unique individual identifier.

2. The radio number sequencing has meaning.

3. Only those personnel whose primary duties include the use of radio frequencies are assigned a radio designator.

4. Radio numbers 100, 200 and 300 are reserved for base stations.

C. Radio number sequencing is established by the Communications Manager.

1. 101-103: Boulder Police Department Executive Staff.

2. 104-109: Boulder Police Department Commanders.

3. 110-139: Boulder Police Department Sergeants.

4. 140-199: Boulder Police Department Detectives.

5. 201-342: Boulder Police Department Patrol and Traffic Officers.

6. 343-347: CPC employees

7. 349-360: Photo Enforcement personnel.

8. 361-366: Accident Report Specialists

9. 367-369: Building/Planning Enforcement

10. 370-380: City of Boulder Parking Control

11. 381-389: Police Department Code Enforcement

12. 390-399: Police Department Animal Control

13. 5060-5078 Open Space and Mountain Parks

14. 9100-9199: Boulder Police Department Communications Section

D. As many words and letters sound very nearly the same and can be easily misunderstood in radio communications, words and letters that may be easily misunderstood are spelled phonetically. The only phonetic alphabet authorized for use by members of the department is shown below. No substitutes, such as the military phonetic alphabet, are authorized.

A – Adam	J – John	S – Sam
B – Boy	K – King	T – Tom
C – Charles	L – Lincoln	U – Union
D – David	M – Mary	V – Victor
E – Edward	N – Nora	W – William
F – Frank	O – Ocean	X – X-ray
G – George	P – Paul	Y – Young
H – Henry	Q – Queen	Z – Zebra
I – Ida	R – Robert	

E. Radio codes are used to communicate common phrases to reduce the amount of radio traffic and for officer safety purposes. Members use the codes whenever practical.

1. Code Ø: caution indicator; a possibility exists that a situation or person has the potential for violence and/or may be armed.

2. Code 1: disabled vehicle possibly obstructing the flow of traffic.

3. Code 2: traffic stop.

4. Code 3: emergency radio traffic only or traffic related to a specific event; used when assigning a channel for exclusive use.

5. Code 4: situation is under control and no further assistance is needed; cancel cover.

6. Code 5: prisoner in custody.

7. Code 6: indicates that a person might be mentally unstable.

8. Code 7: meal break.

9. Code 8: arrival.

10. Code 9: indicates that a person, vehicle, or article may be wanted or stolen; a qualifier attached to a Code 9 assists the officer in identifying the severity of the warrant:

    a. Code 9 - Mary: extraditable misdemeanor warrant.

    b. Code 9 - Frank: extraditable felony warrant.

    c. Code 9 - Ida: non-extraditable warrant; information (e.g. corrections client, gang information, missing person, sex offender, etc).

11. Code 10: officer needs emergency help immediately; used when an officer is faced with a situation in which imminent personal danger is likely to occur; all available officers respond emergency.

12. Code 11: officer held hostage; when an officer is being held hostage, the officer responds to radio traffic giving his/her name; upon hearing an officer's name, the dispatcher invokes the Code 11 protocol.

13. Code 12: routine cover; used for situations in which an officer requires a non-emergency cover unit.

14. Code 13: emergency cover; the requesting officer is not in imminent danger, however, requests that his/her cover unit respond emergency.

15. Code Orange: universal precautions warranted; officers should avoid contact with bodily fluids by means of wearing medical gloves, goggles and face shields.

205-6 Message Delivery

A. Message construction.

1. Standard radio procedures call for the use of plain speech broadcasts in most instances. Certain messages are broad-

cast in a formatted structure, and a few others utilize codes.

2. The word "break" followed by a pause means that additional information for the same call is to follow.

   a. When it is anticipated that information in long messages will be written down, the transmitting unit will "break" periodically to allow the copying member time to write or catch up.

   b. "Break" is not intended to provide time to allow another unit to break in with unrelated or new information and is not used for this purpose except in an emergency.

3. When all or part of a message was not copied by the unit to whom it was directed, that member requests a "repeat" specifying which part of the message must be repeated. Only the information requested is provided.

B. Transmitting procedure: direct transmitting is used in dispatching calls on the operational channel. Units are expected to monitor the radio and be ready to receive transmissions.

1. Communications airs all information as it becomes available or as is appropriate.

2. If a unit changes to another agency's frequency, the unit notifies the dispatcher. The unit also notifies the dispatcher when he/she is back on the department's operational channel.

C. Call-up (car-to-car).

1. A unit calling another specific unit states the radio designator of the unit being called first, followed by his/her own radio designator.

2. Once a contact has been established between two units who have identified themselves, radio designators do not need to be used with each subsequent transmission in the exchange as long as there is not participation or interruption by a third unit.

3. Any broadcast not directed to another specific unit begins with the transmitting unit's radio designator, so that everyone knows who is transmitting.

D. Acknowledging a call.

1. Members acknowledge with their radio designator and location.

   a. Locations are specific, such as "The 1300 block Pearl," or "Broadway and Baseline."

   b. After receiving a call, officers acknowledge by indicating their radio designator and saying, "Copy," to indicate receipt and handling of the call, or "acknowledge," with a brief explanation for a non-response to the call.

2. When multiple officers are dispatched to a call, each unit acknowledges in the same order as dispatched. The primary unit is the district officer. If the district officer is not available the first officer dispatched becomes the primary unit.

   a. If an officer fails to acknowledge a call, the dispatcher makes one additional attempt to raise the officer.

   b. If, after two attempts, the officer fails to acknowledge a call, the dispatcher assigns another officer to

the call and advises the on-duty supervisor of the inability to raise the original officer.

E. General broadcasts: a dispatcher or a field unit may make a broadcast of general information which must be conveyed to all field units.

205-7 Unit Status/Activity

A. Change of status/activity: units keep Communications advised of any changes in status or activity.

B. In-service:

1. Beginning of watch - officers are to "go in-service" on the air at the conclusion of briefing.

2. Returning to service - officers clearing from a call or coming back into service clear with their radio designator and an approved disposition.

C. Call dispositions: every call that is handled is cleared with at least one approved disposition. Additional information concerning the disposition of the call is limited to officer safety information only.

D. Notification of activity or out of service: officers notify dispatch when initiating any activity which will leave them unavailable for calls for a period of time. Officers identify themselves with their radio designator, location of the activity, and type of activity.

E. End of watch: officers notify Communications at the end of their tour of duty by giving their radio designator and indicating that they are end of watch. If 15 minutes after an officer's scheduled end of watch the officer has not indicated that he/she is end of watch and the officer has not extended his/her tour of duty, the dispatcher makes all available attempts to raise the officer to determine the officer's status. In the event that the officer fails to acknowledge the status attempts, the dispatcher notifies the on-duty supervisor and it is the responsibility of this supervisor to verify the status of the officer.

205-8 Emergency and Non-emergency Calls

Calls are dispatched both audibly and by means of a computer MDC, in accordance with the call management protocols for that priority of call. Emergency calls are dispatched using a "Closest Unit" model, where dispatchers are aware of officer's locations by means of an automated vehicle location system.

A. Officers assigned to high priority calls do not interrupt their response unless they observe circumstances which require immediate police intervention.

B. Officers refrain from volunteering for calls in lieu of units assigned unless:

1. The officer volunteering is significantly closer and the response time may be a factor in successfully handling the call.

2. Other specific reasons exist for doing so (e.g., prior knowledge of the situation, exposure of recruits to calls).

C. If another unit volunteers for a call, the dispatcher re-designates which unit is the primary assigned unit for the call. No calls are handled "In-service."

205-9 Pagers/Cell Phones

A. The department supplies pagers and cell phones to its members for the purpose of providing additional communication possibilities. Each member who has been issued either a pager or a cell phone is expected to have at least one of the devices on his/her person while on duty.

B. Individual pager/cell phone programming is based on the work assignment of the member. The Chief of Police must authorize any change to individual programming.

Boulder Police Department
General Order 206
Impounding Motor Vehicles and Bicycles

Effective: March 18, 2010
Replaces: General Order 206, February 7, 2001

206-1 Definitions
206-2 Authorized Impounds
206-3 Impound Alternatives
206-4 Vehicle Impound Form
206-5 Vehicle Inspection
206-6 Holds
206-7 Hearings
206-8 Impound Release
206-9 Tow and Storage Fees
206-10 Impounding Bicycles

POLICY

The department impounds vehicles and bicycles according to Boulder Revised Code, Section 7-7-2, and the procedures outlined herein.

PROCEDURES

206-1 Definitions

Definitions are governed by Section 7-1-11 of the Boulder Revised Code.

A. Abandoned vehicle: Any vehicle left in one location upon any public property, or on any private property without the consent of the property owner, for a continuous period of more than 72 hours.

B. Inoperable vehicle: Any vehicle or trailer that is apparently inoperable due to being wrecked, dismantled, partially dismantled, or having essential parts missing, left on any public property, or on any private property other than the person's property, without the consent of the property owner.

206-2 Authorized Impounds

A. Members do not impound, or cause to be towed, a vehicle from private property based solely on its being parked without authorization.

B. Boulder Revised Code 7-7-2 governs impounds within the city. According to code, a member may impound a vehicle on a public right-of-way or private property:

1. That obstructs the normal movement of traffic and is a hazard and the operator is not present or is unwilling or unable to provide for its immediate removal.

2. That is defective and poses an eminent hazard to public safety.

3. When it is found unattended and obstructs public construction, maintenance, repair project, street closure, or a City-sponsored event, and:

   a. It is not practical to move such vehicle;

b. Forty-eight hours advance notice of the parking prohibitions has been conspicuously posted; and

c. Inquiries have been made of abutting properties in an effort to locate the person in possession of the vehicle.

4. When the driver is taken into custody.

5. Under emergency conditions and vehicle operator is not present or is unwilling or unable to provide for its immediate removal.

6. When there is probable cause to believe that the operator's driver's license is suspended, revoked, denied, or canceled.

7. When there is probable cause to believe that the vehicle has been stolen or involved in a hit and run.

8. Blocking ingress to or egress from a driveway and the person in possession of the vehicle is not present or is unwilling or unable to provide for its immediate removal.

9. Parked in a tow-away zone and the person in possession of the vehicle is not present or is unwilling or unable to provide for its immediate removal.

10. On the City "Scofflaw List."

11. Parked in a space designated for handicapped parking without displaying required authorization when such space is also designated as a tow-away space, and the person in possession of the vehicle is not present or is unwilling or unable to provide for its immediate removal.

12. When there is probable cause to believe the vehicle is being vandalized or its parts are being stolen and reasonable inquiries have been made at abutting properties in an effort to locate the person in possession of the vehicle.

13. From any posted tow-away no-parking zone within a park, parkway, recreation area, or open space to clear off-street parking areas after designated hours of operation and to clear designated fire roads and other emergency access routes.

14. That is abandoned or inoperable and the action is initiated by a member's observation or a citizen's complaint. In such cases:

    a. The vehicle has been observed parked in the same location for more than 72 hours.

    b. The member chalks the tires, obtains an odometer reading if possible, and places a completed abandoned or inoperable vehicle notice on the vehicle and provides a copy to the Records and Information Services (RIS) Section for processing.

    c. RIS notifies the registered owner by mail. If no owner can be identified or there is no response indicating the vehicle has been repaired or driven away, RIS notifies the initiating member that the impound is authorized.

C. By policy, a member may impound a vehicle on a public right-of-way or private property when:

1. There is probable cause to believe that the vehicle contains property:

a. Subject to a court-ordered search,

b. Of evidentiary value,

c. Stolen or embezzled,

d. Illegal to possess, or

e. Used in, designed for, or intended to be used in the commission of a crime;

2. The member has reason to believe that the driver is not in rightful possession of the vehicle and the member cannot readily verify ownership; or

3. It is rendered undrivable by an accident.

206-3 Impound Alternatives

A. When a driver is taken into custody, the officer may:

1. Direct that the vehicle be parked and locked at the nearest public parking area by either having a driver with a valid license whose ability is not impaired move the vehicle or personally entering and moving the vehicle at either the driver's request or when none of the occupants is capable of safely moving the vehicle.

2. Permit a third party to take custody of the vehicle if the person appears physically capable of safely operating a vehicle and possesses a valid driver's license. The officer documents the driver's consent to third party custody.

B. When a parked vehicle obstructs public construction, maintenance, a repair project, street closure, or a City-sponsored event, the member may have the vehicle relocated if a nearby location is available, either by:

1. Requiring the operator or the person in charge move the vehicle; or

2. Having the vehicle towed to a nearby position where it can be readily found by its driver.

206-4 Vehicle Impound Form

A. A vehicle impound form is completed for all impounded vehicles and relocated vehicles. In cases of relocation, the member notifies the Communications Section of the relocation site.

B. Members submit completed vehicle impound forms to RIS as soon as possible and in no case later than at the end of their shift.

206-5 Vehicle Inspection

The member conducts a cursory inspection of an impounded vehicle and its contents, including the trunk and closed containers, to protect the member from liability and to prevent injury from any dangerous objects. Items of potential evidentiary value or potentially dangerous are removed from the vehicle and logged into Property and Evidence for safekeeping. Items of significant monetary value are noted on the impound form. Vehicle ignition and door keys remain with the vehicle.

206-6 Holds

A member may place an impounded vehicle on hold if the vehicle is of evidentiary value to the investigation of an accident or crime as documented in the narrative of the vehicle impound form.

A. The member is responsible for ensuring timely processing of the vehicle.

B. Holds may not exceed seven days unless the appropriate section commander is advised and authorizes the exception. When

vehicles must be held for extended periods of time, their transfer to long-term storage is required.

206-7 Hearings

A citizen may request a hearing when his/her vehicle is impounded. Hearings are conducted for the City by Municipal Court.

206-8 Impound Release

A. Vehicles can be released at the department's contracted impound lot, as long as the following requirements are met and there are no investigative holds placed on the vehicle:

   1. To the owner with valid identification and vehicle title, registration, or ownership documentation from the Department of Motor Vehicles;

   2. If the person is unable to show proof of ownership, the tow company may contact RIS to verify who is listed as the registered owner. The Records Specialist may give permission to the tow company to release the vehicle.

B. Vehicles that do not meet the criteria above must be released by RIS. If an investigative hold has been placed on the vehicle, RIS cannot release it until authorization is received from an involved investigator or supervisor. Vehicles may be released any time during RIS's business hours:

   1. To the owner with valid identification and vehicle title, registration, or ownership documentation from the Department of Motor Vehicles;

   2. To an individual, with valid identification, who presents the owner's authorization in writing; or

   3. When extenuating circumstances warrant. In such cases, an exception is authorized by an RIS supervisor or designee, and is documented.

206-9 Tow and Storage Fees

A. The department pays all tow and storage fees for which the vehicle owner or custodian is not responsible. The RIS manager is responsible for all administrative processes related to tow and storage fees. Authorization for payment is made by the RIS manager, the Operations Deputy Chief, or an Operations Commander. Generally, the department is responsible for fees when:

   1. The vehicle has been erroneously impounded;

   2. Determined at an impound hearing; or

   3. Exception is authorized and documented by the RIS manager or designee.

B. The cost for relocated vehicles is generally paid by the party requesting the relocation.

206-10 Impounding Bicycles

A member may impound a bicycle left at any place for such times and under such circumstances as to cause the bicycle reasonably to appear to be abandoned, or parked in such a manner as to cause an immediate safety hazard or an obstruction to entry or exit to a building or an area, and the person in possession of the bicycle is not present or is unwilling or unable to provide for its immediate removal. Impounded bicycles are logged into Property and Evidence.

Boulder Police Department
General Order 207
Digital Evidence Capture and Storage

Effective: August 18, 2015
Replaces: General Order 207, October 8, 2010

207-1 Definitions
207-2 Digital Evidence Capture
207-3 Digital Evidence Transfer and Archiving
207-4 Digital Evidence Processing, Duplication, and Sharing
207-5 Digital Evidence Obtained From Outside-Department Sources

POLICY

The department recognizes that digital evidence is an important component of criminal investigation and prosecution. Digital evidence may be captured by department members using various devices. It may consist of photographic images, audio recordings, video recordings and more. The guidelines in this general order primarily focus on digital evidence generated by department members, although 207-5 addresses digital evidence generated by the public. This General Order is not directed toward In-Car Cameras and Body-Worn Cameras.

PROCEDURES

207-1 Definitions

Archival Storage: Longer-term secure storage of digital evidence using a designated medium. This may be achieved by submission of the digital evidence to Property and Evidence, Records and Information Services (RIS), or a direct file transfer by the officer depending on specific procedures in place at the time.

Capture Device: Any device capable of capturing digital evidence and which is commonly used and accepted for that purpose under contemporary law enforcement standards. This includes, but is not limited to, cameras, phones, audio recorders, video recorders, and tablets.

Digital Evidence: Any digitally recorded file with evidentiary value or value as a record of a crime or incident. This includes, but is not limited to, images, video files, audio files and data files.

Disposable Storage Device: Any low-cost device capable of recording digital evidence and designed for a limited life span. They are typically easily and readily destructible. This includes, but is not limited to, CDs, DVDs and Blu-Ray discs.

Photographic Images: Still images captured in digital format with a capture device.

Removable Storage Device: A digital evidence storage medium designed to be connected to a capture device for the purposes of recording digital evidence. This includes, but is not limited to, SD cards, micro-SD cards, CF cards, USB-thumb drives, and external drives.

Transfer: The act of moving or copying a digital evidence file from one storage medium to another.

207-2 Digital Evidence Capture

Department members take photographic images when the visual documentation will assist the investigation or enhance the record of a crime or incident. The images should be of high quality and accurately represent the scene as it appeared at the time it was photographed. Photographic images may be captured using various capture devices. Some capture devices are preferred depending on the situation.

A department member may capture scene video, audio and/or video and other digital evidence when he or she believes that the additional documentation will assist the investigation or enhance the record of a crime or incident. Scene video is not to be taken in lieu of still images. Photographic image documentation of relatively serious scenes is typically completed with a higher-quality, stand-alone digital camera.

A. Capture Device Use

1. Removable storage devices and capture devices are provided by the department. Personally owned capture devices are not generally used to capture digital evidence. On rare occasions that personally owned capture devices are used, the following steps still apply.

2. The capture device is loaded with a blank, formatted removable storage device, or the digital evidence may be stored to the capture device's internal memory if more appropriate.

3. Removable storage devices should only contain evidence from one crime/incident. The devices are kept in the department member's direct control until the digital evidence is submitted or transferred for archival storage.

4. In the report, the member documents the brand and model of the capture device used. The member also notes any transfer processes prior to the digital evidence being submitted for archival storage.

5. Captured digital evidence is not deleted at any time prior to submission or transfer for archival storage.

207-3 Digital Evidence Transfer and Archiving

A. Digital evidence is submitted to Property and Evidence, RIS, or downloaded to archival storage by the member directly, depending on current processes. When a capture device or storage device is logged into Property and Evidence or submitted to RIS, the digital evidence may be transferred to archival storage by Property and Evidence Technicians or RIS employees, maintained on the submitted storage device or a combination thereof.

B. After digital evidence is successfully transferred to archival storage, removable storage devices and capture devices may be cleaned, formatted and returned to service. Disposable storage devices may be destroyed.

C. If digital evidence is captured on a member's personally owned device, the digital evidence is cleaned from the device immediately after successful transfer to archival storage. Digital evidence is not to be copied to, or retained on, personally owned storage devices without permission from the Chief of Police or designee.

207-4 Digital Evidence Duplication, Processing, and Sharing

A. If a department member or other authorized law enforcement agency requests copies of digital evidence, the request is completed in writing or via email. The request serves as a record to assist in tracking the distribution of digital evidence. Digital evidence files sent via email will be considered on a case by case basis.

B. Techniques, such as cropping, contrast adjustments, dodging and/or burning, unsharpen/mask and color balance are acceptable enhancements and are synonymous with darkroom techniques used with film. Specific digital techniques, including resizing (with or without interpolation), may be utilized to improve the image quality and accommodate the processed image's printed size when images are processed.

C. It is acceptable to scan negatives and other analog images, thus creating a digital file which can be stored to archival storage and processed. The negatives are retained as the original images.

D. Any member who enhances digital evidence for any reason must document the enhancements in a report and submit or transfer a copy of the enhanced evidence to for archival storage according to current processes.

E. If an independent lab is used to process or enhance a digital file, then specific documentation of the changes is not required. The business or lab name must be recorded as having processed the files.

F. Digital evidence is not shared among department members, or outside of the department, except as is necessary for legitimate law enforcement purposes, official records releases or official press releases. Digital evidence is not posted on personal social media sites or internet sites.

207-5 Digital Evidence Obtained From Outside-Department Sources

If a citizen captures digital evidence and provides the police department access to that evidence, the digital evidence is submitted to Property and Evidence, RIS, or downloaded to archival storage by a department member directly, depending on current department processes. When the evidence is received by Property and Evidence or RIS it may be transferred or copied to archival storage. Removable storage devices or disposable storage devices used to transfer the digital evidence to Property and Evidence or RIS may be maintained by those units or disposed of depending on current processes.

Storage devices owned by members of the public should not be cleaned or reformatted after files are transferred to archival storage. These devices should first be offered back to the owner while the digital evidence remains intact.

Boulder Police Department
General Order 208
Officer-involved Critical Incidents

Effective: September 3, 2008
Replaces: General Order 208, January 31, 2008

208-1 Definitions
208-2 Officer Responsibilities
208-3 Supervisor Responsibilities
208-4 Commander Responsibilities
208-5 Investigative Decision
208-6 Department Notification
208-7 Public Information
208-8 Investigative Report Review
208-9 Administrative Leave
208-10 Support Referral
208-11 Outside Agency Assists

POLICY

Whenever police actions result in the death or grave injury of any person, the department has a duty to conduct a fair, impartial, timely, and comprehensive investigation to preserve the public trust in the department and its members. Primary concerns of on-duty supervisors and officers include medical treatment for those involved, scene preservation, and notification of appropriate staff and investigative personnel.

PROCEDURES

208-1 Definitions

A. Officer-involved critical incident: includes a line-of-duty discharge of a firearm in an enforcement action, whether or not a person was injured, the use of less-lethal weapons or defensive tactics that result in the death or grave injury of a person, the death or grave injury of a person as a result of other police actions, or the death of an in-custody person when the circumstances of the death are unknown or questionable.

B. Boulder County Investigative Team: (formerly known as the Boulder County Shoot Team) is a multi-agency investigative team used to assist with the investigation of deadly force incidents. The team is made up of appointed senior investigators from law enforcement agencies throughout Boulder County, by agreement of the respective chief officers. The Chief of Police authorizes use of the team. The team is intended to provide an unbiased investigative effort, and to report its factual findings to the Chief of Police. Assignments to the team are made by the Detective Section commander. Assignment to an investigation while on the team is considered a full-time commitment until dismissed by the lead investigator. There are no concrete rules for use of the team, as the size and type of incident will require varying resources and commitment.

208-2 Officer Responsibilities

On-scene or involved officers have the following responsibilities immediately following a critical incident:

A. Apprehend suspects.

B. Ensure medical care is rendered.

C. Protect the scene and secure evidence and witnesses.

D. Immediate notification of an on-duty supervisor.

208-3 Supervisor Responsibilities

The supervisor assumes primary initial responsibility for the scene. The supervisor:

A. Ensures that appropriate medical care is rendered.

B. Takes necessary steps to secure the scene, ensuring that potential witnesses are identified and preliminary statements are obtained, that the scene and evidence are preserved and protected, and that a search for additional suspects, victims, and/or witnesses is undertaken.

1. The supervisor obtains the basic information needed to undertake these tasks from witnesses and on-scene personnel.

2. Information obtained from involved officers is limited to relevant information that allows a supervisor to initiate reasonable steps to ensure that evidence is preserved and a proper investigation is conducted. In addition to a brief description of the incident, the involved officer(s) provide the supervisor with any information about possible officer safety issues, victims, suspects, witnesses and/or physical evidence.

3. In-depth interviews of involved officers become the later responsibility of assigned investigative personnel after the officer has had an opportunity to consult with counsel.

C. Ensures that the following notifications are made as soon as possible:

1. Chief of Police and Management Staff, via a staff page or personal phone call; and

2. Detective Section supervisor.

D. Determines whether the circumstances of the incident require that the officer's weapon(s) and ammunition be taken for later testing and analysis. If an involved officer's weapon(s) and ammunition need to be collected for evidence, it shall be done in a manner conducive to the preservation of evidence. The supervisor does not leave an officer involved in a critical incident alone at any time.

E. Strives to have the involved officer(s) removed from the scene as soon as practical. An officer or investigator is assigned to remain with the involved officer until relieved by an investigative supervisor. The assigned officer will not discuss details of the incident with the involved officer. The assigned officer has the responsibility to render support and to preserve items of physical evidence that may be located on or with the involved officer. A significant other, supportive friend, BPOA representative, or legal counsel may remain with the involved officer as well.

F. If there is reasonable suspicion to believe that the officer is under the influence of alcohol or a controlled substance, the assigned investigator or supervisor responds according to General Order 125, Use of Alcohol, Prescription Drugs, and Controlled Substances.

208-4 Commander Responsibilities

An on-duty commander or staff duty officer responds immediately to the scene, assists the on-scene supervisor with his/her responsibili-

ties, orders sufficient resources, and becomes the point of contact for command-level personnel. The commander makes the following notifications:

A. Department's legal advisor; and

B. Public information officer (PIO).

208-5 Investigative Decision

The Chief of Police determines if the incident will be investigated by the Boulder County Investigative Team.

A. If the Boulder County Investigative Team conducts the investigation, the supervisor maintains control of the scene until responsibility is formally accepted by a lead investigator from the team.

B. If the Boulder County Investigative Team is not utilized, the supervisor maintains control of the scene until relieved by a department investigative supervisor.

C. Use of the Boulder County Investigative Team does not preclude responding officers and detectives from taking preliminary steps to gather initial witness statements, collecting any perishable evidence, and preserving the scene.

208-6 Department Notification

The Chief of Police or designee briefs department members concerning the incident so that rumors are kept to a minimum. Department members are reminded that any information regarding the incident is released to the public only by the Chief of Police or designated PIO.

208-7 Public Information

Critical incidents generate a great deal of public and media interest. The Chief of Police designates a PIO who acts as a single source of public or media information. The Chief of Police or designee approves all public and media releases about the incident.

Officer involved names will not be released for at least 24 hours after a critical incident. An attempt will be made to notify the officer prior to release.

208-8 Investigative Report Review

After the investigative report is completed, it is reviewed by the Chief of Police who determines whether to refer the case to:

A. The District Attorney's Office for a criminal review;

B. The department's Professional Standards Unit for administrative investigation; and/or

C. The Operations Division for an incident debriefing.

208-9 Administrative Leave

Whenever a critical incident results in death or serious bodily injury, or when it would best suit the needs of the member or the department, the member is placed on administrative leave pending review of the incident by the Chief of Police.

208-10 Support Referral

After a critical incident has occurred, the officer involved and any witness members may be referred or ordered to meet with a psychologist, psychiatrist, or other mental health professional.

208-11 Outside Agency Assists

When investigative members are called upon to provide assistance to another agency with the Boulder County Investigative Team, they make notification to the chain of command up to the Chief of Police of the nature and circumstance of the call-out.

Boulder Police Department
General Order 209
Child Abuse and Child Sexual Abuse Response

Effective: March 4, 2010
Replaces: General Order 209, February 27, 2008

209-1 Initial Response
209-2 Notifications
209-3 Responsibilities
209-4 Protective Custody
209-5 Medical/Physical Examinations
209-6 Child Abuse Fatality Advisory Team
209-7 Child and Family Advocacy Center
209-8 Charging Guidelines
209-9 Summons v. Arrest
209-10 Child Abuse and Neglect Investigation Protocol

POLICY

In order to assist in the protection of children victimized by alleged abuse and sexual abuse, the department investigates allegations in accordance with state statutes and written formal agreements with Boulder County Department of Housing and Human Services (HHS).. The law and good practice require a joint, cooperative effort with this agency during the course of an investigation. For the purposes of this general order, a child is a person under the age of 16 years.

PROCEDURES

209-1 Initial Response

The department provides a prompt response to allegations of physical or sexual abuse on a child. Patrol officers are normally the initial responders and have the following responsibilities.

A. Make an initial assessment as to the type of investigation and resources needed.

B. Remove the child from danger or a hazardous environment.

C. Take statements, interview witnesses, observe and collect evidence.

D. Take appropriate enforcement actions.

E. Take a report–in every case–and forward it to investigations. In cases requiring detective investigation, the responding officer obtains a brief summary statement from the victim, and leaves in-depth interviews the responsibility of the assigned investigator.

209-2 Notifications

A. In cases involving death, serious bodily injury, deadly weapons, sexual assault, or neglect cases posing serious risk to health, a detective supervisor is notified and a detective assigned to respond.

B. In any case involving intrafamilial abuse or institutional abuse (child care facilities, day care, foster homes, or child placement agencies), the investigating officer notifies HHS and initiates a joint investigation.

C. When the perpetrator is under ten years of age, the officer notifies HHS, which becomes the primary investigative agency.

D. The investigator of cases involving death or severe injury to a child notifies the District Attorney's Office.

E. When investigating a case involving a perpetrator who was acting in his/her official capacity as an employee of a school, the officer or investigator notifies the superintendent of the school.

F. When an officer, acting in good faith, believes that a perpetrator has the potential for contact with other victims, such as in civic, church, or school groups, the officer consults with the department's legal advisor or City Attorney in consideration of notifying these entities in an effort to prevent further victimization. The Chief of Police is advised prior to making any such notifications.

G. The Records and Information Services Section forwards a copy of any child abuse report to HHS's intake unit.

209-3 Responsibilities

A. Intrafamilial child abuse is defined as any case of abuse that occurs within the family by a child's parent, step-parent, guardian, legal custodian or relative, or by a spousal equivalent (a person living in the home in a family arrangement and who would be a step-parent if married to a parent). Intrafamilial abuse is the primary responsibility of HHS with assistance from, and criminal investigations conducted by, the police department.

B. Third party abuse is child abuse that occurs outside the family, when parental neglect is not a factor, and the perpetrator is ten years of age or older. Third party abuse is the responsibility of the police department.

C. Cases which require joint investigation include:

1. Suspicious child death when there are other children living in the home;

2. Intrafamilial physical abuse;

3. Intrafamilial sexual abuse;

4. Severe or repeated neglect, including failure to thrive;

5. When there is a need to place a child in protective custody;

6. When a risk of danger to HHS investigator by the perpetrator exists;

7. When a parent refuses access to a child by HHS or refuses medical examinations;

8. Abuse in an institutional setting, foster or group home, or child care home or facility; and

9. Cases involving drug- or alcohol-affected babies.

D. HSS is responsible for the following investigations:

1. Child neglect cases that do not meet the statutory elements of abuse;

2. Emotional abuse;

3. Lack of supervision complaints; and

4. Physical or sexual abuse complaints when the perpetrator is under ten years of age (unless it is determined that the perpetrator is also a victim of sexual or physical abuse).

209-4 Protective Custody

Police officers have legal authority (CRS 19-3-401) to remove a child from a home or dangerous environment without a court order whenever they reasonably believe that a child is endangered and immediate removal appears necessary for the child's protection.

A. The immediate welfare of the child is always paramount to officers investigating these cases, and this legal authority can be exercised whenever deemed appropriate.

B. Social workers do not have this authority without a court order, therefore, in some cases it is necessary for the officer to take this action.

C. In any such circumstance, the officer thoroughly documents the facts and circumstances dictating such a decision in a written report. The child is turned over to HHS immediately for placement. The officer makes him/herself available to testify at all temporary protective custody hearings.

209-5 Medical/Physical Examinations

In cases involving serious physical injury or suspected sexual abuse, the investigating officer, in cooperation with the social worker (if one is involved), obtains a medical examination of the child for protection of the child, treatment, and documentation purposes. Visible injuries are photographed.

A. Victims of child abuse receive medical treatment at the closest hospital, most likely Boulder Community Hospital. Serious or complex cases will often be referred to Children's Hospital in Aurora or Medical Center of the Rockies in Loveland.

B. Victims of suspected sexual assault 13 years of age and older, are examined by a trained specialist at St. Anthony's North Hospital. Victims under the age of thirteen are examined at Children's Hospital in Aurora or Medical Center of the Rockies in Loveland. Ralston House, a child advocacy center located in Arvada, is available for non-emergency examinations (past 72 hours).

C. The local child advocacy center and the Kempe Center are resources for these types of investigations. A social worker or detective supervisor may be consulted to determine the most appropriate resource.

D. Parental consent is not required to obtain copies of medical records in abuse cases (CRS 19-3-311).

E. When a parent will not consent to medical examination, investigating officers may seek a court order from a district court judge to obtain an examination. The HHS and County Attorney's Office assist when seeking such an order. The officer considers placing an endangered child in protective custody while seeking such an order.

F. Investigators must use extreme care when examining children for signs of physical abuse in intimate areas of the body. Investigators are not relieved of 4th Amendment requirements for conducting searches that do not involve consent or exigent circumstances. Investigators obtain consent from the parent and victim to conduct such a search (a child may be able to give consent without the parent, with consideration given to age, reasoning, and ability to understand what is occurring). These searches are best handled in a medical setting by a nurse or other qualified individual. In any case, investigators have another credible person present during the exam. When the investigator has probable cause to believe a crime was committed, but cannot obtain consent and exigency is not an issue, the investigator seeks a search warrant.

209-6 Child Abuse Fatality Advisory Team

A team of professionals–the Child Abuse Fatality Advisory Team–has been established to review child abuse fatality cases and provide advice to local investigators on these cases. The team assembles within 48 hours of notification by the Coroner's Office. Police and HHS investigators are responsible for presenting the facts of the case to the team. The team consists of core members from the District Attorney's Office, the Coroner's Office, physicians, law enforcement, HHS, and the County Attorney's Office.

209-7 Child and Family Advocacy Center

Blue Sky Bridge has been provided for a coordinated multi-disciplinary approach to *serious* child abuse and sexual abuse cases. The center provides the following services and is utilized for the following purposes.

A. Video and audio tape recorded interviews in a "child friendly" atmosphere.

B. Case coordination among various agencies.

C. Family counseling services.

209-8 Charging Guidelines

The decision to make an arrest or issue a summons in a child abuse case is sometimes perplexing to the officer. The following guidelines are derived from statutes and have been agreed upon by representatives from law enforcement, the District Attorney's Office, and HHS. Child abuse, the criminal violation, is found in CRS 18-6-401. Additional statutory definitions may be referred to when making charging decisions and are found in CRS 19-1-103(1).

A. Abuse: an arrest is made or a summons issued when probable cause and one of the following conditions exist.

1. Skin bruising.
2. Bleeding.
3. Burns.
4. Fractures.
5. Subdural hematoma.
6. Soft tissue swelling.
7. Death.

B. Neglect: an arrest is made or a summons issued when there is probable cause to believe that a child was permitted to be unreasonably placed in a situation which posed a threat of injury to the child's life or health, or the responsible party engaged in a pattern of conduct which resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries which ultimately resulted in death or serious bodily injury. Children under the age of 12 years are considered at greater risk than older children. These cases may include, but are not limited to:

1. Exposure to illegal drugs, alcohol abuse, or domestic violence;
2. Unreasonable exposure to the elements;
3. Abandonment;
4. Failure to supply adequate food, clothing or shelter; and
5. Placement in a dangerous environment.

209-9 Summons v. Arrest

The following guidelines are generally agreed upon to assist the officer with the decision to make a custodial arrest or issue a summons.

A. Arrest. A custodial arrest is made when:

1. After investigation, it is determined that the child is in continued danger of abuse once the officer or social worker leaves;

2. A felony (serious bodily injury) has occurred; or

3. Sexual abuse has occurred.

B. Summons. A summons is issued when:

1. A misdemeanor abuse or neglect has occurred, the parent or suspect is cooperative, and risk of further abuse is minimal; or

2. A third party abuse has occurred and the suspect poses no further threat to the victim, and there is no need for a "no contact" provision of bond.

209-10 Child Abuse and Neglect Investigation Protocol

A multi-agency committee established an investigative protocol for the 20th Judicial District in 1999. This protocol serves as an investigative guideline and is utilized by Boulder Police detectives and maintained in that section. The protocol provides in-depth guidelines for child abuse investigations.

Boulder Police Department
General Order 210
Missing and Abducted Children

Effective: January 11, 2016
Replaces: General Order 210, August 18, 2005
Reviewed: January 5, 2016

210-1 Responsibilities of Communications
210-2 Responsibilities of Patrol Section
210-3 Amber Alert
210-4 Responsibilities of Detective Section
210-5 Application of Procedures

POLICY

Members respond to and investigate reports of missing or abducted children (persons under the age of 18) following a set of prescribed general guidelines. Every child reported as missing is considered "at risk." Generally, children under the age of 12 are considered to be at high risk due to their vulnerability and decreased likelihood to run away. In all cases, officers must weigh the circumstances and age of the child when determining how to respond. If initial investigation determines that a child has voluntarily run away, refer to GO 211, Runaways.

PROCEDURES

210-1 Responsibilities of Communications

Communications personnel:

A. Dispatch an officer to the scene. If it is determined that the child is missing under unusual circumstances, two officers are dispatched.

B. Notify a patrol supervisor.

C. Transmit the appropriate radio alerts and other notifications.

D. Search CAD records for related information.

210-2 Responsibilities of Patrol Section

A. Responding officers:

1. Respond directly to the scene.

2. Interview parents or the person who is making the initial report and obtain a description of the missing child and, when applicable, a description of the abductors and update Communications.

3. Verify that the child is, in fact, missing, and thoroughly search the location, including any space in which a child may hide or be concealed and any other structures or vehicles at the location. Also search the child's home if missing from another location.

4. Confirm the child's custody status.

5. Obtain photo(s) of the missing child/abductor. E-mail the photo(s) to Communications to be attached to the call for patrol MDC's.

6. Identify the circumstances of the disappearance and determine when, where

and by whom the child was last seen and interview the individual(s) who last had contact with the child.

7. Determine the scope of the immediate search area based upon the child's age, developmental stage and physical and mental health.

8. Secure and safeguard the area as a potential crime scene.

9. Refer to the missing and abducted children checklist (attached) and make an initial determination of the need for additional resources.

10. Ensure that an NCIC/CCIC entry is made and that Communications is broadcasting updates.

11. Identify and interview witnesses separately.

12. Prepare the appropriate police reports.

B. Patrol supervisors:

1. Obtain a briefing from the first responder and other agency personnel at the scene.

2. Assume command.

3. Determine if additional personnel and resources are needed to assist in the investigation.

4. Utilize LPR vehicles at neighborhood chokepoints or to complete grid-search of area.

5. Notify detectives if the child has not been located 30 minutes after patrol's initial response or if the child is missing under unusual circumstances.

6. Establish a command post away from the scene.

7. Organize and coordinate search efforts and neighborhood canvases.

8. Ensure that all necessary notifications have been made.

9. Assign a liaison to the family.

10. Ensure that all necessary police reports are completed in a timely fashion.

11. If circumstances warrant, request Communications to launch EPN/EWE **(9-1-1 call back)**

12. Utilize the AMBER Alert system when appropriate.

210-3 AMBER Alert: America's Missing: Broadcast Emergency Response

A. Criteria as set by state protocols for issuing an AMBER Alert:

1. The child must be 17 years of age or younger.

2. The child must be in immediate danger of serious bodily harm or death.

3. There must be enough descriptive information to believe a broadcast will assist or help in the recovery.

4. The activation must be requested by the local law enforcement agency of jurisdiction.

B. Procedure

1. An operations supervisor must request activation of the AMBER alert system through Communications.

2. Communications will call CBI at 303-239-4211 and advise the need for an AMBER alert. They will need the following information:

   a) The identity of the law enforcement agency and the official making the request (name of supervisor).

   b) Confirmation that the child has been abducted rather than a runaway or victim of parental abduction. (NOTE: The AMBER alert system is not to be used for runaway or family abductions unless investigation determines the child's life is in immediate danger).

   c) Information regarding the circumstances of the abduction containing a factual basis that would indicate the child is in danger of serious bodily harm or death.

   d) Complete description of the child, the abductor and/or the suspect's mode of transportation and last known location.

3. Document all this information in the CAD event associated with the call.

4. Document the name of the contact person at CBI.

Upon receipt of the case information, CBI will forward the information to the EAS (Emergency Alert System) for broadcast via radio and television. CBI will remain available for updated information from the requesting agency as well as the cancellation of the alert. It is critical the alert be cancelled immediately upon recovery of the child.

FBI and the National Center for Missing and Exploited Children (NCMEC) will be notified of the AMBER alert. The operations supervisor needs to be prepared to accept their assistance.

210-4 Responsibilities of Detective Section

Detectives:

A. Verify the accuracy of all descriptive information and obtain a briefing from agency personnel at the scene.

B. Search agency records for related information.

C. Establish media relations.

D. Perform the general follow-up investigation, including:

   1. Obtain a brief history of recent family dynamics.

   2. Identify any conflicts in information.

   3. Conduct any additional interviews.

E. Implement effective case management, including a lead-tracking system.

F. Evaluate the need for additional resources and specialized services.

G. Update descriptive information.

210-5 Application of Procedures

In general, the procedures herein do not apply to known or chronic runaways or runaways falling under group home status (see General Order 211, Response to Runaways).

Recommend using NCMEC Investigative Checklist for First Responders rather than BPD's list (see attached)

INVESTIGATIVE CHECKLIST FOR FIRST RESPONDERS

This Checklist is meant to provide a framework of actions, considerations, and activities that may assist in performing competent, productive, and thorough missing/abducted-children investigations.

First Responder

[ ] Activate patrol-vehicle-mounted video camera, if circumstances warrant, when approaching the scene to record vehicles, people, and anything else of note for later investigative review.
[ ] Interview parent(s)/guardian(s)/person who made the initial report.
[ ] Confirm the child is in fact missing.
[ ] Attempt to verify the child's custody status.
[ ] Identify the circumstances of the missing episode.
[ ] Determine when, where, and by whom the missing child was last seen.
[ ] Interview the individuals who last had contact with the child.
[ ] Identify the child's zone of safety for his or her age and developmental stage.
[ ] Make an **initial assessment**, based on the available information, of the type of incident whether nonfamily abduction; family abduction; runaway; or lost, injured, or otherwise missing.
[ ] Obtain a **detailed** description of the missing child, abductor, and any vehicles used.
[ ] Secure photos/videos of the missing child/abductor, and don't forget photos that may be available on cell phones.
[ ] Evaluate whether the circumstances meet **AMBER Alert™ criteria** and/or other immediate community-notification protocol if not already activated. Discuss plan activation with supervisor.
[ ] Evaluate whether the circumstances warrant requesting the National Center for Missing & Exploited Children®'s (NCMEC) Team Adam. If a Child Abduction Response Team (CART) is in the area, does the child's case meet their activation criteria?
[ ] Relay detailed descriptive information to communications unit for broadcast updates.
[ ] Determine need for additional personnel including investigative and supervisory staff.
[ ] Brief and bring up-to-date all additional responding personnel.
[ ] Identify and separately interview everyone at the scene. Make sure their interview and identifying information is properly recorded. To aid in this process, if possible, take pictures or record video images of everyone present. Video cameras affixed to patrol vehicles may be helpful with this task.
  [ ] Note name, address, home/business phone numbers of each person.
  [ ] Determine each person's relationship to the missing child.
  [ ] Note information each person may have about the circumstances surrounding the missing episode.
  [ ] Determine when/where each person last saw the child.
  [ ] Ask each one, "What do you think happened to the child?"
  [ ] Obtain names/addresses/phone numbers of the child's friends/associates and other relatives and friends of the family.
  [ ] Determine if any suspicious activity or people were seen in the area.
  [ ] Determine if any people were seen who seemed unusual, strange, or out-of-place.
[ ] Continue to keep communications unit apprised of all appropriate developing information for broadcast updates.
[ ] Obtain and note permission to search home or building where incident took place **even if the premises have been previously searched by family members or others**.
[ ] Conduct an immediate, thorough search of the missing child's home **even if the child was reported missing from a different location**.
[ ] Seal/protect scene and area of the child's home, including the child's personal articles such as hairbrush, diary, photos, and items with the child's fingerprints/footprints/teeth impressions, so evidence is not destroyed during or after the initial search and to help ensure items that could help in the search for and/or to identify the child are preserved. Determine if any of the child's personal items are missing. If possible, photograph/take videos of these areas.
[ ] Evaluate the contents and appearance of the child's room/residence.
[ ] Inquire if the child has access to the Internet and evaluate its role. Do not overlook activity on social-networking websites and teen chatlines.
[ ] Ascertain if the child has a cell phone or other electronic communication device and obtain the most recent records of their use.
[ ] Extend search to surrounding areas and vehicles, including those that are abandoned, and other places of concealment such as abandoned appliances, pools, wells, sheds, or other areas considered "attractive nuisances."
[ ] Treat areas of interest as potential crime scenes including all areas where the child may have been or was going to be located.
[ ] Determine if surveillance or security cameras in the vicinity may have captured relevant information. This information may be used to help locate the child and/or corroborate or refute witness statements.
[ ] Interview other family members, friends/associates of the child, and friends of the family to determine
  [ ] When each last saw the child.
  [ ] What they think happened to the child.
  [ ] If the child had complained about being approached by anyone.

[ ] Review sex-offender registries to determine if registered individuals live/work in the area or might otherwise be associated with the case. Call NCMEC toll-free at 1-800-THE-LOST® (1-800-843-5678) to request assistance with this step.

[ ] Ensure information regarding the missing child is entered into the National Crime Information Center's (NCIC) Missing Person File no more than two hours after receipt of the report and any information about a suspected abductor is entered into the NCIC Wanted Person File. Carefully review NCIC categories before entering the case, and be sure to use the Child-Abduction flag whenever appropriate.

[ ] Prepare flier/bulletin with the child/abductor's photo and descriptive information. Distribute in appropriate geographic regions. Call NCMEC toll-free at 1-800-THE-LOST (1-800-843-5678) for assistance with this step.

[ ] Prepare reports/make all required notifications.

Supervisory Officer

[ ] Obtain briefing and written reports from the first responding officer and other personnel at the scene.

[ ] Decide if circumstances meet the protocol in place for activation of an **AMBER Alert** and/or other immediate community-notification systems if not already activated.

[ ] Determine if additional personnel are needed to assist in the investigation.

[ ] Establish a command post away from the child's residence.

[ ] Determine if additional assistance is necessary from

- [ ] State/Territorial Police.
- [ ] Missing-Children Clearinghouse.
- [ ] Federal Bureau of Investigation (FBI).
- [ ] Specialized Units.
- [ ] Victim-Witness Services.
- [ ] NCMEC's Project ALERT®/Team Adam.
- [ ] CARTs.

[ ] Confirm all the required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability.

[ ] Ensure coordination/cooperation among all law-enforcement personnel involved in the investigation and search effort.

[ ] Verify all required notifications are made.

[ ] Ensure all agency policies and procedures are in compliance.

[ ] Be available to make any decisions or determinations as they develop.

[ ] Use media including radio, television, and newspapers to assist in the search throughout the duration of the case.

Investigative Officer

[ ] Obtain briefing from the first responding officer and other on-scene personnel.

[ ] Verify the accuracy of all descriptive information and other details developed during the preliminary investigation.

[ ] Initiate a neighborhood canvass using a standardized questionnaire.

[ ] Obtain a brief, recent history of family dynamics.

[ ] Correct and investigate the reasons for conflicting information offered by witnesses and other individuals.

[ ] Collect article(s) of the child's clothing for scent-tracking purposes.

[ ] Review and evaluate all available information and evidence collected.

[ ] Secure the child's latest medical and dental records.

[ ] Contact landfill management and request they delay or at least segregate garbage and dumping containers from key investigative areas in cases where it is suspected there may be imminent danger to the missing child.

[ ] Develop and execute an investigative plan.

[ ] Conduct a criminal-history background check on all principal suspects, witnesses, and participants in the investigation.

[ ] Determine what additional resources and specialized services are required.

[ ] Ensure details of the case have been reported to NCMEC.

[ ] Prepare and update bulletins for local law-enforcement agencies, missing-children clearinghouse, FBI, and other appropriate agencies.

[ ] Establish a phone hotline for receipt of tips and leads. Consider establishing an e-mail address and other methods of electronically receiving leads as well.

[ ] Establish a leads-management system to prioritize leads and help ensure each one is reviewed and followed up on. **Note**: NCMEC has developed software, named the Simple Leads Management System, designed to manage and prioritize leads associated with missing-child investigations. It is available at no cost by calling NCMEC's Missing Children Division toll-free at 1-800-THE-LOST (1-800-843-5678).

This "pocket guide" is adapted from and to be used as a supplement to *Missing and Abducted Children: A Law-Enforcement Guide to Case Investigation and Program Management*. That guide contains additional Investigative Checklists and materials. To request a free copy or technical assistance for specific cases, call **NCMEC at 1-800-THE-LOST (1-800-843-5678)**. This project was supported by Grant No. 2013-MC-FX-K001 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice. This document is provided for informational purposes only and does not constitute legal advice or professional opinion on specific facts. Information provided in this document may not remain current or accurate, so recipients should use this document only as a starting point for their own independent research and analysis. If legal advice or other expert assistance is required, the services of a competent professional should be sought. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice. Copyright © 2004, 2006, and 2011 National Center for Missing & Exploited Children. All rights reserved. National Center for Missing & Exploited Children®, 1-800-THE-LOST®, and Project ALERT® are registered trademarks of the National Center for Missing & Exploited Children. NCMEC Order #99.

Missing and Abducted Children Checklist for Patrol Officers

•Gather sufficient information to determine what occurred.
•Accuracy is crucial to determining if an actual abduction has occurred.
•A rapid, thorough investigation may develop additional information to indicate that the missing child is a pretense to cover-up child abuse, domestic abuse, or a homicide.
•***Nothing should be assumed by an officer; all information should be verified.***

The following steps are a reminder only; they may occur simultaneously.

9 Verify the accuracy of the initial complaint. Obtain a complete description of the basic facts, including who, what, when, where, and how the incident occurred, and circumstances at the time of the disappearance, and the physical health, mental health, and custody status of the child.

9 Identify the location/area the victim was last seen and **secure this area as a crime scene**. Identify who has been in the scene until a complete and detailed forensic examination can be completed. Was it normal for the victim to be at this location? If not, why was the victim at this location? What are the child's normal behavior/activity patterns?

9 Obtain a complete and detailed description of the victim, including height, weight, hair color, eye color, clothing, backpack, shoes, and a recent photograph for future dissemination to search teams and the media. Have Communications complete a law enforcement broadcast (including the metro area, CCIC, and NCIC) with all of the victim's information and, if applicable, suspect description.

9 Notify the street supervisor for a response.

9 Find out what has been done to locate the child.

9 Determine when the victim was last seen, and when the victim was discovered missing.

9 Request additional units to respond to the scene.

9 Conduct and document a complete, thorough search of the immediate area. The search should include any area in which a child might hide or be concealed. Complete a thorough search of the child's home, neighborhood, car (including trunk and other small compartments), refrigerators/freezers, large boxes, normal play areas, play houses, forts, garages, and any normal hiding areas.

9 Locate any witnesses to the incident, including the last person to have contact with the victim. Separate the witnesses and complete interviews with them.

9 Request the response of a search and rescue dog (there may be a delay in the arrival of a search dog).

9 Notify the FBI if abduction is suspected.

9 In the absence of absolute certainty of the type of incident this is, or when the child has not been found within 30 minutes of your arrival (after completion of a thorough search), treat this disappearance as an **abduction** and **notify the detective supervisor**. Request additional personnel to respond to the scene, set up a command post away from the victim's home and crime scene, and initiate a staff page.

9 Complete and maintain a list of all personnel assigned to the incident and include their location, assignment, and status.

9 Be prepared to brief all responding personnel with complete and updated details of the incident.

see back for additional guidance

Scene Searches

Neighborhood Canvas

Victim Information

Resources

form updated 8/24/99

Boulder Police Department
General Order 211
Runaways

Effective: October 8, 2015
Replaces: General Order 211, July 19, 2004
Reviewed: September 29, 2015

211-1 Application
211-2 Member Responsibility
211-3 Attention Home Reports
211-4 Return of Runaways
211-5 Runaways from Outside Jurisdictions
211-6 Runaways Located by Outside Jurisdictions
211-7 Chronic Runaways
211-8 Detective Responsibility

POLICY

A child (an unmarried person under the age of 18 years) who voluntarily leaves the protective custody of his/her parent or legal guardian, without permission, is classified as a runaway. Running away is a non-criminal incident. The department tracks runaway reports, enters and removes runaways from NCIC/CCIC and conducts investigations of runaway reports as appropriate for youth who are reasonably believed to be endangered due to their age or other factors. The department makes reasonable and appropriate accommodations to work with parents, outside agencies, and the Department of Social Services to locate and return runaway youth.

PROCEDURES

211-1 Application

This general order addresses situations in which the child is reasonably believed to have voluntarily left, when the child is of sufficient age and reasoning to care for and protect him/herself (generally pre-teens are considered at greater risk) and when there are no suspicious or dangerous circumstances known. All other cases are handled according to the procedures outlined in General Order 210, Response to Missing and Abducted Children.

211-2 Member Responsibility

When a member receives a report of a runaway, the member:

A. Contacts the reporting party and completes a runaway report outlining the circumstances concerning the child's disappearance including a complete description of the child.

B. Encourages parents/guardians to take the initiative in locating their child by contacting their friends and acquaintances and checking locations the child frequents.

C. Obtains additional information as appropriate, such as a recent photograph, locations the child frequents, a list of friends and acquaintances and possible plans or destinations. Depending upon the level of risk to the runaway, members may assist in or initiate further investigation.

D. Requests that Records and Information Services (RIS) enter the runaway into the NCIC/CCIC computer system.

E. Forwards a copy of the completed report to RIS and the Detective Section via the approved chain.

F. Completes pass-on information in the patrol pass-on book and/or notifies the appropriate jurisdiction based upon the runaway's destination.

211-3 Attention Home Reports

Attention Home clients are often chronic runaways, are out of the protective environment of a parent's home and are normally older children. Therefore, they are handled according to the following procedures.

A. The Attention Home employee completes a runaway report (as supplied by the department).

B. The Attention Home faxes the report to RIS.

C. RIS assigns a case number and enters the runaway into the NCIC/CCIC computer system and the patrol pass-on book.

D. RIS contacts the reporting party with the case number.

E. RIS forwards a copy of the report to the Detective Section and files the original report.

211-4 Return of Runaways

A. When a parent or guardian reports that the child has returned, the officer:

1. Verifies the child has returned.

2. Completes supplemental information to the original report indicating the return of the child.

3. Requests that RIS remove the child from NCIC/CCIC and cancels the information in the patrol pass-on book.

B. When the child returns to an Attention Home:

1. The Attention Home employee completes the "return" portion of the runaway report and faxes it to RIS.

2. RIS removes the child from NCIC/CCIC and cancels the information in the patrol pass-on book.

C. When an officer locates a runaway child, the officer:

1. Makes reasonable attempts to contact a parent or legal guardian and returns the child to him/her.

2. Completes supplemental information to the original report indicating the child has been returned.

3. Requests that RIS remove the child from NCIC/CCIC and cancels the information in the patrol pass-on book.

D. With a supervisor's approval, an officer may transport a runaway to a neighboring jurisdiction to return them to a parent, guardian, or outside agency with jurisdiction, or make appropriate and reasonable accommodations to meet these parties partway.

E. In the event that the officer is unable to contact a parent or legal guardian, or in the event of out-of-state runaways or those from distant jurisdictions or other circumstances in which temporary shelter is need-

ed because the runaway cannot be immediately returned, the child is transported to the designated youth shelter for temporary housing.

1. The shelter is given information about parents and guardians and how to contact them, or whether they have been contacted.

2. The shelter assumes responsibility for the child and continues to attempt to contact parents or guardians if needed.

3. The officer completes a supplemental report indicating the child was placed at the shelter and has the child removed from NCIC/CCIC and the patrol pass-on book.

4. If the runaway child is 16 years of age or older, the shelter may be unable or refuse to house the child. In such cases, the runaway may be released from the officer's custody and these actions are appropriately documented.

5. In the event a youth shelter is not available for a child under 16 years of age, the officer contacts the on-call judge or the district court juvenile judge to seek authorization to place the runaway in the juvenile detention center until the juvenile can be picked up by a parent, guardian or other responsible adult.

211-5 Runaways from Outside Jurisdictions

A. Officers cooperate with outside agencies in attempting to locate, transport and temporarily house juvenile runaways.

B. Officers complete an incident report for an "outside agency assist" and request that RIS send a "locate" via NCIC/CCIC when a juvenile runaway from an outside agency is taken into temporary custody.

C. The outside agency is notified and arrangements are made for the return or temporary shelter of the runaway as outlined previously.

211-6 Runaways Located by Outside Jurisdictions

When a Boulder Police Department-reported runaway is contacted by an outside jurisdiction:

A. An NCIC/CCIC "locate" is sent to RIS. RIS completes supplemental information to the original report indicating that the runaway has been located.

B. RIS removes the runaway from NCIC/CCIC and the patrol pass-on book.

C. RIS provides the locating agency with information concerning parent or guardian contact names and numbers. If contact cannot be made by the locating agency, a Boulder officer may be dispatched to attempt to personally contact the parent or guardian, or to leave a note concerning the status of the runaway.

D. Return transportation for a runaway is generally the responsibility of the parent or guardian. In unusual or extenuating circumstances, a supervisor may be consulted to determine if transportation can be provided to or from other jurisdictions.

211-7 Chronic Runaways

A check of the records management system must be made to determine if there are previous runaway reports on the juvenile. After the third time a child is reported as a runaway, they are classified as a chronic runaway and maintains that status until his/her eighteenth birthday. When a runaway is determined to be a chronic runaway:

A. RIS mails a certified letter to the parent or guardian indicating the child has been classified as a chronic runaway. The letter includes instructions to contact RIS directly for subsequent runaway reports.

B. RIS issues a permanent case number for the juvenile. All subsequent reports are filed under this number. Each time the juvenile returns or leaves thereafter, RIS creates a supplemental report to record this information.

C. RIS enters runaway information and chronic runaway status into the NCIC/CCIC network. According to Colorado Bureau of Investigation (CBI) requirements, these entries are canceled when the child returns and re-entered when the child runs away again.

D. RIS makes appropriate "active" or "inactive" status changes to the child's file as needed.

E. Unless unique or extenuating circumstances exist, no officer responds and no new report is taken when the child is reported as an active runaway.

211-8 Detective Responsibility

The Detective Section assigns an investigator to routinely review missing persons and runaway reports. Reports are screened for unusual circumstances, at-risk individuals and suspicious circumstances. Runaway reports are investigated by the Detective Section when the victim is reasonably believed to be endangered due to his/her very young age, medical or developmental problems or associations with corrupting influences or individuals, or when it is unclear that the disappearance was voluntary.

Boulder Police Department
General Order 212
Missing Persons

Effective: August 8, 2011
Replaces: General Order 212, Missing Persons, April 12, 2007

212-1 Reporting/Classification of Missing Persons
212-2 Initial Report Taking
212-3 Preliminary Investigation
212-4 Ongoing Investigation
212-5 Recovery of Missing Persons and Case Closure

POLICY

Many missing person reports involve individuals who have voluntarily left for personal reasons, while other reports are often unfounded or quickly resolved. However, there are some instances in which persons disappear for unexplained reasons and under circumstances where they may be considered at risk. The roles of the call taker and initial responding officer are critical in identifying the circumstances surrounding missing persons and in identifying those persons at risk. Therefore, it is the policy of this department that all reports of missing persons be given consideration and attention by members of this agency to include careful recording and investigation of factual circumstances surrounding the disappearance in accordance with this policy, and that particular care be exercised in instances involving those who may be mentally or physically impaired or others who are insufficiently prepared to take care of themselves. This policy applies to individuals ages 18 and older. For cases involving individuals less than 18 years of age, refer to General Order 210, Missing and Abducted Children.

PROCEDURES

212-1 Reporting/Classification of Missing Persons

A. There is no waiting period for reporting a missing person. Missing person reports shall be taken in-person or by telephone in conformance with the criteria of this policy and the criticality of the incident.

B. A person may be declared "missing" when his/her whereabouts is unknown and unexplainable for a period of time that is regarded by knowledgeable parties as highly unusual or suspicious in consideration of the subject's behavior patterns, plans or routines.

C. An individual may be considered "missing-critical" who meets the foregoing criteria and who, among other possible circumstances:

1. May be the subject of foul play;

2. Because of age, may be unable to properly safeguard or care for himself/herself;

3. Suffers from diminished mental capacity or medical conditions that are po-

tentially life threatening if left untreated/unattended;

4. Is considered potentially dangerous to himself or others;

5. Has demonstrated the potential for suicide; or

6. May have been involved in a boating, swimming or other sporting accident or natural disaster.

D. Based on the outcome of initial inquiries, a decision may be made concerning the potential danger posed to the missing person and the urgency of police response.

212-2 Initial Report Taking

A. The initial report taker must gather as much pertinent information as possible in order to properly classify a missing person report and initiate proper response. This includes the following information:

1. Name, age, and physical description of the subject and relationship of the reporting party to the missing person.

2. Time and place of last known location and the identity of anyone accompanying the subject.

3. The extent of any search for the subject.

4. Whether the subject has been missing on prior occasions and the degree to which the absence departs from established behavior patterns, habits, or plans.

5. Whether the individual has been involved recently in domestic incidents; suffered emotional trauma or life crises; demonstrated unusual, uncharacteristic, or bizarre behavior; is dependent on drugs or alcohol or has a history of mental illness.

6. The current physical condition of the subject and whether the person is currently on prescription medication.

212-3 Preliminary Investigation

The preliminary investigation of the reporting officer is intended to gather additional information and to take those steps that will aid in the search for and location of a missing person. This includes gathering the following types of information and materials:

A. Complete description of the subject and a recent photograph.

B. Details of any physical or emotional problems identified in items 212-2 A, 5 and 6 of this policy.

C. Identity of the last person(s) to have seen the subject as well as friends, relatives, co-workers or associates who were or may have been in contact with the subject prior to disappearance.

D. Plans, habits, routines and personal interests of the subject including places frequented or locations of particular personal significance.

E. Indications of missing personal belongings, particularly money and other valuables.

F. Any suggestions of foul play or accident.

G. If the reporting officer's attempts to locate the missing person are unsuccessful a missing person report shall be completed and appropriate entries made in state and national information databases in accordance with established procedures (e.g., CCIC and NCIC*)*.

H. In the case of persons designated as "missing-critical," a supervisory officer may direct that;

1. The dispatcher broadcasts to all persons on duty all information necessary to identify the missing person, and

2. Request that the shift commander authorize mobilization of resources necessary for an area search.

3. When appropriate to the circumstances, request Communications to launch EPN/EWE (9-1-1 call back).

4. If there is a clear belief that the person is at risk of injury or death if not located as soon as possible, a CCIS BOLO can be sent to a specific agency or limited area after the CCIS/NCIC entry has been made.

I. In the case of a caller advising dispatch that the missing person is enrolled in Colorado Life Track (CoLT) and is wearing a transmitter;

1. Dispatch will create a call and notify BCC. Dispatch will also page the BCSO CoLT Program Coordinator and search the CoLT notebook for additional client information. The violet channel dispatcher will query the party in CCIS.

2. BCC dispatch will be responsible for alerting Boulder Emergency Squad (BES) and Longmont Emergency Unit (LEU) advising that a person enrolled in the CoLT program is missing.

3. Dispatch will send an officer to the reporting party's location. They will advise the officer that a person enrolled in the CoLT program is missing and provide the client's name, date of birth, description, location the person was last seen, time lapse, and the frequency number of the missing person's CoLT transmitter. If there is no available unit to respond, a patrol sergeant will be advised the call is pending and this action will be documented into CAD.

4. Officers responding to take the initial report will gather additional information from the reporting party and provide it to the other units responding.

5. Officers will coordinate their search with BES and LEU units equipped with CoLT wands.

212-4 Ongoing Investigation

Ongoing investigations of missing persons may include but are not limited to the following actions and activities; however, missing critical investigations will include:

A. Thoroughly check the location where the missing person was last seen and conduct interviews as appropriate with persons who were with the individual or who may work in or frequent the area;

B. Conduct interviews with any additional family, friends, and work associates, as appropriate, to explore the potential for foul play or voluntary flight;

C. Decisions to use local media to help locate missing persons shall be made with the approval of the Chief of Police and the missing person's family;

D. Contact hospitals and the coroner's office as appropriate for injured or deceased persons fitting the description of the missing person;

E. When available, request release of dental records and any fingerprints available; and

F. The lead investigator shall maintain routine ongoing contact with the missing person's closest relative concerning progress of the

investigation. These and other relevant individuals shall be informed that they must notify the lead investigator as soon as any contact is made with the missing person.

212-5 Recovery of Missing Persons and Case Closure

A. Competent adults, having left home for personal reasons, cannot be forced to return home. Officers locating such individuals shall:

   1. Advise them that they are the subject of a missing person investigation;

   2. Ask if they desire the reporting party or next-of-kin to be notified of their whereabouts; and

   3. Make provisions to transmit this information to the reporting party or next-of-kin if permitted by the missing person.

B. In all cases, reporting parties shall be informed of the well-being of located missing persons. Unless criminal matters necessitate other action, desires of missing persons not to reveal their whereabouts shall be honored.

C. Missing persons shall be questioned to establish the circumstances surrounding their disappearance and whether criminal activity was involved.

E. Upon location of a missing person, all agencies and information systems previously contacted for assistance will be notified or updated.

Boulder Police Department
General Order 213
Hazardous Material Release and Weapons of Mass Destruction

Effective: October 8, 2015
Replaces: General Order 213, April 12, 2002
Reviewed: September 29, 2015

213-1 Initial Response
213-2 Investigative Responsibilities

POLICY

The department investigates incidents involving the release of hazardous materials and threats that involve the release of nuclear, biological, or chemical materials (weapons of mass destruction). The law requires a joint, cooperative effort between the department and other local and federal agencies. The handling of hazardous materials falls under the authority of the Fire Department and they are in charge of any accidental spill. The Police Department is in charge of all criminal investigations.

PROCEDURES

213-1 Initial Response

Upon receipt of a call involving the release or threat of release of a hazardous material, members ensure that a joint response is being coordinated with the Boulder Fire Department.

A. Officers responding to the scene approach it from an upwind and, if possible, upslope direction.

B. First responders do not respond directly into the scene, but remain a minimum distance of approximately 300 feet away. This distance is variable depending on the size and scope of the incident.

C. Only those personnel that have appropriate equipment for self-protection (Level A suits) and monitoring devices enter the "hot zone." The hot zone, or "exclusion area," is considered the area in which the incident occurred and the area up to 300 feet from the core.

D. If a member finds that he/she is already inside the scene of an incident, he/she evaluates the situation to determine if remaining in the area would result in further harm from exposure.

   1. If a member determines that additional exposure is not detrimental, he/she remains in place and requests, via phone or radio, that other responders help with his/her decontamination.

   2. If the member determines that additional exposure is or may be detrimental, he/she moves away from the area, but not out of the "warm zone." The warm zone is an area outside the hot zone, which extends for an additional 60 feet and is used as a contamination reduction area.

E. Members responding to a potential weapon of mass destruction incident obtain as much information as possible about the call so that they may gauge their response accordingly.

F. Members are alert to the possibility of a secondary device located near the original incident designed to explode once first responders have arrived on the scene of the original incident.

213-2 Investigative Responsibilities

Weapons of mass destruction incidents are criminal in nature since they involve threats and potential for loss of life or major catastrophic events. Because they are criminal in nature, the department is responsible for follow-up investigations related to the event.

A. Responding officers:

1. Refer to General Order 203, Investigative Responsibility and Case Assignments and the major crime scene management checklist.

2. Refer to General Order 221, Incident Command System (221-4 Duties and Responsibilities).

3. Request that a supervisor respond.

B. Patrol supervisors:

1. Initiate a unified command

2. Refer to General Order 215, Mandatory Notifications.

3. Coordinate with the Fire Department for deployment of personnel.

4. Plan for additional evacuations, including the identification of locations to which evacuees will be directed.

5. Notify the Office of Emergency Management for assistance from the Multi-agency Coordination System (MACS) in obtaining additional resources.

6. Coordinate with the Public Information Officer to broadcast information to the public about the incident and relocation efforts.

7. Provide relief for personnel at the scene of an extended investigation.

8. Ensure that evidence is collected and a chain of evidence is maintained.

9. Ensure that reports are obtained from all officers and detectives involved in the investigation.

10. Maintain control of the scene until relieved by another supervisor or until the scene is turned over to another agency (i.e., the Federal Bureau of Investigation) for further investigation.

11. In a criminal investigation involving weapons of mass destruction, the Federal Bureau of Investigation becomes the lead investigative agency. The release of the crime scene to the FBI is determined by the Chief of Police or designee.

Boulder Police Department
General Order 214
Motorcycle Unit

Effective: January 31, 2008
Replaces: January 28, 2000

214-1 Definitions
214-2 Operation
214-3 Vehicle Pursuits
214-4 Reports and Custodial Arrests
214-5 Equipment
214-6 Personnel Qualifications
214-7 Selection Process
214-8 Removal from the Motorcycle Unit
214-9 Training

POLICY

The department utilizes motorcycles in support of traffic safety, enforcement activities, and special events. In conjunction with officer training and compliance with safety precautions as outlined in this policy, the department strives to minimize the risks to officers and citizens, and maximize the benefits to the community.

PROCEDURES

214-1 Definitions

A. Motorcycle Unit: The group of commissioned officers assigned to the Traffic Unit that operates police motorcycles as its primary on-duty vehicle.

B. Motor officer: A commissioned member of the department who has been selected, equipped, and trained to operate a police motorcycle and, while assigned in that capacity, operates a police motorcycle as a primary on-duty vehicle. Motor officers are assigned to the Traffic Unit as a specialized position and are subject to the applicable BPOA contract provisions. Under circumstances deemed necessary by a supervisor or watch commander, motor officers may be assigned to other duties and assignments within the Patrol Section or Traffic Unit.

C. Motorcycle Unit supervisor: A supervisor of the Traffic Unit assigned to supervise the Motorcycle Unit as a collateral duty.

214-2 Operation

A. Function.

1. The primary use of the Motorcycle Unit is as a directed traffic enforcement vehicle within the City of Boulder.

2. A motor officer may respond to assist with patrol functions (such as crimes in-progress and back-up for officers) or as support for accident response or investigation.

3. Motor officers may be assigned to handle accident and traffic complaint investigations when no accident report specialist or general traffic officer is available and conditions are such that the investigation may be completed in a safe and effective manner.

4. Motor officers are not generally assigned to standard patrol functions. If circumstances dictate that a motor officer be assigned to function as a standard patrol officer, that officer is assigned to a standard patrol vehicle and uniform for that assignment.

5. The Motorcycle Unit or individual motor officers may be used for special events or special assignments at the direction or discretion of the Chief of Police or designee.

B. Hours.

1. For the general safety of the motor officers, the Motorcycle Unit is scheduled to operate primarily during daylight hours. Pre-scheduled deployment of the Motorcycle Unit to operate after daylight hours for special events or assignments is made with approval of the Motorcycle Unit supervisor.

2. Hours may be variable and adjusted for seasonal considerations.

C. Deployment.

1. Motor officers are expected to operate the police motorcycles on each of their scheduled workdays.

2. While the Motorcycle Unit is not expected to deploy during periods of inclement weather (rain, snow, high winds, extreme temperatures) or unsafe road conditions (excessive gravel, slush, ice, snow-pack), it has been shown that consistency in riding maintains competency, confidence, and safety. Each motor officer is ultimately responsible for applying good judgment in determining when current (or changing) weather or road conditions pose a safety hazard.

D. Area of operation.

1. The Motorcycle Unit is authorized to operate anywhere within the City of Boulder. The Motorcycle Unit focuses on those areas that do not lend themselves to safe traffic enforcement efforts in standard patrol vehicles.

2. Directed traffic enforcement attention may be focused in areas of high incidents of accidents, dangerous violations, and citizen complaints.

3. The Motorcycle Unit may be assigned to operate outside the City of Boulder with the approval of the Chief of Police or designee.

214-3 Vehicle Pursuits

The operation of the Motorcycle Unit is subject to the provisions of the current emergency response and vehicle pursuit policies of the Boulder Police Department. In addition to those policies, motor officers who initiate a pursuit use due caution while engaged in such pursuit, and are prohibited from continuing to pursue a fleeing vehicle once a standard patrol unit is available to take over the pursuit responsibilities.

A. Motor officers discontinue any vehicle pursuit when the motor officer or any supervisor deems the risks to life or property are higher than the need to immediately apprehend the violator. When making this determination, officers must consider and give more weight to the greater risks involved on a motorcycle.

B. Unless specifically authorized by a supervisor, motor officers are prohibited from directly joining an in-progress pursuit. A motor officer may respond to the area of the termination of a pursuit in order to assist officers at that location.

214-4 Reports and Custodial Arrests

In the event that a contact initiated by a motor officer results in an arrest or other such reports/incidents, it is the responsibility of the motor officer to complete all appropriate paperwork and booking procedures. When the transportation of prisoners (or any other person) is required, motor officers request the assistance of an available patrol car.

214-5 Equipment

A. Motorcycles.

1. The Chief of Police approves the make and model of the police motorcycle to be used by the Motorcycle Unit.

2. No modifications or alterations are made to any department owned police motorcycle or equipment without the prior approval of the Motorcycle Unit supervisor. Only qualified personnel at an approved service center complete approved modifications or alterations.

3. The police motorcycle fleet consists of a police motorcycle assigned to each member of the Motorcycle Unit. Additional motorcycles may be maintained as training vehicles. Certain training motorcycles may be approved and maintained as "pool" police motorcycles to be used when primary assigned police motorcycles are unavailable.

4. The department-owned police motorcycles are stored indoors when not in use. During extended periods of non-use (winter months) precautions are taken to prevent mechanical or engine damage with attention being given to fluids and battery condition. Police motorcycles are kept at a secured, designated location at the Public Safety Building.

5. Except in the course of official duties, department-owned police motorcycles are not taken to or stored at a motor officer's private residence (outside their regularly scheduled shift) or any other location for any reason without the prior, express approval of the Motorcycle Unit supervisor.

6. Cleaning and minor maintenance.

   a. Each motor officer is responsible for keeping his/her assigned police motorcycle clean (washed and waxed) and in proper working condition.

   b. Minor maintenance is performed as needed, but no less than once per week of operation. Minor maintenance includes checking and maintaining:

      1) Oil and brake fluid levels;

      2) Tire and front fork air pressure;

      3) Drive train lubrication and adjustment;

      4) Clutch play adjustment;

      5) Light bulbs (brake, headlight, turn signals, etc.);

      6) Shifter lubrication and setting;

      7) Rear brake linkage adjustment; and

      8) Battery condition (fluid level and charging).

   c. Minor maintenance of the training/pool motorcycles is the responsibility of the Motorcycle Unit supervisor or designee.

7. Pre-ride check.

a. Motor officers perform daily pre-ride checks of their assigned police motorcycles that include:

1) Clutch and brake operation;

2) Steering head (for free movement);

3) Fuel level;

4) Brake pad/disc condition;

5) Tire tread condition;

6) Emergency lights, siren, and radio operation;

7) Fuse condition; and

8) Supply of necessary paperwork and forms.

b. The daily pre-ride check is conducted in conjunction with the start of a motor officer's scheduled shift.

c. Department-owned police motorcycles are not operated when a repair need or condition that could jeopardize the safe operation or functioning of the police motorcycle is known or believed to exist. An exception to this provision may be made with the approval of the Motorcycle Unit supervisor in order to transport a police motorcycle in need of repair to an authorized service center.

8. Routine service.

a. Routine service is performed at a department authorized service center. Routine service occurs at an interval designated by the authorized service center. It is the motor officer's responsibility to deliver his/her assigned police motorcycle to the service center for scheduled routine service.

b. Motor officers obtain prior approval from the Motorcycle Unit supervisor for all non-routine repairs.

c. The Motorcycle Unit supervisor maintains a file of all non-routine repairs and maintenance for each department-owned police motorcycle (primary and training/pool) assigned to the unit.

B. Emergency lighting, siren, and radio equipment.

1. The police motorcycles are equipped with red and blue strobe lights visible to the front and rear of the motorcycle. Lighting is also mounted so that the motorcycles are more visible to the left and right (known as intersection lights).

2. An operational siren and public address system are mounted on the police motorcycle.

3. The radio system is compatible with the current configuration in use by the Communications Section. A push-to-talk (PTT) button is mounted on the handlebars to facilitate the motor officer's radio operation while driving.

C. Personal uniform equipment.

1. The following equipment is provided by the department to each motor officer and is worn by the motor officer when functioning in that capacity:

a. SNELL rated and approved helmet with radio system.

b. High top motorcycle boots.

c. Motorcycle breeches.

d. Safety glasses/eye protection (non-mirrored).

e. Black leather gloves.

f. Black leather jacket with an attached department badge.

g. Winter/bad weather equipment (to be worn as necessary).

1) Polar insulated motorcycle suit.

2) Gauntlet gloves (winter weight).

2. The helmet chin strap is fastened whenever a motor officer is sitting on or operating a police motorcycle.

3. These uniform modifications are approved and incorporated into the department uniform policy for the Motorcycle Unit. All other provisions of the uniform policy remain in effect (i.e., bullet resistant vest).

214-6 Personnel Qualifications

The Motorcycle Unit is a component of the Traffic Unit and is therefore considered a specialized position. The minimum qualifications for application as a motor officer include:

A. Two years continuous service with the Boulder Police Department by the date of appointment

B. Competent ratings for the past two years.

C. A demonstrated history and interest in traffic enforcement and an ability to perform with minimal supervision (officer initiated activities).

D. A commitment to perform the duties of a motor officer for a minimum of three years.

E. Possession of a valid Colorado driver's license with a current motorcycle endorsement, or the ability to obtain a motorcycle endorsement by the commencement of the police motorcycle operator training.

F. Limited involvement with collateral duties that may impact the effective deployment of the Motorcycle Unit.

G. A commitment to comply with required training and safety practices.

H. Agreement to occasionally be assigned to work special events or assignments during times other than regularly scheduled shifts.

214-7 Selection Process

The selection process for motor officers includes:

A. A physical ability assessment to determine whether a candidate is physically capable of handling a police motorcycle, including existing medical conditions and limitations.

B. A review of a candidate's on-duty and off-duty driving history, including all accidents.

C. A review of a candidate's work performance as it pertains to self-initiated activities, and traffic enforcement and knowledge.

D. A written examination covering traffic law and departmental policies regarding operation of vehicles (Emergency Response, Vehicle Pursuit).

E. A written statement outlining and describing previous experiences, abilities, etc., to

include a comment from current, previous, and collateral duty supervisors

F. An oral interview in front of a board comprised of the Traffic Unit commander or designee, the Motorcycle Unit supervisor, a current motor officer, and an approved motorcycle operator instructor (who may be from an outside agency).

G. All selections/appointments to the Motorcycle Unit are conditional upon the successful completion of the approved training program (see below). If a selected officer does not successfully complete the approved training program, the officer is returned to his/her previous assignment in either the Patrol Section or the Traffic Unit. After a minimum of six months, the officer may be eligible to re-apply for any future openings in the Motorcycle Unit.

H. In addition to the officers selected to fill existing vacancies, a limited number of alternates may also be selected and sent to the approved police motorcycle training program to address the possibility that all officers selected may not successfully complete the training program. If that situation arises, an alternate who has successfully completed the approved training course is selected to fill the available position.

I. An alternate who successfully completes the approved training program, but is not assigned as an active motor officer, may apply for future openings in the Motorcycle Unit. An alternate is not authorized to operate a department police motorcycle.

214-8 Removal from the Motorcycle Unit

A motor officer may be removed from the Motorcycle Unit in any of the following circumstances:

A. A motor officer requests to be removed from the unit.

B. A motor officer has, sustains, or develops an injury or illness that prevents or interferes with the safe operation of the police motorcycle, or when the employee's health is endangered by continued performance as a motor officer.

C. A motor officer is involved in any preventable or chargeable on-duty accident, upon supervisory review and recommendation of the Operations Division Deputy Chief.

D. A motor officer is found to have knowingly violated provisions of this general order or any department general order pertaining to safe operation of a vehicle (e.g., Emergency Response, Vehicle Pursuits).

E. A motor officer fails to, or is unable to, complete in-service or recertification training as prescribed by the Motorcycle Unit supervisor.

F. A motor officer fails to meet set goals or performance measures, including maintaining standard ratings on performance evaluations.

214-9 Training

A. Prior to assuming the duties of a member of the Motorcycle Unit, officers are required to successfully complete a department approved police motorcycle operator course of at least 40 hours in duration.

B. Motor officers are required to complete an annual 10-hour refresher course to include recertification with an approved motorcycle operator instructor.

C. Additionally, motor officers are required to attend in-service training sessions designed and scheduled by the Motorcycle Unit supervisor.

Boulder Police Department
General Order 215
Electronic Immobilization Devices (EID)

Effective: May 17, 2016
Replaces: General Order 215, Mandatory Notifications Response, March 28, 2013
Reviewed: May 10, 2016

215-1 Authorized Users
215-2 Placement
215-3 Subject Refusal to Wear an EID
215-4 Activation of an EID
215-5 Prohibited Use of an EID
215-6 Limitations on the Use of an EID
215-7 Record Keeping

POLICY

Electronic Immobilization Devices (EID's) are authorized for use as a replacement for visible restraints when in-custody defendants appear before the court. EID's may also be used in other limited circumstances to secure in-custody subjects upon the approval of the Chief of Police or a designee.

PROCEDURES

215-1 Authorized Users

A. Only those officers trained in the use of an EID are allowed to deploy the device.

215-2 Placement

A. Prior to an officer placing the device on a subject, the EID Utilization Form and Subject Notification Form will be completed. The device is then placed on a subject in accordance with the manufacturer's guidelines.

215-3 Subject Refusal to Wear an EID

A. If a subject refuses to wear an EID during a court appearance, the custodial officer will notify the presiding judge for discussion and direction.

B. For circumstances not involving a court appearance, the officer will make other security arrangements.

C. Only a presiding judge may order an officer to place an EID on a subject who does not consent to wear it.

215-4 Activation of an EID

An EID may be activated when the subject displays behavior that endangers the safety and security of anyone present or during an attempt to escape. Involved officers place a subject in handcuffs or other appropriate restraint as soon as practical after activation. Subsequent activation of an EID should only be considered if an officer is unable to gain control of a subject.

A. Activation of an EID on a subject shall be considered a use of force by an officer and will require a police report and a Use of Force Data Form.

215-5 Prohibited Use of an EID

EID's shall not be used or activated for punishment or interrogation.

215-6 Limitations on the Use of an EID

EID's will not be used in the following circumstances without prior consultation with the presiding judge:

A. Subject is under 13 years of age;

B. Subject has limited physical capabilities or is frail as a result of age or illness; and

C. Subject is known to be pregnant.

215-7 Record Keeping

In the event of an EID activation, the device usage data will be downloaded and attached to the Use of Force Data form.

Copies of the EID Utilization Form and Subject Notification Form will be maintained by the department's Records Information System (RIS). Police reports generated from the activation of an EID shall be submitted through the department's record management system.

Copies of the EID Utilization and Subject Notification Forms will be provided to the jail for the inmate's booking file.

Boulder Police Department
General Order 216
Special Weapons and Tactics

Effective: September 6, 2006
Replaces: General Order 216, April 9, 2002
Reviewed: August 23, 2016

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216-14 Tactical Assaults and Entries
216-15 Dignitary Protection
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POLICY

The department maintains a specialized unit of officers who are trained and equipped to deal with events that involve snipers, barricaded and armed subjects, hostage taking, capture of dangerous subjects, mob and riot control, dignitary protection, serving high risk warrants when the presence of an armed subject is suspected, and other duties as directed by the Chief of Police. The SWAT team also provides a ready group of officers that can be called to assist in crisis situations when immediate additional staffing is needed.

PROCEDURES

216-1 Organization and Structure

The SWAT organizational structure includes commissioned personnel who have been trained for special responsibilities on the team, as designated by the team commander. Service on SWAT is a collateral duty to normal assignments within the department. University of Colorado police officers may also serve on the BPD SWAT team by agreement between respective Chiefs.

A. Chain of command.

SWAT is an auxiliary unit of the Operations Division and falls under the supervision of an Operations Division commander. In the event the commander is absent, an assistant commander takes charge of team operation.

B. Position functions.

1. Commander: The SWAT commander develops and coordinates team response to situations, evaluates problems, and identifies the type of equip-

ment and personnel needed. The commander is responsible for the selection, assignment, and training of SWAT tactical and negotiations personnel.

2. Assistant commanders: The assistant commanders assume the commander's duties in his/her absence, maintain team leader skills, directly supervise field operations at the direction of the commander from a command post, and perform other duties as assigned by the commander.
3. Team leaders: Team leaders carry out orders and provide line supervision and coordination of assigned team members in the field. Team leaders are chosen from among the team without regard to rank.
4. Tactical officers: Tactical officers perform those tasks deemed necessary for the completion of each SWAT operation as directed. They are cross trained to handle different tasks and may develop specialties as needed.
5. Negotiators: Negotiators conduct discussion and negotiation with persons who are threatening or using coercive or violent behavior, who have barricaded themselves, or who have taken hostages. They provide intelligence and information on the situation to command and strive to peacefully resolve these situations. Negotiators are trained to provide technical assistance at the command post as needed. Negotiators are also cross trained to provide assistance in crowd control tactics. They do not train or serve in other tactical capacities except as support personnel. They report to a negotiations unit team leader.

C. Staffing.

1. Staffing levels are determined by the Chief of Police. They generally include:

   a. one commander;

   b. one to two assistant commanders;

   c. three team leaders;

   d. fifteen to twenty tactical officers;

   e. one negotiator team leader; and

   f. three to five negotiators.

2. In order to help plan responses and training programs, and to give advanced notice of staffing shortages, the SWAT commander maintains a calendar on which members note planned absences.

216-2 Eligibility

Eligible department members may apply for SWAT positions. All appointments are made by the Chief of Police and remain in effect until terminated by the Chief or by the member's resignation. The appointment or failure to appoint, or termination of appointment of any member, is not subject to grievance. Members who are appointed are expected to serve a minimum of three years. The following criteria apply to SWAT membership.

A. Candidates volunteer for appointment.

B. Candidates are not on probation at the time of appointment.

C. Candidates are commissioned members with a minimum of three years police experience.

D. Candidates have received, at a minimum, a standard evaluation rating in each of two evaluations prior to application.

216-3 Application, Testing, and Selection

A. The application and testing procedure applies to all members with the exception of the commander and assistant commanders,

who are directly appointed by the Chief of Police. The selection process is as follows.

1. Position announcements are posted for ten days.
2. Interested members submit a memorandum to the SWAT commander, routed through the member's chain of command. It includes a request for appointment, a brief resume, and endorsement by the member's supervisor.
3. The testing process includes:
   a. Testing for physical agility and endurance based upon exercises developed by the SWAT commander, and participation in oral interviews. The candidate may be required to complete a written test or questionnaire.
   b. The SWAT commander or his/her designee also discusses the candidate's suitability with current supervisors, and assesses the candidate's firearms skills and abilities by consulting with the range master and firearms instructors.
   c. Candidates for negotiator positions participate in oral interviews, and may be required to complete written testing or a questionnaire.

B. When applicants meet basic SWAT eligibility requirements and have satisfactorily completed the testing process, selection depends on comparative ranking among other applicants and consideration of the member's overall service record, attendance, teamwork, and prior experience and expertise.

216-4 Training

A. SWAT members are generally required to attend a recognized basic SWAT academy or training program prior to activation (i.e., FBI, IACP, or NTOA Basic).

B. SWAT members are required to attend regularly scheduled SWAT training as determined by the commander. Training is normally scheduled on a yearly basis every December for the following calendar year. The number of training days is normally 20 days per year, as authorized by the Operations Division Deputy Chief.

C. SWAT members who are unable to attend training must contact and obtain an excuse from the SWAT commander.

D. A record of training sessions and attendance is maintained. Standard curricula for training procedures are developed and maintained on file.

216-5 Physical Fitness Qualification

SWAT tactical officers are required at times to perform in high risk, strenuous operations, carrying a great deal of equipment. They are therefore expected to maintain good physical fitness.

A. The SWAT commander schedules physical fitness activities and challenges as part of the yearly training activities. Tactical officers are required to participate.

B. The basic minimum qualification for tactical officers is an approved and maintained obstacle course. Obstacles and minimum qualification are established by the commander in consultation with SWAT members. In the event a member is unable to qualify on the course, he/she is given 30 days to train and re-qualify. In the event a member is unable to qualify a second time, he/she is placed on restricted status with the team and given another 30 days to improve his/her fitness level and re-test. Repeated failure to qualify is grounds for dismissal from the team.

216-6 Firearms and Qualification

A. The standard handgun carried by SWAT members is a department approved .45

semi-automatic handgun. The handgun for SWAT officers on a mission is normally considered a defensive weapon, and the SWAT officer normally deploys with a long gun as well (i.e., sub-machine gun, .223 rifle, shotgun, or sniper weapon) unless otherwise instructed. Team leaders make specific weapon assignments on missions.

B. SWAT tactical members are required to qualify at regularly scheduled SWAT qualification shoots.

1. Members are required to meet qualification standards as approved by the SWAT commander and SWAT firearms instructors. In addition to specialized weapon and tactical qualifications, the department approved handgun, rifle, and shotgun qualification courses are included as part of the SWAT shoots. Proficiency of 90% is required of SWAT members on standard department courses.
2. SWAT officers who qualify at SWAT shoots are not required to shoot at regularly scheduled department qualification shoots, unless they are carrying a weapon, either secondary or back-up, different from the weapon carried for SWAT. SWAT officers are required to carry their SWAT handgun as a primary uniform duty weapon when not on SWAT duty.
3. A training file on all qualification and tactical shoots is maintained for a minimum period of five years.

C. Snipers are assigned to a specific .308 caliber scoped rifle and qualify with the rifle on a monthly basis.

216-7 Vehicle and Equipment

A. The team commander ensures that an inventory of equipment, supplies, and weaponry is established, maintained, and updated on a regular basis.

B. The department provides a vehicle for SWAT response, storage of equipment, and tactical command post usage. The SWAT commander ensures this truck is properly equipped and maintained. Only members approved by the commander, after receiving appropriate training, are authorized to drive the truck.

216-8 Mobilizing SWAT

SWAT is mobilized when special skills, equipment, or coordinated tactics are called for due to a high risk situation.

A. The on-scene incident commander or senior ranking supervisor:

1. Assesses the situation and determines if SWAT is needed. He/she has SWAT paged immediately for a direct response in a crisis situation (see B below). In any escalating situation, he/she may consult with the SWAT commander by phone or in person prior to a call out. He/she ensures that Communications and field units are notified of a SWAT call out.
2. Informs the responding SWAT commander of all known and pertinent details concerning the incident.
3. Identifies the exact location of the incident, and provides directions for response and approach, staging areas, and command post locations.
4. Helps locate sites for negotiator posts and evacuation “safe zones.”
5. Provides for an inner perimeter until relieved by SWAT personnel and maintains an outer perimeter throughout the incident as needed.
6. Allows SWAT to take command of the tactical aspects of the incident itself once SWAT has arrived and is ready to do so. The incident commander or senior ranking supervisor then retains command of the outer perimeter and

provides support and staffing for logistics, public information officer, and security until the incident is resolved. The tactics to be used to resolve the incident are the responsibility of the SWAT commander.

B. SWAT mobilization is **required** in the event of:

1. A barricaded subject, armed with a firearm;
2. A sniper incident;
3. A hostage incident;
4. A high risk entry (a known or suspected armed subject, explosives, or a history of violence involving weapons); or
5. A riot situation.

C. All SWAT members are required to carry a pager, on- and off-duty, whenever they are available for call-out. The call-out procedure is as follows.

1. The incident commander or on-scene supervisor requests that Communications pages the SWAT commander and notifies him/her of the request for a call out. In a crisis situation, the incident commander or on-scene supervisor may request a page to all SWAT members for an immediate response.
2. The incident commander or on-scene supervisor provides a phone number at which he/she can be contacted by the SWAT commander when appropriate and possible.
3. In the event of a paging system failure, Communications simulcasts the request for SWAT on all channels, and then contacts the SWAT commander or assistant commander by telephone. The SWAT roster then becomes a phone tree for SWAT members to notify each other of the call out.
4. Instructions on directions, safe approach, staging areas, and command posts are sent by pager to all SWAT members when possible.
5. The SWAT commander may modify team response by calling for specific or limited resources as needed.
6. SWAT command personnel respond directly to the scene to assess the situation and begin planning for deployment. Team members respond to the police department (to the SWAT truck) until notified to do otherwise. The first arriving members to get to the truck and go en route to the scene with the SWAT truck have an additional page sent to all members that the truck is en route, and announce the same information on the radio channel being utilized. Once the truck is en route to the scene, the remaining members respond in private vehicles to the staging area. In some situations (i.e., mutual aid requests, etc.) the SWAT commander may direct all personnel to respond to the police department and then go en route as one unit.

216-9 Use of Force

SWAT members use force in accordance with General Order 225, Use of Force, and applicable state law. Nothing in these procedures is intended to change the standards established in General Order 225 or Colorado statutes.

A. When considering use of force options, SWAT officers are held to the same standards as other police officers, regardless of their status of being assigned to SWAT.

B. Officers are authorized to use appropriate levels of force, without prior authorization from SWAT command, when it is apparent that the life or safety of an innocent party or police officer is in imminent danger and the SWAT officer is in a position to appro-

priately and successfully intervene, based upon the following priorities:

1. The safety of hostages;
2. The safety of innocent parties;
3. The safety of police officers; and
4. The safety of the suspect.

C. In the unlikely circumstance that the SWAT commander intervenes and places additional restraint on the use of force or calls for the use of force (i.e., a terrorist group, multiple hostage takers, etc.), the SWAT commander issues these orders in plain and understandable language.

216-10 Use of Flash/Sound Diversionary Devices

Only SWAT officers who have received instruction and training in the use of flash/sound diversionary devices may deploy them.

A. Except in life threatening circumstances, flash/sound diversionary devices are not used without prior authorization of the SWAT commander.

B. Generally, the use of flash/sound diversionary devices is considered whenever the use of a less-lethal diversion would facilitate entry, enable arrest, and potentially reduce the risk of injury. Circumstances which may justify their use include, but are not limited to:

1. Barricaded suspect or hostage situations;
2. High risk warrant service;
3. Circumstances in which distraction of a mentally deranged, violent person, or one under the influence of alcohol or drugs is deemed necessary to facilitate apprehension; and
4. Situations in which the authorizing person deems their use necessary to resolve an incident.

C. Prior to deploying a flash/sound diversionary device, personnel consider available intelligence information and circumstances, such as the presence of children, elderly persons, natural gas or other flammables, and any circumstance that would make use of the device inadvisable or overly dangerous. Circumstances may dictate that an exterior deployment is preferable to deployment on the interior of a building (although limiting effectiveness). Whenever possible, devices are deployed to an area visible to the deploying officer.

216-11 Use of Chemical Agents

SWAT primarily uses OC pepper-based or CS-based chemical agents. Chemical agents may be used to help resolve barricaded suspect, hostage, crowd control, or other high risk situations in which the use of such agents would likely help resolve the situation and reduce the risk of injury to officers and other persons.

A. Except in emergency situations (serious injury or life threatening cases), chemical agents are not used without prior authorization from the SWAT Commander.

B. Whenever possible, an announcement is made prior to using chemical agents.

C. In crowd control situations, a dispersal announcement is made along with warnings of the impending use of chemical agents (“tear gas” provides a clearer understanding for the uneducated). If circumstances dictate that time does not allow for an announcement, the SWAT commander may authorize the immediate use of chemical agents for the purpose of dispersing a crowd when officers and innocent persons are in imminent danger. Prior to using chemical agents in a crowd, consideration is given to circumstances such as wind, the nature of the crowd, escape routes, the presence of children, etc.

D. Chemical agents are not used against non-violent crowds or groups.

216-12 Use of Less Lethal Weapons and Ammunition

The SWAT team maintains and trains with less lethal weapons and ammunition. The use of less lethal weapons is covered in General Order 227, Less Lethal Impact Weapons and Ammunition. Nothing in this general order is intended to change the considerations and guidelines established in General Order 227.

216-13 Sniper or "Open Air" Assaults

Sniper assaults are only used in life threatening circumstances. Except in emergency circumstances to protect oneself or another officer or innocent person from an imminent life threatening assault, sniper assaults are not utilized without prior authorization from the SWAT commander.

A. In hostage or other situations involving an imminent life threatening assault, snipers normally deploy in a "respond to threat" mode. There are, however, a number of factors that snipers take into account prior to taking a shot in these situations. These factors may include the likelihood of additional hostages being at risk, multiple suspects, threat levels to officers, and the ability and readiness of a crisis or entry team to react in conjunction with the sniper shot.

B. When a simultaneous sniper assault, or sniper/tactical assault, is called for, the command post or sniper coordinator ensures that all members are ready. Once ready, the snipers follow an established procedure to accomplish simultaneous shots, or sniper shot followed by a crisis entry. This procedure may be interrupted by command with an order to "Hold your fire" or "Stand by."

C. The SWAT commander has the authority to alter the rules of engagement for sniper assaults on a mission specific basis. All such orders are given in plain, understandable language, and repeated back to the commander to ensure they were understood.

216-14 Tactical Assaults and Entries

Generally, tactical assaults and entries are not initiated by tactical members into barricaded suspect or hostage incidents without prior authorization from the SWAT commander. It is recognized that there may be extreme life threatening circumstances when a crisis entry is needed and appropriate, and may be conducted at the discretion of on-scene personnel. A "strong hold assault" is usually the least desirable and most dangerous tactical resolution, and should be treated as such. Factors such as the likelihood of additional hostages being at risk, multiple suspects, threat levels to officers, and the ability of the team to initiate a tactical assault or entry must be considered prior to initiating such an assault or entry.

216-15 Dignitary Protection

SWAT is responsible for coordinating and providing security protection for VIPs and visiting dignitaries or other persons requiring special security as determined by the Chief of Police or SWAT commander.

A. The SWAT commander or designee plans, coordinates, and provides supervision for any special security detail. The SWAT commander or designee provides a liaison with outside agencies (such as the State Department or Secret Service) in the planning of such an event.

B. Security details may involve uniformed or plain clothes assignments, special equipment, and the use of other departmental resources. The SWAT commander coordinates the availability and use of all resources other than SWAT with the Operations Division Deputy Chief.

C. The SWAT commander is responsible for developing contingency plans, which include:

1. Gathering intelligence;
2. Designating and scouting routes (primary and alternate);

3. Advance site inspection and security plan;
4. Identification of medical facilities and transportation;
5. Communication channels and procedures;
6. Designated identification; and
7. Emergency procedures and "safe holds."

216-16 Injury or Illness

In addition to the protocols outlined in General Order 141 (Employee Illness/Injury), a SWAT tactical officer is subject to the following guidelines:

A. A medical return-to-SWAT clearance is required before tactical officers are authorized to return to full SWAT duty as a result of any on-duty injury leave and for most off-duty injuries or illnesses. This return-to-SWAT clearance must be from an authorized City medical provider who uses guidelines established by SWAT and the department. In addition, the member may be assessed as set forth below.

B. Except as described in General Order 141-9 (C), if a tactical officer sustains an off-duty injury and is temporarily incapable of performing his/her full SWAT duties, a medical return-to-SWAT clearance may be required before he/she is authorized to return to full SWAT duty.

   1. The decision to conduct such a clearance is made by the member's Deputy Chief and SWAT commander in consultation with the City's medical provider.
   2. In determining the ability of a tactical officer to return to full duty, the City's medical provider uses established Boulder Police Department physical ability SWAT standards as guidelines.

C. In cases in which a member was required to obtain a clearance from the City's medical provider, he/she may also be required to complete a return-to-SWAT duty assessment using established Boulder Police Department physical ability SWAT standards. This determination is made in consultation with the City's medical provider and the SWAT commander.

D. The SWAT commander, in consultation with the personnel commander, coordinates the return-to-SWAT duty assessment.

Boulder Police Department
General Order 218
Vehicle Pursuits

Effective: April 1, 2016
Replaces: General Order 218, May 4, 2005
Reviewed: March 29, 2016

218-1 Definition
218-2 Authority to Pursue
218-3 Pursuit Procedures
218-4 Authorized Vehicle Operations
218-5 Stopping Pursued Vehicles
218-6 Tire Deflation Device
218-7 Multi-jurisdictional Pursuits
218-8 Review

POLICY

The department limits vehicle pursuits to those situations in which the threat to life represented by the offense outweighs the risks involved in a pursuit.

PROCEDURES

218-1 Definition

Vehicle pursuit: An officer's active attempt, while operating an authorized emergency vehicle, to apprehend a fleeing suspect who is operating a motor vehicle without due regard for the safety of others.

218-2 Authority to Pursue

A. An officer may initiate a vehicle pursuit when:

1. The officer has a reasonable belief that the driver or passenger of the pursued vehicle has committed a felony involving the risk of serious bodily injury or death; and
2. The officer reasonably weighs the necessity for apprehension against the risk of pursuit. A pursuit is terminated any time the danger of the pursuit to either the community or the officer outweighs the danger to the community if the suspect escapes. Factors considered include:

   a. The seriousness of the offense;

   b. Driving in adverse weather conditions;

   c. Pedestrian and vehicle traffic conditions;

   d. Speed of the pursuit;

   e. Use of force in terminating the pursuit; and

   f. Other relevant information (e.g., location, time of day).

B. Supervisors are responsible for ensuring that any pursuit they authorize to begin or continue is necessary in accordance with

these guidelines. The supervisor's first responsibility is to determine if the pursuit meets these guidelines. The supervisor may terminate or redirect the pursuit as deemed appropriate. This may include, but is not limited to, determining the number of police vehicles involved in the pursuit and the involvement of other law enforcement agencies.

C. Officers are responsible for ensuring that any pursuit they initiate is in compliance with these guidelines. The fact that a supervisor allows a pursuit to continue does not relieve the officer of the responsibility for continually evaluating the pursuit and terminating it if necessary.

218-3 Pursuit Procedures

Only two vehicles can be involved in a pursuit at a time, unless circumstances dictate otherwise.

A. The primary vehicle:

1. Initially provides Communications with location, direction of travel, speed, hazardous moving violations committed by the suspect, suspect vehicle description and grounds for the pursuit; and

2. Terminates the pursuit if, considering the factors in 218-2, the risk to life becomes greater than the need to apprehend the suspect or a supervisor has ordered the pursuit discontinued.

B. The secondary vehicle:

1. Assumes the communications function by providing the location, direction of travel, speed and hazardous moving violations committed by the suspect; and

2. Stays in close proximity to the fleeing and primary vehicles in order to assist the primary vehicle in the course of or upon the termination of the pursuit, or to take the primary position if the primary vehicle relinquishes it.

C. Communications:

1. Immediately eliminates non-emergency air traffic from the channel on which the pursuit is initiated;

2. Requests location, description and purpose of the pursuit from the initiating vehicle;

3. Assigns a channel for the pursuit;

4. Ensures that a patrol supervisor is notified;

5. Assigns the communications function to the secondary vehicle upon its arrival;

6. Repeats significant radio traffic during the pursuit; and

7. Notifies other potentially affected agencies when a pursuit has entered or left the city of Boulder.

218-4 Authorized Vehicle Operations

While being aware of the duty to drive with due regard for the safety of all persons, officers engaged in a pursuit may exercise the privileges set forth in section 42-4-108 of the C.R.S. but subject to the conditions stated in the article.

A. Emergency lights and siren are activated while engaged in a pursuit.

B. Unmarked cars are prohibited from engaging in pursuits unless the car is equipped with emergency lighting and siren in compliance with CRS 42-4-212 and then only in the most extreme circumstances. Un-

marked units relinquish their position in a pursuit to a fully marked patrol vehicle as soon as practical.

C. Officers shall not pursue a fleeing vehicle the wrong way on any divided highway.

D. During a pursuit, officers only drive in the wrong direction on other roadways when absolutely necessary.

218-5 Stopping Pursued Vehicles

The selection of a method to stop a fleeing vehicle is preceded to the extent possible by an evaluation of all known factors. In selecting the method used, officers give consideration to the probability of success and the likelihood of injury to the public, the officers involved and the suspect.

A. Roadblocks or vehicle-to-vehicle contact is generally used as a last resort. Roadblocks are not used without prior approval from a supervisor.

B. No department member will attempt to stop a vehicle being driven by a person who is fleeing from police, being pursued by police or otherwise demonstrates reckless disregard for the safety of others by stepping or standing in the pathway, or likely pathway, of the vehicle or by parking an occupied vehicle in the direct path of a pursued vehicle.

218-6 Tire Deflation Device

Tire deflation devices may be utilized by officers who have received department authorized training in their use, under the following circumstances.

A. When practical, officers should seek authorization from a supervisor before deploying a tire deflation device.

B. Pursuit of the suspect vehicle must be appropriate under the guidelines of this general order before utilizing a tire deflation device.

C. Before deploying the tire deflation device, officers select a location for the deployment that minimizes the danger to the community, the deploying officer, pursuing officers and the suspect, in accordance with department training.

D. The officer who is preparing to deploy the tire deflation device notifies Communications by radio of the planned location of deployment so that Communications can relay this information to all pursuing officers.

218-7 Multi-jurisdictional Pursuits

Department members adhere to this general order whether the pursuit is in or out of city jurisdiction. Where conflict between outside agency and department policy exists, this general order supersedes the inter-agency or other agency procedures. If the circumstances of a pursuit conducted in Boulder by an outside agency prohibit a Boulder officer from participating, he/she does not participate. If the outside pursuit is a permissible pursuit under this general order, officers may assist as appropriate, including providing radio communication of the progress and nature of the pursuit to Communications.

218-8 Review

Every pursuit, regardless of duration or speed, is reviewed by the Operations Division Deputy Chief. This review ensures the pursuit was initiated and conducted in compliance with established department guidelines. Officers and supervisors found to have initiated or continued a pursuit that does not conform to department guidelines are subject to disciplinary action.

BOULDER COUNTY INTER-AGENCY PROCEDURES FOR MULTI-JURISDICTIONALVEHICULAR PURSUITS

I. Scope

The Inter-Agency Vehicular Pursuit Procedure is intended to provide common operational procedures when the officer originating a pursuit, still in pursuit, leaves their jurisdiction and enters another jurisdiction within Boulder County. The statutory authority to pursue an offender is as follows:

A. **C.R.S. 16-3-104(1)(c) Arrest by peace officer from another jurisdiction.** "Fresh pursuit" means the pursuit, without unnecessary delay, of a person who has committed a crime, or who is reasonably believed to have committed a crime.

B. **C.R.S. 16-3-106 Peace officer may pursue offender.** When any peace officer is in fresh pursuit of an alleged offender, having a warrant for his arrest or having knowledge that such warrant has been issued, or, in the absence of an arrest warrant, when the offense was committed in the officer's presence or the officer has reasonable grounds to believe that the alleged offender has committed a criminal offense, and the alleged offender crosses a boundary line marking the territorial limit of his authority, such peace officer may pursue him beyond such boundary line and make the arrest, issue a summons and complaint, or issue a notice of penalty assessment.

No Boulder County law enforcement agency is obligated under this procedure to participate or continue to participate in any vehicular pursuit initiated by any other law enforcement agency. If any conflict occurs with respect to an individual agency's pursuit policy, that agency's policy will prevail.

II. Operational Considerations

The operational considerations of an inter-agency vehicular pursuit shall be:

A. Warning other motorists that a pursuit is in progress by using emergency lights and sirens on authorized emergency vehicles involved in the pursuit.

B. The severity of offense which gave cause to initiate the pursuit, by weighing the nature of offense, such as a felony crime of violence when deciding to participate in a pursuit.

C. Alternative methods of apprehending the suspect(s).

D. The danger to the public if the suspect(s) is/are not immediately apprehended.

E. The risk to the public and others from agencies involved in the pursuit if the pursuit is continued.

F. Existing driving conditions including, but not limited to, road conditions, traffic congestion, weather conditions, and vehicle performance limitations if known at the time.

III. Responsibility

The agency initiating the pursuit, or any other involved agency, shall provide any known information which may reasonably affect the decision to continue the pursuit to other affected agencies in an expedient manner.

Each agency is responsible for the training of its personnel in the application of this agreement.

Each agency participating in a multi-jurisdictional pursuit is encouraged to participate in an "after action" pursuit critique.

Each agency participating in a multi-jurisdictional pursuit is responsible for notifying communications when they discontinue or will not be directly engaged in a pursuit.

The dispatch center for the primary pursuit vehicle is responsible, when possible, for informing other law enforcement agencies when a pursuit in progress may enter that agency's jurisdiction. This dispatch center is responsible to initiate and maintain continuous contact with any other agency's communication center whose jurisdiction the pursuit traverses.

IV. Definitions

Pursuit	An attempt to apprehend a violator who is trying to avoid apprehension by one or more peace officers. Avoidance may include high speed driving, unexpected turning movements, failing to comply with a peace officer's signal to stop, or other evasive tactics.
Emergency Operations	**C.R.S. 42-4-108 (1)** The driver of an authorized emergency vehicle, when responding to an emergency call, or when in pursuit of an actual or suspected violator of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section.
Primary Vehicle	Either the law enforcement vehicle initiating a pursuit or another unit which takes the lead position during the pursuit.
Secondary Vehicle(s)	Any additional law enforcement vehicle(s) that become involved in a pursuit to assist the primary vehicle.

Vehicle Disabling Device	An agency approved, less-lethal, tire deflating device which may be deployed to disable a fleeing vehicle.
Tactical Intervention	(TVI) is a pursuit tactic by which a pursuing vehicle can force a fleeing vehicle to abruptly turn sideways, causing the driver to temporarily lose control and stop.
Rolling Roadblock	The surrounding of a moving vehicle with moving pursuit vehicles which are then slowed to a stop along with the violator's vehicle.

V. Assignments

Primary Vehicle:

The primary vehicle should provide the appropriate dispatch center with all information pertinent to the pursuit such as location, direction of travel, speed, vehicle description, occupant(s) description(s), and reason for the pursuit.

The primary officer may attempt to apprehend the fleeing violator until such time as:

A. The officer determines the risk to life and property is greater than the need to apprehend the violator, or

B. The pursuit is terminated by a supervisor or command level officer from the agency employing the officer operating the primary pursuit vehicle, or

C. The primary vehicle position is relinquished to another law enforcement vehicle due to lack of knowledge of terrain, inoperable pursuit vehicle, or other reason which will improve the chances of successful resolution of the pursuit, or

D. The identity of the violator is known or can be reasonably determined at a later time and the violator does not pose a significant threat to the public if not immediately apprehended, or

E. The primary pursuit vehicle is no longer able to maintain radio communications with the appropriate dispatch center, or

F. The road, vehicle, traffic, or weather conditions or excessive speed make continued pursuit unreasonable or exceptionally dangerous.

G. The primary pursuit vehicle shall use its emergency equipment in accordance with C.R.S. 42-4-108.

Secondary Vehicle:

The secondary vehicle will assist the primary vehicle upon termination of the pursuit or assume the primary position if required. The secondary vehicle shall maintain a safe distance from the fleeing vehicle and primary pursuit vehicle.

The secondary vehicle should attempt to serve as the primary communication point of the pursuit if both the secondary and primary vehicles are from the same agency or able to communicate on the same radio frequency.

The secondary vehicle shall use its emergency equipment in compliance with C.R.S. 42-4-108.

Other Participating Vehicles:

Inter-county, multi-jurisdictional pursuits should be limited, if practical, to one primary pursuing law enforcement vehicle and one secondary pursuing law enforcement vehicle.

Self-assignment of additional vehicles beyond the primary and secondary vehicle is strongly discouraged unless additional vehicles have been requested by the primary or secondary vehicle. All units in the pursuit must coordinate through dispatch. In the event it is deemed necessary to have more than two pursuit vehicles, additional law enforcement vehicles must maintain sufficient distance between each other and other pursuing or fleeing vehicles to reduce the possibility of a multiple vehicle collision. Additional law enforcement vehicles shall be operated at reduced speeds and with a high awareness of the potential for collision with vehicles in the pursuit or with members of the public.

Additional law enforcement vehicles may provide support by blocking traffic at major intersections and/or notifying pursuing agencies of special hazards, unusual terrain, other emergency traffic, etc. Supporting vehicles shall notify the designated communications center of any activity that may affect the conditions of the pursuit.

Types of Vehicles:

If a pursuit is initiated by a peace officer operating an unmarked law enforcement vehicle, motorcycle, or other vehicle not normally used for patrol use, that vehicle should withdraw from the pursuit as soon as possible, and a marked patrol vehicle should assume the primary vehicle pursuit function. Vehicles other than a marked patrol unit are discouraged from participating in a pursuit in any capacity due to the extreme danger to officers and others.

Supervision:

The overall supervision of a pursuit shall rest with the jurisdiction of the primary pursuit vehicle. If the primary vehicle relinquishes the pursuit and another agency assumes the pursuit, the supervisory authority will shift to the jurisdiction assuming the primary pursuit vehicle position. Transfer of primary supervision of the pursuit from one agency to another will be clearly announced by the agency passing it and clearly acknowledged by the agency accepting supervision of the pursuit.

Any involved agency with an on-duty supervisor shall be required to monitor in progress pursuits involving their officers or occurring within their jurisdiction. Supervisors of involved agencies are expected to monitor the tactics deployed and use of force associated with any given situation. Supervisors are expected to assess the known facts and weigh the safety of the public and officers involved to determine whether or not a pursuit should be allowed to continue. This assessment will be determined within a reasonable amount of time and may vary based on the informational gathering ability and the factors surrounding the pursuit. This requires supervisors to exercise greater awareness and oversight of a pursuit.

Nothing in this procedure limits the ability of each agency to conduct an internal review of their agency's action at their own discretion.

Tactics:

Tactics employed to stop a fleeing vehicle will be based on the greatest probability of success with the least likelihood of injury to the general public and peace officers. Tactics which could reasonably result in injury or death to occupants of the fleeing vehicle will be applied in accordance with constitutional and statutory provisions for use of force. Individual agency policy and procedure for use of force is considered incorporated herein by reference. The implementation of any tactic should be directed by either the primary or secondary unit through dispatch.

Tactics may include an attempt to alter the fleeing vehicle's direction of travel through the use of cones, pylons, or other traffic control devices. Use of this technique may divert the fleeing vehicle to an area where greater control and higher probability of pursuit termination exists.

An example of a disabling device is a mechanical tire deflator. Examples of vehicle use to disable or stop a fleeing vehicle include Tactical Vehicle Intervention, Boxing and/or deploying a roadblock. The use of roadblocks to terminate a pursuit is discouraged due to the risk of being disregarded and becoming a source of serious injury. Roadblocks will be used only upon instruction from the primary pursuit vehicle agency supervisor and only when the risk of continuing the pursuit is greater than using a roadblock. In the event a roadblock is deployed, it should be staged away from uninvolved motorists, allowing for advance warnings, i.e. flares, traffic control devices, etc., and provide ample room for all involved vehicles to stop.

AT THE CONCLUSION OF ANY PURSUIT, IT IS RECOMMENDED THAT INVOLVED OFFICERS EMPLOY FELONY OR HIGH RISK VEHICLE STOP PROCEDURES FOR THEIR SAFETY AS WELL AS THE SAFETY OF THE PUBLIC. IT IS ALSO RECOMMENDED THAT, IF PRACTICAL, ALL AGENCIES PARTICIPATING IN THIS PURSUIT PROCEDURE TRAIN TOGETHER REGULARLY ON HIGH RISK VEHICLE STOP PROCEDURES.

Requests for Mutual Aid:

All requests for mutual aid assistance should be made by supervisory personnel of the primary pursuit vehicle whenever possible.

Requests for mutual aid assistance should specify the actions desired:

A. Traffic control only
B. Request to participate in the pursuit
C. Deployment of a non-lethal tire deflating device
D. Use of force required and method requested

Unless conflicting with agency policies or procedures, peace officers providing mutual aid to an agency requesting assistance are under the direction of the primary pursuit vehicle.

Investigation at Termination:

In the event the initiating agency is not present at the termination point of a pursuit, a representative should be sent as soon as possible. The primary agency will be responsible for processing the arrest whenever practical.

The arrestee will be released to the initiating agency or the agency where the most serious violation occurred, acknowledging the need for expedient processing of evidence. The ranking officer for the initiating agency or jurisdiction wherein the most serious offense was committed will assume responsibility for coordinating the investigation.

The appropriate charges or felony filing will be presented to the Boulder County District Attorney's Office by the initiating agency or jurisdiction wherein the most serious offense was committed.

Agency Communication Centers:

The dispatch center for the primary pursuit vehicle will manage the pursuit through the duration or until a pass off to another dispatch center is appropriate. In the event of a fast moving highly dynamic pursuit it may be necessary for the primary dispatch center to patch various channels and primary talk groups together to facilitate interagency communication. In this event, all units **not** assigned to the pursuit will be directed to

migrate to their designated secondary channels or talk groups to conduct routine business.

Media/Public Information:

Media/public information requests will be directed to the supervisory officer of the initiating agency or jurisdiction wherein the most serious offense was committed.

VI. Maintenance

This procedure will be administered by the Boulder County Chiefs' of Police Organization. This procedure will be reviewed every five years or as requested by any member of the Boulder County Chiefs' of Police Organization. Any revisions made will be disseminated to all participating agencies within 30 days.

This procedure will be reviewed for renewal signature by all participating agencies annually.

VII. Training

All participating agencies are expected to provide regularly scheduled training to its members on this procedure. Members of participating agencies are encouraged to train together as practical on this procedure, procedures to end pursuits, high risk vehicle stops and the laws associated with vehicular pursuits.

Boulder County Inter-Agency Procedure for Multi-Jurisdictional Vehicular Pursuits
Adopted July 29, 2015

For the Boulder County Sheriff's Department:

07/28/15

Joseph K. Pelle, Sheriff — Date

For the Boulder Police Department:

07-29-15

Greg Testa, Chief — Date

For the Colorado State Patrol:

Not signing on at this time. CSP will participate w/ training module. 8/6/15

Rocco Domenico, Captain — Date

For the Erie Police Department:

7/29/15

Marc Vasquez, Chief — Date

DA Louisville Police Dept

For the ~~Lafayette~~ Police Department:

7-29-15

David Hayes, Chief — Date

For the Longmont Police Department:

7-29-15

Mike Butler, Chief — Date

Lafayette

For the ~~Louisville~~ Police Department:

7/29/2015

Rick Bashor, Chief — Date

For the Nederland Police Department:

Paul Carrill, Chief — Date 8/5/15

For the University of Colorado Police Department:

Melissa Zak, Chief — Date 7/29/15

For the Ward Marshals Office:

Peter Lawrence, Chief — Date 7/29/15

Boulder Police Department
General Order 219
Emergency Response

Effective: July 10, 2014
Replaces: General Order 219, Emergency Response, February 23, 1999

219-1 Authorized Emergency Vehicle Equipment
219-2 Authorized Emergency Response
219-3 Authorized Vehicle Operations

POLICY

The department recognizes the need for officers to respond to emergency situations in an emergency response mode. The purpose of this general order is to ensure that all members adhere to statutory restrictions when responding in an emergency response mode and that emergency response is only utilized in prescribed conditions and circumstances, and in ways that will minimize the risk of accidents or injuries to members and the public.

PROCEDURE

219-1 Authorized Emergency Vehicle Equipment

Department vehicles authorized for emergency response are equipped with emergency (red/blue/ white) lights, siren, hazardous warning lights, and a public address system.

219-2 Authorized Emergency Response

An emergency response is authorized:

A. For circumstances that the officer reasonably believes threaten serious bodily injury or death;

B. For circumstances in which other officers or public safety agencies request an emergency response;

C. For in-progress crimes involving weapons or assault;

D. For in-progress circumstances that the officer reasonably believes pose a significant health or safety issue to an individual or the general public, or which threaten serious and significant damage to public or private property; or

E. When authorized by a supervisor to gain control of a scene or render further assistance.

219-3 Authorized Vehicle Operations

In all cases, officers exercise due regard for the safety of all persons while operating a vehicle during an emergency response. Officers notify Communications personnel when they elect to respond emergency to those incidents for which an emergency response is authorized.

A. Red lights and sirens are activated when in pursuit of an offender or when responding to an emergency, except as authorized by B.R.C. 7-2-12 and C.R.S. 42-4-108, as amended.

B. Sirens are not required when:

1. The vehicle is not moving;

2. The officer is initiating a traffic contact; or

3. An unannounced approach is necessary. When responding with emergency lights only, officers use a high level of caution before violating any traffic law or regulation, and ensure that their actions do not endanger the public and other motorists.

C. Back-up units normally respond non-emergency unless it is readily apparent that the first responding officer(s) requires immediate back-up, or when further emergency response is requested by on-scene units or a supervisor.

D. When obstructing a right-of-way, officers utilize the level of emergency lighting, from hazardous warning lights to overhead lights, necessary to make their presence visible to other motorists. Officers are aware that their presence may compound the traffic problem and act to minimize this by vehicle position and reduction in emergency lighting.

E. While being aware of the duty to drive with due regard for the safety of all persons, officers responding emergency may:

1. Park or stand in disregard of the law;

2. Proceed through a red stop signal or sign after slowing down as necessary for safe operation;

3. Exceed speed limits to the extent that life is not endangered; and

4. Disregard regulations governing directions and turns.

Boulder Police Department
General Order 220
Emergency Mobilization

Effective: January 31, 2008
Replaces: General Order 46-2, Emergency Mobilization, June 15, 1992

220-1 Responsibility
220-2 Mobilization Stages
220-3 Notification Guidelines
220-4 Schedule Adjustment for Long-term Mobilization

POLICY

In situations involving unusual events such as riots, natural disasters, major crime scenes, or large scale searches, the department utilizes a preplanned procedure for mobilization of resources.

PROCEDURES

220-1 Responsibility

The designated incident commander determines the level of response and resources needed depending upon the circumstance, activates the department's incident command system (see General Order 221), and initiates mobilization. The Chief of Police or designee authorizes any long-term mobilization of resources or department-wide mobilization. The Operations Division Deputy Chief is expected to coordinate rehearsals of emergency mobilization procedures in conjunction with an annual review of operations contingency plans.

220-2 Mobilization Stages

Mobilization may be conducted in stages based upon the incident commander's assessment of personnel needs, and may occur in the form of a preplanned schedule, or in the form of emergency mobilization based upon escalating needs. Mobilization stages, and their corresponding resources, include the following.

A. Stage 1: utilization of any available on-duty personnel, including personnel from Records and Information Services and Communications. This alternative may involve extending the hours of an on-duty shift, calling the next shift in early, and/or utilizing on-duty detectives, other non-uniformed commissioned personnel and support staff.

B. Stage 2: activation of SWAT (see General Order 216) and/or the Emergency Response Team (ERT, see General Order 222). The ERT may be used to supplement SWAT, but cannot be used in lieu of SWAT for incidents requiring the experience, training, or tactics of the SWAT Team.

C. Stage 3: call-out of all commissioned members, both on- and off-duty.

D. Stage 4: call-out of all department members, both on- and off-duty.

220-3 Notification Guidelines

Employee notification of a mobilization is accomplished using the following guidelines.

A. Stage 1: on-duty commissioned members are activated via the paging system (BPD ALL), an internal building intercom announcement, and a radio simulcast issued by Communications.

B. Stage 2: SWAT team is activated via the paging system (BPD SWAT), or by contacting the SWAT commander or assistant commander (see General Order 216); ERT members are activated by utilizing the paging system (BPD ALL) and specifying the resources needed (see General Order 222).

C. Stages 3 and 4: department members are notified of a department-wide mobilization utilizing the following methods.

1. Department members are activated via the paging system (BPD ALL).

2. In conjunction with activation of the paging system, the incident commander may designate a Notification Team that initiates a telephonic system of notification utilizing the following steps.

   a. The Patrol Section's administrative sergeant maintains and provides to all department supervisors a current notification list which contains all employee names and contact information, and which is arranged in work units according to supervision.

   b. The notification team then contacts supervisors from the notification list and advises them of the pertinent details regarding the mobilization. The supervisors, in turn, notify the members within their unit. In the event a supervisor is inaccessible, the notification team proceeds to the next listed member within that unit and, once a member within that unit is contacted, it becomes that member's responsibility to notify the remaining members within that unit.

   c. The notification team records the date and time that contact was made for each member. After the supervisors, or designees, have contacted, or attempted to contact, each member within their unit, the supervisors call the emergency notification voice mail line (303-441-4488, #2119) and leave a message specifying which members have been notified. The notification team, then, periodically retrieves these messages and updates emergency notification contact information.

D. Once a situation is stabilized, a voice message may be recorded on the emergency mobilization voice mail line (303-441-4488, #2119, see attachment) that apprises members of pertinent information. The notification team may then activate the paging system (BPD ALL) and direct members to call the notification voice mail line for further information.

220-4 Schedule Adjustment for Long-term Mobilization

In the event of a comprehensive mobilization lasting longer than a 24 hour period, a personnel schedule of two separate 12½ hour shifts may be implemented: Watch A, 0600-1830 hours; and Watch B, 1800-0630 hours. Mobilization under these circumstances may require cancellation of days-off, and vacation and compensatory time leave.

Emergency Mobilization - Voice Message Guidelines

To record an outgoing message on extension 2119

1. Dial 4545 (303-441-4545 from an external line) to access voice mail system.
2. Dial 2119#, to access mailbox.
3. Enter password 9486377 ("WITNESS"), followed by #.
4. Enter 8-2-1, to change the outgoing message.
5. Enter 7-6, to delete old message.
6. Enter 5, and record new message.
7. Press #, when finished recording.
8. Enter 8-3, to exit voice mail system.

Script

This is _____. **It is currently** _____ **on** _____, _____.
your name *time* *day of week* *date*

The current situation is:

_____

_____

_____.

Further police response (IS / IS NOT) necessary.

*If further response **IS** necessary, please advise the following:*

*Who is needed?*_____

*Where do they respond?*_____

*To whom do they report?*_____

*What are they needed to do?*_____

Further updates will be provided as the situation warrants.

Optional: **The following individuals need to call** _____ **at** _____
name *phone #*

or **respond to** _____ *or* **page** _____ **at** _____
location *name* *pager #*

for further instructions.

names: _____ _____

_____ _____

_____ _____

Boulder Police Department
General Order 221
Incident Command System

Effective: June 22, 2006
Replaces: General Order 221, Incident Command System, August 25, 1999

221-1 Initial Response
221-2 Command Structure
221-3 ICS Primary Functions & Responsibilities
221-4 Additional Organization by Section
221-5 Emergency Operations Center

POLICY

In accordance with the National Incident Management System (NIMS), the department uses an Incident Command System (ICS) for critical incidents or natural disasters to insure proper scene organization, management, safety, and utilization of all resources, with priority given to life safety, incident stabilization, and property conservation. Command staff, supervisors, and officers will be trained in how to utilize the ICS system.

PROCEDURES

221-1 Initial Response

The initial response to a critical incident or natural disaster is essential to establishing control and coordination at such an event. The first responding officer(s) or supervisor must quickly assess the nature and extent of the incident to determine what other resources will be needed. At any such event, an Incident Commander must be identified and take responsibility for management of the event.

A. Initial responsibilities of the first arriving officer(s) include:

1. Assuming the role of Incident Commander.

2. Ongoing assessment of the nature and size of the incident and keeping responders informed of critical information.

3. Set up a perimeter to contain the incident as much as possible.

4. Identify the need for and request additional resources.

B. First supervisor on scene:

1. Assumes command.

2. Receives a briefing from the first officer on the scene and advises dispatch of critical information.

3. Reviews the actions taken by the first officer on the scene.

4. Establishes a command post.

5. Advises command staff responding to the incident command post of situation status.

6. Begins implementing the ICS utilizing the command post considerations pack-

et/check-sheet, as issued to all supervisors.

7. Assigns a scribe when possible.

C. First commander on scene:

1. May assume command as necessary.

2. Receives a briefing from the first supervisor on the scene.

3. Reviews all duty assignments that have been made.

4. Begins or continues ICS implementation.

5. If necessary, establishes major functional sections.

6. Determines strategic goals and tactical objectives.

7. Determines whether to call for the establishment of an Emergency Operations Center (EOC).

221-2 Command Structure

The following general guidelines apply to the structure of the ICS.

A. ICS develops in a modular fashion based upon the nature, size, needs, and anticipated duration of an incident. Only those functions or activities needed at any particular incident are utilized.

B. ICS builds from the top down with responsibility and performance placed initially with the Incident Commander.

C. When an incident is large enough, ICS can be developed into separate sections, each with several units that may be established. The ICS is built around five major management sections. They are: Command; Operations; Planning; Logistics; and Finance/Administration.

D. Establishment of an ICS for any given incident is based upon the management needs of the incident.

1. If an individual can simultaneously manage the major functional activities or sections, no further organization is required.

2. If one or more major functional activities requires independent management, an individual is named to be responsible for that section or activity.

E. Span of control refers to the number of functional areas that a person can effectively manage. The ideal span of control for emergency incidents is five, and no more than seven, at any one time.

F. When needed, the Incident Commander assigns personnel to supervise major functional activities. The supervisor may then establish functional units within his/her area.

G. When an incident involves multiple jurisdictions or agencies, a Unified Command structure may be utilized. When Unified Command is in place, a representative from each of the primary agencies involved will be at the command post and will share decision making responsibility.

221-3 ICS Primary Functions & Responsibilities

1. Incident Commander: Responsible for all incident activities including the development of strategies and the assignment of resources. The Incident Commander (IC) has authority and responsibility for the conduct of the overall operations. The IC makes assignments and delegates authority to other qualified persons. The IC deter-

mines what functions are necessary for any given incident. Unless the IC establishes Operations as a separate section, the IC will have direct control over tactical resources. When established, Section Chiefs report to the IC.

2. Operations Section Chief: The Incident Commander will determine the need for a separate Operations Section at an incident or event. Until Operations is established as a separate Section, the IC will have direct control of tactical resources. Once established, the Operations Chief (OC) is responsible for developing and managing operations to accomplish the incident objectives. The OC develops tactical objectives, coordinates, organizes, and directs all tactical resources.

3. Planning Section Chief: Develops the action plan to accomplish the objectives, collects and evaluates information, and maintains resource status. Collects and displays information about the incident. Maintains resource status information on all equipment and personnel assigned to the incident.

4. Logistics Section Chief: Provides support to meet incident needs, provides resources and all other services needed to support the incident. Obtains and maintains essential personnel, facilities, equipment, and supplies.

5. Finance/Administration Section Chief: Monitors costs related to the incident, provides accounting, procurement of special equipment, time recording, and cost analysis.

6. Liaison Officer: Part of the IC's command staff responsible for being the point of contact for supporting agency representatives which includes law enforcement, fire agencies, medical personnel, Red Cross, public utilities, and others needed at the scene.

7. Public Information Officer: Part of the IC's command staff as the point of contact for the public, media, Records, or other organizations seeking information directly from the incident or event. While others may be assigned as information officers, there will only be one Incident Information Officer. Others will serve as assistants.

8. Safety Officer: Part of the IC's command staff responsible for monitoring safety conditions and developing measures for assuring the safety of all assigned personnel.

9. Staging Area Manager: Reports to the Operations Chief or the Incident Commander if no Operations Chief has been appointed. Responsible for the general management of the staging area for arriving resources. Identifies, coordinates, and deploys responding resources at the direction of the Incident Commander or Operations Chief.

   a. Identifies a staging area away from the command post with sufficient room and facilities to serve responding resources.

   b. Establishes a check-in procedure for responding personnel and equipment.

   c. Develops squad assignments.

   d. Provides briefings to responding personnel.

   e. Keeps the IC advised as to the number and availability of resources on hand at the staging area.

10. Communications Unit Leader: This position resides in the Command Post and manages communication between the Command Post, Police Communications, and Operations personnel.

11. Other Assignments: The Incident Commander may choose to make other specific assignments as necessary to handle various tasks. For example, this may include assigning people to handle intelligence gathering or an incident scribe to document events and decisions as they occur in the Command Post.

221-4 Additional Organization by Section

Depending upon the size and nature of an incident or disaster, each Section of an ICS may be organized by functional need. Divisions, Groups, and Branches can all be utilized to organize a Section and to maintain proper span of control. The goal is to keep the organization as simple and as streamlined as possible. See attached organizational chart as an example of how a large ICS can be organized.

1. Divisions: Divisions may be established on very large events when there is a need to divide an incident geographically. How this is done is determined by the needs of the incident.

2. Groups: Groups may be established to describe functional areas of operation, such as a specialized team. The kind of group established will be determined by the needs of the incident.

3. Branches: On some incidents, it may be necessary to establish another level of organization called branches. There are three reasons to use branches on an incident: if the number of divisions and groups exceeds recommended span of control; if there is a need to have separate functional branches, such as police, fire, rescue, medical, etc.; or in a multi-jurisdictional incident it may be useful to organize around jurisdictional boundaries.

221-5 Emergency Operations Center

At any time during a major incident or disaster, the Incident Commander may request the activation of an Emergency Operations Center (EOC). This activation is accomplished by requesting notification of the Emergency Operations Manager and police command staff through Communications.

Activation of an EOC is requested when additional resources are needed that are beyond the ability of the Incident Management structure or Communications to handle. The EOC provides assistance to the overall operations in the field.

The EOC manager determines what emergency support functions are necessary within the EOC.

Boulder Police Department
General Order 222
Emergency Response Team

Effective: May 5, 2015
Replaces: General Order 222, January 25, 1999
Reviewed: April 28, 2015

222-1 Configuration and Responsibility
222-2 Mobilization

POLICY

In order to respond to unusual events such as riots, natural disasters, major crime scenes or large scale searches, the department maintains an Emergency Response Team (ERT).

PROCEDURES

222-1 Configuration and Responsibility

The ERT is comprised of department members who have volunteered to be available by Mobile Communication Devices (MCD) while off-duty and to respond, when available, to emergencies. No off-duty restrictions are imposed on ERT members. Commissioned members who have successfully completed the FTO program and who are not on the department's SWAT Team are eligible to participate. The ERT member roster:

A. Is arranged into groups based upon members' shift assignments.

B. Includes a group of non-commissioned support personnel who are available by MCD as well.

C. Is maintained and updated by the Operations Deputy Chief or their designee and distributed to all supervisors. Commanders/managers ensure that ERT members have an MCD available to them.

222-2 Mobilization

The incident commander determines the level of response needed by the ERT; that is, which–or if all–groups are needed. ERT members are activated via the notification system, with the specific instruction on which group(s) is requested to respond.

A. ERT members respond to the department, dress in the appropriate uniform, obtain needed equipment and report to the staging supervisor (see below) for briefing and deployment instructions.

B. The first supervisor from the ERT to arrive at the police department assumes the role of staging supervisor. The staging supervisor makes immediate contact with the incident commander to identify a staging area and to ascertain specific deployment needs. The staging supervisor then groups ERT members, briefs them, assigns transportation, maintains a personnel assignment log and deploys the teams to the field. The staging supervisor also provides a personnel roster to the notification team (see General Order 220, Emergency Mobilization) and, if activated, the command post. In some cases, it may be appropriate for one supervisor to remain at the department to assign teams and transportation, and another to respond to the scene to coordinate deployment once ERT members arrive there.

C. Support personnel report to the staging supervisor for assignment.

Boulder Police Department

General Order 223

Civil Disturbance

Effective: February 18, 2000
Replaces: General Order 46-3, Civil Disturbance, June 15, 1992, and Standard Operating Procedure P463, Civil Disturbance, March 10, 1997

223-1 Responding to a Civil Disturbance
223-2 Planning for Mass Arrest Situations
223-3 Mass Booking and Arrest Procedures
223-4 Planning Review

POLICY

Police response to and management of civil disturbances takes place in accordance with predetermined strategic and tactical planning. Such planning provides for the large scale deployment of personnel and resources as established by this general order.

PROCEDURES

223-1 Responding to a Civil Disturbance

The Operations Division Deputy Chief is responsible for planning the department's response to civil disturbance situations. As in plans for other unusual occurrences, the following areas are considered when formulating response plans.

A. Event planning and initiation of the department's incident command system (see General Order 221), which includes provisions for (not necessarily in order):

1. Preliminary incident assessment;
2. Establishment of goals and objectives of the operation;
3. Communications;
4. Field command posts (including staging areas, safe routes, incident command post, etc.);
5. Casualty information (including provisions for emergency medical assistance);
6. Protecting life and, when appropriate, property;
7. Community relations and public information;
8. Other law enforcement agency support and liaison with these assisting agencies;
9. Liaison with demonstrators and counter demonstrators, if practical;
10. Arranging military support, if necessary;
11. Public facility safety;
12. Establishment of inner and outer perimeters, including access control;
13. Establishment of police lines, if appropriate;
14. Evacuations;
15. Equipment requirements and resupply, including rotation of personnel;
16. Escalation and de-escalation procedures, including a phased response system;

17. Mass arrest and transportation procedures;

18. Rumor control, including briefings of arriving personnel;

19. Command coordination, including appropriate staff pages;

20. Post-occurrence duties;

21. After-action reports;

22. Identifying the need for specialized response, such as ambulance, Boulder Emergency Squad, City Yards, Boulder Fire Department, or bomb technicians; and

23. Arranging for normal street operations.

B. Utilization of appropriate personnel for crowd control and arrests (SWAT, ERT, and on-duty officers) with provisions for additional workforce and mutual aid as the situation dictates.

C. When appropriate, the development of a formal written plan, in advance, for non-spontaneous events.

223-2 Planning for Mass Arrest Situations
Planning for mass arrest situations includes the following considerations.

A. Temporary booking/detention facility, if the number of arrestees exceeds the capacity of the Boulder County Jail's booking room, which may include:

1. Arranging for university facilities with the University of Colorado Police Department;

2. Utilizing courtrooms at the Boulder County Criminal Justice Center; and

3. Arranging for use of other City of Boulder facilities.

B. Transportation of large numbers of prisoners utilizing:

1. Regional Transportation District buses, arranged through the on-duty RTD supervisor;

2. University of Colorado buses, arranged through a CUPD command officer; or

3. Boulder County Jail prisoner transportation vehicles, arranged through an on-duty jail commander.

C. Processing and booking of prisoners, accomplished according to the off-site booking procedures (223-3, below).

D. Processing of prisoners by summons and release, including:

1. Designating members responsible for completing the necessary paperwork for charging;

2. Initiating procedures to identify both the prisoner and the arresting officer for subsequent prosecution (including assignment of case numbers and photographs);

3. Arranging for court appearances based upon the court's processing capabilities; and

4. Determining any bonding requirements.

E. Allocation of personnel necessary for security during transportation and at the temporary detention facility.

F. Mutual aid to supplement the department workforce.

G. Designation of members responsible for evidence processing and collection.

H. Arrangements for food, water, sanitation, medical treatment, and defense counsel visitation if the duration of detention warrants.

223-3 Mass Booking and Arrest Procedures
The following procedures apply to arrests, mass or otherwise, made at a major event.

A. Routine arrests.

1. The arresting officer brings the arrestee to the designated area for initial booking and documentation, which may include a videotape of the officer and the arrestee, with the officer detailing the probable cause for arrest.

2. The booking officer takes a Polaroid photograph of the arrestee, which is attached to a summons or, if applicable, the arrest report.

3. The arresting officer completes a written arrest report and/or summons while at the booking area. This report contains all necessary information including the arrestee's name, date of birth, address, etc., and location, time of offense, and charges. The officer then completes a narrative report detailing the facts of the incident including the probable cause for arrest. The existence of a detailed report is noted on the summons or arrest report.

4. Prior to leaving the booking area, the arresting officer has his/her paperwork approved by the booking sergeant or designee.

5. The booking officer releases the arrestee on a summons or may request, via the booking sergeant, to have the arrestee transported to the Boulder County Jail by the transport officers.

6. At the jail, the transport officers turn over the arrestee and paperwork to the officers assigned to the jail. The jail officers then release the arrestee on a summons or lodge the arrestee in jail.

7. The jail officers enter arrest information into the computer and issue a summons, if applicable.

8. The jail officers are responsible for collecting the arrest reports and summonses and keeping them in order. The jail officers also attach the arrestee's photograph to the appropriate paperwork. The jail officers ensure that all paperwork is turned in to Records and Information Services at the conclusion of the event.

9. An arrest log is maintained at the booking area to document each arrest, minimize the chance for confusion during the initial booking process, and keep command personnel updated on the incident.

B. Mass arrests.

1. In the event of a mass arrest, the department prisoner van and vans from the Boulder County Jail (or other designated transportation) respond to the area of the incident unless otherwise directed. The transport van is equipped with a Polaroid camera and film, marking pens, arrest stickers, extra restraints, and arrest logs.

2. If practical, all arrests are videotaped and/or photographed at the scene.

3. When an arrest is made, the transport officers take a photograph of the arrestee and the arresting officer together, to help ensure matching of the arresting officer and arrestee at a later time. If time permits, a signboard is held in front of the arrestee, numbered to correspond with the arrest log. The suspect's name or arrest

number is clearly marked on the bottom of the Polaroid photograph, and the number is written in marking pen on the back of the arrestee's right hand.

4. At the time of arrest, the arresting or transport officer completes an arrest sticker which contains brief information including the arresting officer's name and number, location and time of arrest, and a short probable cause statement (e.g., "Threw rocks at officers"). The sticker is then physically attached to the suspect's clothing on his/her upper torso. If weather conditions or other considerations make this impractical, the officer may mark this information directly on the suspect's hand or arm with a "Sharpie" or "Magic Marker."

5. The transport officer is also responsible for completing the arrest log as arrests are processed at the scene.

6. The arrestees are taken to either the Boulder County Jail or a satellite booking facility where the booking officers turn over the arrestees and paperwork to the jail officers. The jail officers either release an arrestee on a summons or lodge an arrestee in jail. If an arrestee is lodged, the jail officers note on the arrest report that a supplemental report is forthcoming from the arresting officer.

7. After the incident is resolved, and as soon as possible, the arresting officer completes a report detailing the incident and arrest.

223-4 Planning Review

The Operations Division's administrative sergeant coordinates an annual review of civil disturbance and mass arrest plans and updates or adjusts them as needed.

Boulder Police Department
General Order 224
Hostage/Barricaded Suspect Situations

Effective: November 10, 2010
Replaces: General Order 224, January 3, 2000

224-1 Responsibility
224-2 Notification
224-3 Patrol Response
224-4 Use of Force
224-5 Negotiations

POLICY

The department responds to hostage/barricaded suspect situations giving priority to the safety of hostages, civilians, and officers, and making reasonable attempts to successfully resolve the incident.

PROCEDURES

224-1 Responsibility

A barricaded suspect is any person who resists being taken into custody by using or threatening to use, firearms or other weapons. Generally, the barricaded suspect is behind cover, and may or may not have taken a hostage or made a threat to his/her own life.

A. In a barricaded situation when SWAT responds, it is the responsibility of the SWAT team to control and resolve the situation, including:

   1. Perimeter security;

   2. Rescue efforts; and

   3. Arrest or neutralizing of the suspect.

B. The SWAT commander is responsible for the tactical considerations in hostage situations.

224-2 Notification

When a hostage/barricaded suspect situation is encountered:

A. The incident commander or senior ranking officer at the scene contacts Communications to request a SWAT team response; and

B. Communications initiates the SWAT call-out procedure and notifies department Management Staff by pager.

224-3 Patrol Response

While awaiting the arrival of the SWAT team, Patrol Section members at the scene:

A. Initiate the department's incident command system, as needed (see General Order 221).

B. Establish an inner perimeter, allowing inside that perimeter only those personnel necessary for accomplishing the mission.

C. Establish an outer perimeter.

D. Designate the area between the perimeters for the command post site and other operations not directly in contact with the situation.

E. Evacuate any injured persons who can be safely evacuated.

F. Evacuate bystanders and immediate neighbors if they are in danger or pose operational problems to the mission.

G. Allow SWAT team members to conduct any hazardous evacuations.

H. Establish a command post per the incident command system.

I. Request ambulance and fire personnel be placed on standby status or respond to the scene as necessary.

J. Notify the department's public information officer to respond to the command post and adhere to department policy concerning the release of information to the media (see General Order 103).

K. Secure maps of possible escape routes and have ready sufficient chase and surveillance vehicles to handle the situation if it becomes mobile.

L. The suspect should only be allowed to become mobile as a last resort and only to allow police to gain a tactical advantage or if there is a larger safety concern. Permitting the suspect to move presents a danger to the general public and a difficult control problem.

M. If the hostage situation should need to become mobile, the Incident Commander makes arrangements for transport, surveillance, and escort vehicles to be provided at every scene.

N. If possible, the travel routes are predetermined through negotiations with the hostage-taker and approved by the Incident Commander to ensure the safety of the general public, the hostages, and police personnel.

O. Establish communication links with area agencies that may be affected by the incident.

224-4 Use of Force

Any force used in conjunction with resolving the situation is in compliance with department General Order 225, Use of Force.

224-5 Negotiations

Once SWAT negotiators arrive at the scene, they are responsible for any contact with the suspect unless otherwise ordered by the SWAT commander.

A. The negotiation team:

1. Contacts the hostage-taker when appropriate to do so.

2. Operates within its capabilities and the guidelines set forth by the SWAT commander.

3. Adheres to the SWAT commander's orders regarding negotiable and non-negotiable items based upon instructions received through the chain of command.

B. When dealing with a hostage-taker, the following items are deemed non-negotiable:

1. Weapons; and

2. Replacing hostages with police officers or other personnel.

Boulder Police Department
General Order 225
Use of Force

Effective: November 30, 2016
Replaces: General Order 225, August 25, 2016
Reviewed: November 29, 2016

225-1 Definitions, Levels of Resistance
225-2 Use of Physical Force Guidelines
225-3 Prescribed Uses of Force/Levels of Control
225-4 Deadly Physical Force Guidelines
225-5 Authorization to Carry Weapons
225-6 Use of Intermediate Impact Weapons
225-7 Use of Handcuffs
225-8 Use of Hobbles
225-9 Use of Firearms
225-10 Requesting Medical Care
225-11 Use of Force Data Form
225-12 Reporting Excessive Force
225-13 Department Review of Use of Force
225-14 Administrative Response after Use of Force

POLICY

The department recognizes that the use of force is sometimes necessary for officers to carry out their responsibilities for public safety and law enforcement. In such cases, and in accordance with an individual's resistance, an officer escalates or de-escalates the amount of force employed, using only the level of force necessary to resolve the situation. It is also recognized that situations are fluid and the transition from one level of resistance to another may be rapid. While this policy identifies appropriate levels of force for various situations, each use of force is assessed based on the particular circumstances of that situation.

Commissioned members use firearms in accordance with this order, even when statutory provisions permit greater latitude.

PROCEDURES

225-1 Definitions, Levels of Resistance

When referring to levels of resistance for reporting purposes and the purposes of this general order, the following definitions apply.

A. Psychological intimidation: Non-verbal cues indicating a subject's threatening attitude, appearance and physical readiness.

B. Verbal non-compliance: Verbal responses indicating an unwillingness to comply.

C. Passive resistance: Nonviolent physical actions such as going limp, stiffening the body, refusing to move or others which hinder an officer's control.

D. Defensive resistance: Refusal to comply with verbal orders combined with physical actions that prevent an officer's control and demonstrate an intention or willingness

through words, body posture or movements to actively resist or attempt to cause injury to another, but do not yet rise to the level of active aggression.

E. Active aggression: Physical actions of assault or attempted assault.

F. Lethal force: A deadly force encounter that is likely to cause death or serious bodily injury.

225-2 Use of Physical Force Guidelines

Officers are responsible for ensuring that any use of force they initiate is in compliance with the guidelines outlined in this General Order. The fact that another officer applies force outside these guidelines does not relieve any other officer from the responsibility to adhere to this General Order.

A. An officer may use reasonable and appropriate physical force upon another person when and to the extent that he/she reasonably believes it necessary to effect an arrest, or to prevent the escape from custody of an arrested person, or defend him/herself or a third person from what he/she reasonably believes to be the use or imminent use of physical force by that other person, or to gain compliance to lawful orders for public safety or crowd control purposes, or to enforce court orders. Any use of force must be reasonable and within training guidelines for the given situation.

B. An officer may also use reasonable force to collect evidence from a person under exigent circumstances. When deciding to use force under these circumstances officers consider:

1. The seriousness of the offense.

2. The perishable nature of the evidence and the likelihood that evidence will be lost if not collected immediately.

3. The ability to secure perishable evidence until a court order can be obtained.

Officers using force to collect evidence under this circumstance may not use a level of force greater than a firm grip control and/or control holds.

225-3 Prescribed Uses of Force/Levels of Control

A. Officers are authorized to use the following types of force/control:

1. Verbal direction or soft empty hand control (escort techniques) may be used when slight and directional force is required when encountering psychological intimidation, verbal non-compliance, passive resistance or defensive resistance;

2. Soft empty hand techniques, control holds, or pressure points may be used when an individual offers passive resistance, defensive resistance or active aggression;

3. Pain compliance, control holds, pressure point control tactics, take downs and/or distraction techniques may be used when an individual offers defensive resistance or active aggression;

4. Chemical agents:

a. OC pepper spray may be used when an individual is actively aggressive. It may also be used against individuals who are defensively resistant and have been given a warning that OC pepper spray will be used if they do not cease the resistance or refuse to disperse in a riot situation. OC pepper spray is not used on passively resistant protestors without prior command authorization, nor on persons who are in handcuffs;

b. Chemical agents such as OC pepper-based or CS-based agents may be used to help resolve barricaded suspect, hostage, crowd control or other high-risk situations in which the use of such agents would likely help resolve the situation and reduce the risk of injury to officers and other persons. See GO 216 for further usage guidelines.

5. Pepperball launchers may be used:

a. When an individual is actively aggressive toward any person.

b. To help resolve a barricaded suspect, hostage, crowd control or other high-risk situations in which the use of such agents would likely help resolve the situation and reduce the risk of injury to officers and other persons.

c. On dangerous individuals who are reasonably believed to be armed with a deadly weapon or dangerous object capable of causing serious bodily injury or death. See GO 227.

d. In riot situations, when an individual offers defensive resistance and fails to obey a lawful dispersal order, the officer may launch red PAVA projectiles in the area around the individual (area saturation), or when necessary, at the individual (direct application). Officers do not target the head area of an individual.

e. In riot situations, when an immediate arrest is not practical and an individual has committed a crime, the officer may launch green marking projectiles at the individual to aid in identification at a later time.

f. When deploying Pepperballs during riot situations, officers deploy them in a manner appropriate to the circumstances and less likely to cause serious injury. Pepperballs are recognized as a valuable tool in gaining control and dispersal during riot conditions.

6. Conducted Electrical Weapons (CEWs) may be used in accordance with the guidelines in General Order 228, Conducted Electrical Weapons.

7. Impact weapons, including the baton, defensive techniques including take downs, strikes and kicks and all levels of force, short of deadly force, may be used when an individual offers active aggression; or

8. A baton may be used during riot situations when it is necessary to gain control over an individual who is resisting officers' efforts and other means of gaining compliance are not effective. In this situation, officers use a technique and level of striking force appropriate for the given level of resistance. Officer safety, public safety and the totality of circumstances are to be considered prior to using a baton in these circumstances.

9. Less-lethal impact weapons may be used on dangerous individuals who are reasonably believed to be armed with a deadly weapon or dangerous object capable of causing serious bodily injury or death. See GO 227.

B. An officer may not use objects as weapons unless an individual uses active aggression and authorized weapons are not immediately accessible or are ineffective.

C. The use of neck restraints is prohibited, unless an officer would otherwise be authorized to use deadly force.

D. Non-commissioned members are prohibited from using physical force except as authorized in C.R.S. 18-1-704.

225-4 Deadly Physical Force Guidelines

A. According to CRS 18-1-707 (2)(a)(b), A peace officer is justified in using deadly physical force upon another person only when he/she reasonably believes that it is necessary:

1. To defend him/herself or a third person from what he/she reasonably believes to be the use or imminent use of deadly physical force; or

2. To affect an arrest, or to prevent the escape from custody, of a person whom the officer reasonably believes:

   a. Has committed or attempted to commit a felony involving the use or threatened use of a deadly weapon; or

   b. Is attempting to escape by the use of a deadly weapon; or

   c. Otherwise indicates, except through a motor vehicle violation, that he/she is likely to endanger human life or to inflict serious bodily injury to another unless apprehended without delay.

B. According to CRS 18-1-707, "a 'reasonable belief' that a person has committed an offense means a reasonable belief in facts or circumstances which, if true, would in law constitute an offense. If the believed facts or circumstances would not in law constitute an offense, an erroneous though not unreasonable belief that the law is otherwise does not render justifiable the use of force to make an arrest or to prevent an escape from custody."

C. According to CRS 18-1-901(3)(p), "'Serious bodily injury' means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree."

225-5 Authorization to Carry Weapons

Before being authorized to carry a chemical agent, conducted electrical weapon, Pepperball launcher, baton, or firearm members are issued copies of, and instructed in the Use of Force general order, and receive requisite training to obtain proficiency in their use.

225-6 Use of Intermediate Impact Weapons

The impact weapon may be used to strike and block and has two purposes. One is to serve as an intermediate defense weapon when an officer's empty hand defense skills are inadequate, but the use of deadly force is not justified. Its other purpose is to temporarily disable an offender. The impact weapon may be used as a defensive weapon when an officer reasonably believes that he/she or another is in danger of imminent attack likely to cause bodily injury. The impact weapon is not used to strike the head of any person unless the officer is justified in using deadly force.

225-7 Use of Handcuffs

A. In investigative stop situations, when officers believe it necessary for officer safety, officers may handcuff individuals for a reasonable amount of time until further investigation can be conducted. Officers are diligent in removing handcuffs from persons who are determined not to be involved in any criminal activity.

B. Officers handcuff arrestees as soon as possible to protect themselves and others. Ar-

restees or in-custody suspects remain handcuffed when transported. Prior to being transported, the transporting officer personally conducts a search of in-custody prisoners for contraband and weapons.

C. For officer safety and the safety of others, officers handcuff persons being transported on mental or ARC holds.

D. Officers handcuff the person with hands behind the back and consistent with current department training techniques. Municipal prisoners escorted to municipal court in the jail may be handcuffed in front.

E. Officers make reasonable accommodation, consistent with officer safety in handcuffing persons in special situations (e.g., pregnancy, disability, persons in wheel chairs and other similar situations).

F. If handcuffed persons complain about the tightness of the handcuffs, officers, as soon as practical, check the tightness of the handcuffs and adjust them if necessary.

225-8 Use of Hobbles

Officers do not use a hobble restraint except in circumstances of violent resistance and when other restraint methods are not practical or effective. When a hobble is used, the following procedures are followed:

A. Officers avoid hooking the hobble to the handcuffs behind a subject's back. Officers either control the loose end of the hobble to control the suspect's legs or connect the hobble to a belt around the suspect's waist. If the hobble is connected to a belt around the suspect's waist, the hobble is secured in a manner to allow a distance of more than twelve inches between the suspect's feet and the suspect's hands.

B. An officer may hook the hobble to the handcuffs if a belt is not available or suitable and other control is not effective. In this case, the hobble is released as soon as a second hobble is available to be placed around the suspect's waist. The distance between a hobbled suspect's ankles and hands must be longer than twelve inches.

C. Positional asphyxia occurs when the position of an individual's body interferes with normal respiration. The body position that will most likely contribute to positional asphyxia occurs when a suspect is restrained with a hobble and placed face down. Factors that may contribute to the risk of positional asphyxia include severe intoxication, the influence of controlled substances, a discernible mental condition and the anatomy of the suspect. For these reasons, during the time a suspect is hobbled, he/she is placed on his/her side and an officer continually monitors the suspect for breathing difficulties and any other signs of medical distress.

D. If a hobble is connected behind a suspect's back (to the handcuffs, belt or otherwise), or a suspect shows signs of medical distress, an ambulance is summoned to transport the suspect. Paramedics are asked to determine if further medical evaluation is required at the hospital. An officer accompanies ambulance personnel during the transport.

E. When transporting a hobbled suspect by ambulance, officers coordinate the restraint of the suspect, while in the ambulance, with the paramedics, keeping in mind the medical needs of the suspect and the safety of emergency personnel. If the suspect is being transported to the jail, the suspect is restrained on the ambulance pram, on his/her side, with the hands cuffed behind his/her back. The hobble is reattached from the belt/handcuff chain to the frame of the pram to prevent the suspect from kicking. In addition, the suspect is secured by use of the pram restraints (seatbelts).

F. A hobbled suspect may be transported in a patrol car when the hobble is not connected behind the suspect's back and the suspect can be placed into the car in a seated, upright position. The hobbled legs may be restrained by securing the hobble with the car door or other reasonable method.

G. Use of the hobble requires immediate supervisor notification. The supervisor is responsible for ensuring that hobbling procedures were followed.

H. Use of a hobble is documented in the officer's report and on a use of force data form.

225-9 Use of Firearms

A. Firearms may be discharged:

1. When an officer is justified in the use of deadly force;

2. To destroy seriously injured or dangerous animals when another disposition is impractical; or

3. During authorized firearms training.

B. Firearms are not discharged:

1. As a warning, unless as a last resort and only if the officer reasonably believes a warning shot can be fired safely in light of all circumstances;

2. At moving vehicles, unless the officer has no reasonable alternative course of action and the officer reasonably believes that the use is necessary to defend him/her or another person from imminent death or serious bodily injury;

3. At a fleeing suspect, unless the suspect otherwise indicates, except through a motor vehicle violation, that he/she is likely to endanger human life or to inflict serious bodily injury to another person unless apprehended without delay and if, where practical, some warning of the intended use of force has been conveyed to the suspect by the officer or a fellow officer.

C. If a firearm is unintentionally discharged, the officer immediately notifies an on-duty supervisor and submits a written report setting forth all circumstances surrounding the incident.

1. The on-duty supervisor does an initial investigation and initiates a Class 1 Professional Standards Investigation.

2. The Chief of Police may direct further investigation, remedial firearms training or other appropriate action.

225-10 Requesting Medical Care

When force is used against or by an officer, either the involved officer or the next ranking member ensures that medical treatment is sought for injuries or claimed injuries requiring medical treatment and necessary ranking and investigative personnel are contacted.

225-11 Use of Force Data Form

The use of force reporting system is used for tracking and monitoring the use of force against or by an officer. The purpose is to assess training or remedial needs, as well as to collect aggregate statistics about levels of force officers' encounter or need to utilize.

A. A use of force data form is completed when force is used against an officer. Incidents of force that are reported include when an officer is assaulted or encounters active aggression, whether or not an injury is inflicted.

B. A use of force data form is completed by an officer when the officer or fellow officers:

1. Applies force in a law enforcement incident that results in an injury, claimed injury or death, whether or not medical treatment is required;

2. Applies a hobble or like device to an individual as a restraint method;

3. Applies strikes, kicks or takedown to an individual, whether or not an injury is inflicted;

4. Uses OC pepper spray or baton;

5. Discharges a less-lethal impact or conducted electrical weapon in a law enforcement incident, whether or not an injury is inflicted, uses such weapon to gain compliance, or aims such weapon with the intent to control or gain compliance; or

6. Discharges a firearm in a law enforcement incident, whether or not an injury is inflicted, uses a firearm to gain compliance or aims a firearm with the intent to control or gain compliance.

C. The reviewing supervisor approves the completed use of force data form and submits it to the officer's Deputy Chief via chain of command. The reviewing Deputy Chief approves the report and submits it to the Professional Standards Unit. Use of force data forms are maintained as personnel records by the Professional Standards Unit for a minimum of three years. Aggregate use of force data may be retained indefinitely.

225-12 Reporting Excessive Force

A supervisor is immediately notified by an officer when the officer, in pursuance of such officer's law enforcement duties, witnesses another peace officer use physical force which exceeds the degree of physical force permitted pursuant to C.R.S. 18-1-707 or provisions of this general order.

A. The supervisor initiates a Professional Standards preliminary complaint.

B. At a minimum, the completed Professional Standards preliminary complaint includes the date, time and place of occurrence, the identity, if known, and description of the participants and a description of the events and the force used.

C. The report is submitted as soon as possible and no later than 48 hours, after the occurrence of the use of force.

D. C.R.S. 18-8-802 makes it a Class 1 Misdemeanor for failing to file a written report within ten days. The statute further makes it a Class 3 Misdemeanor (False Reporting) to make a "materially false statement, which the officer does not believe to be true," in the report.

225-13 Department Review of Use of Force

A review is required into any use of force incident requiring a Use of Force data form. The level of review is dependent upon the circumstances surrounding the use of force.

A. Levels of review may include, but are not limited to one or more of the following steps:

1. Review of reports by the Commander or next ranking member;

2. Review of reports by the Deputy Chief and/or Chief of Police.

3. Investigation at the scene and questioning of officers/witnesses involved in the incident by a supervisor or command staff member.

4. Investigation into the circumstances by

detectives.

5. Professional Standards investigation into those incidents in which there is reason to believe the officer's use of force warrants an administrative investigation.

6. Boulder County Investigation Team investigation, as authorized by the Chief of Police or designee.

B. Use of force incidents involving the activation of a CEW or the discharging of a less lethal weapon requires a memo from the Operations Deputy Chief or designee to the Chief of Police documenting the findings of the review. A memo is not required if a professional standards investigation has been initiated.

225-14 Administrative Response after Use of Force

Any officer who discharges a firearm at another person, or takes other police action resulting in the death of another person will, depending on the jurisdiction, be investigated by the Boulder County Investigation Team. The department will conduct an administrative review in these types of cases in order to determine if there may have been rules, policy or procedural violations that warrant further investigation.

The department may choose to investigate any other use or discharge of a firearm.

An officer who uses force may be transferred to a light-duty assignment or placed on administrative leave if the Chief of Police determines that it is in the best interest of the officer or the department. The officer returns to full-duty when approved by the Chief of Police.

Boulder Police Department
General Order 226
Firearms

Effective: September 20, 2016
Replaces: General Order 226, August 6, 2014
Reviewed: September 13, 2016

226-1 Handguns
226-2 Shotguns
226-3 Police Rifles
226-4 Flashlight Attachments
226-5 Training
226-6 Qualification
226-7 General Safety
226-8 Inspection
226-9 Exception
226-10 Unintentional discharge

POLICY

The department authorizes, issues and regulates firearms used by its members acting within the scope of their employment. The department retains exclusive authority over the use of department owned and issued firearms.

The department trains its members to use firearms and maintains standards with respect to its members' proficiency in their use.

PROCEDURES

226-1 Handguns

A. Definitions

1. *Primary* handguns are those semiautomatic handguns approved by the department armorer and carried by commissioned members as their principal duty firearm.

2. *Secondary* handguns are those semiautomatic handguns approved by the department armorer and may be carried as an alternate primary handgun or as an off-duty handgun.

3. *Back-up* handguns are those handguns approved by the department armorer and carried by commissioned members as a concealed second handgun while on, or off-duty, or as a single handgun when carried off-duty. Revolvers, as approved by the department armorer, may be carried as a *back-up* weapon.

B. Issuance

1. A department-issued weapon is provided on the condition that it is carried by the member as a primary weapon. First priority for issuing department handguns is given to newly hired officers.

2. The armorer maintains the list of handguns authorized by the Chief of Police for those members who opt to supply their own handgun.

   a. Commissioned members may change their handguns no more

frequently than once per year. Officers who want to revert back to a department-issued handgun are provided one based on availability.

b. Probationary officers are not allowed to change their handguns during their probationary period except as authorized by the Chief of Police.

C. Handgun usage guidelines

1. Commissioned members carry, in either an on- or off-duty capacity, only those handguns that are authorized by the department and inspected by the armorer and with which they have qualified and demonstrated proficiency in handling. The same criteria apply to personally-owned handguns that commissioned members elect to carry.

2. Uniformed commissioned members carry a primary handgun in the uniform holster attached to the duty belt.

3. When on-duty and in public, non-uniformed commissioned members carry a primary handgun normally concealed in an approved holster. When handguns are worn visibly, non-uniformed commissioned members must clearly display their police badge and have department-issued identification on their person.

D. Restrictions

1. Commissioned members may not carry a handgun in an off-duty capacity while on administrative leave, leave of absence or suspension unless authorized by the Chief of Police.

2. Unless otherwise exempted in writing by the Chief of Police, probationary officers may not carry a handgun in an off-duty capacity until completion of the field training program.

3. Unless otherwise exempted in writing by the Chief of Police or designee, commissioned members assigned to temporary light duty assignments or on injury leave may not take enforcement action as a Boulder police officer and do not have department authority to carry a firearm on or off-duty. Members on light or modified duty will receive a letter from the Staff Services Deputy Chief or a designee as to their restrictions.

4. Commissioned members who carry a concealed handgun off duty pursuant to a valid concealed handgun permit under conditions which would otherwise be in violation of this general order do so as private citizens not acting under department authority and are subject to all applicable laws.

5. Commissioned members are prohibited from possessing a firearm or ammunition if he or she is the subject of a domestic violence restraining or protection order or any other order prohibiting possession of a firearm or has been arrested for domestic violence.

E. Handgun ammunition

Commissioned members carry and use, both on- and off-duty, only handgun ammunition authorized by the department.

1. Members are issued a specified number of rounds for duty use. Unfired rounds are expended annually in training.

2. Members request replacement of ammunition, utilized in the course of duty, from their supervisor.

3. Members maintain issued ammunition in authorized handgun(s) and ammunition pouches. The remainder is placed in an accessible location.

4. Uniformed members maintain a minimum of two extra reloads on their person.

F. Holsters

The department issues its commissioned members a holster as identified by the department armorer and approved by the Chief of Police.

G. Modifications

Members may not modify, alter, or add to department-authorized firearms, holsters, or ammunition without the armorer's approval.

226-2 Shotguns

A. Commissioned members carry only department-owned or department-approved shotguns and ammunition.

B. All shotguns must be inspected by the armorer.

C. Department-owned shotguns are assigned to, and stored in, marked patrol vehicles, with chambers empty, in the "transport condition" prescribed by the armorer.

D. When shotguns are stored in the Public Safety Building, they are unloaded with actions open and safeties on, in the "storage condition" prescribed by the armorer.

E. Shotguns are loaded and unloaded outside the Public Safety Building. For training purposes, range officers conduct loading and unloading exercises with clearly marked "dummy" rounds only.

226-3 Police Rifles

The department provides police rifles to specially trained officers for use in situations in which standard police armament is deemed insufficient.

A. Commissioned members carry only department-owned or department-approved rifles and ammunition.

B. All rifles must be inspected by the armorer.

C. Suppressors

1. All department owned rifles are equipped with a suppressor and shall be deployed with the suppressor attached. Rifles deployed on department motorcycles are equipped with a suppressor which will be attached prior to deployment unless the officer encounters an imminent threat.

2. Suppressors are assigned to department rifles by the armorer and will only be used on the corresponding rifle.

4. The department provides a limited number of suppressors for use on personally owned, department approved rifles. Supervisory approval is required, time permitting, before any personally owned rifle is placed in-service without a suppressor.

5. Officers with personally owned rifles are required to check out and document the suppressor they attach to their rifle. All suppressors are returned to the designated storage cabinet and logged in at the end of shift.

D. Authorization

1. SWAT officers who qualify with a department approved rifle are authorized to carry them on-duty.

2. Patrol officers who have volunteered, been selected by the range master, received the appropriate training and qualified on the rifle course are authorized to carry a rifle on-duty.

E. Department-owned police rifles are stored in the Public Safety Building, unloaded and locked in the designated compartment of the patrol storage room in the "storage condition" prescribed by the armorer. They are checked in and out by officers at the beginning and end of shift. Rifles are carried in patrol car racks (or in the trunk if the vehicle is not fitted with a rack), in the "empty chamber transport condition" prescribed by the armorer. Personally-owned police rifles stored in the building must be locked at all times, unloaded, in the "storage condition" prescribed by the armorer. Rifles are loaded and unloaded outside the Public Safety Building.

226-4 Flashlight Attachments

Commissioned members, who carry weapons (handguns, shotguns, or rifles) that are equipped with an accessory rail, may utilize a flashlight attachment within the following guidelines.

A. The department supplies a flashlight, holster and batteries and incurs any replacement costs. Only those flashlights and related equipment authorized by the department armorer may be used. Weapon mounted handgun lights that operate by means of a remote pressure switch or pad are prohibited.

B. Laser systems are prohibited.

C. Members must train and qualify with the flashlight attachment during reduced-light firearms training and qualifications.

D. The flashlight attachment does not replace the primary flashlight. Members must continue to carry the handheld flashlight in addition to this system.

E. When using the flashlight attachment, members adhere to department policy concerning the use of force. While in contact with a person, members do not use the light attachment in lieu of their flashlight when circumstances do not justify pointing a firearm at someone.

226-5 Training

The department's Training Unit develops schedules and provides firearms training classes (including in-service training, shooting decision training, i.e. tactical shoots and weapons familiarization) as deemed necessary or required by the Chief of Police and range master or based upon identified training needs.

A. Tactical firearms training

1. This type of firearms training is designed to provide enhanced skills development by simulating environments an officer may encounter.

2. The range staff utilizes tactical training courses to evaluate skill levels and identify focus areas for future training.

3. The range staff establishes training course objectives in order to gauge member performance.

4. For all training provided, the firearms instructor will give a verbal critique and document the member's performance as it pertains to the training objectives.

5. Unless otherwise excused, tactical shoots are mandatory for all commissioned members.

226-6 Qualification

The department's Training Unit develops, schedules and provides firearms qualification shoots as determined by the Chief of Police and the range master, at least semi-annually for all handguns and shotguns and at least annually for rifles.

A. Attendance

1. All commissioned members are required to attend all department firearms qualifications. Members not excused from a regularly scheduled or make-up qualification shoot are subject to disciplinary action.

2. SWAT members who qualify at SWAT shoots are not required to attend regularly scheduled department qualification shoots unless they are carrying a firearm, either primary, secondary or back-up that is different from the firearm used for SWAT.

B. Failure to qualify

1. Primary handgun and shotgun.

a. A member who fails to qualify with the primary handgun or shotgun is referred to his/her commander for reassignment to a non-enforcement capacity and may not carry the primary handgun or shotgun until he/she is able to qualify.

b. Remedial training and the opportunity to re-qualify are provided to members as soon as scheduling allows. Members who are unable qualify within 30 days are referred to the Chief of Police for appropriate action.

c. Members who consistently fail to qualify, or are unable to qualify, are subject to termination.

2. Secondary and back-up handgun(s) and police rifle.

a. A member who fails to qualify with the secondary, back-up handgun(s) or the police rifle, is prohibited from carrying that firearm until he/she is able to qualify with it.

226-7 General Safety

All members are responsible for safety. Firearms must be treated as if they are always loaded.

A. When at the Public Safety Building, firearms are only loaded and unloaded with use of a clearing tube or other designated area.

B. Any firearm loaded or unloaded away from the Public Safety Building is done so in a safe manner with the muzzle pointed in a safe direction.

C. Unloaded firearms are always visually and physically checked for ammunition, including the chamber, prior to handling.

D. Firearms are never pointed at anything or anyone except for legitimate law enforcement purposes. Also see General Order 225 Use of Force.

E. Members adhere to all firearms and range safety rules as established by the department armorer.

226-8 Inspection

A. All commissioned members present their firearms and ammunition to a firearms instructor, range officer or any supervisor, at any time, without notice, for inspection and examination for cleanliness, defects, malfunctions or unauthorized modifications.

B. Any and all firearms inspections for any reason employ a "buddy" system for clearing and checking firearms.

1. An officer teams with another officer for the purposes of making certain weapons are unloaded and magazines removed prior to inspection or disassembly.

2. Officers use clearing tubes to unload firearms.

3. Once a firearm is unloaded and made safe, it is visually and physically checked by a fellow officer to confirm that it is unloaded and safe for inspection.

226-9 Exception

It is not the purpose of this general order to limit legal use of weapons by off-duty commissioned members or commissioned members performing duties as members of a United States or State of Colorado military unit. Nor is it the purpose of this general order to limit any member's constitutional or statutory rights under Colorado or federal laws.

226-10 Unintentional discharge

If a firearm is unintentionally discharged; the officer immediately notifies an on-duty supervisor and submits a written report setting forth all circumstances surrounding the incident.

A. The on-duty supervisor does an initial investigation and initiates a Class 1 Professional Standards Investigation.

B. The Chief of Police may direct further investigation, remedial firearms training, or other appropriate action.

Boulder Police Department
General Order 227
Less Lethal Impact Weapons and Ammunition

Effective: March 7, 2002
Replaces: General Order 227, January 3, 2000

227-1 Criteria for Use
227-2 Limitations
227-3 Approved Impact Weapons and Ammunition
227-4 Training

POLICY

The department makes available to commissioned officers certain "less lethal" impact weapons and ammunition as a force alternative. Less lethal impact weapons and ammunition provide officers with a tool to possibly disarm subjects in prescribed situations and to stop or prevent assaults by individuals who are armed with weapons or dangerous objects.

PROCEDURES

227-1 Criteria for Use

A. Less lethal options may be deployed by an officer or at the direction of a supervisor whenever a situation is encountered involving a suspect who is reasonably believed to be armed with a deadly weapon or dangerous object capable of causing serious bodily injury or death.

B. Less lethal weapons may be discharged:

1. At a suspect when they are being used as an alternative to deadly force by an officer who reasonably believes that the use is necessary to defend him/herself or another person from imminent death or serious bodily injury. This may include situations in which less lethal options are used to save suicidal subjects from their own application of deadly force to themselves.

2. As a tool to attempt to disarm or disable a subject who is armed with a deadly weapon or dangerous object capable of causing death or serious bodily injury and reasonable verbal attempts to compel the subject to drop the weapon or object have been tried and failed.

3. In riot or mob situations involving violent crowds engaging in destructive and dangerous behavior which threatens public safety. Less lethal weapons are not used indiscriminately in these situations, and authorization to use less lethal weapons in these situations is granted by the highest ranking on-scene command staff member prior to use.

227-2 Limitations

A. Less lethal weapons and ammunition are not accurate enough, potent enough, or reliable enough to become a replacement for deadly force situations in which officers or third parties are under attack by an armed suspect, or otherwise defending themselves from deadly force, and are not relied upon in these situations. They are intended to disarm or disable a suspect at an opportune time with the intention of preventing the application of deadly force at a later time. Officers do not place themselves or inno-

cent persons at greater risk by relying on less lethal weapons.

B. In many instances, subjects do not respond or yield to less lethal munitions. For that reason, a back-up officer armed with a firearm is deployed with the officer assigned to the less lethal weapon, to protect the officer and others.

227-3 Approved Impact Weapons and Ammunition

A. All less lethal impact weapons and ammunition are approved by the Chief of Police prior to deployment into the field. Less lethal impact weapons consist of designated .12 gauge shotguns as used by any commissioned officer, and 37mm launchers used specifically by the SWAT team. Less lethal impact ammunition consists of rubber batons, wood batons, rubber balls, and "bean bags."

B. In order to distinguish them from regular shotguns, the stocks and forestocks of police shotguns used to fire less lethal ammunition are painted orange. No lethal ammunition is stored with or in a less lethal shotgun.

C. Less lethal impact weapons are stored with empty magazines and chambers so that the officer who deploys and loads the weapon can clearly determine that he/she is loading it with less lethal ammunition. Whenever possible, officers have another officer check the weapon to ensure it is loaded with less lethal ammunition.

227-4 Training

A. The SWAT team maintains trainers in the use of less lethal weapons, keeps up-to-date on training and certification, and provides training and orientation to all commissioned officers. SWAT trainers provide classroom training to all patrol officers in the proper use and deployment of less lethal weapons and ammunition.

B. The range master provides less lethal impact weapons, targets, and ammunition for orientation shoots at specified qualification shoots.

C. SWAT team members maintain proficiency with their specifically-assigned less lethal weapons and ammunition at the direction of the SWAT team commander.

D. Officers must complete the classroom portion of the training, and the orientation shoot, prior to deploying or using less lethal weapons and ammunition.

Boulder Police Department
General Order 228
Conducted Electrical Weapons (CEW/Tasers)

Effective: December 1, 2015
Replaces: General Order 228, June 6, 2013
Reviewed: November 3, 2015

228-1 Definitions
228-2 CEWs May Be Used
228-3 Considerations and Use of CEWs
228-4 After Use or Activation of an CEW
228-5 Limitations on Use
228-6 Restrictions on Use
228-7 Carrying of a CEW
228-8 Storage and Maintenance
228-9 Training
228-10 Record Keeping

POLICY

In accordance with the department's Use of Force policy (GO 225), officers are permitted to use Conducted Electrical Weapons (CEWs) when confronted with violent or potentially violent persons. CEWs have proven to be effective in providing officers with an option that reduces the risks to the officer and to the person involved in these situations. Therefore, a CEW may be deployed in appropriate circumstances under the following procedures.

PROCEDURES

228-1 Definitions

A. Psychological intimidation: non-verbal cues indicating a subject's threatening attitude, appearance and physical readiness.

B. Verbal non-compliance: verbal responses indicating an unwillingness to comply.

C. Passive resistance: nonviolent physical actions such as going limp, stiffening the body, refusing to move or other actions which hinder an officer's control.

D. Defensive resistance: Refusal to comply with verbal orders combined with physical actions that prevent an officer's control and demonstrate an intention or willingness through words, body posture or movements to actively resist or attempt to cause injury to another, but do not yet rise to the level of active aggression.

E. Active aggression: physical actions of assault or attempted assault.

F. Lethal force: a deadly force encounter that is likely to cause death or serious bodily injury.

G. Conducted Electrical Weapon (CEW): Conducted Electrical Weapons (e.g., "Tasers") are less-lethal weapons that use propelled wires or direct contact to conduct electric energy to affect the sensory and motor functions of the individual's nervous system. They are designed to temporarily incapacitate dangerous or resistive individuals, allowing them to be taken into custo-

dy at reduced risk to officers and the subject.

H. Dart Probe Launch: Activation of a CEW in which darts with attached wires are expelled from a cartridge attached to the CEW at a subject.

I. Drive Stun:

1. Drive Stun *without* Cartridge: Use of a CEW by making direct contact with the body after a CEW cartridge has been expended or removed for pain compliance.

2. Drive Stun *with* Cartridge: Use of a CEW by making direct contact with the body with a CEW cartridge attached.

J. Activation: The actual firing of the CEW, either in dart probe or drive stun mode.

K. Cartridge: A replaceable cartridge which uses compressed gases to fire two probes on connecting wires.

L. Excited Delirium: A state of extreme mental and physiological excitement, characterized by extreme agitation, hyperthermia, hostility, exceptional strength and endurance without fatigue.

228-2 CEWs May Be Used:

A. When an individual offers defensive resistance and the officer reasonably believes that use of a CEW is less likely to cause injury to either the officer or the individual than other means of gaining compliance.

1. When using a CEW on a subject offering defensive resistance, the officer first attempts to gain compliance by warning the subject of the imminent use of the device.

2. The mere act of fleeing from officers does not justify the use of a CEW. Before using a CEW on a fleeing subject, officers should consider the nature and severity of the crime committed and the necessity for immediate apprehension.

3. Turning on the red laser dot and pointing it at a subject with verbal warnings is an acceptable method of trying to gain compliance without having to activate the CEW.

4. Before using a CEW on a subject offering defensive resistance, the officer first considers the following factors:

a. Seriousness of the offense.

b. Likelihood of the subject being armed with a weapon.

c. Likelihood of injury to the officer or subject.

d. The ability to gain cooperation through other means.

B. When an individual engages in active aggression toward an officer or another person.

C. To disarm a person who is armed with a weapon or dangerous object.

D. On a handcuffed person only when he/she is actively aggressive. When practical, a verbal warning will be given prior to using a CEW on a handcuffed person. Absent extraordinary circumstances, only a drive stun *without* cartridge activation will be used on handcuffed individuals.

E. Against an attacking or dangerous animal to protect the officer or another person.

228-3 Consideration and Use of CEWs

A. When the officer knows or reasonably should know that the subject is mentally ill and is not posing an imminent threat of injury to anyone, officers will consider other interventions to gain compliance.

B. Absent a deadly force situation, officers avoid targeting the subject's head, neck, upper front chest and groin area. When practical, the preferred target area is the back below the neck. The second most preferred area is the lower front abdomen or thighs.

C. CEWs are not accurate or reliable enough to become a safe alternative to deadly force in situations where officers or citizens are under attack in a deadly force encounter.

D. A back-up officer armed with a firearm should be deployed with the officer using the CEW when encountering subjects who are armed with lethal weapons.

E. Only department issued CEWs are used and may only be used by officers who have received department approved training.

F. No more than one officer at a time intentionally activates a CEW against an individual unless the person is considered high risk and armed with a dangerous weapon.

G. When activating a CEW, officers use it for one standard cycle and then stop to evaluate the situation (a standard cycle being 5 seconds). If subsequent cycles are necessary to control the subject, officers use the minimum number of cycles necessary to gain control of the subject. An exception to this would be when a longer cycle is needed to disarm someone who is carrying a deadly weapon.

H. When possible, an announcement is made to other officers on the scene that a CEW is going to be activated.

I. The department maintains certified CEW instructors and provides regular training for approved officers.

228-4 After Use or Activation of a CEW

A. Following a CEW activation, officers use a restraint technique that does not impair respiration.

1. Officers are aware that persons under the influence of drugs are at a higher risk of exhibiting symptoms associated with excited delirium. People exhibiting symptoms of excited delirium are at higher risk of sudden death and must be regularly monitored after being restrained.

2. Persons who have been subjected to a CEW activation will be monitored regularly while in police custody until the time they are released to the custody of the jail.

3. Officers may remove the CEW dart probes in a manner consistent with department training, unless the dart probes have impacted a sensitive area (for example, eye, face, head, breasts, genitals).

B. Officers shall request that an ambulance respond to the scene of a CEW activation. Paramedics are authorized to medically clear subjects, however, in the following circumstances the subject will be transported to a medical facility by ambulance for a medical clearance when they:

1. Request medical attention or there is an obvious need for medical attention;

2. Have been struck by a dart probe in a sensitive area (for example, eye, face, head, breasts, genitals);

3. Do not appear to recover as expected following a CEW activation;

4. Are a child, elderly, pregnant, use a cardiac pacemaker or have other known serious medical issues;

5. Are exposed to more than three standard CEW cycles or a continuous cycle of more than 10 seconds; or

6. Exhibit signs of excited delirium as outlined in training, prior to and/or during a CEW activation.

C. Reporting, documentation and data retention

1. Officers will document who medically cleared the subject in their police report.

2. Any use of a CEW to gain compliance or control requires the completion of a use of force data form.

3. Activation either in a drive stun or dart probe launch requires the completion of both the use of force data form and the supplemental use of force data form for CEWs.

   Any CEW that has been activated on a subject in non-training or testing situations will be submitted for data download using procedures established by the Operations and Support Services Deputy Chiefs.

   a. Using the appropriate software, downloaded data shall be stored and retained indefinitely in a manner that limits access to it and is subject to backup on a regular basis.

D. A supervisor, whenever available, will respond to the scene of a CEW activation to review the circumstances and use of the CEW, and to insure this policy is followed. If unable to respond to the scene, the supervisor will meet with the involved officers as soon as practical to ascertain that policy has been followed.

E. All activations of a CEW against a subject will be reviewed by the member's Deputy Chief per General Order 225, Use of Force, Section 225-13.

228-5 Limitations on Use

CEWs are not used in the following situations unless the officer can justify the use of a CEW as a reasonable exception to protect the subject or another person from imminent serious bodily injury or death.

A. When the officer knows or should reasonably know that the subject is under 13 years of age.

B. When the officer knows or should reasonably know that the subject has limited physical capabilities or is frail as a result of illness or old age.

C. When a person is disabled and confined to a wheelchair, bed or other specific location due to the disability.

D. When the officer knows or should reasonably know the subject is pregnant.

E. The subject, if incapacitated by a CEW, is likely to fall from a height that is likely to cause serious injury to that person or others.

228-6 Restrictions on Use

CEWs are not used in the following situations:

A. Either the officer or the subject is in or on a moving vehicle.

B. The subject is using or is in contact with flammable liquids or vapors.

C. In any form or method to frighten or cause pain to another as punishment.

D. In a training situation on any person who has not been advised of the potential dangers and who has not expressly given permission for its use on him/her.

228-7 Carrying of a CEW

A. Officers may carry a CEW in a department approved leg or belt holster.

B. If worn on the belt, the CEW must be placed on the side opposite the officer's firearm.

C. Personal CEWs are not carried while on duty.

D. Officers are assigned two cartridges and will carry both of them on their person when carrying a CEW.

228-8 Storage and Maintenance

A. Each Watch Office has one CEW available for checkout by any officer trained and certified in its use. Officers who check out a CEW must fill out the signout log maintained by the Watch Sergeants.

B. CEW instructors are responsible for routine and regular maintenance of department owned CEWs. This may include servicing as offered by outside vendors.

228-9 Training

Officers receive training by qualified CEW instructors prior to being authorized to carry or use a CEW. Once certified by a CEW instructor, officers receive periodic refresher training as determined by the department.

228-10 Record Keeping

A. Professional Standards will maintain, review and log use of force data forms.

B. A CEW instructor will be assigned as program administrator for purposes of CEW maintenance, maintaining statistics on the use of CEWs and for identifying training needs.

C. Statistics on CEW use will be presented to the Chief of Police on an annual basis at the end of each calendar year, or at any other time as requested by the Chief.

D. Data may be downloaded from any CEW for record keeping or analysis upon the request of a member's supervisor or the Professional Standards Unit supervisor.

Boulder Police Department
General Order 229
Terrorist Threat Response

Effective: December 1, 2015
Replaces: General Order 229, August 18, 2004
Reviewed: November 3, 2015

229-1 Notification
229-2 Elevated Threat Level
229-3 Imminent Threat Level
229-4 Specific High Risk Threats to the Boulder Area

POLICY

The Boulder Police Department is committed to providing a level of awareness and security against terrorist attacks appropriate to the level of threat directed toward the nation and, specifically, the City of Boulder. The U.S. Department of Homeland Security utilizes a national threat alert system that includes a clear statement that there is an imminent or an elevated threat. An imminent threat warns of a credible, specific and impending terrorist threat against the United States. An elevated threat warns of a credible terrorist threat against the United States. Risk of attack may vary from region to region and city to city. The department continues to review and assess information received from any source as to the risk presented to the local community. The department implements security measures and increases awareness as necessitated by the level of threat according to the following procedures.

PROCEDURES

229-1 Notification

The Chief of Police or designee is responsible for sending out notification of changes in terrorist threat levels.

A. Any change in threat level is reported to department members.

B. Information is made available to the public to increase awareness of indicators of terrorist activities and to increase the ability to react appropriately to an attack.

C. In the event that Communications or Records and Information Services receive information of an imminent threat, a staff page is sent to all management staff members and on-duty supervisors.

229-2 Elevated Threat Level

Department members are advised of the change to an elevated threat level to increase awareness of possible terrorist activity.

A. Relevant national security information received by the department is shared with department members.

B. Officers increase patrols of government buildings, city utilities, infrastructure and other identified potential targets.

C. The Chief of Police or designee notifies the City Manager and Public Utilities Directors of the increased level of threat.

D. The Emergency Operations Coordinator reviews emergency procedures with man-

agement staff. Security levels and procedures are reviewed for large scale public events.

E. If the threat is specific to the Boulder area, security patrols are established as identified in imminent threat level.

229-3 Imminent Threat Level

Department members are advised of the change to an imminent threat level to increase awareness of severe risk of terrorist attack.

A. All elevated threat level procedures remain in place.

B. Directed patrols are utilized for and officers may be assigned to identified government buildings, city utilities, infrastructures and other identified potential targets.

C. Other than pre-approved time off, no leave time is granted.

D. Officers are provided refresher training during briefings on the indicia of terrorist behavior and activity.

E. The Chief of Police or designee consults with the City Manager on the status of large scale public events.

229-4 Specific High Risk Threats to the Boulder Area

It is possible that the department will receive reliable intelligence information of a specific nature that places Boulder at a high risk of terrorist attack (imminent threat level). In the event of a high risk threat specific to Boulder, the following additional steps may be taken.

A. Security patrols for an identified target are provided.

B. The Police Chief or designee recommends to the City Manager that large scale public events be cancelled.

C. The Public Safety Building is closed to the general public. Parking in front of the building is prohibited.

D. Commissioned members are placed on 12-hour shifts for immediate response as needed. All scheduled commissioned personnel report for work in full uniform, ready to respond to an incident as needed. If required, assistance from other local law enforcement agencies is requested.

E. These procedures remain in place until the threat level has been lowered, or as ordered by the Chief of Police or designee.

Boulder Police Department
General Order 230
Bomb Squad

Effective: April 13, 2016
Replaces: General Order 230, April 26, 2005
Reviewed: April 5, 2016

230-1 Organization and Structure
230-2 Eligibility, Selection and Appointment
230-3 Training
230-4 Vehicle and Equipment
230-5 Mobilizing the Bomb Squad
230-6 Duties and Responsibilities of the Bomb Squad
230-7 Storage and Disposal of Explosive and Hazardous Material

POLICY

The department maintains a specialized unit of commissioned officers that are trained and equipped to respond to, render safe and investigate events that involve explosives, pyrotechnics, weapons of mass destruction and ammunition.

PROCEDURES

230-1 Organization and Structure

The Bomb Squad is comprised of commissioned personnel who receive specialized training in the response to and identification and handling of explosive and hazardous devices. Service on the Bomb Squad is collateral to normal assignments within the department. The bomb squad is a participant of the Boulder County Regional Bomb Squad.

A. The Bomb Squad commander provides oversight and overall direction to the unit, including coordinating team response to situations and evaluating problems. The commander is responsible for the selection, assignment and training of personnel.

B. Bomb technicians perform those tasks deemed necessary for the completion of each Bomb Squad operation as directed. They are cross-trained to handle different tasks and may develop specialties as needed. The determination of what course of action is to be taken at a scene is the primary responsibility of the certified technicians in consultation with the commander, if practical.

C. The Bomb Squad commander will assign a team leader to serve as a technical representative and point of contact for technical and operational issues.

230-2 Eligibility, Selection and Appointment

A. Eligible members may apply for Bomb Squad positions. All appointments are made by the Chief of Police and remain in effect until terminated by the Chief or by the member's resignation. The appointment or failure to appoint, or termination of appointment, of any member, is not subject to grievance. Members who are appointed are expected to serve a minimum of seven years. The following criteria apply to Bomb Squad membership:

1. Candidates are commissioned members

with a minimum of three years of police experience with the Boulder Police Department and are not on probation at the time of appointment.

2. Candidates volunteer for appointment.

3. Candidates have received, at a minimum, a fully competent evaluation rating in each of the two evaluations prior to application.

B. The application and testing procedure applies to all members with the exception of the commander, who is directly appointed by the Chief of Police.

1. Position announcements are posted for a period of ten days.

2. Interested members submit a memorandum to the Bomb Squad commander, routed through the member's chain of command. It includes a request for appointment, brief resume and endorsement by the member's supervisor and commander.

3. The testing process includes the following components.

a. Applicants must meet FBI certification requirements as they apply to the school for certification, which includes: a physical examination, credit check, criminal history and a baseline physical for attendance at the school; and for retention, a blood work-up analysis every three years.

b. Applicants participate in an oral board. The candidate may be required to complete a written test or questionnaire. Members of the regional team may participate in the selection of new members at the discretion of the commander.

c. The Bomb Squad commander or designee also discusses the candidate's suitability with current supervisors, and assesses the candidate's physical ability to perform basic job-related functions using required equipment.

4. When an applicant meets the basic eligibility requirements and has satisfactorily completed the testing process, selection depends on comparative ranking among other applicants and consideration of the member's overall service record, attendance, teamwork and prior experience and expertise. Recommendations for appointment are then made to the Chief of Police.

230-3 Training

A. Newly appointed members of the Bomb Squad are required to attend a basic school for certification. After successful completion, members work under the direct supervision of experienced department bomb technicians until proficient.

B. Bomb technicians are required to attend regularly scheduled training as determined by the commander. Training is normally scheduled on a yearly basis every December for the following calendar year.

C. A record of training sessions and attendance is maintained on file, as is the standard curricula for training procedures.

D. Bomb technicians attend a recertification course every three years or as practical to meet the three year recertification requirement. Technicians are responsible for maintaining their certifications, including passing any physical examination.

230-4 Vehicle and Equipment

A. The department provides a vehicle and trailer for unit response, storage of equip-

ment, transportation and detonation of explosives and tactical command post usage.

B. The commander ensures that the truck and trailer are properly equipped and maintained.

C. Only members approved by the commander, after receiving appropriate training, are authorized to operate the truck and trailer.

230-5 Mobilizing the Bomb Squad

A. The Bomb Squad is mobilized when suspected or known explosive or hazardous devices are present, and in accordance with General Order 312, Bomb Threats, or when a supervisor reasonably believes the bomb squad is necessary.

B. In non-emergency situations, a member of the Regional Bomb Squad should be consulted prior to activation.

230-6 Duties and Responsibilities of the Bomb Squad

A. Rendering safe and/or moving suspected improvised explosive devices, incendiary devices, explosives, explosive chemicals, pyrotechnics, ammunition and explosive weapons of mass destruction.

B. Providing for legal, proper and safe transportation, disposal and/or storage of explosives and other items listed above.

C. Assisting with post-explosive bomb scene investigations.

D. Provide robot, breaching or other assistance to SWAT at the discretion of the SWAT Commander.

E. Providing mutual aid assistance to other departments or bomb squads as authorized by the Chief of Police, a designee or as provided by the Intergovernmental Agreement.

F. Operation of bomb squad robots will be conducted by bomb technicians trained in their use and operation.

230-7 Storage and Disposal of Explosive and Hazardous Material

A. Explosive and hazardous materials will only be stored and maintained in authorized containers that utilize a locking system. Authorized containers and related contents shall adhere to all federal, state and local regulations and shall include appropriate signage and markings.

B. Planned explosive and hazardous material detonation and disposal will occur at an authorized site and according to federal, state and local regulations.

C. A reasonable attempt will be made to notify residents who reside within a reasonable distance from the site of a planned detonation.

D. Emergency explosive and hazardous material detonation and disposal may occur as situations dictate. Detonation locations will be dictated based on the nature of the call or at an authorized site, and according to federal, state, and local regulations.

Boulder Police Department

General Order 231

Security of the Public Safety Building (PSB), Community Police Centers (CPC) and Police Data Systems

Effective: July 5, 2016
Replaces: General Order 231, August 18, 2005
Reviewed: June 28, 2016

231-1 **Public Safety Building Employee Access**
231-2 Public Safety Building Visitor Access
231-3 Video Recordings
231-4 Panic Alarms

POLICY

Because law enforcement and other government operations are potential targets for violent acts, and because the possibility for natural or other emergencies exists, the department follows procedures for maintaining security of its facility and the safety of its personnel. The department maintains the security and integrity of police data and data systems in compliance with CJIS requirements by restricting and controlling facility access. The department fully cooperates with CBI and FBI audits.

PROCEDURES

231-1 Public Safety Building Employee Access

All police department employees and employees of other city department's who are designated as public safety liaisons, are issued electronic access cards after passing a fingerprint based background check and completing CJIS security training in compliance with CJIS requirements. Electronic access cards are issued by a designated coordinator(s) in the Staff and Support Services Division.

A. Access to sensitive areas within the Public Safety Building (e.g. in-door range, IT infrastructure, weapon storage, Property and Evidence, CBI lab) is further restricted.

B. Electronic access cards can be de-activated on an emergency basis by employees designated by the Deputy Chief of Staff and Support Services. Permanent revocation of access requires the approval of the Deputy Chief of Staff and Support Services or a designee.

C. Issuance of electronic access cards to public safety liaisons requires approval of the Deputy Chief of Staff and Support Services.

D. Access cards are deactivated upon the employee's termination.

E. The electronic access card coordinator conducts an annual audit of all access cards.

F. All employees, except officers in uniform, must wear clearly visible identification; either a department issued photo ID or police badge.

231-2 Public Safety Building Visitor Access

Visitors to the Public Safety Building are considered to be any non-staff member. Staff members include the City Manager, police department employees and those city employees who are designated as public safety liaisons. Family members or guests of staff members require an escort at all times and must sign in and wear visitor identification as specified below.

A. Visitors are required to sign in at the front desk, exchange their identification for a visitor badge and wear the badge at all times while in the Public Safety Building. Acceptable identification includes a driver's license issued by any state, an identification card issued by any state or federal agency, a military identification card, a passport or an alien registration card. The sign in information includes the visitor's name and phone number, department or staff member sponsoring the visitor, identification check-in, time of arrival and time of departure.

B. The front desk staff in Records and Information Services (RIS) calls the sponsoring staff member or unit to advise that their party has arrived and will need a staff member to provide access at the appropriate secure entrance or meet them at a designated area.

C. Green badges and green lanyards are assigned to all visitors to the public safety building. Upon leaving, visitors are required to sign out and return the visitor badge and lanyard.

D. Building staff members who are expecting multiple guests or groups notify RIS front desk staff in advance, when possible, of the date, time, number of guests and a telephone number where they can be reached when the guests arrive. In the event of a preplanned group meeting or training, most are directed to the south doors. If not directed to the south doors, building staff are required to provide advance notice to RIS so that front desk personnel can properly greet and identify visitors.

F. Staff members advise visitors to arrive at meetings promptly as admittance may be denied if no staff member is available to verify attendance or meet visitors at the secure entry doors. Sponsoring staff members are expected to escort visitors to meetings. RIS staff is not available to leave the front desk area except under special or limited circumstances.

G. Electronic access cards for the Public Safety Building may be issued to visitors based on frequency of visits or a need to access the building, for example, in an emergency to make repairs. The Deputy Chief of Support and Staff Services approves the issuance of any access cards to outside people or agencies. Visitors to whom electronic access cards have been issued are required to be fingerprinted per CJIS requirements prior to issuance and must wear a visible agency identifier, such as a badge or identification card and a department issued visitor badge.

H. Any visitor, other than sworn law enforcement officers from outside agencies, must be fingerprinted per CJIS requirements before he or she is allowed unescorted access to the Public Safety Building. This requirement does not apply to those who are allowed access only to the Training portion of the Public Safety Building.

G. All building staff members are expected to question unfamiliar and unidentified persons in the secure areas of the building to ensure the above procedures are effective and proper accounting of all visitors is maintained.

231-3 Video Recordings

All persons who enter the PSB or CPC's are subject to audio/video recordings. Video recordings of subjects inside the PSB and CPC's are retained for 90 days. (This does not include subjects video recorded for investigative reasons.)

231-4 Panic and Intrusion Alarms

Panic and/or intrusion alarms are located at various police department locations.

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GAS
Call Excel Energy at 800-895-2999 (we cannot shut the gas off).

ELECTRICITY
1) Go to the electrical room located between the two sets of double doors on the west side of the building. Master key SM1DB.
2) On the west wall in the electrical room is a large bank of electrical equipment. There is a large lever located near the bottom. Move said lever to the OFF position. Marked by signage.
3) Electric emergency outside the building, contact Xcel Energy at 800-895-1999.

STAND-BY GENERATOR
The generator should start automatically if the electrical power goes off; however, if it doesn't:
1) Go to the electrical room located between the two sets of double doors on the west side of the building. Master key SM1DB.
2) Follow written instructions on the large cabinet marked ONAN TRANSFER SWITCH to turn on the generator. Follow signage.

HEAT
1) Go to the penthouse building on the roof. Master key GM2.
2) As you enter the room, to your right there is an emergency switch. Push this button to shut down all the boilers.

AIR CONDITIONING
1) Go to the roof. Master key GM2.
2) There are two large air handlers. On each one is an electrical control panel. Open each panel. In the upper right hand corner of each panel is a silver toggle switch. Turn this switch to the OFF position. *This will also stop the intake of fresh air into the building.* Follow signage.

WATER
<u>Summer</u>
1) Go to the elevator electrical room in the front lobby. Master key GM2.
2) Inside the door on the left hand side near the floor is a valve to shut off the water. Turn this valve to the OFF position. Follow signage.

<u>Winter</u> *Important: these steps vary from those taken in the summer*
1) Go to the penthouse building on the roof and follow the instructions listed for turning off the HEAT (listed above). Master key GM2.
2) Go to the elevator electrical room in the front lobby. Master key GM2.
3) Inside the door on the left hand side near the floor is a valve to shut off the water. Turn this valve to the OFF position. Follow signage.

Boulder Police Department
General Order 232
Juvenile Enforcement Procedures

Effective: January 31, 2008
Replaces: n/a

232-1 Juvenile Court Jurisdiction
232-2 Enforcement Alternatives
232-3 Enforcement Criteria
232-4 Status Offenses
232-5 Criminal Offenses
232-6 Interrogation of Juveniles
232-7 Obtaining Consent to Search From Juveniles
232-8 Non-Testimonial Evidence From Juveniles
232-9 Record Keeping

POLICY

It is the responsibility of all members of this department to familiarize themselves with juvenile problems and established procedures for handling both criminal and non-criminal juvenile incidents as defined in the policy. Officers should bear in mind that only a small percentage of juveniles commit the majority of juvenile crimes. While this small percentage may require secure custody, the vast majority of juvenile offenders are likely candidates for non-secure custody, positive diversion and intervention strategies. With this in mind, officers shall, whenever reasonable and justified under this policy, take those measures necessary to effect positive changes in juvenile offenders that are consistent with state law and the safety and security interests of the community.

DEFINITIONS

Juvenile: A person under eighteen years of age.

Status Offender: A juvenile who is charged with an offense that would not be a crime if committed by an adult.

Responsible Adult: In the absence of a juvenile's parents or legal guardian, a responsible adult is one who is responsible for the physical custody of a juvenile or who is another adult acquaintance of the juvenile's parents or legal guardian who agrees and reasonably demonstrates the ability to provide supervision for the juvenile until parents, legal guardian, or next of kin can assume that responsibility.

Non-secure Custody: A condition under which a juvenile's freedom of movement is controlled by members of this agency and, during such time, the juvenile:

1. Is held in an unlocked, multi-purpose area that is in no way designed for residential use, such as a report-writing room or an office;
2. Is held only long enough to complete identification, investigation and processing and then released to a responsible adult or transferred to a juvenile facility or court; and
3. Is under continuous visual supervision until released.

Secure Custody: A condition in which a juvenile is physically detained or confined in a locked room, set of rooms, or a cell that is designated, set aside or used for the specific purpose of securely detaining persons who are in law enforcement custody.

PROCEDURES

232-1 Juvenile Court Jurisdiction. (CRS 19-2-104.)

A. Except as otherwise provided by law, the juvenile court shall have exclusive original jurisdiction in proceedings:

1. Concerning any juvenile ten years of age or older who has violated:

   a. Any federal or state law, *except*:

      1) non-felony state traffic, game and fish, and parks and recreation laws or regulations;

      2) the offenses specified in C.R.S. 18-13-121, concerning tobacco products;

      3) the offense specified in C.R.S. 18-13-122, concerning the illegal possession or consumption of ethyl alcohol by an underage person; and

      4) the offenses specified in C.R.S. 18-18-406 (1) and (3), concerning marijuana and marijuana concentrate.

   b. Any county or municipal ordinance except traffic ordinances, the penalty for which may be a jail sentence of more than ten days; or

   c. Any lawful order of the court made under this title.

232-2 Enforcement Alternatives

Officers dealing with juveniles in enforcement capacities may exercise reasonable discretion as outlined in this policy in deciding appropriate actions. Alternatives that may be considered include:

A. Release without further action;

B. Informal counseling to inform the youth of the consequences of delinquent actions;

C. Informal referrals to community services;

D. Referral to parents or responsible adult;

E. Informal counseling of parents or responsible adult;

F. Limited custody and released with a warning.

G. Issuance of a summons or complaint;

H. Obtaining emergency protection orders pursuant to CRS 19-1-113; or

I. Custodial arrest.

Juveniles should be informed of the procedures that will be followed with regard to custody, release, transport to another facility, or to a custody hearing.

232-3 Enforcement Criteria

The following general guidelines may be used in determining appropriate enforcement and related actions that may be taken when dealing with juvenile incidents.

A. When the juvenile(s) has had no prior enforcement contacts with law enforcement, an officer may choose to warn and release without further action, refer to community resources, or release to a parent or guardian when the violation is of a minor nature and property damage or injury is not involved. Examples of these incidents include, but are not limited to:

   1. Curfew violations;
   2. Loitering; and
   3. Disorderly conduct.

B. Officers may elect to transport the juvenile(s) home or direct them to return home; make personal, telephone or mail contact with the juveniles' parents or guardians to provide them with information and counseling on their child's actions; issue summonses as the law allows; refer the juvenile(s) to appropriate community service agencies with or without follow-up; or detain the juvenile(s) at the station house until they are released to a parent or guardian when:

1. The nature of the incident is of a more serious or potentially serious nature than exemplified in item 233-2 A. of this policy;
2. The juvenile(s) involved is fully aware of the seriousness or potential seriousness of delinquent actions and/or is acting in alliance or collusion with others to commit such acts;
3. The juvenile(s) fails to cooperate or to positively respond to police intervention and direction;
4. The juvenile(s) has received prior informal warnings or referrals or has engaged in delinquent acts, and/or,
5. The juveniles' parents or responsible adult have apparently failed to provide appropriate control and supervision.

C. Officers may arrest a juvenile when the circumstances surrounding the incident meet or exceed the seriousness of those cited as examples in item 232-3 B. of this policy. Officers should arrest juveniles when they commit:

1. acts that if committed by an adult would be serious misdemeanors or felonies;
2. delinquent acts involving weapons;
3. gang-related activities;
4. delinquent acts involving assault;
5. delinquent acts while on probation or parole or when they have charges pending against them;
6. delinquent acts as repeat offenders or when they have refused to participate in diversion or intervention programs; or,
7. when it has been determined that parental or other adult supervision is ineffective.

D. An officer may also take a juvenile into temporary custody if the youth is lost, seriously endangered or is a runaway. In all such cases these juveniles shall be held in non-secure custody and officers shall contact the child's parents or guardian as soon as possible. Where parents or guardians cannot be contacted or refuse to accept custody, the officer shall contact the departmentally approved youth services agency for placement.

232-4 Status Offenses

A. Based on the seriousness of, and circumstances surrounding the offense, the background and demeanor of the juvenile and other relevant factors, an officer may release a juvenile to the parents, guardian or other responsible adult.

B. Juveniles taken into temporary custody for status offenses should normally be frisked for weapons prior to being transported and may be handcuffed or otherwise restrained at any time if, in the judgment of the officer, the juvenile poses a physical risk to the officer or others.

C. Officers shall pay particular attention to juveniles under the influence of alcohol or drugs to determine whether emergency medical services are warranted.

D. Juveniles taken into temporary custody for status offenses shall be detained in non-secure custody as provided by Colorado state law and for the briefest time necessary to conduct identification, investigation and related processing requirements to facilitate their release to a parent or responsible adult or transfer to a youth shelter or released as authorized by General Order 211.

E. Transportation of a juvenile in a caged vehicle is not considered secure custody.

F. Status offenders in temporary custody shall not be placed in a holding area with adult suspects and shall also be:

1. under constant visual supervision;
2. afforded reasonable access to toilets and washing facilities;

3. provided food if in need of nourishment to include any special diets necessary for health or medical purposes;
4. provided with reasonable access to water or other beverages; and
5. allowed reasonable access to a telephone.

232-5 Criminal Offenses

A. Juveniles arrested for criminal offenses are subject to the same security requirements as adults and may be handcuffed or otherwise restrained as necessary during transport and processing.

B. Juveniles accused of criminal offenses may be securely detained only for the period of time and in the manner prescribed by state law to allow for identification, investigation, processing and release to parents or a responsible adult, or transfer to the juvenile facility or court.

C. Fingerprints and photographs shall be taken of all juveniles taken into custody for criminal offenses.

232-6 Interrogation of Juveniles

A. Custodial Interrogation – Presence Requirement

1. Prior to custodial interrogation of a juvenile, both the juvenile and a parent, guardian, legal custodian or lawyer must be advised in writing of the right of the juvenile to have a parent, guardian, legal custodian or lawyer present during custodial interrogation.

2. No custodial interrogation of the juvenile can be conducted without the presence of a parent, guardian, legal custodian or lawyer unless both the juvenile and a parent, guardian, legal custodian or lawyer each waive this right in writing.

3. The presence of a parent, guardian, legal custodian or lawyer during custodial interrogation is not required when:

(a) the suspect is now eighteen years old or older;

(b) the juvenile is emancipated; or

(c) the juvenile is a runaway from another state.

4. If the department of social services is the legal/physical custodian of the juvenile, it cannot waive the presence requirement.

5. Proper *Miranda* warnings should be given and waivers obtained in these situations.

B. Non-Custodial Interrogations - Interrogations of juveniles in noncustodial situations does not require the presence of a parent, guardian, legal custodian or lawyer, nor the giving of *Miranda* warnings.

232-7 Obtaining Consent to Search From Juveniles

A. In-Custody Juveniles - A valid consent to search obtained from an in-custody juvenile can only be obtained if a parent, guardian, legal custodian or lawyer is present.

B. Juveniles Not In-Custody - A valid consent to search can be obtained without the presence of a parent, guardian, legal custodian or lawyer if the juvenile is not in
Custody

232-8 Nontestimonial Evidence From Juveniles

A. Juveniles Not Yet Formally Charged - In the absence of a valid consent, exigency, or statutory authority, non-testimonial evidence shall be obtained from uncharged juveniles pursuant to a search warrant or an order for non-testimonial evidence under Criminal Procedure Rule 41.1

B. Formally Charged Juveniles - In the absence of a valid consent, non-testimonial evidence shall be obtained from formally charged juveniles pursuant to a court order obtained under Criminal Procedure Rule 16.

232-9 Record Keeping

A. Juveniles taken into custody for criminal offenses shall be subject to the same reporting requirements as adults.

B. Such reports shall be clearly marked "Juvenile" and be subject to state law regarding dissemination and access.

Boulder Police Department
General Order 233
Clandestine Drug Laboratories

Effective: December 21, 2015
Replaces: General Order 233, February 22, 2006
Reviewed: December 8, 2015

233-1 Patrol Section
233-2 Communications Section
233-3 Boulder County Drug Task Force
233-4 Boulder Fire Department
233-5 Detective Section
233-6 SWAT Team

POLICY

The department responds to and investigates incidents involving clandestine drug laboratories, keeping in mind that the safety of all persons involved is paramount. Investigations and the planning of operations are conducted jointly with the Boulder County Drug Task Force (BCDTF) and the Boulder Fire Department.

PROCEDURES

233-1 Patrol Section

Officers encountering a suspected or actual drug laboratory:

A. Contain the scene and establish a perimeter.

B. Remove and detain occupants, keeping in mind they may be in need of decontamination and medical clearances; individuals who remain in the immediate vicinity of a drug laboratory may be in further harm from exposure.

C. Notify Communications and request:

1. Supervisor response,

2. BCDTF supervisor page, and

3. Boulder Fire Department Response.

233-2 Communications Section

When requested by an officer to make the required notifications, communications personnel:

A. Notify an on-duty patrol supervisor and request he/she respond to the scene.

B. Page a BCDTF supervisor and request he/she contact the on-scene BPD supervisor.

C. Notify the on-duty fire department battalion chief and request he/she contact the on-duty BPD supervisor.

233-3 Boulder County Drug Task Force

The BCDTF is responsible for the overall management and coordination of clandestine drug laboratory investigations and work in cooperation with the Boulder Police and Fire Departments. Task force members:

A. Conduct investigations in accordance with their established procedures, applicable federal and state statutes and departmental policies and procedures.

B. Are responsible for lab take-down, rendering the lab safe, clean-up and storage and disposal of chemical and hazardous materials.

C. Stock and inventory personal protective equipment.

D. Document and maintain all records of exposures to hazardous or dangerous material.

E. Make appropriate and timely notifications to the Drug Enforcement Agency (DEA) Lab Team or the Environmental Protection Agency (EPA) Emergency Response Team.

233-5 Boulder Fire Department

The Boulder Fire Department battalion chief works in conjunction with the police department and the BCDTF, coordinating the fire department's response, including the response of the Hazardous Material Unit. Boulder Fire Department personnel:

A. Participate in law enforcement pre-operation and planning sessions.

B. Conducts its activities in accordance with the Fire Department's clandestine drug laboratory directive.

C. Establishes and oversees decontamination activities.

233-6 Detective Section

Detective Section personnel:

A. May conduct investigations of non-drug related offenses that occur in drug laboratories.

B. Coordinate their activities with the BCDTF and the Boulder Fire Department.

233-7 SWAT Team

A. The department's SWAT team:

1. Serves high risk arrest and search warrants in drug laboratories according to department policies and procedures.

2. Coordinates its activities with the BCDTF and the Boulder Fire Department.

B. When making the decision to enter a drug laboratory, the inherent risk of exposure to chemicals and hazardous material is weighed against the need to apprehend suspects, preserve evidence and other tactical options.

1. Entries and searches are limited to locating, apprehending and removing occupants.

2. Absent exigent circumstances, only those members who are wearing protective equipment may enter a drug laboratory.

1. Entries and searches are limited to locating, apprehending, and removing occupants.

2. Absent exigent circumstances, only those members who are wearing protective equipment may enter a drug laboratory.

Boulder Police Department
General Order 234
Explorer Post

Effective: March 11, 2015
Replaces: n/a

234-1 Definitions
234-2 Selection Process for Explorers
234-3 Selection Process for Advisors
234-4 Uniforms
234-5 Requests for Use of Explorers
234-6 Fraternization
234-7 Ride-Along Program
234-8 Gifts and Gratuities
234-9 Misconduct
234-10 Dismissal from Explorer Post
234-11 Program Suspension

POLICY

The Boulder Police Department (BPD) Explorer Post will educate young adults between the ages of 16-21 years old who express an active interest in law enforcement. Through this program, Explorers will be instilled with the ideals, knowledge, philosophies and ethics of the law enforcement profession.

The Explorer Program will consist of educational programs, practical experiences, community service, personal development, recreational activities, ride-alongs and competitions. The advisors of the Explorer Program are commissioned and non-commissioned personnel who provide mentorship for the Explorers within the law enforcement community.

PROCEDURES

234-1 Definitions

A. Post Command Staff: Consists of a lead advisor, sergeant and commander.

B. Lead Advisor: A commissioned member appointed by the post commander to provide leadership and mentorship to the explorers. The lead advisor or designee must attend regular Law Enforcement Explorer Post Advisor Association of Colorado (LEEPAAC) meetings.

C. Associate Advisor: A commissioned or non-commissioned member who assists the advisor with his/her duties.

D. Explorer Recruit: An individual who has passed the selection process and has attended bi-weekly regular meet-

ings and other explorer functions for one month.

E. Probationary Explorer: An Explorer Recruit who has successfully completed the one month recruit phase must complete a probationary period lasting a minimum of six months where the individual demonstrates his/her commitment to the Explorer Program and ensures he/she possess a proper level of respect and understanding of his/her responsibilities as an Explorer.

F. Explorer: A non-probationary Explorer in good standing with the Explorer Post and the community.

G. Senior Explorer: An Explorer who has successfully completed one year with the Explorer Post can apply and test for a leadership position of Explorer Sergeant or Explorer Commander.

H. Explorer Sergeant or Explorer Commander: Define their role with the Post.

234-2 Selection Process for Explorers

A. An Explorer candidate must be currently enrolled in high school or college and maintain a minimum 3.0 GPA. Candidates must be in good standing within the community, possess a good driving record and have no criminal history.

B. Applicants must complete the application process for the Explorer Program. Members under 18 years of age must have a parent or legal guardian provide written consent on the application. The applicants must submit a letter explaining why they want to be an Explorer. The applicant and guardian, where applicable, must consent to a background check including criminal history.

C. All applicants will undergo, at minimum, a review of their: criminal history, police contacts, driving record, reference check and school records. Rejection of an applicant may be based on, but not limited to; repeated association with antisocial and/or criminal organizations or individuals, falsifying information on the application form and/or in the oral boards.

D. Once the application is submitted, applicants who pass the initial review will complete an oral board with the Post Command Staff.

234-3 Selection Process for Advisors

Any department member may apply for the position of advisor. Applicants may not be on probation and must have a minimum of two years of service with the department. The application process consists of submitting a letter of intent, obtaining their direct supervisor's recommendation and an interview. A minimum two-year commitment is required for this position.

234-4 Uniforms

A. Uniforms for Explorer Recruits consist of black boots, utility pants and a white t-shirt with the recruit's last name written on the front and back. These items are purchased by the Explorer Recruit.

B. Uniforms for Probationary Explorers consist of black boots, utility pants and a long sleeve, blue, buttoned up collared shirt. These items are purchased by the Probationary Explorer.

C. Once an Explorer passes the probationary phase, he/she will be issued a Class A uniform (consisting of a long sleeve shirt with a tie) and Class B uniform (short sleeve shirt). The explorer uniform shirts are light blue in color with Boulder Police Department Explorer patches. The pants are navy blue. Explorers will also be issued a name plate for their uniform.

D. Each Explorer will be issued an under belt, duty belt, radio holder, flashlight, flashlight holder, latex gloves holder and belt keepers. Any additional items that an explorer wants to add to their duty belt must be approved by the POST Command Staff. An Explorer will only be issued a gun holster for a training gun when it is required for training purposes.

E. During ride-alongs, Explorers may wear their Class A uniform (without a tie) or Class B uniform and will be required to wear department issued body armor. The gun holster shall not be worn on the duty belt during ride-alongs.

F. Explorer uniforms are only worn during sanctioned explorer events and meetings. Explorers are not allowed to wear their uniforms to and from events and if the uniform is in their personal vehicle, it must be covered.

G. Explorers are issued a department identification card that provides them access to the Public Safety Building once they have completed the probationary phase. Explorers may only be at the Public Safety Building for sanctioned explorer events or meetings. Explorers who are in the recruit and probationary phase must be escorted by an advisor or explorer at all times while in the Public Safety Building. During all meetings and sanctioned events, explorers and advisors will adhere to the department's appearance standards outlined in General Orders 104 and 105.

234-5 Requests for Use of Explorers

The Explorers are a resource to assist with trainings, community service, etc. Requests for their assistance must be submitted to the Post Command Staff.

234-6 Fraternization

Department members and Explorer Program participants are reminded of the values, mission and rules of the department and city. Relationships between department members and Explorers have a higher chance of being perceived as being inappropriate. Therefore, all are cautioned to keep relationships professional. To help protect department members and Explorers or prospective Explorers, relationships outside of normal department related activities should be disclosed to the Explorer Command Staff promptly.

234-7 Ride-Along Program

The ride-along program provides explorers with an opportunity to observe firsthand the day-to-day operations of an officer or detective. The program is not intended for Explorers to actively participate in functions performed by the officers.

A. Explorers must successfully complete recruit and probationary phases and pass a written ride-along exam with a minimum score of 80% before they are allowed to participate in the program.

B. Explorers must submit a request to complete a ride-along and receive ap-

proval from the Post Command Staff. The ride-along is scheduled by an advisor through a specific shift supervisor and the ride-along coordinator.

C. Explorers can only complete two ride-alongs per month.

D. Explorers under the age of 18 years must obtain written parental/guardian permission before completing a ride-along.

E. A shift supervisor may cancel the ride-along at any point prior to or during a ride-along due to shift needs.

F. The Explorer will be under the direct supervision of the assigned officer. At any point, the assigned officer can cancel the ride-along for safety reasons.

G. In an effort to encourage a wide range of experiences, Explorers cannot ride with the same assigned officer consecutively.

Officers who wish to participate in the Explorer Ride-Along Program must express their interest to and be approved by their direct supervisor. Officers must complete their probationary status before hosting an Explorer rider.

234-8 Gifts and Gratuities

Explorers shall not use their police department status to seek or accept any favors, gifts, benefits or gratuities which would not ordinarily be afforded to the general public.

234-9 Misconduct

Misconduct must be reported immediately by the Explorer to an advisor. The Post Command Staff will review each incident. Explorers are entitled to a hearing with command staff to review any alleged acts of misconduct. The Explorer Post Command Staff will determine the course of action, outlined in the Explorer Post Standard Operating Procedure (SOP).

234-10 Dismissal from Explorer Post

The Chief of Police reserves the right to dismiss any Explorer from the program for any reason at any given time. The Explorer will not be able to contest this decision.

234-11 Program Suspension

The Chief of Police may suspend the Explorer Program at his/her discretion.

Boulder Police Department
General Order 235
Police Bicycle Usage

Effective: August 23, 2007
Replaces: N/A

235-1 Operation
235-2 Reports and Custodial Arrests
235-3 Equipment
235-4 Training
235-5 General Bicycle Use

POLICY

Bicycle officers are an important component of the department's strategy for accomplishing its enforcement objectives due to their mobility and stealth, as well as their ability to facilitate a variety of law enforcement and crime prevention operations. In conjunction with officer training and compliance with safety precautions as outlined in this policy, the department strives to minimize the risks to officers and citizens, and maximize the benefits to the community.

Definitions

A. Bicycle Officer: A commissioned member of the department who is selected, equipped, and trained to operate a police bicycle and, while assigned in that capacity, operates a police bicycle as a policing tool and on-duty vehicle.

B. Police Bicycle: A bicycle suitable for the rigors of police use. The bicycle should be an all-terrain bicycle equipped with durable and effective componentry. A rear rack and rack-attached pack may be used for carrying supplies. The bicycle conforms to all state and municipal laws concerning safety equipment including lights, reflectors, and other approved emergency equipment.

PROCEDURES

235-1 Operation

A. Function.

1. The primary use of the police bicycle for individual bicycle officers is directed enforcement, patrol, and crime prevention.
2. Bicycle officers use the police bicycles in the performance of their duties and in the areas that the bikes are best suited (such as business districts, residential areas, unpaved trails, multi-use pathways, and dense, congested, or limited access areas).
3. Bicycle officers may initiate traffic stops, giving particular attention to motorist and officer safety.
4. While patrolling on sidewalks or multi-use paths, bicycle officers must be alert to pedestrians, recognizing that they have the right-of-way. Whenever possible, bicycle officers should give an audible warning of their approach from the rear, and maintain reasonable speeds and caution.
5. Bicycle officers recognize that the police bicycle is not considered an emer-

gency vehicle; however, there may be emergency situations that warrant expedient response by bicycle which might necessitate operating contrary to traffic laws. In those circumstances, bicycle officers use due diligence and should use visual and audible signals to gain the attention of any pedestrians, bicyclists, and drivers in the vicinity prior to committing any infraction that governs the practice of bicycle riding. Bicycle officers respond to routine calls for service in a safe, timely, and effective manner.

6. When leaving police bicycles unattended, officers shall, whenever possible, do the following:

   a. Secure their bicycles with a locking device through the frame of the bicycle to an immovable stationary object.

   b. Take all reasonable precautions to ensure that the bicycle does not obstruct pedestrians or vehicular traffic.

7. During plainclothes operations, officers shall:

   a. Properly wear approved bicycle helmets. Protective eyewear is also recommended.

   b. Carry at least the minimum equipment required by the plain clothes assignment.

   b. Use only bicycles approved as outlined under this policy.

235-2 Reports and Custodial Arrests

In the event that a contact initiated by a bicycle officer results in an arrest or other such reports/incidents, it is the responsibility of the bicycle officer to see to the completion of all appropriate paperwork and booking procedures at the earliest opportunity. When the transportation of prisoners (or any other person) is required, bicycle officers may request the assistance of an available patrol car.

235-3 Equipment

Bicycle officers wear the proper uniform and properly care for their equipment. An inventory of all departmental bicycle equipment is maintained by the respective supervisor or designee, including bicycle serial numbers.

A. Police bicycle.

   1. The Chief or designee approves the make and model of a bicycle to ensure its quality and function for police work. An abandoned bicycle may be converted to police use with the authorization of the Chief of Police or designee.

   2. A police bicycle is assigned by a supervisor to an officer. The bicycle is properly fitted to the respective officer by qualified/trained personnel.

   3. No modifications or alterations are made to any department-owned police bicycle without the prior approval of the Watch I Commander. Only qualified/trained personnel complete approved modifications or alterations.

   4. Additional police bicycles may be maintained for use in training, special situations, or assigned to bicycle officers.

   5. Department-owned police bicycles are not taken to or stored at an officer's private residence (outside their regularly scheduled shift) or any other off-site location without prior approval of a supervisor.

   6. Maintenance.

      a. Each bicycle officer is responsible for keeping his/her assigned police bicycle clean (washed) and in proper working condition. A pre-ride check of the assigned bicycle is conducted in conjunction with

the start of a bicycle officer's scheduled shift.

b. A pre-ride check consists of a basic inspection to ensure safe operation.

c. Any maintenance beyond the skill and knowledge of a trained bicycle officer is performed at a department-authorized bicycle dealership.

d. Department-owned police bicycles are not operated when a repair, need, or condition that could jeopardize the safe operation or functioning of the police bicycle, is known or believed to exist.

e. Bicycle officers obtain prior approval from the Watch I Commander for all non-routine repairs or equipment replacement.

f. A supervisor or designee maintains a file of all repairs and maintenance for each department-owned police bicycle.

B. Uniforms

1. The following equipment will be provided by the department to each bicycle officer assigned to a specialized unit and is worn by the bicycle officer when functioning in that capacity:

a. ANSI/Snell/CPSC (or equivalent) rated bicycle helmet.

b. Black, half or full fingered bicycle gloves.

c. Bicycle-specific jacket, shirts, shorts, and pants.

2. The helmet chin strap is secured and helmet properly worn whenever a bicycle officer is riding a police bicycle.

3. Other uniform requirements (listed under 105-3 Uniform Equipment, 105-4 Body Armor) remain in effect.

235-4 Training

A. Prior to operating a police bicycle in an official capacity as part of a regular duty assignment, each officer is required to successfully complete a department approved, basic police bicycle course. If an officer does not successfully complete the approved course, the officer is not authorized to ride a police bicycle on duty without approval of their respective supervisor. The officer is given the option to retake the course, subject to authorization of their respective supervisor.

B. Bicycle officers may be required to complete department approved refresher and in-service training.

235-5 General Bicycle Use

A. This policy is not intended to prevent non-bicycle officers, with supervisory approval, from occasionally using a police bicycle or other bicycle in the course of official duties when such use is consistent with the goals of the department. Such duties may include saturation patrols or undercover surveillance in problem or high crime areas. Officers using a bicycle for any purpose must follow bicycle safety guidelines, including wearing a bicycle helmet at all times.

B. Absent exigent circumstances, officers who have not received the training as described in 235-4 or who are not on properly equipped police bicycles are not permitted to make traffic stops.

Boulder Police Department
General Order 236
Pandemic Emergency Plan

Effective: August 8, 2007
Replaces: N/A

236-1 Transportation
236-2 Security
236-3 Staging and Credentialing
236-4 Access Control
236-5 Communications
236-6 Equipment

POLICY

In the instance of a Pandemic emergency, the Boulder Police Department is committed to work in partnership with the Boulder County Department of Health and surrounding public safety organizations. The Boulder Police Department (Emergency Support Function # 13) will work through the Office of Emergency Management (OEM) for security in regard to the transport and storage of medical products and storage facilities (i.e. Wardenberg, Coors Events Center) located within the City of Boulder.

PROCEDURES

In accordance with the National Incident Management System (NIMS), when necessary, the department uses an Incident Command System (ICS) to ensure proper scene organization, management, safety, and utilization of all resources, with priority given to life safety, incident stabilization, and property conservation.

236-1 Transportation

A. In the instance of a Pandemic emergency, the Chief of Police (or designee), may authorize security for the transportation of medical products within the City of Boulder. If requested, the Boulder Police Department will assist other Boulder County Law Enforcement agencies.

B. The Boulder Police Department may assist the Boulder County Health Department with the escort of medical products within the City of Boulder. Escort procedures may be modified as necessary to assist other Boulder County law enforcement agencies. Escort routes will be determined when the incident commander receives information that a Pandemic emergency response is necessary.

236-2 Security

A. The security incident commander (IC) has authority and responsibility for the conduct of the overall operations.

   1. The incident commander will determine whether officers and non-commissioned police personnel will be staged inside or outside a medication site.

   2. The IC will be responsible for all security activities including the devel-

opment of strategies and the assignment of resources.

3. The IC will make assignments and will delegate authority to qualified persons.
4. The IC will act in accordance to the Boulder Police Department's General Order 221 (Incident Command System).

B. In the event of civil disturbance(s), the Boulder Police Department's Operations Deputy Chief will be responsible for planning the department's response to civil disturbance situations in accordance to the Boulder Police Department's General Order 223.

236-3 Staging and Credentialing
The Boulder County Health Department will identify staging areas and develop credentialing procedures.

236-4 Access Control
At each medical site, department members will assist with access control, as available and as needed.. Visitors must sign-in at staging locations and provide the appropriate credentials if they intend to visit a medical site.

236-5 Communications
If medical sites are established in the City and County of Boulder the appropriate radio communications channel will be assigned as the primary channel used by law enforcement personnel (i.e. Longmont, Louisville, University of Colorado, Lafayette, Boulder P.D., and Boulder County Sheriff).

236-6 Equipment
In the instance of a pandemic, 1860 Health Care N95 Particulate Respirator masks and protective gloves will be available for employees. The Boulder Police Department will purchase and store the 1860 Health Care N95 Particulate Respirator masks and protective gloves in Central Supply. During a pandemic and when in contact with the public, the Chief of Police or designee will determine whether employees are required to wear the respirator mask and protective gloves.

Boulder Police Department
General Order 237
Exposure to Infectious Diseases

Replaces: General Order 237, September 3, 2008
Effective: May 30, 2014

237-1 Definitions
237-2 Prevention
237-3 What is an exposure?
237-4 Responsibilities after Exposure
237-5 Contaminated Uniforms and Equipment
237-6 Procurement and Supply Maintenance

POLICY

In conducting police activity, department members are exposed to numerous medical conditions from the public. This general order and attachment will list some diseases members may be exposed to, define an exposure and the necessary medical steps to be taken by both the member and supervisor.

PROCEDURES

237-1 Definitions

A. Airborne Diseases- infectious pulmonary tuberculosis (Mycobacterium Tuberculosis, Measles, Chicken Pox, SARS, Pandemic Flu and Disseminated Shingles.

B. Blood borne Pathogens- pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to: hepatitis B virus (HBV) and human immunodeficiency virus (HIV.)

C. Body fluids- fluids that the body makes, including, but not limited to: blood, semen, vaginal secretions, breast milk, amniotic fluids, cerebral spinal fluid, synovial fluid, pericardial fluid and fluids that might contain concentrated HIV or HBV viruses. 'Other Potentially Infectious Materials' or (OPIM) include: feces, urine, tears, sweat and vomitus are potentially infectious if they contain blood.

D. Broken skin- Open skin due to cuts, punctures, abrasions, rashes, scabs, skin infections, etc. Scabbed skin is not considered intact, the possibility of cracks in the scab make this an open wound. Generally applies to freshly broken skin, less than 48 hours.

E. Possible Signs of Communicable Diseases- fever, skin rash and/or weeping lesions, jaundice, diarrhea and cough.

F. Communicable Diseases- Illness due to specific infectious agents which arise through transmission of those agents from an infected person, animal, or object to a susceptible host, either directly or indirectly.

G. Contact- A person or animal that has been in close association with an infected person or animal or contaminated environment so as to have had opportunity to acquire the infective agent.

H. Contamination- soiling by blood or another body fluid of an infected person.

I. Exposure Incident- a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of a member's duties.

J. HBV- hepatitis B virus

K. HCV- hepatitis C virus

L. HIV- human immunodeficiency virus

M. Infectious disease- disease capable of being transmitted from people objects, animals or insects.

N. Infectious period- the time from when an individual is first able to transmit an infectious agent to the time when transmission is no longer possible.

O. Parenteral contact- Taken into the body in a manner other than through the digestive canal.

P. Personal Protective Equipment (or PPE) - Specialized clothing or equipment worn by a member for protection from a hazard. (General work clothes not intended to function as protection against a hazard.) PPE includes, but is not limited to latex gloves and eye and face protection masks.

Q. MRSA- Methicillin Resistant *Staphylococcus Aureus*

R. Virus- An infectious microorganism only able to replicate within a living cell.

237-2 Prevention

A. Department members will use precautions when they have reason to believe someone has an infectious disease. Officers may ask an arrestee or victim if they have any known infectious diseases or medical conditions personnel should be aware of. If an officer has reason to believe there is a chance of exposure to an infectious disease, it is recommended that he/she utilize the following precautions:

1. Use of disposable gloves when handling any citizen, clothing or equipment with body fluids on them.

2. Use of disposable spit masks when appropriate.

3. Use of disposable breathing masks.

4. Use of eye protection.

5. Clean-up with antiseptic wipes/towelettes.

237-3 What is an exposure?

A. An exposure occurs when one of the following happens:

1. A needle stick injury.

2. A break in the skin caused by a potentially contaminated object.

3. The transfer of blood or OPIM onto eyes, mouth, nose, or non-intact skin.

4. Any other exposure that the department member may feel is significant, e.g., lice, scabies, bed bugs.

B. A blood borne exposure occurs with contact with body fluids such as:

1. Blood

2. Cerebrospinal fluid

3. Synovial (joint) fluid

4. Pleural (envelops lungs) fluid

5. Peritoneal (lines abdominal cavity) fluid

6. Pericardial (encloses the heart) fluid

7. Amniotic (encloses a fetus) fluid

Feces, nasal secretions, saliva, sweat, tears, urine and vomitus are not considered potentially infectious if they do not contain blood.

237-4 Responsibilities after Exposure to Infectious Disease or other Contaminants

In the event that a member is suspected to have been exposed to an infectious disease or other contaminant, the member will immediately be sent to the city's medical provider. If exposure occurs outside of the medical provider's hours (M-F, 0800-1700) the member will be sent to a local emergency room. In the event of a possible TB exposure, the officer will be sent to the hospital for a TB test. Members must report exposure immediately to an on-duty shift supervisor.

If available, immediately wash the site (including under rings and jewelry) with soap and water or with 70% isopropyl alcohol for at least 15 seconds before rinsing and drying. If exposed to blood or feces, use soap and water.

Members should not express blood by squeezing the wound.**237-5 Contaminated Uniforms and Equipment**

Uniforms and equipment that have been contaminated with blood or other potentially infectious body fluids or parasites shall be decontaminated as follows:

A. Uniforms shall be changed as soon as possible, placed in a department provided water soluble laundry bag, tagged and taken to Fire Stations 1, 5 or 7 for washing. Members need to minimize their mobility to eliminate additional cross-contamination to other people and vehicles.

B. Contaminated clothing shall not be washed at the police department or taken home to be washed. Directions are located on the front panel of the washers. The recommendation is to use cycle 4-6 (30 minutes). After washing, remove uniforms and place in a clean bag. Dry uniforms before re-washing.

C. Officers are responsible for cleaning their own clothing and equipment. Fire personnel are not expected to clean clothing or equipment for officers.

D. All other items need to be decontaminated using a solution provided by the department or 1 part bleach to 10 parts water for five minutes on equipment and 30 minutes on both interior and exterior contaminated surfaces. Be aware that bleach will discolor clothing and leather.

E. Contaminated vehicles shall be cleaned with an appropriate disinfectant solution provided by the department and allowed to air dry.

Any person responsible for potentially exposing a member to an infectious disease should be encouraged to undergo testing to determine if they have an infectious disease. (Source patient must provide consent in order to test for HIV. Consent should be given in order to test for HCV.)

The On-Duty Supervisor will assist with identification of source patient risk factor information.

Supervisors will be familiar with C.R.S. 25-4-1405 (7.5) and 25-1.5-102. These statutes allow the Health Department to assist when a department member is exposed to blood or body fluids and that there is a reason to believe may be infectious with HCV or HIV.

237-6 Procurement and Supply Maintenance

It will be the responsibility of BPD Central Supply to procure and maintain equipment and supplies associated with this general order.

A. Nexcare all purpose mask

B. MCR Safety glasses

C. Antiseptic wipes/towelettes

D. Spit sock

E. Disinfectant cleaning solution

BOULDER POLICE DEPARTMENT
Exposure to Infectious Diseases Checklist

Level of Exposure	Definition	Examples	Course of Action
None to minimal	When individual's intact skin contacts another member's skin.	Splinting a broken arm when there is no blood and skin is intact.	Clean skin as appropriate (soap and water, anti-microbial towelettes and antiseptic gel hand sanitizer).
Minimal	Occurs when an individual's blood or body fluids contact another member's intact skin. Also when source individual's intact skin contacts member's mucous membranes.	Member who is not wearing gloves and comes into contact with blood or body fluids.	Wash skin with soap and water or with 70% isopropyl alcohol for at least 15 seconds before rinsing and drying. If exposed to blood or feces, use soap and water.
Moderate	Occurs when an individual's body fluids contact another member's mucous membranes	Member who performs unprotected mouth to mouth resuscitation.	Irrigate mucous membranes with water. Member is sent to Occupational Health or Arbor Occupational Health for treatment. After hours members are sent to BCH-ER for baseline test for HIV, HBV and HCV.
Significant	Occurs when the source blood or body fluids containing visible blood contacts a member through percutaneous inoculation (needle stick), open wound or mucous membrane.	Needle stick, laceration or bite. Also through non-intact skin (chapped or abraded skin). Blood splashes in member's eyes.	Member is sent to Occupational Health or Arbor Occupational Health for treatment. After hours members are sent to BCH-ER for baseline test for HIV, HBV and HCV.

Resources

Occupational Health Services (Foothills)
4820 Riverbend, Boulder, CO 80301
303-604-4660

Occupational Health Services (Community Med. Ctr.)
1000 W. So. Bldr. Rd., Suite 214, Lafayette, CO 80026
303-604-4660

Arbor Occupational Medicine
1690 30th Street, Level II, Boulder, CO 80301
303-443-0496

Arbor Occupational Health
1860 Industrial Cr., Suite D, Longmont, CO 80501
303-682-2473

Boulder Community Hospital Emergency Room
1100 Balsam Avenue, Boulder, CO 80304
303-440-2037

Colorado Department of Health and Environment (CDPHE)
303-692-2700

Boulder Police Department
General Order 238
Honor Guard

Effective: January 6, 2009
Replaces: Not applicable

238-1 Definition
238-2 Honors
238-3 Supervision and Selection
238-4 Request(s) Authorization for Honor Guard Usage

POLICY

The Boulder Police Department will maintain and train an honor guard contingent which will be available to participate in events such as parades, funeral services for members, posting and retiring of the colors, and other ceremonial events as authorized or assigned.

The Honor Guard for the Boulder Police Department will consist of eight members. In the event that more Honor Guard personnel should be needed, the department will request mutual aid in the form of an Honor Guard request from other local agencies.

DEFINITIONS

238-1 Section Title

A. Police Funeral Honors: Recognition by the department upon the death of an active/retired police employee and upon approval of the Chief. Police funeral honors may include a police escort, honor guard, color guard, gun salute squad (outside agencies or SWAT members), pallbearers and other police participation.

B. Line-of-Duty Death: The death of a member which occurs while performing police functions either on or off duty. Although it is anticipated that this member will be a commissioned member, this directive may also apply to non-commissioned members meeting the same criteria. A line-of-duty death is sub-classified as either:

1. Killed in the Line-of-Duty: A member who is killed as a result of a violent act committed by another, or

2. Died in the Line-of-Duty: An on-duty member who dies as a result of accidental means or natural causes (example: traffic accident, heart attack, or other non-violent means.)

C. Non-Duty Death: The death of a member as a result of a non-duty related illness or injury.

D. Death While Retired: The death of a member who is in good standing and is fully separated via retirement.

E. Police Escort: A minimum of two marked police vehicles (or four marked motorcycles) for the funeral procession, one marked police vehicle or two motorcycles which will lead the procession and one marked police vehicle or two motorcycles will trail the procession.

F. Honor Guard: A contingent of at least three uniformed officers, dressed in the honor guard uniform, which will be in attendance at the memorial service, funeral and burial, or any combination thereof. One will be designated as the officer in charge.

G. Color guard: A minimum contingent of four uniformed officers, dressed in the honor guard uniform, consisting of two flag bearers (U.S. and Colorado) and two rifle/shotgun bearers. (For non-duty death or death while retired, the contingent may only consist of two flag bearers.)

H. Rifle Squad: A contingent of four or eight uniformed officers. One member will be designated as the officer in charge while the other three or seven will be rifle/shotgun bearers.

I. Pallbearers: A contingent of either six or eight uniformed officers, dressed in dress uniform, which may be utilized as pallbearers, at the family's request.

238-2 Honors

The department reserves the highest departmental tribute for those members killed in the line of duty. Appropriate Honors are as follows:

A. For members killed in the Line-of-Duty, all honors may be provided. The Color Guard will consist of four Honor Guard officers. A rifle salute will be three volleys by seven rifle members. Six to eight pallbearers will be in attendance.

B. For commissioned members who die in the Line-of-Duty, the department may provide the Color Guard and four Honor Guard officers and a rifle salute of three volleys by three rifle members with six to eight pallbearers in attendance.

For non-commissioned members who die in the Line-of-Duty, the department may provide a Color Guard which will consist of two Honor Guard officers and six to eight pallbearers.

C. For non-duty deaths, an Honor Guard may be provided which will consist of a Color Guard of at least two members.

D. For members who die after retirement, the department may provide an Honor Guard which will consist of a Color Guard of at least two members. Services must take place locally and the Honor Guard will be present only at the request of the family and upon approval of the Chief.

238-3 Supervision and Selection

The Boulder Police Department Honor Guard will be supervised by a Command Level Officer in the Operations Division. This Command Officer will be responsible for the selection, training, assignment and all administrative and operational requirements necessary to carry out the duties of the Honor Guard. It will also be the Command Officer's responsibility to ensure Honor Guard members are properly trained and have the appropriate ceremonial uniform and equipment.

As this is a collateral duty, members will be selected following a posting and an appropriate selection process. Service with the Honor Guard is a privilege granted to selected members. Members selected for the Honor Guard will present the highest standards of appearance and bearing. Continued service will be at the discretion of the appointed Command Officer, the Deputy Chief of Op-

erations and the Chief of Police or his or her designee.

238-4 Request(s)/Authorization for Honor Guard Usage

Authorization or assignment of the Department Honor Guard requires the approval of the Chief or his designee. Members requesting Honor Guard participation will forward a memorandum through the chain of command detailing:

A. The nature of the event or ceremony.

B. The purpose of the group or organization making the request.

C. The required activity of the Honor Guard (posting/retiring the colors, parade, etc.).

D. Any special needs or requests.

The Boulder Police Department
General Order 239
Computer Forensics Evidence

Effective: September 1, 2010
Replaces: Not applicable

239-1 Evidence Collection
239-2 Request for Computer Forensics Examiner Assistance
239-3 Forensic Lab Requests
239-4 Case Priority

POLICY

With the growing demand for electronic technology, the department recognizes the need to provide guidelines regarding the seizure of digital evidence and generated data that may constitute evidence of criminal activity. It shall be the policy of this agency to proactively investigate and prosecute computer and other high-tech related crimes.

PROCEDURES

Department members adhere to these procedures while collecting digital evidence and when using the services of the Computer Forensics Laboratory (CFL) or the Computer Forensics Examiner (CFE).

239-1 Evidence Collection

A. Members of the department are responsible for properly collecting, preserving, marking, packaging, and storing evidence. Members also are responsible for requesting analysis of such evidence as required. The following procedures shall apply only in those cases where data residing on computer systems, networked computer systems, electronic recording/storage devices, and electronic storage media are being sought as evidence in a criminal or administrative investigation. Items that do not need to be examined by the CFE will be handled in accordance with G.O. 204 (Property and Evidence).

B. Computers can contain destructive programs that can alter, encrypt, or destroy evidence. Accessing files and programs can also alter file access dates and other data that may be critical as evidence. When collecting/seizing computer systems in the field, it is recommended that systems be left "turned off."

1. Desktop & Laptop Computers

   a. Isolate any suspect(s) from the computer(s). Consider the possibility of latent prints on the keyboard, mouse and other trace evidence.

   b. Photograph the computer from all angles to include a screen shot. Also, photograph all cables and their connections prior to any disassembly.

   c. If the computer is "off," leave it off. Never turn a computer on.

   d. If the computer is "on," photograph what is on the screen. If the screen saver is active, do not turn it off by moving the mouse or pressing a key.

e. Unplug the power cord from the back of the computer, not from the wall. If it is a laptop, try to remove the battery.

f. If needed for further documentation, label cables and package separately.

g. Submit to property and evidence per policy.

h. For highly sensitive or major crime cases, immediately request assistance from a detective supervisor.

2. Networked Computers

Networked computers are predominantly located in businesses. It is not our intent to disrupt business activities. For cases that could create a possible disruption to a business, contact a detective supervisor for further direction. At a minimum:

a. Isolate suspects from computers. Remember that suspects can access these remotely and can do so from any device such as a cell phone.

b. Do not disconnect power or take any other action. Doing so can damage the system, lose data, create liability for the department, and disrupt business activities

3. Cellular Phones

In the event you need to collect a cellular phone as evidence in a case or for an administrative matter, below are some basic guidelines:

a. For critical or time sensitive cases, contact a detective supervisor.

b. For routine cases, if a cell phone is "off," leave it "off." Package it in a paper bag and submit to Property and Evidence.

c. If a cell phone is "on," turn it "off" and place it inside a paper bag and submit to Property and Evidence.

4. Other loose media

a. Other media such as DVD's, CD's, and floppy discs can be packaged together in one evidence bag.

b. USB devices such as thumb drives should be packaged individually in paper bags and submitted to Property and Evidence.

239-2 Request for CFE Assistance

A. In most cases, members will be able to collect digital evidence without the assistance of a CFE. Requests for CFE assistance generally go through a Detective section supervisor. There may be occasions that a member deems it appropriate to contact a detective supervisor for assistance with a seizure. Occasions that a member should request assistance through a detective supervisor include:

1. When a major crime has occurred and a computer, cellular phone, or other technological media may be seized.

2. When a patrol supervisor has determined that a seizure should be done by a CFE.

3. Special tools or knowledge is required for the seizure.

4. The scene is so large, additional assistance is needed.

239-3 Forensic Lab Requests

A. A written request for lab analysis is required. Lab request forms are located on the laboratory door.

239-4 Case Processing Priority

A. It is the discretion of the Detective Section Supervisor(s) to determine the case processing priority. Cases will typically be processed in the following manner:

1. Child abduction/kidnapping

2. Major assaults/death investigations

3. Felony crimes against children

4. General felony crimes against persons

5. Felony property crimes

6. Misdemeanor person crimes

7. Misdemeanor property crimes

8. Internal investigations

9. Any case as directed by the Detective Section Commander

B. Members may request "rush service" indicated on the lab request form. A rush may need to be performed because of an upcoming court date or new evidence discovered in a case. All lab requests must be approved by a detective supervisor.

Boulder Police Department

General Order 240

In-Car Cameras, Body Worn Cameras and Personal Recording Devices

Effective: April 15, 2015
Replaces: General Order 240, November 11, 2010
Reviewed: April 15, 2015

240-1 In-Car Cameras (ICC)
240-2 Body Worn Cameras (BWC)
240-3 Additional Guidelines
240-4 Personal Recording Devices
240-5 Retaining or Sharing of Recordings Prohibited
240-6 Retention of Recordings

POLICY

In-car cameras (ICC) and body worn cameras (BWC) can provide useful documentation in the prosecution of criminal and traffic cases and of police and citizen actions during contacts. The purpose of this general order is to establish guidelines for Boulder Police Department officers that allow them to use the ICC and BWC legally, effectively and appropriately while performing their duties. Any recorded audio or video images captured by these systems are the property of the Boulder Police Department and are governed by this general order and the department's guidelines for the handling of those images.

PROCEDURES

240-1 In-Car Cameras (ICC)

A. Placement and Operation of Equipment

All ICC equipment shall be installed in a manner which ensures the system can be activated automatically when the vehicle's emergency lights are activated, manually by the officer via a wireless transmitter and manually by the officer from within the police vehicle. The ICC will also be activated automatically if the police vehicle is involved in a collision or if the vehicle exceeds a preset speed as determined by the chief of police. The ICC also has a pre-event recording feature that can be set to record between 30 to 90 seconds prior to a triggering event. Pre-event recordings do not capture audio.

Officer safety and collection of evidence will be the primary considerations for placement of the system components within the vehicle and the use of the equipment. Officers will be provided with training in the use and operation of the ICC prior to use.

At the beginning of each shift, all officers assigned to a vehicle equipped with an ICC will perform a pre-operational inspection to ensure the video camera

and the wireless microphones are operational and functioning properly. Any malfunctions of the ICC will be reported to an on-duty supervisor prior to going in-service. The supervisor will then determine if the officer takes his/her assigned vehicle or a replacement for that shift.

The ICC is used for audio/video recording of the following incidents that occur within camera and/or audio range:

1. Traffic stops including DUI's;
2. Pedestrian contacts;
3. Emergency responses;
4. Motor vehicle pursuits;
5. In-custody transports;
6. Crimes in progress; and
7. At the officer discretion, any incident in which he/she would like to have video/audio documentation.

When the ICC is activated, officers ensure the audio portion is also activated so all events are properly documented. Officers may choose to narrate events to provide documentation for later courtroom presentation. Even when out of the view of the ICC, officers may use the audio recording component of the ICC to record that portion of a contact.

B. Officer Responsibility

1. Officers log into the ICC system at the beginning of their shift. The log-in process will pre-fill data fields identifying the officers and their vehicles. The date and time stamp information can then be verified by the officers.
2. With the exception of police radios, officers shall ensure the volume from other electronic devices within the police vehicle does not interfere with ICC recordings.
3. Officers will notify a supervisor of significant recorded events or any recorded event a reasonable officer would believe is likely to result in a complaint.
4. ICC recordings will be wirelessly downloaded at Boulder Police Department facilities.
5. Officers shall input additional information to further identify each specific digital record. Some examples include suspect's name, summons number, plate number and location. Officers are authorized to review their ICC recordings, when practical, prior to completing their reports. Officers will note in their reports/summonses if the event was recorded using the ICC.
6. ICC recordings are not intended to replace photographs of a crime scene, or to be used for documentation in place of a written report.

Once recording begins, officers record the incident until it concludes. Officers are not required to cease recording for anyone except at the officers' or supervisors' discretion. The ICC has the ability of being temporarily "muted." Officers may use this feature as necessary to confer with others during the course of an investigation to have private conversations not related to the investigation, or

that involve case tactics or strategy. As soon as the private conversation is completed, the officer will reactivate the audio portion of the recording.

Officers should assume they are being recorded whenever in the vicinity of an officer or vehicle equipped with ICC.

C. Supervisor Responsibility

1. Ensure department policies and procedures regarding ICC recording systems are followed.

2. Supervisors will make the decision whether a vehicle without an operable ICC will be placed into service.

3. Supervisors who are informed or otherwise become aware of malfunctioning ICC equipment shall ensure that information is forwarded in a manner to quickly address the equipment issue.

4. Supervisors who are advised of a significant event captured on the ICC will review it with the officer, note it in their watch log and inform others of the incident as appropriate.

5. Supervisors will routinely review ICC recordings for evaluation, training, compliance or other work related purposes.

240-2 Body Worn Cameras (BWC)

A. Placement and Operation of Equipment

BWCs are issued primarily to uniformed officers. Officers who are assigned BWCs shall use the equipment in compliance with this policy.

BWCs shall be worn in a manner which ensures effective recording documentation and allows the system to be manually activated by the officer.

If the BWC has the ability of being temporarily "muted," officers may use this feature as necessary to confer with others during the course of an investigation to have private conversations not related to the investigation or that involve case tactics or strategy. As soon as the private conversations are completed, officers will reactivate the audio portion of the recording.

Officers should assume they are being recorded whenever in the vicinity of a BWC. Officers will be provided with training in the use and operation of the BWC system prior to use.

B. Required Activation of BWCs

This policy is not intended to describe every situation in which BWCs may be used. It is understood that not all incidents will clearly start out as needing recording or have a clear ending when the BWC is no longer needed. In these circumstances, officers use discretion when activating and deactivating BWCs.

At no time are officers expected to jeopardize their safety in order to activate their BWC. However, the recording should be activated in required situations as soon as practical.

BWCs are activated to record:

1. In-progress crimes, enforcement actions or activities;

2. Contacts with individuals involving actual or potential criminal conduct;

3. Contacts or situations that may be adversarial and during uses of force;

4. Suspicious incidents;

5. Any situation involving a crime where the BWC may aid in the apprehension and/or prosecution of a suspect; and

6. Any other contact or situation where the officer believes that a recording would be appropriate and/or valuable to document an incident.

Once recordings begin, officers record incidents until conclusion. Officers are not required to cease recording except at the officers' or supervisors' discretion, as otherwise restricted by this policy, or when the need to gather evidence no longer exists.

Officers may choose to narrate events to provide documentation for later courtroom presentation.

C. Officer Responsibility

1. BWC equipment is the responsibility of the individual officer and will be used with reasonable care to ensure proper functioning. At the beginning of each shift, officers assigned a BWC will perform a function test to ensure the equipment is operating properly. Equipment malfunctions shall be brought to the attention of a supervisor as soon as practical.

2. Officers will ensure that appropriate information is entered into the BWC system to identify which officer is using the BWC and to properly classify or tag recordings. The information includes the officer's name, date and time, employee number and other information as required.

3. Officers will notify a supervisor of a significant recording event or one that will likely result in a complaint.

4. Officers are authorized to review their BWC recordings, when practical, prior to completing their reports.

5. Officers will note in their reports/summonses if an event was recorded using a BWC. When an authorized event was not recorded, or if recording stopped during the event, officers will describe the circumstances as to why. If the type of call/incident does not result in a report/summons, officers may narrate why the recording activation was delayed or recording was stopped on camera.

6. BWC recordings are not intended to replace photographs of a crime scene, or to be used for documentation in place of a written report.

7. Officers ensure BWC recordings are downloaded to a server at the end of their shift.

D. Restrictions on Using the BWC

BWCs shall be used in conjunction with officers' official law enforcement duties. The BWC should not be used to record:

1. Communication with police personnel during routine non-enforcement related activities.

2. Encounters with undercover officers or confidential informants.

3. Conversations that involve case tactics or strategy.

4. When on break or otherwise engaged in personal activities.

5. Sexual assault victim interviews.

6. Any location where individuals have a reasonable expectation of privacy, such as a private conversation, restroom or locker room.

E. Supervisor Responsibility

1. Ensure department policies and procedures regarding BWCs are followed.

2. Supervisors who are informed or otherwise become aware of malfunctioning BWC equipment shall ensure that information is forwarded in a manner to quickly address the equipment issue.

3. Supervisors who are advised of a significant event captured on a BWC will review it with the officer, note it in the watch log and inform others of the incident as appropriate.

4. Supervisors routinely review BWC recordings for evaluation, training, compliance or other work related purposes.

240-3 Additional Guidelines

A. Recording from the ICCs and the BWCs are treated as evidence and are the property of the Boulder Police Department. Department members may not disseminate or view these outside the scope of their law enforcement duties. This is strictly prohibited without the specific authorization of the Chief of Police or his/her designee.

B. Recordings from the ICCs and BWCs are criminal justice records unless otherwise classified as a personnel record. Upon approval of the Chief of Police or designee, recorded images and audio may be provided to the public when requested and still available, unless such recordings are part of an on-going investigation or personnel record and release of recordings would jeopardize the investigation, or it is determined disclosure would be contrary to the public interest per CRS 24-72-305. The department may charge reasonable fees for providing copies of the recordings.

C. Prior to release of video or audio records related to an on-going investigation, the Operations Deputy Chief or designee will be consulted and recordings will be reviewed to determine suitability for public release. In the case of personnel records, the Professional Standards Unit Supervisor will be consulted and department members will be provided notice if a personnel record is to be released.

240-4 Personal Recording Devices

Officers generally use department issued equipment for video, photographic or audio recording. Use of personal audio equipment is allowed for report or note taking purposes.

On rare occasions where officers capture video, photographic, or audio recordings taken for evidentiary purposes on personal equipment, the recordings become the property of the Boulder Police Department. The evidence and personal equipment is handled in accordance with General Order 207, Digital Evidence Capture and Storage.

240-5 Retaining or Sharing of Recordings Prohibited

Employees do not retain or share video, photographic, or audio evidence obtained in the performance of their duties outside the department without expressed permission from the Chief of Police, regardless of whether personal or department equipment was used. This includes posting on personal or public social media sites, internet sites, cell phones, or any other electronic or digital device.

This does not prohibit the department from taking video or photographs at various activities, incidents or crime scenes that are intended to be used for historical, educational, informational or training purposes.

240-6 Retention of Recordings

Storage space is limited. Therefore, all recordings stored on the server are generally retained according to the schedule listed below and are minimum retention timeframes, in compliance with the city's records retention schedule ordinance. Recordings will be maintained for longer periods when such recordings have been identified as necessary to retain for a longer period of time as evidence for prosecution, civil liability cases, criminal investigations, administrative investigations, or other department needs (retained recordings).

- Traffic or pedestrian contact; 30 days (no summons).
- General enforcement actions or activities, for example bar checks, suspicious incidents and all other similar types of actions; 30 days (no summons); 120 days (summons).
- Traffic or pedestrian contact; 120 days (summons).
- Anticipated citizen complaints; 120 days.
- DUI arrest; 18 months.
- Misdemeanor investigation and/or arrest; 18 months.
- Felony investigation and/or arrest; 3 years.

In cases of criminal prosecution, recordings will be retained until the evidence is no longer needed and a release is obtained from the City Attorney's Office or the District Attorney's Office.

In cases where the department has reason to believe a civil liability lawsuit will be filed against the city, recordings are retained for a minimum of 2.5 years.

In the event a civil lawsuit is filed, recordings will be retained until the final disposition of the case, including appeals, is completed and the City Attorney's Office has signed a release for the evidence.

In cases of administrative investigations, copies of recordings will be retained in the Professional Standards Unit according to the purging schedule in GO120, Professional Standards Investigations.

With reasonable justification, any officer may place a hold on a recording for a practical amount of time for any of the purposes listed above. Retained recordings will be assessed for continued retention on a regular basis, but no less than once per year. Property and Evidence will ask the original requesting officer if retained recordings can be erased. The final decision for erasing retained recordings must be approved by the Property and Evidence Commander.

Boulder Police Department
General Order 241
Animal Control

Effective: September 19, 2011
Replaces: General Order 241, November 10, 2010

241-1 Training Manual
241-2 Authority
241-3 Response Guidelines
241-4 Dead Deer
241-5 DEA License
241-6 Euthanasia
241-7 Housing and Emergency Animal Care
241-8 Rabies Tags/Licensing
241-9 Enforcement
241-10 Animal Abuse Investigations
241-11 Animal Control Staffing After-Hours
241-12 Uniforms and Equipment
241-13 OC Spray
241-14 Baton
241-15 Conducted Energy Devices
241-16 Use of Force Reports
241-17 Training

POLICY

It is the policy of the Boulder Police Department to respond to animal related complaints received by the department and to enforce the Colorado Revised Statutes and Boulder Revised Codes that apply to domestic animals. The department's Animal Control Unit has primary responsibility for response to, and investigation of, animal related complaints. Response to animal complaints is prioritized in direct relation to the threat of public safety and animal welfare. Animal control officers and police officers may at times respond to animal related complaints involving wildlife when public safety concerns are present; however, wildlife calls (except as specifically stated in B.R.C.) remain the primary responsibility of the Colorado Division of Wildlife. Animal control officers also provide education to the public on matters concerning animal welfare and applicable laws and ordinances.

PROCEDURES

241-1 Training Manual

A protocol and training manual with specific guidelines for various call types should be referred to as necessary. The manual will be

updated and/or revised as needed and available for animal control officers, police officers and supervisors.

241-2 Authority

Animal control officers are granted a limited commission by the city manager to enforce ordinances under the Boulder Revised Code. The limited commission allows animal control officers to issue Boulder municipal summonses. Animal control officers who have obtained commission through the Department of Agriculture are able to issue animal-related state criminal charges. All other state criminal summonses are issued by police officers.

241-3 Response Guidelines

A. Normally, animal control officers will handle calls in order of priority based on public safety and animal welfare concerns. Animal Control will not respond to situations where small wildlife (skunks, foxes, squirrels, etc.) are creating a nuisance. The caller will be instructed to find a private pest management provider. If the animal is displaying signs of illness (e.g. rabies or distemper), is severely injured, or is dangerous (e.g. rattlesnake in a home), animal control officers and/or police officers will respond to properly contain, relocate, or euthanize the animal. Animal control officers and/or police officers will respond to calls posing a threat to public safety involving large wildlife such as mountain lions and bears to assist the Colorado Division of Wildlife officers and ensure public well-being. Animal complaint calls generally will be dispatched and handled according to these priorities:

1. Vicious animals, including a bite in progress;
2. Injured/sick stray domestic animals or animals in jeopardy (e.g. locked in vehicle in extreme weather);
3. Animal bite involving domestic or wild animals;
4. Assist police officers with animal problems;
5. Injured/ill wildlife (e.g. raccoon with distemper);
6. Animals at large with complainant contact;
7. Animals at large without complainant contact;
8. Animals in custody;
9. Barking dogs/animal nuisance complaints; and
10. Other animal complaints in violation of B.R.C.
11. Animal control officers will respond to calls of dead animals on public property with the exception of city streets and multi use paths. Public Works has primary responsibility for collection of dead animals abandoned on public right of way including city streets and multi-use paths. On private property the animal owner or private land owner is responsible for proper disposal of dead wild animals, with the exception of deer.
    Dead domestic animals that are located on private property and not owned by the property owner

will be handled by animal control officers.

B. Animal control officers will work in co-operation with the Boulder County Health Department to facilitate pick-up and testing of species that present a public safety concern due to the presence of disease (e.g. rabid bats or skunks; presence of plague in prairie dogs).

241-4 Dead Deer

Removal and disposal of dead deer within the city of Boulder is administered by a private contractor retained by the department.

241-5 DEA License

The police department will maintain a current DEA license for the use of sodium pentobarbital and ketamine/rompin. The controlled substances will be stored, and their usage will be documented in accordance with state and federal guidelines.

241-6 Euthanasia

Animal control officers who have undergone, and successfully completed departmental training are authorized to euthanize sick/injured/diseased wildlife and sedate domestic animals. Vehicles are equipped with the narcotics and proper equipment to safely and humanely sedate or euthanize injured/ill/sick wildlife or sedate domestic animals that pose a safety issue to the public. When an officer determines it is necessary and appropriate, they can sedate an animal for capture, restraint, or euthanasia in the cases of wildlife.

241-7 Housing and Emergency Animal Care

A. The city maintains a contract with the Humane Society of Boulder Valley for housing impounded animals and for the emergency care of animals during normal business hours. The city maintains a separate contract with an after-hours veterinary clinic for emergency care occurring after normal business hours.

B. Citizens or officers, on occasion, will bring injured stray animals to the contracted after hours emergency animal care facility. The city's agreement with the designated emergency care facility states that the veterinary clinic is authorized to keep the injured animal stable and comfortable, without using extreme or invasive measures. Officers or supervisors are not to approve extreme or invasive measures. If the animal has identification, efforts shall be made to contact the animal's guardian. Once the guardian has been contacted he or she is responsible for treatment decisions. State law requires that an injured animal with identification must be held for 24 hours before a veterinarian may decide to euthanize it to relieve suffering. If no identification is located, the veterinarian may euthanize the animal if they deem the animal is suffering.

241-8 Rabies Tags/Licensing

Open Space and Mountain Parks is responsible for the issuance of animal licenses and maintains the license database. The license database is accessible to police officers and animal control officers.

241-9 Enforcement

A. When animal control officers or police officers determine there is probable cause that a violation of the animal ordinances under B.R.C or C.R.S. has occurred (except those requiring warnings prior to summons), the officer may, depending on the circumstance:

1. Issue a state summons;
2. Issue a municipal summons;
3. Issue a written warning;
4. Refer to bite diversion; or
5. Issue a verbal warning.

B. In situations where an animal control officer believes their safety is in jeopardy or a warrant is discovered, a police officer will respond to assist. In cases where a warrant is necessary, an animal control officer will seek assistance from detectives.

C. Any officer may impound an animal in violation of any provision of Boulder Revised Code Chapter 1 of Title 6, except 6-1-17 "Animals on the Mall Prohibited," 6-1-18, "Removal of Animal Excrement Required", or 6-1-23 "Disposition of Dead Animals."

D. Officers shall impound or confine any dog, cat, or ferret that has bitten a person subject to the requirements of CRS.25-4-601 and 6-1-24 BRC.

241-10 Animal Abuse Investigations

Complaints of animal abuse that are violations of the Boulder Revised Code or misdemeanor violations of the Colorado Revised Statutes are investigated by animal control officers. Animal abuse cases may be investigated in collaboration with the detective section. Police officers or detectives may be called to assist animal control officers with other investigations as needed.

241-11 Animal Control Staffing After-Hours

A. In the event of a high priority animal control call occurring outside normal working hours, the call will be dispatched to a police officer. Animal control officers will provide periodic training to police officers regarding handling animals and proper tools and techniques.

B. Animal control officers will not be on call outside of normal working hours. The animal control supervisor may be available by pager or phone to consult with dispatch or police officers regarding animal complaints.

241-12 Uniforms and Equipment

The police department provides animal control officers with approved uniforms, ballistic vests, personal defense weapons and the necessary animal handling equipment. The department does not provide undergarments or footwear. Ballistic vests shall be worn anytime an animal control officer is in uniform.
Upon completion of approved training, animal control officers will be issued pepper spray, batons, and conducted energy devices for personal defense. Employees are trained in the proper use and care of these items before they are allowed to carry them. Animal control officers shall carry department issued and approved pepper spray, baton and conducted energy devices when in uniform.

The department trains animal control officers and police officers on the proper use and care of animal handling equipment. Officers are authorized to use only those equipment items for which they have been trained.

241-13 OC Spray

Animal control officers will carry OC spray once they have undergone, and successfully completed departmental training. OC spray may be used against an attacking or dangerous animal. Animal control officers may also use OC spray in self defense against a person when confronted with *Active Aggression* as defined in GO225.

241-14 Baton

Animal control officers will carry a baton once they have undergone, and successfully completed departmental training. The baton may be used against an attacking or dangerous animal. Animal control officers may also use the baton in self defense against a person when confronted with *Active Aggression* as defined in GO225.

241-15 Conducted Energy Devices

A. Definition: Deploy or activate means the actual firing of the CED, either in dart probe or drive stun mode.

B. Animal control officers will carry conducted energy weapons once they have undergone, and successfully completed departmental training. Conducted energy weapons may be deployed against an attacking or dangerous animal. Animal control officers may also deploy conducted energy weapons in self defense against a person when confronted with *Active Aggression* as defined in GO228.

241-16 Use of Force Reports

Any use of force against a person must be documented in a Tiburon incident report and a departmental use of force form. Any use of force against an animal where OC, impact weapons or a CED was deployed, and/or the animal sustains severe injury or death, must be documented in a Tiburon incident report and a department animal use of force form. The documentation will be given to their immediate supervisor or sergeant if their supervisor is unavailable. The incident will be reviewed in accordance with GO225.

241-17 Training

The department trains new animal control officers through an in-house academy and field training program. Periodic refresher and advanced training is also provided by the department or other approved entity. Upon successful completion of training, animal control officers will acquire state certification through the Colorado Association of Animal Control Officers.

Boulder Police Department
General Order 242
Code Enforcement

Effective: October 20, 2011
Replaces: n/a

242-1 Code Enforcement Manual
242-2 Authority
242-3 Response Guidelines
242-4 Enforcement
242-5 Code Enforcement Staff Hours
242-6 Uniforms and Equipment
242-7 OC Spray
242-8 Baton
242-9 Use of Force Reports
242-10 Training
242-11 Abatements

POLICY

It is the policy of the Boulder Police Department to respond to nuisance code related complaints and to enforce the Boulder Revised Codes that apply to nuisance violations. The department's Code Enforcement Unit has the primary responsibility for response to and investigation of nuisance code related complaints not otherwise handled by other city departments. Response to nuisance code complaints is prioritized in direct relation to the threat of public safety and welfare. Code enforcement officers also provide education to the public on matters concerning nuisance codes and applicable laws and ordinances.

PROCEDURES

242-1 Code Enforcement Manual

A protocol and training manual with specific guidelines for various call types should be referred to as necessary. The manual will be updated and/or revised as needed and available for code enforcement officers, police officers, and supervisors.

242-2 Authority

Code enforcement officers are granted a limited commission by the city manager to enforce ordinances under the Boulder Revised Code. The limited commission allows code enforcement officers to issue Boulder municipal summonses.

242-3 Response Guidelines

Normally, code enforcement officers will handle calls in order of priority based on public safety and welfare concerns. Code enforcement calls generally will be dispatched and handled according to these priorities:

1. Trash/sofa
2. Weeds
3. Inoperable vehicles on private property
4. Snow removal/plowing to ROW
5. Illegal use of dumpster
6. Signs in ROW
7. Wood burning
8. Other nuisance code complaints

Response to nuisance code violations will be during normal work hours of code enforcement officers. Complaints received after-hours or when no code enforcement officers are on-duty will be referred to the code enforcement unit for response during normal work hours. Police officers will not be dispatched to nuisance code violations unless there is a public safety concern.

242-4 Enforcement

A. When code enforcement or police officers determine there is probable cause that a violation of the nuisance code ordinances under B.R.C. has occurred, the officer may, depending on the circumstance:

   1. Issue a written warning;

   2. Issue a municipal summons; or

   3. Abatement of the nuisance.

B. In situations where a code enforcement officer believes his/her safety is in jeopardy or an arrest warrant is discovered, the officer will not initiate any action until a police officer can respond to assist. This does not limit a code enforcement officer from retreating or protecting themselves from a person when confronted with active aggression. In these situations, the safety of the code enforcement officer is primary over any warnings or summonses that may be issued. In unusual cases where a search warrant is necessary, a code enforcement officer will seek assistance from a detective sergeant and/or the legal advisor.

242-5 Code Enforcement Staff Hours

A. Code enforcement officers primarily work day-time hours. The specific hours may change depending on seasonal needs.

B. Code enforcement officers will not be on call outside of normal working hours. The code enforcement supervisor may be available by pager or phone to consult with dispatch or police officers regarding nuisance code violations outside of normal hours of operation.

242-6 Uniforms and Equipment

The police department provides code enforcement officers with approved uniforms, ballistic vests, personal defense weapons and other necessary equipment for investigating nuisance code violations. The department does not provide undergarments or footwear. Ballistic vests shall be worn anytime a code enforcement officer is in uniform. Upon completion of the approved training, code enforcement officers will be issued pepper spray and batons for personal defense. Code enforcement officers shall carry department issued and approved pepper spray and baton when in uniform. The department trains code enforcement officers on the proper use and care of all equipment. Officers are authorized to use only those equipment items for which they have been trained.

242-7 OC Spray

Code enforcement officers will carry OC spray once they have undergone and successfully completed departmental training.

OC spray may be used against an attacking or dangerous animal. Code enforcement officers may also use OC spray in self defense against a person when confronted with *Active Aggression* as defined in GO225.

242-8 Baton

Code enforcement officers will carry a baton once they have undergone and successfully completed departmental training. The baton may be used against an attacking or dangerous animal. Code enforcement officers may also use a baton in self defense against a person when confronted with *Active Aggression* as defined in GO225.

242-9 Use of Force Reports

Any use of force against a person must be documented in an incident report and a departmental Use of Force form. Any use of force against an animal where OC spray and/or impact weapons was deployed, where the animal sustains severe injury or death, must be documented in an incident report and a department animal Use of Force form. The documentation will be given to their immediate supervisor or sergeant if their supervisor is unavailable. The incident will be reviewed in accordance with GO225.

242-10 Training

The department trains new code enforcement officers through an in-house academy and field training program. Periodic refresher and advanced training is also provided by the department or other approved entity. Upon successful completion of training, code enforcement officers will acquire state certification through the Colorado Association of Code Enforcement Officials.

242-11 Abatements

Recurring code violations on parcels of property in the city can result in the creation of public nuisances which seriously threaten the peace and safety of neighboring residents and undermine the quality of life of the residents of the city. Section 10-2.5 BRC and 31-15-401(1)(c), C.R.S. authorizes the city to declare and abate public nuisances per the requirements of the ordinance.

Boulder Police Department
General Order 243
Automated License Plate Reader

Effective: September 19, 2012
Replaces: N/A

243-1 Definitions
243-2 Background
243-3 Basis for Enforcement Action
243-4 Procedures
243-5 Retention of Data

POLICY

The use of an automated license plate reader system (ALPR) can provide useful documentation in the identification and prosecution of criminal and traffic investigations. ALPR systems also enhance productivity, effectiveness, and assist with officer safety. The purpose of this general order is to establish guidelines for Boulder Police Department officers that allow the use of the ALPR legally and appropriately while performing their duties.

PROCEDURES

243-1 Definitions

A "read" is the term used when the system takes a picture of a license plate. A "hit" is when the plate comes back as stolen or associated with a stolen vehicle, restrained driver, robbery suspect, etc. Officers and detectives independently confirm all hit information.

243-2 Background

The ALPR is a computer-based system that utilizes cameras to capture a color image, as well as an infrared image, of the license plate of a passing or parked vehicle. The infrared image is converted into a text file utilizing Optical Character Recognition (OCR) technology. The text file is then automatically compared against an "informational data file" or "hot list" containing information on stolen vehicles, or wanted vehicles associated with Amber Alerts, wanted parties or other criteria as selected. If a match is found, the user is notified of the vehicle "hit" by an audible alert and an associated notation on the user's computer screen. When the ALPR captures an image it also logs the date, time and GPS location of the capture.

ALPR cameras can photograph thousands of plates in a shift. All plate scan data collected from the ALPR system is transmitted to the ALPR server. The ALPR server resides at the Boulder Police Department. The informational data file or hot list is automatically updated frequently by the Server Administrator or their designee. It is important that officers take into account the amount of lag time between receiving an ALPR hit notification and the most recent update of the information data file contained in the ALPR unit before taking any enforcement action.

243-3 Basis for Enforcement Action

Officers must use reasonable discretion as an ALPR hit does not automatically provide officers with probable cause to stop and/or arrest. Enforcement action, stops, detentions and arrests are based on facts and observations the officer can articulate in addition to the ALPR hit. An ALPR hit relates only to the vehicle, not to who may be driving the vehicle. Information obtained through the use of the ALPR system is independently confirmed before enforcement action is taken.

243-4 Procedures

The use of the ALPR system is restricted to public safety related missions of the Boulder Police Department. All data downloaded and stored on the ALPR server are considered criminal justice records and are used only for official law enforcement business. Data may also be shared with other law enforcement agencies for legitimate law enforcement purposes. Any other use of this data is strictly forbidden. Employees found using this data for anything other than law enforcement purposes may be subject to disciplinary action. Access to the ALPR database is restricted to employees who have authorization. Only officers who have received training can set up and use an ALPR system.

At the end of their shift, officers who deployed the ALPR will report to the on-duty supervisor of any recovered stolen vehicles. The officer will also identify any contacts or arrests where the ALPR alerted the officer. This information will be included in the shift Watch Log.

243-5 Retention of Data

Storage space on servers is limited and is automatically purged after 90 days. If data needs to be maintained for longer periods of time i.e., evidence in criminal investigations, civil liability cases, administrative proceedings or other identified department need, it must be retained in hard-copy form with the case file, Professional Standards file and/or City Attorney file.

In cases of criminal prosecution, data will be retained until the evidence is no longer needed and a release is obtained from the City Attorney's Office or the District Attorney's Office. In cases where the department has reason to believe a civil liability lawsuit may be filed against the city, the data will be retained for a minimum of two and half years. In the event that a civil lawsuit is filed, the data will be retained until the final disposition of the case, including appeals are completed and the City Attorney's Office has signed a release for the evidence.

Boulder Police Department
General Order 244
Animal Response

Effective: November 6, 2014
Replaces: General Order 244, April 19, 2013

244-1 Procedures
244-2 Supervisor Responsibility
244-3 Response to Aggressive Dog
244-4 Self Defense and Defense of Others
244-5 Supervisor Notification
244-6 Reporting Requirement
244-7 Detective Response
244-8 Humane Procedures
244-9 Dog Protection Act Compliance

POLICY

The Boulder Police Department acknowledges and appreciates the significance of domestic pets. It is recognized that officers have different levels of experience when interacting with animals. By standardizing training and policies, officers will be better equipped to handle encounters with animals. The department also provides training for canine encounters in accordance with Colorado Revised Statutes.

Additionally, the department supports the vision and goals of the Urban Wildlife Management Plan (see GO 244 attachment). The Boulder Police Department recognizes and values the urban and wildlife interface in Boulder. This interface sometimes creates situations involving serious injury to animals or raises concern for public safety. At times it may be necessary to humanely euthanize wildlife that have non-recoverable injuries or through their behavior present a clear danger to humans.

The department adheres to the following procedures when responding to calls involving both domestic and wild animals not otherwise covered by General Order 241, Animal Control.

PROCEDURES

244-1 Procedures

Animal Control Officers (ACOs) will adhere to General Order 241, Animal Control, when responding to calls for service. ACOs will document all dispositions on impounded or euthanized wildlife. The records are maintained in an electronic log accessible to supervisors, the Chief's Administrative Assistant and the Public Information Officer. All other procedures outlined in this policy apply equally to ACOs unless otherwise noted.

A. Domestic animals

1. Members never euthanize domestic animals (dogs, cats or other pets). Police officers call for assistance

from Animal Control (AC) when dealing with injured domestic animals. When available, it is the guardian's responsibility to care for an injured pet.

2. When a guardian or AC is not available, officers transport the animal to one of our designated emergency animal clinics. If the animal cannot be transported safely, the animal is to be left alone until a guardian can be located or AC is available.

3. When impounding a domestic animal for any reason, an impound form is completed at the Humane Society and a copy is provided to AC.

B. Wildlife animals

1. When dealing with wildlife in the city of Boulder, officers may only euthanize severely injured wildlife in a humane manner. In making the decision to euthanize an animal, officers consider the following factors:

   a. Severity of obvious injury or disease and pain to the animal (for example, compound leg fractures, spinal fractures, severe bleeding, sounds of distress, etc.). Note: Broken antlers are NOT a cause for euthanizing an animal.

   b. Emaciated or starved animals that are too weak to move. This is commonly seen in animals suffering from end-stage wasting disease.

   c. Obvious severe trauma including partial evisceration, large deep gashes with arterial bleeding or severe disfiguring injuries.

   d. Whether the animal is still mobile (many injured animals who are will survive). Simple leg fractures are not sufficient grounds to euthanize an animal unless it obviously prevents the animal from being mobile.

   e. Ability to safely euthanize the animal given surroundings, backdrop, other people present, etc.

   f. Inability to protect itself from further harm is not grounds to euthanize an animal.

   g. Normal animal behavior such as being leery of people or getting people to back away is not aggressive behavior or grounds for euthanizing an animal.

2. Police officers do not euthanize a wild animal without prior authorization from either an AC or patrol supervisor. ACOs may euthanize small animals such as birds, bats, squirrels, raccoons, etc. without first obtaining supervisory approval, based on their training, experience and alternative methods for euthanizing.

3. When determining whether to euthanize larger animals (other than a deer) such as coyote, elk, moose, lions, bobcats, other large wild cats, bighorn sheep, bear, or other large game, members first contact the Colorado Department of Parks and Wildlife for assistance or guidance.

4. Prior to euthanizing any large animal, including deer, members obtain authorization from an AC or a patrol supervisor. Members then notify dispatch via the primary radio channel

being used. After the animal is euthanized, members notify dispatch of the disposition and ask that dispatch advises the proper authority for picking up the carcass.

5. In cases where AC is not available and officers respond to a wild animal bite from a small animal (bat, skunk, raccoon, etc.) or coyote to a human or domestic pet, the wild animal is to be euthanized to determine whether it has rabies (see 244-7C). If the animal is still on scene, officers may euthanize and impound it for AC by placing it in a plastic bag and storing it in an AC van. Officers must notify AC that the animal is in the van for testing.

6. Under no circumstances do department members give the carcass or allow the carcass to be taken by another department member, family member or friend.

244-2 Supervisor Responsibility

A. Prior to giving authorization to euthanize a large wild animal such as an elk, moose, deer, coyote, lion, other wild cat, bighorn sheep, or bear, supervisors respond to the scene whenever practical. Supervisors must first determine the following:

   1. Necessity for euthanizing the animal;

   2. Whether it can be done humanely;

   3. Whether it can be done safely; and

   4. In the case of anything other than a deer, whether Colorado Parks and Wildlife have been consulted and if they are responding to take control.

244-3 Response to Aggressive Dog

A. Police officers call for assistance from an on duty ACO when dealing with an aggressive dog or when responding to a report of an aggressive dog. If a guardian or ACO is present, the officer will allow the guardian or ACO to contain, control, or remove the dog from the immediate area.

B. If an ACO or guardian is not available, officers use their training in K-9 encounters, as mandated by Colorado Revised Statutes and other training provided by the department.

244-4 Self Defense and Defense of Others

A. Members are allowed to use reasonable force against dangerous animals to prevent imminent injury to themselves or another. Use of force used is in relation to the threat imposed by the animal. When reasonable, members retreat from a dangerous animal rather than choosing to use force.

B. Officers should consider the following continuum of force as it relates to animals:

   1. Physical presence;

   2. Verbal commands, including making a loud noise or shouting at the animal;

   3. Using an object to keep the animal at bay;

   4. Pepper spray;

   5. Baton; and

   6. An electronic control device (ECD).

B. Factors to consider prior to using any force include:

1. Size of animal;

2. Breed of animal;

3. Whether a guardian is present to help control the animal;

4. Ability to retreat from the animal; and

5. Whether the animal is actively charging or just standing its ground.

C. Officers are authorized to use lethal force to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternate methods are not reasonably available or would likely be ineffective. Use of a firearm should always be the option of last resort.

244-5 Supervisor Notification

Any time a member uses force against an animal in self defense a supervisor is immediately notified.

244-6 Reporting Requirement

A. An "Animal Incident" report with its own case number is completed under the following circumstances:

1. An officer euthanizes an animal;

2. An officer or ACO uses force in self defense;

3. An officer or ACO uses lethal force in self defense; or

4. An officer or ACO discharges a firearm or ECD at an animal for any reason (excludes tranquilizer guns used by AC).

244-7 Detective Response

In the event any member uses lethal force on a domestic animal in self defense or defense of others, a supervisor must notify a detective supervisor. This is a mandatory response for detectives.

The animal will be collected as evidence and submitted for a necropsy.

244-8 Humane Procedures

Officers may at times have to euthanize wildlife such as a deer or a smaller animal (raccoon) that has been seriously injured, most likely from an accident with a motor vehicle. Officers do not have access or training to use drugs to euthanize the animal. When using a firearm, officers attempt to use the most humane method available to minimize suffering. It is recommended that animals be shot through the brain, as this will usually instantly kill the animal and stop further suffering.

A. For large animals, the preferable target is through the front of the skull, between the eyes and slightly above them. Urban Wildlife Management suggests envisioning two lines intersecting from each eye to the opposite ear, creating a target for the shot. If it is not possible to shoot through the front of the skull, the next best head shot is immediately below the ear to penetrate the brain and spinal column.

B. If a body shot is unavoidable, the bullet should enter the lower and rear one third

of the rib cage immediately posterior to the shoulder blade.

C. When euthanizing a small animal to test for rabies after a bite incident, members DO NOT shoot the animal through the brain. The brain is used to test for rabies.

D. It may take 4 to 5 minutes for an animal to die. During that time, there could be some thrashing. Do not approach until you are sure the animal is dead. Never touch wildlife without a gloved hand. Wash hands thoroughly after handling dead animals.

E. If you receive a bite or scratch from an animal seek treatment and advice from a doctor.

In all cases, officers must consider backdrop, surroundings and potential danger to others before using a firearm to euthanize an animal. If it cannot be done safely, contact the Colorado Department of Wildlife for further guidance.

244-9 Dog Protection Act Compliance

Officers must complete the training course mandated by the Dog Protection Act in accordance with Colorado Revised Statues.

Vision, Guiding Principles and Goals of the Urban Wildlife Management Plan

Vision Statement

In Boulder's urban areas, the city will endeavor to provide for diverse, self-sustaining, native wildlife populations in numbers compatible with basic human needs, social and economic values, and long-term ecological sustainability, while proactively reducing conflicts between humans and wildlife.

Guiding Principles

1. The city will emphasize humane, non-lethal control of wildlife when consistent with guiding principles 2-6 and the vision statement.

2. The urban area is primarily intended for the development and support of human land uses and services as described in the Boulder Valley Comprehensive Plan.

3. The city will balance environmental, economic, and social sustainability principles in managing urban wildlife.

4. The community values and supports the protection of wildlife habitat and biological diversity. Urban wildlife management should be compatible with an ecosystem approach to land management.

5. The city will strive to use the best science in understanding and managing urban wildlife.

6. The city will develop clear and easily understood standards, protocols and regulatory processes for managing situations where conflicts arise between wildlife and urban land uses.

Goals

The Urban Wildlife Management Plan will:

- provide a clear and easily understood framework for balancing environmental, social, and economic goals when managing wildlife on public and private lands;

- prioritize effective strategies and assess the costs for sustainable, long-term management of urban wildlife and its habitat;

- establish wildlife management policies and practices that proactively reduce human/wildlife conflicts, reflect overall community values and sustain ecological integrity;

- set up a decision-making hierarchy to address wildlife conflict situations in urban areas;

- outline a set of strategies for providing on-going education and keeping the public informed about current practices and policies;

- integrate urban wildlife management across city departments and coordinate management with other public jurisdictions and agencies; and

- assess and inventory areas in the city with the greatest potential for conflict and areas that provide the best opportunity for conservation.

Boulder Police Department
General Order 300
Patrol Equipment

Effective: January 31, 2008
Replaces: Standard Operating Procedure P403, Patrol Equipment, May 20, 1998

300-1 Special Patrol Equipment
300-2 Equipment in Marked Vehicles
300-3 Equipment Room
300-4 Issuance of Summonses and Citations

POLICY

The Patrol Section is responsible for providing a variety of equipment to its members. Because of the number of officers assigned to the section, it is necessary to distribute this equipment so that it is available for use by others. The procedures outlined herein insure the effective and efficient distribution of equipment, as well as its proper maintenance.

PROCEDURES

300-1 Special Patrol Equipment

A. The following equipment is designated as special equipment and is checked out to specific authorized individuals.

1. Patrol vehicle
2. Rifle
3. Packset battery
4. Radar gun with tuning fork
5. Lidar
6. Taser

B. It is the responsibility of the officer taking the equipment to sign out the special equipment on the patrol equipment inventory sheet.

C. It is the responsibility of the supervisor to enforce the designated car plan.

D. The Watch-I supervisor begins a new patrol equipment inventory sheet for each calendar day.

E. At the end of shift or duty assignment, the assigned officer:

1. Checks the special equipment in to the equipment room.
2. Insures the equipment is in operable condition.
3. Records the equipment return on the patrol equipment inventory sheet.

300-2 Equipment in Marked Vehicles

A. Each marked patrol vehicle contains the following equipment:

1. Basic first aid kit.
2. Two blankets held in a suitable container.
3. Fire extinguisher.
4. Minimum of 12 road flares.
5. Minimum of one-half roll of crime scene barrier tape.

6. Shotgun.

7. Minimum of three-quarters tank of gas at end-of-watch or duty assignment.

8. Hazardous materials bag.

9. Other equipment as authorized by the patrol commanders.

B. In addition, the supervisors' vehicles contain:

1. Ballistic shields

2. Traffic cones

3. Door Rams

4. "Protect-o-Jet" pepper spray.

5.. Less lethal shotgun.

6. "Stop Stix" tire deflators.

C. At the beginning of the shift or duty assignment, the assigned officer ensures that the vehicle equipment is present and operable. In the event that equipment is missing or inoperable, the assigned officer immediately reports the deficiency to a supervisor.

D. It is the responsibility of each officer to restock the patrol vehicle with supplies that were used during his/her tour of duty.

E. It is the responsibility of the officer to immediately report any damage to patrol equipment or breach of policy to the on-duty supervisor.

300-3 Equipment Room

Patrol equipment is maintained in a locked room to allow officer access.. Patrol rifles and unassigned shotguns are stored in separate locked cabinets within the secure patrol equipment room.

300-4 Issuance of Summonses and Citations

Officers sign out books of summonses/citations. The first summons number for each book is recorded along with the name of the officer to whom the book is issued. In the event a member voids a summons, that voided ticket, and all copies, are returned to the courts. The list indicating the issuance of summons books is maintained by Central Supply.

Boulder Police Department
General Order 301
Patrol Staffing and Annual Bid

Effective: December 1, 2015
Replaces: General Order 301, November 10, 2004
Reviewed: November 3, 2015

301-1 Uniformed Personnel Staffing
301-2 Time Lines
301-3 Telephonic Bid Process
301-4 Written Bid Process
301-5 Shift Bid List

POLICY

Officers and sergeants of the department's patrol section annually bid for shift assignments and days-off in accordance with contractual provisions and the process established herein.

PROCEDURES

301-1 Uniformed Personnel Staffing

A. Responsibility for the allocation of uniformed personnel lies with the Chief of Police. Factors that may determine staffing assignments for patrol positions include the following.

1. Current department staffing levels (including consideration of vacancies, vacation, sick time usage, and training requirements).

2. Call load assessment within specific district boundaries at various times and/or days of the week based on Communications Center calls-for-service data.

3. Officer response times for both emergency and non-emergency calls for service.

4. Community expectations due to specific or unique situations and circumstances when the concentration of citizen activity indicates a benefit of law enforcement presence.

5. Data provided by the Crime Analysis Unit indicating long-term crime trends that dictate a response by personnel allocation.

B. Changing factors and circumstances may have a bearing on reallocation of personnel within the guidelines and parameters of the current BPOA Collective Bargaining Agreement.

301-2 Time Lines

A. The date of shift change is determined by the Operations Division Deputy Chief in October of each year. Shift change occurs on the start of a pay period during the month of January of the following year.

B. The period of the annual bid process is determined by the Operations Division Deputy Chief, but begins no later than December 10 of the current year.

301-3 Telephonic Bid Process

Two weeks prior to the start of the bid process, the involved officers and sergeants are issued a protected time slot and a telephone number for the purpose of making a bid selection.

A. During the protected time slot, the officer or sergeant must call the bid organizer at the dedicated telephone number and indicate which shift and days-off, from the available shift bid list, he/she wishes to work for the succeeding year.

B. In the event an officer or sergeant fails to contact the bid organizer during the protected time slot, the process continues. When that officer or sergeant does contact the bid organizer, he/she must select the shift and days-off from those remaining on the shift bid list.

C. Priority for shift and days-off is given to officers and sergeants whose bids are made in their protected time slot, or members who have utilized the written bid process.

301-4 Written Bid Process

An officer or sergeant may indicate his/her bid choice in writing to the bid organizer any time prior to their protected time slot.

A. Officers and sergeants making a written bid request indicate a maximum of eight choices ranked by order of preference.

B. During the officer's or sergeant's protected time slot, the bid organizer selects the highest order bid choice available from those submitted. This constitutes that officer's or sergeant's work assignment for the next year.

C. In the event that none of the written bid choices are available, the bid organizer will contact the member during their protected time slot to make their bid choice from the available shifts/days-off.

301-5 Shift Bid List

A. The Operations Division Deputy Chief presents the days off, conditions and hours to the bid organizer no later than ten days prior to the start of the shift bid process.

B. The bid organizer maintains the shift bid list and keeps a current copy posted for informational purposes.

Boulder Police Department
General Order 302
Ride-along Program

Effective: March 8, 2012
Replaces: General Order, 302, January 31, 2008

302-1 Responsibilities
302-2 Criteria
302-3 Officer Sponsored Ride-alongs
302-4 Individual Initiated Ride-alongs

POLICY

In order to foster positive relationships with the community, the department offers a ride-along program. The purpose of the program is to provide individuals with an overview of the functions of police officers, and to give officers an opportunity to gain insights into the community.

PROCEDURES

302-1 Responsibilities

A. The Deputy Chief of Operations assigns a coordinator to the ride-along program. He/she is responsible for:

1. Scheduling ride-alongs among the patrol Watches and the Traffic Unit on a rotational basis.

2. Maintaining all applications and related paperwork for a period of three years.

3. Reviews and maintains critiques from ride-along program participants.

B. The on-duty affected shift supervisor:

1. Assigns the ride-along to an officer and gives the officer the ride-along application and attached critique.

2. May cancel the ride-along at any time for a specific cause. In the event that the ride-along is canceled, the shift supervisor indicates the reason for the cancellation on the ride-along program application.

C. The assigned officer:

1. meets with the ride-along immediately after briefing or notifies Records of any delay; and

2. forwards the ride-along paperwork to the ride-along coordinator upon completion.

302-2 Criteria

A. Generally, individuals are permitted to ride no more than once annually.

B. Individuals requesting to participate in the ride-along program must meet the following criteria:

1. No prior felony arrests or convictions.

2. No misdemeanor arrests in the previous three years.

3. Must not be a registered sex offender.

Exceptions may be made on a case-by-case basis by the Operations Division Deputy Chief.

C. The ride-along program is intended as an educational experience. In the event a program applicant is using the program for any other purpose, his/her application is terminated. Without prior approval of the Operations Deputy Chief, ride-along participants are prohibited from using photographic and audio or video recording devices during a ride-along.

D. Department employees are not required to complete the ride-along program application to participate; however, shift supervisory approval needs to be made prior to the ride-along occurring. Department volunteers are required to complete the application prior to the ride-along.

E. Only Colorado commissioned law enforcement officers are permitted to carry a firearm, with the express permission of the Watch Commander, during a ride-along. Non-commissioned individuals and out-of-state commissioned law enforcement officers are expressly forbidden to carry a firearm while participating as a ride-along, regardless of whether that individual has a concealed weapons permit.

F. The department reserves the right to refuse or terminate ride-alongs as it deems necessary or appropriate.

302-3 Officer Sponsored Ride-alongs

A. Non-police personnel wishing to ride-along who are sponsored by an officer (friend, family, etc.) complete the ride-along program application and sign the waiver.

B. The minimum age to participate in an officer-sponsored ride-along is 14. In the event that the rider is under the age of 18, a signed parental authorization for minors form is completed.

C. No records check is required.

D. The officer sponsoring the ride-along submits the ride-along application to their shift supervisor for approval, prior to the start of the shift. The ride-along application is forwarded to the ride-along coordinator.

302-4 Individual Initiated Ride-alongs

A. Individuals who wish to participate, who are not sponsored by an officer, complete the ride-along program application and forward it to the Records and Information Services (RIS) Section.

B. Individuals who are not sponsored by an officer must be at least 18 years of age to participate in the ride-along program. This requirement may be waived by the Operations Division Deputy Chief or designee.

C. RIS personnel complete a records check of the ride-along applicant, attach copies of any pertinent records to the ride-along program application, and forward it to the ride-along coordinator.

D. The ride-along coordinator determines if the applicant meets established criteria for participation.

E. The ride-along coordinator contacts the applicant and schedules the ride-along for the next available shift. In the event that the applicant does not meet the criteria for participation in the ride-along program, the ride-along coordinator advises the applicant of the reason he/she was not accepted.

F. The ride-along coordinator forwards a copy of the application and a critique form to the affected Watch.

Boulder Police Department
General Order 305
Field Interviews

Effective: May 5, 2015
Replaces: General Order 305, October 10, 2000
Reviewed: April 28, 2015

305-1 Conducting Field Interviews
305-2 Taking Photographs as Part of Field Interview Process
305-3 Processing Field Interview Cards
305-4 Maintaining Field Interview Files
305-5 Use of Field Interview Information

POLICY

The department recognizes that the field interview is a lawful and effective means of crime prevention and information gathering concerning persons who are believed to be associated with criminal activity.

PROCEDURES

305-1 Conducting Field Interviews

Commissioned members conduct and record field interviews using the following guidelines. Field interviews are only appropriate in two situations:

A. During valid stop of a suspect. In situations in which there is no probable cause to arrest, but a stop is authorized based upon reasonable suspicion of criminal activity:

1. A stopped suspect may only be detained for a brief period of time.

2. Reasonable and appropriate physical force may be used to detain the individual during the period of the stop.

3. Members normally require the stopped suspect to give his/her name and address, identification, if available and an explanation of his/her actions. A longer detention is permitted if there is a question as to identity and the member diligently attempts to confirm the identification.

4. Except for officer safety reasons, a stopped suspect is not moved to a different location, unless they voluntarily consent.

5. If there are articulable officer safety concerns, a frisk for dangerous instrumentalities may be conducted. Also, if there are articulable officer safety concerns that require the suspect be handcuffed, a frisk may still be conducted. The suspect is released from the handcuffs as soon as practical.

6. Property of the stopped suspect, excluding items of evidentiary value and including items of identification, is promptly returned after the purposes of the stop are achieved.

B. During contacts (consensual encounters). Information for field interview cards may only be obtained voluntarily from individu-

als during a contact (consensual encounter).

1. Members may contact any person without having any degree of suspicion of criminal activity for the purpose of conversation.

2. Members may not use any level of force, or use any show of authority during a contact. The contacted person must provide the information for the field interview card voluntarily. A contacted person may leave the presence of the officer at any time.

3. A person who is contacted may not, without his/her voluntary consent, be frisked for dangerous instrumentalities.

305-2 Taking Photographs as Part of Field Interview Process

A. Stopped Suspects

Photographs of stopped suspects may be taken for identification purposes. Photographs may be taken of the person, visible tattoos, clothing or other identifying characteristics. However, force may never be used on a suspect for purposes of obtaining a photograph. Also, photographing must be done expeditiously. Field Interview photographs taken with a department issued Mobile Communication Devices (MCD) should be submitted directly to Records Information Services (RIS).

B. Contacted Persons

Photographs may only be obtained from persons during a contact if the person voluntarily consents.

305-3 Processing Field Interview Cards

A. Completed field interview cards are forwarded to RIS.

B. RIS:

1. Enters the information into the records management system;

2. Retrieves field interview data each day for distribution; and

3. Distributes field interview data to other department components for informational and investigative purposes.

305-4 Maintaining Field Interview Files

Data from field interviews are maintained in the records management system.

305-5 Use of Field Interview Information

The information collected from field interviews is used by patrol, detectives and crime analysis personnel to develop leads in criminal investigations establish crime patterns or identify possible suspects. This information may be shared with other law enforcement agencies, however, it is not considered a public record.

Boulder Police Department
General Order 308
Alarm Response

Effective: May 8, 2009
Replaces: General Order 308, Alarm Response, June 1, 2004

308-1 Response to Robbery (Hold-up) and Panic Alarms
308-2 Response to Business Burglar Alarms
308-3 Response to Residential Burglar Alarms
308-4 Disposition
308-5 Record Keeping and Notifications

POLICY

Due to the inherent nature of alarms and the proliferation of alarm systems, the impact on department resources is significant. Without proper use, proper maintenance, and proper monitoring, almost all alarms reported to the police are false. However, when used appropriately, alarms can be useful crime prevention and apprehension tools for law enforcement. Therefore, the department responds only to alarms that meet and adhere to City of Boulder codes and ordinances, and to the policies of the Boulder Police Department, and then only in accordance with the procedures established herein.

A false alarm is considered to be any alarm police respond to that is not triggered by criminal or suspicious activity. Alarms triggered by weather, faulty equipment, human error, animals, etc., are all considered to be false alarms for purposes of this policy.

PROCEDURES

308-1 Response to Robbery (Hold-up) and Panic Alarms

A. Upon receipt of a robbery (hold-up) or panic alarm (an alarm activated by a victim), a minimum of two patrol units are dispatched to respond.

1. Officers respond non-emergency unless conditions meet the criteria found in General Order 219, Emergency Response.

2. Once a building perimeter has been established, and no notice of a false alarm has been received, the primary unit directs the dispatcher to contact the business by telephone. If such telephone contact is made and a questionable response is received by the dispatcher, officers at the scene are advised and the primary unit, or supervisor, determines the need for additional backup or specialized unit response.
3. If the dispatcher notifies officers that a representative of the business has been contacted and there is an apparent absence of questionable circumstances, the primary officer obtains from the dispatcher identity and description of the representative and waits for that person to exit the facility. The dispatcher advises the representative to exit the establishment with identification in hand and hands visible. Once contact is made with the representative outside of the facility, officers accompany the person into the establishment to verify the status of the interior of the business.

B. Upon receipt of a mobile personal panic alarm with locator capabilities (i.e., vehicles equipped with global positioning devices), Communications determines the victim's location from the service provider. Officers respond non-emergency unless conditions meet criteria found in General Order 219, Emergency Response, and according to the nature of the circumstances.

C. In the event a tracking device is used by a bank, dispatch will receive an audible alert once it has left the teller drawer. Dispatch will treat the call as a robbery and air the device location as needed. With GPS activation, two officers will respond to the bank and two officers will be dispatched to track the device. Should it be necessary, the department has a hand-held unit to track the device to a specific location like a car or residence. Once the device has been located, officers must disconnect the SIM card located on the back.

308-2 Response to Business Burglar Alarms

A. In order for a police response to occur, alarm providers must be in compliance with all applicable municipal ordinances and codes, and must agree and adhere to established police policy. If a company is not in compliance with said codes or policy, then the police department will suspend response to any alarms from such provider until such time they provide proof to the Chief of Police that they are in compliance. Officers only respond to business burglar alarms if one of the following conditions exists.

1. An alarm has already been verified as being the likely result of criminal activity through independent means such as third party response, witness verification, listening devices, video monitoring, or multiple alarms at the same location during a single incident (i.e., exterior breach alarm followed by an interior motion alarm).

2. The central monitoring station or office of the alarm provider has attempted to verify the alarm by contacting the alarm user or a representative of the business by making a minimum of two separate telephone calls to numbers provided by the business prior to contacting Boulder Police Communications. Alarm providers must be willing to confirm that multiple verification has been attempted and be willing to provide names and telephone information to Communications if so requested; and

   The alarm provider has not received an electronic cancellation from the site of the alarm. If an electronic cancellation is received, no police dispatch will be requested. In the event that police have been requested and then an electronic cancellation is received, the alarm provider will notify police dispatch to cancel the officer response.

3. Any other events or circumstances that indicate a response may be needed as determined by the police department. Regardless of verification, police will respond to:

   a. Any facility classified as a financial institution.

   b. Drug facilities (pharmacy, medical facilities).

   c. Weapons facilities, such as gun shops or armories.

B. Alarm providers must be registered with the Boulder Police Department as required by municipal ordinance. Failure to register will result in non-response to alarms by that provider.

C. Alarm providers must be willing to call police Communications and cancel a police response if they receive an electronic cancellation after a police response has already been requested.

D. After responding to three or more false alarms at the same location in a six month period, the department will suspend responding to alarms at that location until such time that the alarm provider can provide evidence that the circumstances causing such false alarms have been identified and rectified.

E. Unless an alarm is otherwise verified as listed in paragraph A.1, Communications dispatches one officer to respond. On alarms verified as criminal activity, two or more officers are dispatched as circumstances dictate.

F. Should an officer respond and find the business open or occupied by employees, the officer contacts an employee to determine the cause of the alarm.

G. When an alarm is received after business hours and the establishment is not occupied, responding officers conduct an inspection of the exterior for signs of forced entry.

1. If the building appears to be secure, Communications is directed to notify the alarm provider. It is the responsibility of the alarm provider to make any notifications to a representative of the business. Once it is determined that an establishment is secure, the officer(s) may leave the scene.

2. If evidence of forced entry or other damage exists, the responding officer requests appropriate assistance to secure the perimeter and coordinate a perimeter and, if necessary, an interior search. Communications is directed to notify the alarm provider and obtain contact information for a representative of the business. Communications then contacts the representative and requests that he/she respond to the business as soon as possible. If a representative does not respond after a reasonable amount of time, or is unavailable, the officers make reasonable attempts to provide extra patrol for the property.

308-3 Response to Residential Burglar Alarms

Officers only respond to residential burglar alarms if they meet the same criteria as established under Response to Business Burglar Alarms (308-2).

A. Alarm providers must be registered with the Boulder Police Department as required by municipal ordinance. Failure to register will result in non-response to alarms by that provider.

B. Alarm providers must be willing to call police Communications and cancel a police response if they receive an electronic cancellation after a police response has already been requested.

C. After responding to three or more false alarms at the same residence in a six month period, the department will suspend responding to alarms at that residence until such time that the alarm provider can provide evidence that the circumstances causing such false alarms have been identified and rectified.

D. Unless an alarm is otherwise verified as listed in paragraph 308-2, A.1, Communications dispatches one officer to respond. On alarms verified as criminal activity, two or more officers will be dispatched as circumstances dictate.

E. If the residence appears to be secure, Communications is directed to notify the alarm provider. It is the responsibility of the alarm provider to make any notifications to an owner or representative of the

owner. Once it is determined that a residence is secure, the officer(s) may leave the scene.

F. If evidence of forced entry or other damage exists, the responding officer requests appropriate assistance to secure the perimeter and coordinate a perimeter and, if necessary, an interior search. Communications is directed to notify the alarm provider and obtain contact information for an owner or representative of the residence. Communications then contacts the representative and requests that he/she respond to the residence as soon as possible. If a representative does not respond after a reasonable amount of time, or is unavailable, the officers make reasonable attempts to provide extra patrol for the property.

G. Officers respond on all residential panic alarms that are manually activated by a person in order to ascertain the problem.

308-4 Disposition

When clearing any alarm, officers provide Communications with the appropriate disposition.

308-5 Record Keeping and Notifications

Police Communications maintains alarm provider registrations and collects and maintains records of police responses to alarms.

A. When officers have responded to a false alarm at any given location three or more times in a six month period, a written notice is sent to the alarm holder and alarm provider notifying them that police response to future alarms will be suspended.

B. Once alarm providers have identified the problem or source of the false alarms and have taken corrective action, they may submit written documentation to the Chief of Police and request that police response be reinstated.

C. If satisfied that the corrective actions will resolve the false alarm problem, the Chief of Police then reinstates police response to said alarm location. If not satisfied, the Chief provides information on what additional steps must be taken in order for police response to be reinstated.

D. After corrective action has fixed a false alarm problem and police response has been reinstated, any future false alarms within 90 days of reinstatement will again result in suspension of police response. Continued problems with an alarm after corrective actions have been taken may result in an indefinite suspension of police response.

E. Annual statistics are collected and monitored by police Communications to determine the rate of false alarms and the impacts of police policy on the number of alarms received on an annual basis.

Boulder Police Department
General Order 309
Traffic Accidents Response

Effective: February 14, 2014
Replaces: General Order 309, February 5, 2010

309-1 Traffic Accidents on Public Roadways
309-2 Traffic Accidents on Private Property
309-3 Accidents Involving Bicycles
309-4 Accident Alert
309-5 Issuance of Summonses
309-6 Accidents Involving Members Driving city-owned or Leased Vehicles

POLICY

The department recognizes that the investigation and reporting of traffic accidents are necessary and important police responsibilities. State law and department policy require that law enforcement officers investigate and report all traffic accidents resulting in personal injury or death, or exceeding prescribed levels of damage to the property of any one individual. A traffic accident is defined as unintentional damage or injury caused by the movement of a motor vehicle or its load.

PROCEDURES

309-1 Traffic Accidents on Public Roadways

Except when operating under an "Accident Alert" (see 309-4, below), the department responds to, investigates and completes the appropriate report forms for all traffic accidents that occur on public roadways that involve damage to property or injury to or death of a person as a result of the movement of a motor vehicle. In the case of a life threatening injury or fatal accident, officers refer to the life threatening injury/fatal accident checklist (attached) for guidance.

309-2 Traffic Accidents on Private Property

A. Officers respond to and investigate traffic accidents occurring on private property only when it is known that any of the following circumstances exist:

1. Extensive property damage occurred.

2. Injury or death resulted from the accident. In the case of a life threatening/ fatal accident, officers refer to the life threatening/fatal accident checklist for guidance.

3. Hit-and-run occurred with suspect or follow-up information.

4. Accident involved driving under the influence (DWAI, DUI, DUID).

5. A physical altercation or a refusal by one or more drivers to provide necessary information to another involved party occurred.

6. A related criminal or serious traffic violation (reckless driving, vehicular assault) occurred.

7. Any of the vehicles involved belonged to the city of Boulder or any of the

drivers involved was an on-duty employee of the city of Boulder.

B. If none of the conditions listed above applies, or if the department is operating under the conditions of an "Accident Alert," an officer does not need to be sent to the scene. The dispatcher advises the drivers involved to exchange driver's license and vehicle registration information, and valid proof of compulsory insurance, and explains how to complete a Boulder Police Department counter accident report form or file their report on-line.

C. If the dispatcher is unable to advise the drivers of the above information (for instance, due to a third hand report of the accident), an officer will be sent to the scene to verify that none of the above conditions exists.

309-3 Accidents Involving Bicycles

A traffic accident report is completed for accidents on public roadways or multi use paths involving only bicycles (i.e., no motor vehicle is involved), only when serious bodily injury or death results. These reports are not sent to the State, but the information is shared with Transportation.

309-4 Accident Alert

"Accident Alert" refers to an alternate means for handling reports of non-serious traffic accidents.

A. Situations that justify Accident Alert status may include:

1. Roadway or weather conditions (such as heavy snowfall, high velocity winds, or flooding) which adversely affect driving conditions to the point that numerous traffic accidents are being reported.

2. Major events, either planned or spontaneous, that seriously deplete officer availability in the field.

3. Excessive workload relative to the available personnel in the field to the degree that response to all reported traffic accidents is impractical.

B. An on-duty Patrol Section or Traffic Unit supervisor is responsible for declaring an Accident Alert. When declaring an Accident Alert, the supervisor ensures the following notifications, with a brief description of the reason, are made by phone or personal contact:

1. Communications staff

   a. The declaration of Accident Alert is aired on the primary channel.

   b. Dispatchers responsible for answering incoming calls advise persons reporting minor accidents of the Accident Alert status and direct their calls as appropriate.

2. Records and Information Services (RIS) personnel

   a. RIS personnel should anticipate a greater than usual number of counter reports and inquiry calls.

   b. RIS personnel will send an email advisement to RIS staff, Management staff, the media and community police centers.

3. Community Police Center (CPC) personnel

   Personnel assigned to CPCs may also distribute and accept self-reported (counter) accident reports or offer citi-

zens the option of filing their report online.

4. Traffic Unit supervisor

5. Patrol supervisor or watch commander of affected subsequent shifts (advisement is completed at the start of watch; no page is necessary).

C. Under Accident Alert conditions, officers only respond to accidents involving:

1. Personal injury or death;

2. Vehicles that are disabled or are creating an additional traffic hazard;

3. Suspected impairment by drugs or alcohol of one or more of the drivers;

4. Inability or refusal by one or more of the drivers to provide the necessary information. If no other conditions exist, the officer then verifies the validity of paperwork for each of the persons involved and provides information on their reporting options.

5. Recent hit and run with suspect or follow-up information; or

6. Any of the vehicles involved belongs to the city of Boulder or any of the drivers involved is an on-duty employee of the city of Boulder.

D. If none of the conditions described above exists, the accident is handled by one of the available self-reporting methods.

E. When the circumstances that necessitated the Accident Alert no longer exist, the on-duty supervisor cancels the Accident Alert status as soon as practical based on improved weather conditions and/or officer availability in the field. When canceling an Accident Alert, the on-duty supervisor ensures the following notifications are made.

1. Communications staff

a. The cancellation of an Accident Alert is aired on the primary channel.

b. Dispatchers return to normal accident response protocol.

2. RIS personnel

a. RIS personnel will send an email advisement to RIS staff, Management staff, the media and Community Police Centers.

b. A copy of the accident alert and cancellation email advisements are filed in the Records Department.

309-5 Issuance of Summonses

A. Officers investigating accidents use their discretion in determining the appropriateness of issuing a summons to appear in court for a violation of municipal code or state motor vehicle statute that is believed to have contributed to an accident. If more than one participant in an accident is believed to have committed violations that contributed to the accident, appropriate summonses are issued to each responsible participant.

B. Factors for consideration in applying officer discretion include:

1. Drivers' statements

2. Corroboration or lack of independent witness information

3. Physical evidence

4. Seriousness of the violation involved

5. Degree of damage involved

6. Physical injuries

C. If no summons is issued, the investigating officer documents the justification for that decision in the narrative portion of the report.

D. Charges stemming from an accident are not split between municipal and county courts.

309-6 Accidents Involving Members Driving City-owned or Leased Vehicles

The department conducts investigations with appropriate dispositions when members are involved in traffic accidents while operating city-owned vehicles, recognizing that except for some specific, conditional exemptions granted by law, members are bound to obey all traffic laws. The following guidelines apply to situations in which a department member is involved in an accident while driving a city-owned vehicle.

A. Notifications

1. The member involved in the accident:

a. Notifies Communications immediately, giving the location and requesting medical aid, if needed, and other personnel or resources that are necessary.

b. Ensures that no involved vehicle is moved from post-accident positions until so instructed by the on-scene investigator or responding supervisor.

c. Attends to the scene as necessary and as he/she is able, including aiding the injured, preventing additional accidents and identifying witnesses until assistance arrives.

2. Communications dispatches:

a. A police officer or accident report specialist to investigate and report the accident.

b. Other police and rescue personnel as appropriate.

c. A police supervisor who is responsible for insuring that a complete and unbiased investigation is conducted.

3. In cases involving significant damage or serious injuries, the police supervisor requests the response of member(s) of the Traffic Unit.

B. Investigation and report

1. A complete and accurate report is completed including:

a. Driver's statements

b. Diagram

c. Witness identification and statements.

d. Narrative account of what occurred.

e. Sufficient photographs or videotape to document what occurred.

f. Measurements

2. The responding supervisor is responsible for**:** making or directing that appropriate notifications are made; completing a memorandum detailing his/her observations and conversations regard-

ing the accident; ensuring that the member's needs are met and that personal and city property are properly secured.

3. If the investigating officer knows or believes that any non-member driver committed a violation, he/she issues that driver a summons.

4. The investigating officer accumulates all pertinent information, records all evidence and places all forms in a completed case file and submits it with the completed Colorado traffic accident report form to the responding supervisor for initial review.

5. The member may be required to prepare a memorandum addressed to the responding supervisor for the purpose of explaining his/her actions and any extenuating circumstance that pertains to the accident for inclusion in the case file. The supervisor may endorse the memorandum with findings.

C. Review process

1. Within one working day after receiving the case file, the responding supervisor reviews it for accuracy and completeness. He/she then:

   a. If possible, forward the case file electronically via e-mail to a Traffic Unit supervisor.

   b. Makes an appropriate entry in the division vehicle damage log.

2. The Traffic Unit supervisor:

   a. Reviews the case file for completeness.

   b. Distributes copies of the Colorado accident report form to RIS, the fleet manager and the city loss prevention officer.

   c. Initiates a vehicle accident entry in the internal affairs tracking software and electronically attaches all supporting documents and files.

   d. With the internal affairs tracking software, renders an opinion of whether the member was at-fault or contributed to the accident.

   e. With the internal affairs tracking software, forwards the completed vehicle accident entry to the Professional Standards Unit.

3. The PSU supervisor:

   a. Initiates a Vehicle Accident Incident (ACI) electronic case file.

   b. If the member is believed to be at-fault or contributed to the accident:

      I. Initiates a Class 2 Professional Standard Investigation and submits the file to the member's chain of command per General Order 121.

   c. Accidents involving serious violations of department policy are normally handled as Class 1 investigations (see GO120).

   d. Accidents where the member appears to be not at-fault are reviewed, using the ACI, by the member's chain of command up to the member's deputy chief.

If any reviewing supervisor believes that the member was at-fault or contributed to the accident, the ACI is sent back to Professional Standards so a Class 2 Professional Standards Investigation can be initiated.

D. Jurisdiction

If the member driving a city-owned vehicle is involved in an accident outside city limits, some parts of this general order may not apply or may be amended to comply with law and local practice over which the department has no jurisdiction.

1. The member notifies the local jurisdiction and cooperates with its investigation. The member is subject to any findings and disposition determined by the local jurisdiction.

2. The member notifies a Boulder Police Department supervisor as soon as practical.

3. The responding supervisor or, if none, the member, arranges to have copies of all the local jurisdiction's reports forwarded to the Traffic Unit for review and initiation of an accident entry in the internal affairs tracking software. The department reviews the information to determine appropriate compliance with department rules and general orders.

E. Waiving of Order

The requirement of reporting the accident to the state on a Colorado traffic accident report may be waived if all of the damage incurred involved only department property, the aggregate amount of damage does not exceed $1,000 in value and no one is injured. If the responding supervisor approves, the facts of the accident may be reported by memorandum from the member to his/her supervisor. The responding supervisor submits a memorandum to a Traffic Supervisor for review as described above.

LIFE THREATENING INJURY / FATAL ACCIDENT CHECKLIST

___ Secure the scene far enough around to protect ALL evidence. Shut down/re-route traffic if necessary.

___ Do not allow evidence to be moved, washed down, or disturbed. Protect perishable evidence.

___ Identify drivers of all vehicles involved upon arrival or as soon as possible, and keep them at the scene.

___ Assign specific officers to locate and identify witnesses and obtain an initial written statement.

___ Immediately check **ALL DRIVERS** to see if there is any indication that they have been drinking alcohol or taking drugs. (including prescription medication)

BE ASSERTIVE…GET IN THE DRIVER'S FACE

___ Assign an officer to stay with any driver who might have been drinking to ensure facts are gathered to support a blood draw, including having an officer go with the driver in the ambulance if they are transported.

___ If a blood draw is done, get two blood samples one hour apart if possible.

Guidelines for use of force to collect perishable evidence can be found under **225-2 Use of Force Guidelines, B.**

___ If life threatening injury or fatality is involved, have Communications do a Traffic Supervisors group page to initiate a traffic call out.

___ If a fatality is involved, have Communications do a Staff page for advisement.

BOULDER POLICE DEPARTMENT

ACCIDENT ALERT ADVISEMENT

Date:_____

Time:_____

☐ The City of Boulder Colorado is officially on Accident Alert Status.

Reason:
_____
_____
_____

Supervisor declaring the "Accident Alert":_____

☐ The City of Boulder Colorado is officially ***canceling*** the Accident Alert Status

Supervisor Canceling the "Accident Alert":_____

Date Emailed: _____

Time Emailed:_____

Emailed by:_____

Emp #_____

Boulder Police Department
General Order 310
Civil Stand-by

Effective: April 12, 2010
Replaces: General Order 310, August 12, 1999

310-1 Temporary Protection Order Civil Stand-bys
310-2 Civil Stand-bys Pertaining to Other Restraining Orders
310-3 Non-Protection Order Requests for Civil Stand-by
310-4 Documentation
310-5 Situations Not Covered in Policy

POLICY

In order to keep the peace and protect the safety of all persons, officers respond to requests for civil stand-by following a set of established general guidelines.

PROCEDURES

310-1 Temporary Protection Order Civil Stand-bys

Under Colorado law, in a temporary protection order situation under C.R.S. 13-14-102, the restrained party is allowed one-time access to a shared residence during which police presence is required.

A. When a "one time" civil stand-by is requested, the officer obtains the parties' names and any other information that will assist in researching the matter and determining if previous civil stand-bys have been completed. The officer requests that the restrained party produce a copy of the protection order which must clearly state that the protected party is granted one time access to the shared residence.

   1. If the officer determines that the restrained party has not previously accessed the shared residence, the officer proceeds with the request.

   2. If the officer determines that the restrained party has already conducted a one time visit, the officer does not complete a civil stand-by. The officer informs the restrained party to seek a court order for any further access to the shared residence.

B. When fulfilling a request for a civil stand-by, reasonable consideration is given to the protected party's schedule.

C. Prior to a civil stand-by taking place, the officer attempts to contact and advise the protected party.

   1. The protected party is advised of the civil stand-by and given an opportunity to be present. When appropriate, the officer provides the reason for the civil stand-by and explains department policy to the protected party. The protected party is not permitted to deny the civil stand-by.

   2. If the protected party cannot be contacted, the officer may proceed with the civil stand-by without making contact.

   3. Regardless of whether the protected party is contacted, the officer meets with the restrained party at the shared

residence, allows the restrained party to non-forcibly enter the shared residence, and completes the stand-by.

4. If the protected party is on the premises of the shared residence at the time of the civil stand-by, the officer advises the protected party of the restrained party's presence before the restrained party is permitted to enter the residence.

D. The officer does not permit the restrained party to use any level of force to enter a shared residence. If the residence cannot be entered without force, the restrained party must make another appointment for a civil stand-by.

E. The officer allows a reasonable amount of time for the restrained party to obtain sufficient undisputed personal effects as are necessary for such person to maintain a normal standard of living during any period prior to a hearing concerning the order. The purpose of the standby is not to facilitate the individual moving out or vacating the residence. Any property disputed by the protected party remains at the shared residence, and the parties are referred to the court for resolution.

F. Anyone, other than the restrained party and the officer, may be refused entry onto the premises by the protected party or, for safety reasons, by the officer.

G. The officer remains with the restrained party at all times while on the premises.

I. The officer reserves the right to terminate or change the conditions of the civil stand-by if the officer determines that the safety of any party at the premises is compromised. If the officer must leave the shared residence because of an emergency, the restrained party must arrange to complete the civil stand-by at another time, and the officer documents the reason the civil stand-by was terminated.

310-2 Civil Stand-bys Pertaining to Other Restraining Orders

In situations where other types of restraining or protection orders exist, officers do not conduct civil standbys where both the protected and restrained parties are present absent a valid court order. Officers inform the parties that they must obtain a court order before officers will conduct a civil standby with both the restrained and protected parties present.

310-3 Non-Protection Order Requests for Civil Stand-by

On occasion, members of the public request non-restraining/protection order-related civil stand-bys. The requests are dealt with on a case-by-case basis. The officer determines how long these stand-bys last. While the department is limited in its capacity to provide repeated or prolonged civil stand-bys, the safety of the parties involved is the final determinant in responding to such requests. In the event a civil standby is anticipated to last more than one hour the parties are referred to the departments off duty coordinator for contracting police services.

310-4 Documentation

The officer completes a report or field contact cards detailing the outcome of, and any pertinent information obtained during, the civil stand-by.

310-5 Situations Not Covered in Policy

When an officer faces a situation that is not addressed in this policy, the officer contacts the on duty supervisor who determines the appropriate course of action. The primary consideration in all cases involving police civil stand-bys is the safety of all persons involved.

Boulder Police Department
General Order 311
Schools Response

Effective: May 5, 2015
Replaces: General Order 311, October 21, 1999
Reviewed: April 28, 2015

311-1 Enforcement Responsibility
311-2 School Resource Officer
311-3 Patrol Response Protocol
311-4 General Guidelines for Responding to Schools
311-5 School Sponsored Events
311-6 State Requirements for Data Collection and Training

POLICY

The department and school administrators are jointly interested in the safety and security of school campuses and the prompt investigation of incidents involving criminal acts and violations of law which occur on school property. As such, the department utilizes specific guidelines for responding to incidents that occur on school campuses. The department is also interested in fostering positive relationships with students and faculty.

PROCEDURES

311-1 Enforcement Responsibility

A. School administrators are responsible for handling violations of school rules and policies.

B. Police officers are responsible for investigating criminal complaints and enforcing the law, but not enforcing school rules.

C. Decisions regarding appropriate action are the officer's responsibility and should be made in consultation with school administrators.

1. If the officer determines that the incident requires police follow-through and the school official do not agree, the officer consults with a supervisor, if possible, and otherwise proceeds with the enforcement or investigation in a manner consistent with the law and applicable department policies and procedures. If the officer is unable to contact a supervisor before proceeding, he/she notifies a supervisor as soon as practical.

2. If the officer determines that the incident is not appropriate for police follow-through and the school official does not agree, the officer refers the official to a supervisor.

3. Whenever practical, the supervisor responds personally to the school to resolve the disagreement and make a final determination as to the appropriate response.

311-2 School Resource Officer

The department has officers assigned to serve as school resource officers (SROs) to the Boulder Valley School District (BVSD) schools. The SRO's primary responsibilities are at the schools, developing close working relationships with students and school officials, working with school officials to prevent problems and coordinating with district officers and detectives as needed.

311-3 Patrol Response Protocol

A. The BVSD has policies which limit how district staff makes decisions to call for police intervention or investigation on campuses or at school events. These policies, however, in no way abridge a victim's right to request police intervention or investigation.

B. When appropriate to the nature of the investigation, officers contact an administrator upon arrival at a school. Officers confirm the reason their assistance was requested and determine if the incident requires a police response.

C. Supervisors are expected to be aware of and supervise response to non-routine events on school district property which involve multiple officers or volatile situations.

311-4 General Guidelines for Responding to Schools

A. Officers and detectives responding to a school-related incident make every reasonable effort to respond in an unobtrusive manner and to de-escalate the incident.

B. Officers and detectives conduct interviews on school grounds discreetly and, whenever possible, in private. When an interview is conducted, whether with suspects, victims, or witnesses, a school administrator is allowed to be present if requested by the student and if the officer determines that the administrator's presence will not interfere with the interview. Officers and detectives may conduct interviews on school property concerning incidents which occurred on school property. Whenever possible, interviews regarding non-school related incidents occur away from the school.

C. The nature of the situation and the behavior of the suspect dictate whether an arrest is reasonable and appropriate.

1. When possible, the officer ensures a parent is contacted before removing the student from school or as soon as is practical thereafter.

2. Officers exercise discretion as to when and where students are handcuffed.

D. Incidents that occur on school campus after school hours and are not related to a school-sponsored event are handled no differently than any other incident in the city which requires police response.

311-4 School Sponsored Events

A. Officers who respond to incidents at school-sponsored events occurring on school property make reasonable efforts to meet with the school district official for notification and consultation. If possible, the officers and the school agree to a method of approaching the incident and the expected outcome. The nature of some incidents, however, may demand immediate action and officers proceed accordingly.

B. Officers working special assignments at school events meet with school officials to discuss the event and possible incidents and to strategize responses. When confronted with an incident, officers discuss courses of action with the responsible school administrator unless the situation's urgency makes it impractical.

311-6 State Requirements for Data Collection and Training

A. The supervisor responsible for school resource officers will compile and report data on police activity in schools as required by state statute.

B. SRO's will attend a POST approved training course in compliance with state statue.

Boulder Police Department
General Order 312
Bomb Threats

Effective: April 5, 2002
Replaces: General Order 312, October 21, 1999

312-1 Notifications
312-2 Initial Response
312-3 Electronic Transmissions
312-4 Searching for Explosive Devices
312-5 Evacuation
312-6 Bomb Threats at the Public Safety Building
312-7 Department Members Receiving a Bomb Threat Call
312-8 Investigative Responsibility
312-9 Bomb Disposal Equipment

POLICY

The department recognizes the need to commit the resources and expertise necessary to control incidents involving the threat or placement of an explosive device, and the following procedures detail the steps that are taken when such reports are received.

PROCEDURES

312-1 Notifications

When a bomb threat report is received, Communications implements its internal bomb threat notification procedure, which includes:

A. Dispatching a patrol officer to the scene and providing the officer with the information obtained from the caller.

B. Notifying the on-duty patrol field supervisor.

312-2 Initial Response

The initial response to the bomb threat includes the following:

A. The dispatched officer responds to the scene expeditiously, but without the use of emergency equipment unless exigent circumstances arise. The initially-assigned officers meet with the person in charge of the facility, the reporting party, and the individual who received the threat. They refrain from discussing the reason for their presence with other employees or the public.

B. The patrol supervisor determines how many additional units should be dispatched to the scene and whether the fire department and ambulance should also be sent.

C. The patrol supervisor establishes incident command and staging areas.

312-3 Electronic Transmissions

As radio transmissions can cause detonation of explosive devices, communications are accomplished from a reasonably safe distance or via a telephone until it has been determined that no device exists. If a suspected device is located, all electronic communications are accomplished from a minimum safe distance of approximately 300 feet.

312-4 Searching for Explosive Devices

The officers utilize the following guidelines with respect to a search for the device:

A. Officers do not conduct searches by themselves, but assist those most familiar with the area to search after consultation on what to look for and instruction on procedures to follow if a device is found.

B. The person in charge of the building or location determines the extent and nature of the search.

C. When available and when circumstances warrant, a bomb detection K-9 is called to assist with the search.

D. In the event the building management or occupants decline to participate in a search, officers conduct a limited search looking for reasonably apparent evidence of an explosive device. Officers never declare a building to be safe or clear of explosive devices. A decision to return to the building is made by the person in charge of the building.

E. If a suspected device is found, the officers page a bomb technician to respond. Under no circumstance does any person other than a bomb technician touch, move, tamper with, or attempt to disarm any explosive device.

312-5 Evacuation

The decision to evacuate all or part of the building until such time as a suspected explosive device is located is made by the person in charge of the building. If a suspected explosive device is located, officers order evacuation to facilitate the establishment of a perimeter at an estimated minimum safe distance of 300 feet and to secure the area.

312-6 Bomb Threats at the Public Safety Building

When a bomb threat against the Public Safety Building is received, the following guidelines are followed:

A. If the call is received by a department member, the member follows the steps outlined in 312-7 below and notifies communications.

B. If the threat is received during normal business hours:

1. Communications notifies each section commander/manager or designated supervisor, and the fire department's administrative offices.

2. Those notified make a decision to evacuate personnel based upon the circumstances of the threat.

3. Those notified conduct, or designate someone to conduct, a search of the section's work areas, paying attention to the common areas to which the public has access, and notify Communications when the search is completed. Members who find suspicious items notify Communications, via telephone, to request a bomb squad response.

C. If the threat is received after normal business hours, on weekends, or on holidays:

1. Communications notifies the on-duty supervisor.

2. The on-duty supervisor makes a decision to evacuate personnel based upon the circumstances of the threat.

3. The on-duty supervisor designates a sufficient number of members to search the facility and notifies Communications when the search is completed. Members who find suspicious items notify Communications, via telephone and keeping in mind the restriction on the use of electronic devices, to request a bomb squad response.

312-7 Department Members Receiving a Bomb Threat Call

When a department member receives a bomb threat call, the member attempts to determine:

A. Information about the explosive device, including:

1. Its location.
2. The anticipated time of detonation.
3. A description of its appearance, size, and components.

B. Information about the caller, including:

1. The caller's name, phone number, and address.
2. How information regarding the device was received by the caller, or whether the caller claims responsibility for the device.
3. Characteristics of the caller's voice or speech.
4. The caller's approximate age and sex.
5. Identification of any background noise or music.

C. Information about any ultimatum or conditions relating to the threat of detonation, including:

1. Why and where the device was placed.
2. The components of the device.
3. The demands that, if met, would prevent detonation of the device.
4. How the device will be rendered safe by bomb technicians.

312-8 Investigative Responsibility

The bomb squad is responsible for all initial investigations of an explosive device. Detective Section personnel assist in the investigation after the device is neutralized.

312-9 Bomb Disposal Equipment

The bomb squad has use of the specialized bomb disposal equipment necessary to complete their responsibilities. Bomb technicians are responsible for the care and maintenance of this specialized equipment.

Boulder Police Department
General Order 313
Domestic Violence Response

Effective: January 19, 2016
Replaces: General Order 313, April 19, 2013
Reviewed: January 19, 2016

313-1 Definitions
313-2 Guidelines for Responding Officers
313-3 Charging
313-4 Children in the Home
313-5 Investigative Follow-up

POLICY

In compliance with C.R.S. 18-6-803.6, the department provides a uniform and consistent response to cases of domestic abuse as outlined in the following procedures.

PROCEDURES

313-1 Definitions

A. Domestic violence: an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. Domestic violence also includes any other crime against a person or against property (including an animal), or any municipal ordinance violation against a person, or against property (including an animal), when used as a method of coercion, punishment, intimidation or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

B. Intimate relationship: a relationship between spouses, former spouses, past or present unmarried couples or persons who are both the parents of the same child regardless of whether the persons have been married or have lived together at any time.

C. Protection order: orders issued by the courts of Colorado, another state, Indian tribe or a U.S. territory or commonwealth for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to a protected person or animal.

313-2 Guidelines for Responding Officers

The purpose of any investigation is to determine what occurred. When responding to a domestic violence incident, officers conduct a thorough investigation. Officers:

A. Assess the need for medical attention and call for medical assistance, if needed. A medical release should be obtained from the victim to permit obtaining the records for investigative purposes. If applicable, obtain a Serious Bodily Injury (SBI) form from the health care provider and complete the Domestic Violence Strangulation form as needed.

B. When practical, interview all parties separately (victim, offender, children and witnesses). If possible, family members (including children) should not be used to translate.

C. Determine if probable cause exists to charge the suspect. If there is probable cause to believe a suspect committed a crime of domestic violence or a restraining order violation, the officer makes a custodial arrest.

D. When appropriate, obtain written or taped statements from victim and witnesses.

E. Collect and record evidence, including weapons, clothing, tapes of interviews, photographs of injuries and property damage. Note the use and/or presence of drugs and alcohol. When practical, collect, record, and/or document e-mails, text messages, call logs or voice mail messages.

F. Prepare a report if probable cause or reasonable suspicion exists that a crime was committed. A report is also prepared in situations in which the officer believes there is information that needs to be documented as an early warning or trend of domestic violence in that relationship.

G. If possible, provide the victim with the case report number and a victim rights pamphlet.

H. Inform the victim of his/her right to be notified when the arrestee is released and that information on how to receive notification is in the pamphlet.

I. If requested by the victim, contact a BPD victim advocate to respond. If the victim requests contact by a Safehouse advocate, their contact information is in the victim rights pamphlet.

J. Transport the victim and minor children to a shelter, if needed.

313-3 Charging

The appropriate law enforcement response for resolving all domestic violence cases in which there is probable cause to believe any crime was committed, or a protection order has been violated, is to make a full custodial arrest, regardless of the wishes of the victim.

A. If the officer receives complaints of domestic violence from two or more opposing persons, the officer evaluates each complaint separately to determine if a crime has been committed by one or more persons.

B. When determining whether a crime has been committed by one or more persons, an officer considers:

1. Any prior incidents of domestic violence (whether reported or not).

2. The relative severity of the injuries inflicted on each person.

3. The likelihood of future injury to each person.

4. The possibility that one of the persons acted in self-defense.

C. Before arresting for a protection order violation, it must be verified that the restrained party was personally served with the protection order or received actual notice of the existence and substance of such order. Restraining orders issued by non-Colorado courts are handled in accordance with Colorado law.

D. An arrest warrant should be obtained when circumstances do not allow an immediate probable cause arrest. If probable cause to arrest a person exists, but no arrest is made because the person is not at or near the scene, that person is arrested if he/she is later found in a public place, even though an arrest warrant has not yet been issued.

313-4 Children in the Home

A. Officers document the following in all domestic cases:

1. Names and birth dates of all minor children living in the home where the incident occurred.

2. Location of the children during the incident being investigated.

3. Nature and circumstances of the children's involvement, if any, in the incident (i.e., Did the children witness the altercation? Call 911? Run to neighbors for help or protection? Try to intervene between the suspect and victim?).

4. Whether the Boulder County Department of Housing and Human Services (HHS) were contacted at the time of the incident and, if not, whether the officer believes they should be notified later.

B. Officers transport the victim and victim's children to a shelter if it appears necessary for their safety.

C. Officers forward a copy of the report to HHS via interoffice mail or fax.

313-5 Investigative Follow-up

A. Detectives assist officers with the investigation of serious domestic violence cases and the preparation of arrest and search warrants in these cases.

B. When an arrest is made for an act of domestic violence or a protection order violation stemming from a Boulder Police Department report, the arresting officer makes reasonable efforts to notify the victim/protected party of the arrest.

Boulder Police Department

General Order 314

Intoxicated Individuals

Effective: September 25, 2015
Replaces: General Order 314, May, 02, 2002
Reviewed: August 11, 2015

314-1 Involuntary Emergency Commitment
314-2 Voluntary Commitment
314-3 Report Required

POLICY

Recognizing the potential danger and safety concerns for intoxicated persons, officers follow prescribed procedures when dealing with individuals who, because of alcohol ingestion, are unable to care for themselves or are clearly dangerous to the health and safety of themselves or others.

PROCEDURES

314-1 Involuntary Emergency Commitment

Individuals who, based upon observation and articulable reasons, are a danger to themselves or others due to their level of intoxication or incapacitation by alcohol are taken into protective custody and placed in an approved alcohol treatment facility.

A. Determine if medical assistance is required and, if appropriate, request an ambulance response for medical treatment or medical clearance at a designated medical facility.

B. Take appropriate enforcement action against an individual who, in the care of the alcohol treatment facility, has committed a criminal act.

C. Do not transport individuals from the alcohol treatment facility to any other medical facility. Once an individual is in its care, the alcohol treatment facility is responsible for obtaining transport to another medical facility.

E. If a protection order is in place prohibiting an individual from being at the alcohol treatment facility, the officer will transport the individual to an alternative alcohol treatment facility. If an individual is not welcome at the alcohol treatment facility due to prior behavioral problems, the officer will determine whether a hospital emergency department BCH ER (Boulder Community Hospital Emergency Room) would be willing to monitor the individual until their blood alcohol count is sufficiently low to allow their discharge. If so, the officer will transport the individual to BCH ER. If their staff is unwilling or unable to take the individual, the officer will explain this to the alcohol treatment facility staff and will leave the person there.

F. Individuals who meet the criteria for an involuntary emergency commitment are not released to the custody of a sober person in lieu of transport to an alcohol treatment facility.

314-2 Voluntary Commitment

In the event an individual voluntarily desires to be seen by the counselors at the alcohol treatment facility, they may be transported by the officer to the alcohol treatment facility for an evaluation. To ensure the safety of the

officer and the individual, the officer properly secures them during transport utilizing the proper handcuffing procedure.

314-3 Report Required

A commissioned member transporting a person to an alcohol treatment facility, whether on a voluntary or police commitment, must fill out a report documenting the circumstances. On a voluntary transport, members may indicate in the narrative portion of the report that the person was taken to the facility voluntarily, however, a report is necessary for documentation purposes.

Boulder Police Department
General Order 315
Emergency Mental Illness Response

Effective: January 31, 2008
Replaces: Standard Operating Procedure P416, Response to Emergency Mental Illness, August 12, 1996

315-1 Involuntary Hold
315-2 Voluntary Hold
315-3 Professional Care Provider Hold

POLICY

The department recognizes the benefits to the mentally ill, their families, and to public safety in general of responding in a professional and humane fashion to situations involving the despondent and the mentally ill.

PROCEDURES

315-1 Involuntary Hold

Individuals who officers reasonably believe are an imminent danger to others or themselves, or are gravely disabled may be placed into custody by a police officer and held pending a mental health evaluation.

A. Officers:

1. Determine if a medical emergency exists and, if needed, request an ambulance response for medical treatment.

2. Complete a report documenting probable cause to determine that the individual is an imminent danger to others or him/herself or is gravely disabled.

3. Request that the Communications Section:

   a. Notifies the hospital if hospital security is needed to assist with a violent client.

B. The officer remains with the individual until he/she is turned over to the mental health crisis worker or hospital security.

315-2 Voluntary Hold

In the event an individual wishes to see a mental health worker, the individual may be transported to the hospital for evaluation. At no time is the individual in custody. In order to ensure the safety of the officer and the individual being transported, the officer secures the individual utilizing proper handcuffing procedure.

315-3 Professional Care Provider Hold

Officers may receive an official mental health hold or other protective-type order from Mental Health, the courts, a doctor, or other professional as defined by CRS 27-10-105. When responding to these types of calls, the following procedures are followed.

A. Absent exigent circumstances, local care providers are expected to locate and deal with their clients unless they articulate the potential for violence.

B. If exigent circumstances exist, or there is potential for violence, an officer meets the mental health worker at the location to assist the mental health worker with the protective order or welfare check.

   1. Once contact has been made, the officer transports the individual to the hos-

pital where the individual is turned over to the mental health worker.

2. If the hospital is not the desired destination of the individual, the officer waits a reasonable amount of time while the mental health worker makes arrangements for transportation.

3. Once the situation is deemed stable, the officer returns to service.

C. Officers do not pick-up and transport patients between facilities. In the event a patient is combative, officers may assist until the mental health worker arranges for private transport.

D. If a mental health hold is placed on an individual by a mental health worker:

1. The officer meets the mental health worker at the individual's location.

2. The officer determines the validity of the mental health hold.

a. The mental health hold is signed by an authorized care giver as outlined in CRS 27-10-105.

b. The mental health hold was issued and signed within the past 72 hours.

E. If in a public place, the officer places the individual in custody, transports him/her to the hospital, and releases him/her into the care of the mental health worker.

F. If the individual is not in a public place, and absent consent or independent exigent circumstances, the requesting mental health worker is advised that he/she is required to obtain a court order to allow entry into the premises to pick-up the individual.

G. If the whereabouts of the individual is not known, the mental health worker may deliver or fax the completed mental health hold to the Boulder Police Department to initiate a missing person report and entry of the information into CCIC/NCIC.

1. It is the responsibility of the mental health worker to notify the Boulder Police Department in the event the mental health hold is no longer valid.

2. In the event an officer contacts an individual who has been listed in CCIC/NCIC as a hold for mental evaluation, the officer contacts a mental health worker to determine if the mental health hold is still valid. If the mental health hold is still valid, the officer transports the individual to the hospital and turns the individual over to the mental health worker.

Boulder Police Department

General Order 316

Medical Treatment

Effective: October 2, 2000
Replaces: Standard Operating Procedure P406, Medical Clearances, March 15, 1993

316-1 Definitions
316-2 Determination of Condition
316-3 Arrest Situations
316-4 Non-arrest Situations

POLICY

Officers make medical care available to persons who appear to be in need of treatment.

PROCEDURES

316-1 Definitions

A. Disabled condition: the condition of being unconscious, semi-conscious, incoherent, or otherwise incapacitated or unable to communicate due to a physical injury or illness.

B. Identification device: an identifying bracelet, necklace, metal tag, or similar device bearing the emergency symbol and the information needed in an emergency. A Colorado driver's license may be an identifying device if it is imprinted with an authorized emergency symbol.

316-2 Determination of Condition

When an officer encounters a person in apparent need of medical treatment and there is no apparent injury, the officer, by means of a reasonable search, determines whether the person has a medical identification device designating an existing medical condition. When the person is in a disabled condition, regardless of the presence or absence of an identification device, the officer attempts to determine the existence of any illness or injury causing the disabled condition and makes arrangements to transport the person to a medical treatment facility.

316-3 Arrest Situations

A. Officers transporting prisoners who become sick or injured, depending upon the severity of an illness or injury and the location and length of time to complete a transport:

   1. Complete the transport, and then obtain medical assistance upon arrival;

   2. Stop the transport and request medical personnel; or

   3. Detour to the nearest medical facility.

B. When a person who has pending criminal charges is admitted to the hospital for treatment, the officer consults with his/her supervisor and/or the department's legal advisor to determine appropriate action.

316-4 Non-arrest Situations

When an officer contacts a person who appears to be injured or ill, the officer determines whether that person desires medical treatment. When a person is in a disabled condition, the officer requests that an ambulance respond. Officers are aware that people have a right to refuse medical attention, however, if the officer believes that such a refusal may be the result of an injury or medical condition, the officer requests an ambulance. The officer then evaluates the prognosis provided by ambulance personnel to determine if a protective

custody hold is appropriate.

Boulder Police Department

General Order 317

Driving on Multi-Use Paths & Sidewalks

Effective: August 31, 2006
Replaces: not applicable

317-1 Safety Precautions
317-2 Prohibitions to Driving on Multi-Use Paths & Sidewalks
317-3 Considerations

POLICY

Generally, members do not drive or park on multi-use paths and sidewalks. However, the department acknowledges instances when a member may park or drive an emergency vehicle upon a multi-use path or sidewalk while performing his/her official duties. Members who drive upon any multi-use path or sidewalk do so under the following guidelines.

DEFINITIONS

A. Multi-use path: A path, generally wider than a sidewalk and designed for travel by pedestrians, bicycles, skateboarders, and occasionally maintenance or emergency vehicles.

B. Sidewalk: A paved pedestrian walkway, generally narrow and designed for use by pedestrians and not for use by vehicles. Typically parallel to a roadway.

C. Park: To let a vehicle stand or sit in one spot over a period of time, either occupied or unoccupied.

PROCEDURES

When performing official police duties, a member may park or drive a police vehicle on a sidewalk or multi-use path when it is reasonably justified for the following purposes:

A. On a multi-use path when looking for a person who has committed a crime.

B. On a multi-use path when looking for missing or lost persons.

C. On either a multi-use path or sidewalk when a crime scene is not otherwise easily accessible.

D. On either a multi-use path or sidewalk when necessary for response to a medical emergency.

E. On either a multi-use path or sidewalk when needed for transporting of an arrestee.

F. On either a multi-use path or sidewalk when an emergency or exigency exists.

G. Parking on a multi-use path or sidewalk to observe traffic for the purpose of enforcing municipal or state traffic laws.

317-1 Safety Precautions

There are safety precautions members must take when driving a police vehicle or motorcycle on a multi-use path or sidewalk. When a police vehicle is driven on a multi-use path or sidewalk members must:

A. Activate the vehicle's emergency flashers.

B. Turn on vehicle headlights at night or in low light conditions.

C. Yield the right of way when pedestrians, bicyclists, or handicapped individuals are approaching.

D. Exercise due care for the safety of any persons or property on or along the multi-use path or sidewalk.

E. Yield the right-of-way to any pedestrian when entering or leaving a multi-use path or sidewalk.

F. Yield the right-of-way to vehicles when leaving a multi-use path or sidewalk.

G. Obey posted speed limit signs (i.e. 5 to 15 mph) on a multi-use path or sidewalk.

H. Report any accident according to General Order 309.

317-2 Prohibitions to Driving on Multi-Use Paths & Sidewalks

Members do not drive on sidewalks or multi-use paths for routine patrol activities or routine enforcement.

A. No *unmarked* police vehicles will be driven on sidewalks or multi-use paths, unless in exigent or emergency situations.

B. Members do not leave a police vehicle unattended on multi-use paths or sidewalks, except for instances when a member is in hot pursuit or exigent conditions exist.

317-3 Considerations

Prior to driving on a sidewalk or multi-use path, members take into consideration the following:

A. The amount of pedestrian and/or bicycle traffic.

B. Likelihood of impeding pedestrian or bicycle traffic.

C. Time of day.

D. Weather conditions.

Boulder Police Department
General Order 318
DUI Enforcement Training

Effective: February 6, 2012
Replaces: N/A

318-1 Certification
318-2 Standardized Field Sobriety Testing Instructors
318-3 Evidential Chemical Tests

POLICY

The Boulder Police Department recognizes that driving under the influence of alcohol and/or drugs causes injury and property loss. The department requires that police officers receive specific certification training related to the detection, apprehension, and processing of DUI drivers.

PROCEDURES

318-1 Certification

The Boulder Police Department certifies officers to enforce the laws pertaining to driving/operating a vehicle under the influence of alcohol and/or drugs after successful completion of twenty-four hours of DUI Detection and Standardized Field Sobriety Testing (SFST) training that follows an International Association of Chiefs of Police (IACP) approved training curriculum.

To maintain this certification, officers are required to periodically attend department approved SFST refresher training as scheduled by the Boulder Police Department's training unit.

318-2 Standardized Field Sobriety Testing Instructors (SFST)

In order to become an SFST instructor, applicants must attend and successfully complete the IACP-approved SFST Instructor School. Applicants must also successfully complete the IACP approved DUI Detection and SFST training, and attend all required department approved SFST refresher training scheduled by the Boulder Police Department's training unit, including attending a minimum of eight hours of refresher training every other year. Additionally, instructors must have consistently demonstrated an elevated ability at administering SFST's and testifying to the administration of them in court.

318-3 Evidential Chemical Tests

Boulder police officers processing suspects who have violated laws pertaining to driving/operating a vehicle under the influence of alcohol and/or drugs must be trained to operate a State of Colorado Certified breath testing instrument as outlined in the "State Board of Health Rules Pertaining to Testing For Alcohol and Other Drugs, 5CCR 1005-2."

When Boulder police officers utilize evidential blood and/or urine testing to determine the content of alcohol or drugs in a suspect's blood, the tests will be administered in compliance with "State Board Of Health Rule Pertaining To Testing For Alcohol And Other Drugs, 5CCR 1005-2."

Boulder Police Department
General Order 403
Lineup Identification Procedures

Effective: January 27, 2016
Replaces: N/A
Reviewed: January 26, 2016

403-1 Definitions
403-2 Standardized Witness Instructions
403-3 Presentation of a Photo Array
403-4 Confidence Statements
403-5 Live Lineups
403-6 Show-Up Identification
403-7 Model Policy and Forms

POLICY

Members conduct photo lineups, live lineups and show-up identifications in accordance with state law and department procedures outlined in this policy.

PROCEDURES

Non-detective members will request the production of a photo array, on a department approved form, through a detective supervisor. Detective section staff will create the array and have it approved by the department's legal advisor. Once the array has been approved, it will be sent back to the requesting member. Members currently assigned to the detective section may create their own arrays and have them approved by the department's legal advisor.

403-1 Definitions

A. Photo Array

A group of photographs including a photo of the suspected perpetrator and additional "filler" photographs (typically 5) that are shown to an eyewitness to determine if the eyewitness identifies the suspect as the perpetrator of an offense

B. Sequential Double-Blind-Photo Array

Photographs are presented one at a time to an eyewitness by an administrator who does not have information about the case and does not know the identity of the suspect.

C. Sequential Blind-Photo Array

Photographs are presented one at a time to an eyewitness by an administrator who does know the suspect, but does not know where the suspect's photograph is located within the array. This is usually done by shuffling

the array "in the blind" prior to presentation to the eyewitness.

D. Sequential Live Lineup

Persons are presented to an eyewitness in person, one at a time. Reasonable efforts should be made to conduct a live lineup in the double-blind fashion.

E. Show-Up Identification

An eyewitness is presented with a single suspect, in person, to determine if the eyewitness indentifies the suspect as the perpetrator of an offense.

403-2 Standardized Witness Instructions

Prior to presentation of any photos, the administrator will utilize the department's photo array advisement form which will include, at a minimum, the following two instructions:

- The perpetrator may or may not be in the photo array.
- The investigation will continue regardless of whether the witness picks a suspect from the array.

In addition, the administrator should refrain from giving the eyewitness any feedback during or after the procedure is complete.

403-3 Presentation of a Photo Array

Members should present eyewitnesses with a photo array using a double-blind or blind presentation.

403-4 Confidence Statements

Any volunteered statement offered by an eyewitness regarding their level of confidence should be documented verbatim at the time the statement is given. In addition, the administrator should ask the eyewitness to choose one of the following levels of confidence:

- I am confident this is the perpetrator.
- I am somewhat confident this is the perpetrator.
- I am not confident this is the perpetrator.

The administrator should document any other statement or reaction the eyewitness gives when considering one of these options.

403-5 Live Lineups

Because live lineups are uncommon, members should contact a detective supervisor and the department's legal advisor for guidance and approval of creating a live lineup. The administration of a live lineup will follow the same procedures as the presentation of a photo array and the procedure should be video recorded when practical. A representative from the District Attorney's office and the suspect's attorney, if requested, shall be permitted to be present during a live lineup.

403-6 Show-up Identification

Members should follow current state law and contemporary practices when conducting show-up identifications. Normally, eyewitnesses shall be transported to a suspect's location for an in-person viewing, proximate to time and location of the crime. The eyewitness should be given the standardized witness instructions as described in General Order 403-2. If the eyewitness identifies the suspect as the perpetrator of an offense, the eyewitness should be asked for a confidence statement as described in General Order 403-4. When possible, a photographic record is be made to show the circumstances under which the witness viewed the show-up

identification. The photographs should be of the suspect and the suspect's surroundings from the witness's point of view.

403-7 Model Policy and Forms

Eyewitness identification procedures set forth in the Colorado Best Practices Committee Model Policy for Eyewitness Identification shall form the basis for Boulder Police Department eyewitness identification procedures.

Boulder Police Department
General Order 404
Use of Computer Voice Stress Analyzer

Effective: March 4, 2010
Replaces: General Order 404, February 27, 2008

404-1 Definitions
404-2 Use of CVSA Examinations for Pre-employment Screening
404-3 Use of CVSA Examinations in Criminal Investigations
404-4 Use of CVSA Examinations in Administrative Investigations
404-5 Test Subjects
404-6 Responsibilities of CVSA Examiner
404-7 Responsibilities of Officer/Investigator Requesting a CVSA Examination
404-8 CVSA Records
404-9 Program Oversight

POLICY

The Computer Voice Stress Analyzer (CVSA) is used for truth verification and the department may utilize CVSA examinations as a tool in conducting criminal, administrative, and employment background investigations.

PROCEDURES

404-1 Definitions

A. Computer Voice Stress Analyzer (CVSA): A computer program designed to detect, measure, and chart the stress in a person's voice following a preformatted questionnaire.

B. CVSA Examiner: An investigator who has satisfactorily completed training by a recognized instructor in truth verification and the use of the CVSA and is currently certified.

C. Overt Interview: A live interview by a CVSA examiner with a suspect, victim, witness, complainant, or prospective employee. These interviews are conducted with prior knowledge and permission that certain questions will be recorded live and captured by the CVSA for analysis.

D. Structured Interview: A legally obtained audio taped interview of a suspect, victim, witness, or complainant in which the interview is designed to capture a response to preformatted questions. This taped interview is then analyzed by the CVSA examiner, usually without the knowledge of the subject being tested.

404-2 Use of CVSA Examinations for Pre-employment Screening

CVSA examinations are used in selection processes for positions in the department that require truth verification exams. The CVSA examiner reviews the questions with the applicant prior to the formal examination. The pre-employment examination may be used to:

A. Determine accuracy and completeness of information on the application.

B. Resolve questions or conflicts arising before or after the background investigation.

C. Discover previous criminal or other disqualifying behavior.

D. Deter those seeking law enforcement employment for improper purposes.

404-3 Use of CVSA Examinations in Criminal Investigations

While CVSA examinations do not replace the need for thorough investigations and interviews, CVSA examinations may be utilized to assist investigators in criminal investigations when it is believed to be necessary or useful in verifying the truthfulness of a suspect, victim, complainant, witness, or other involved party. Results of a CVSA examination are not used as grounds for arrest or other legal action, but are designed for developing leads and obtaining case direction. In cases involving allegations of sexual assault, victims shall not be required to submit to a CVSA as a condition for proceeding with the investigation.

404-4 Use of CVSA Examinations in Administrative Investigations

A. CVSA examinations may be used in administrative investigations such as Professional Standards complaints that focus on a department member. CVSA examination on a department member is only used if the member freely volunteers to participate in the examination and has signed a written consent. Should a member agree to take a CVSA examination, it is administered by a CVSA examiner from outside the department.

B. Civilian complainants or witnesses may be tested with the CVSA in order to help determine the legitimacy of their complaint or allegation. These examinations are only conducted upon receiving a written voluntary consent to take such an examination. In the case of a structured interview exam, the CVSA examiner must obtain prior approval from the Chief of Police.

404-5 Test Subjects

A. Persons who may be tested include any individual who knows right from wrong. Generally, children who recognize right from wrong may be tested with prior parent/guardian written authorization. CVSA examiners have final discretion in determining if someone is suitable for testing.

B. Persons who may not be tested include:

1. Children under the age of 18 years without parental or legal guardian consent provided prior to testing. The consent must be in writing and in the possession of the CVSA examiner prior to the examination.

2. Any person who has been forced or coerced into taking the examination.

3. Any person under the influence of alcohol or drugs.

4. Any person who has been formally charged with the crime for which the CVSA is being requested, unless a prior agreement and stipulation has been signed by the person to be examined, his/her attorney, and the prosecutor.

404-6 Responsibilities of CVSA Examiner

A. The CVSA examiner reviews the available information pertaining to the case in question prior to administering the examination.

B. The CVSA examiner completes a report on and maintains a record of all examinations he/she has conducted.

C. The CVSA examiner requests a second certified examiner to verify the results of the examination. This is commonly referred to as a “cold call.”

D. Requests for examinations from outside the department must be approved by the Detective Section commander prior to conducting the examination.

E. Any use of the CVSA for a structured interview must be approved by the Detective Section commander prior to conducting the examination.

F. CVSA examiners do not conduct any examinations of friends, relatives, or other persons with whom the examiner has a relationship that may represent a conflict of interest.

404-7 Responsibilities of Officer/Investigator Requesting a CVSA Examination

The officer/investigator:

A. Completes an investigative report and consults with the examiner prior to scheduling an examination.

B. Notifies the subject of the date and time of the scheduled appointment.

C. Notifies the examiner immediately if the subject cancels the appointment.

404-8 CVSA Records

CVSA records may include a waiver of rights, consent forms, subject information sheet, CVSA graph, and statement of results. CVSA records are maintained as part of the case file. A log of all examinations given is kept and maintained by the CVSA examiner.

404-9 Program Oversight

The CVSA program and examiners are subject to periodic review by the Detective Section commander.

Boulder Police Department
General Order 405
Investigative Process

Effective: November 17, 2011
Replaces: General Order, 405, February 27, 2008

405-1 Investigative Responsibility
405-2 Investigative Accountability
405-3 Investigative Steps
405-4 Case Files
405-5 Case Status Classifications

POLICY

Members conduct investigations within the boundaries of the law, and according to general department procedures.

PROCEDURES

405-1 Investigative Responsibility

The assignment of cases for investigation is made within the guidelines outlined in General Order 203, Investigative Responsibility and Case Assignments.

405-2 Investigative Accountability

Detectives or officers assigned an investigation are responsible for completing the following tasks.

A. Conducting a thorough investigation, which may include:

1. Information development;

2. Interviews and interrogations;

3. Collection, preservation, and use of physical evidence; and

4. Surveillance.

B. Meeting deadlines identified by a supervisor.

C. Completing a case file report, and supplemental reports, as required.

D. Assisting the District Attorney by responding to requests for additional reports and testifying at hearings and trials.

E. Advising their supervisor of the progress of the investigation.

F. Advising the victims of the critical stages of an investigation and of the final disposition of the case.

405-3 Investigative Steps

The following are general guidelines utilized in the investigation of criminal cases. The investigator:

A. Analyzes reports prepared during the preliminary investigation.

B. Collects, preserves, and submits evidence for analysis.

C. Conducts additional interviews or interrogations of:

1. Victims, witnesses, and appropriate officers to ascertain if further informa-

tion is available, and to update them on the progress of the case;

2. Informants; and

3. Suspects.

D. Reviews department records for previous contacts and cases involving victims, witnesses, or suspects.

E. Reviews laboratory examination results to determine if additional analysis is required.

F. Pursues leads.

G. Disseminates information, when appropriate, through special bulletins or briefings.

H. Obtains, organizes, and executes search warrants and non-testimonial identification orders, when relevant, after review by a supervisor, the department's legal advisor, or Deputy District Attorney. Exceptions may be made for after-hours warrants.

I. Organizes and conducts photo arrays or live line-ups.

J. Consults with outside experts when necessary.

K. Conducts surveillance as needed.

L. Identifies suspects, then:

1. Issues summonses, when appropriate;

2. Obtains and executes arrest warrants, when appropriate;

3. Enters arrest warrant information into CCIC/NCIC, as appropriate;

4. Determines involvement of suspects in other crimes; and

5. Checks the suspects' criminal histories.

M. Prepares the case for court presentation by:

1. Compiling all documented action and progress of a case into a case file (see 405-4 below); and

2. Seeking supervisor approval prior to presenting case files to the District Attorney's Office.

N. Provides the prosecuting attorney with assistance required to bring about a successful prosecution.

405-4 Case Files

A case file serves as a source of information for the investigator, the investigator's supervisor, and those with authorized access to the investigator's files. It provides the basis for requesting the filing of charges submitted to the District Attorney's Office.

A. A case file is initiated:

1. When investigative activities are anticipated to be ongoing or extensive;

2. For any serious felony or complex misdemeanor investigation; or

3. When an investigator believes a case file is warranted, or when a supervisor directs that a case file be initiated.

B. A case file is initiated by obtaining a number from the case file ledger.

C. A case file contains, at a minimum:

1. A case synopsis;

2. Preliminary investigative reports;

3. Investigative notes;

4. Records of statements;

5. Results of physical evidence analysis; and

6. Case status reports.

D. Completed case files are reviewed by a supervisor prior to filing with the District Attorney's Office.

E. Case files are maintained according to the following guidelines.

1. An active case file is maintained by the assigned investigator. Completed case files are maintained by the respective section or unit. Investigators may check-out case files.

2. A case file submitted to the District Attorney's Office is duplicated; original case files are maintained within the appropriate section or unit.

3. Case files are forwarded annually to the Records and Information Services (RIS) Section, by a supervisor, where they are filed.

4. When a report is sealed, an RIS supervisor notifies the appropriate commander, who ensures that the appropriate case file is sealed.

405-5 Case Status Classifications

One of the following designators is assigned to each case:

A. Unfounded, when either the supervisor or assigned investigator determines that the complaint and/or crime never occurred or is not substantiated.

B. Open, when a follow-up investigation is appropriate based upon the ongoing case screening process.

C. Closed, when:

1. Case assignment criteria are not me during initial screening;

2. An investigation has reached a point at which no further leads remain; or

3. Supervisors determine that an insufficient degree of seriousness exists to merit the allocation of further investigative resources.

D. Cleared, when a case is concluded by an arrest or issuance of a summons.

E. Open pending arrest, when arrest warrants have been issued.

F. Exceptional clearance: A suspect has been identified and probable cause exists to believe that a crime was committed by the suspect however, due to one of the following circumstances, an arrest or issuance of a summons is not completed.

a. Death of the offender.

b. Offender prosecuted by an outside jurisdiction.

c. Extradition denied or prosecution declined by the District Attorney.

d. Victim refuses to cooperate with a prosecution.

e. Juvenile diversions or referrals to restorative justice programs.

Boulder Police Department
General Order 406
Informants

Effective: October 8, 2015
Replaces: General Order 406, September 8, 2000
Reviewed: September 29, 2015

406-1 Documenting Informants
406-2 Confidential Informant File
406-3 Payments to Informants
406-4 Juvenile Informants
406-5 Case Disposition
406-6 Confidential Source
406-7 Disclosure of Confidential Informant Information
406-8 Crime Stoppers Tips

POLICY

Confidential informants can provide valuable investigative information and members who utilize informants take precautions to protect the safety of informants and the integrity of the department, while considering the related legal issues.

PROCEDURES

406-1 Documenting Informants

Confidential informants (CIs) are registered and assigned a CI number. To register a confidential informant with narcotics information, members contact the department supervisor assigned to the Boulder County Drug Task Force (BCDTF). To register informants with information other than narcotics, members contact the Intelligence Detective Supervisor for assistance. A confidential informant agreement and identification record is completed.

406-2 Confidential Informant File

The BCDTF maintains confidential informant files related to narcotics. The Department's Intelligence Detective maintains all other confidential informant files. Members forward completed confidential informant forms to the appropriate department supervisor based on the nature of the informant's information.

406-3 Payments to Informants

Confidential informant payments are made using the following guidelines.

A. Members make initial requests through their supervisor.

B. The supervisor contacts the appropriate department supervisor based on the informants status (Narc/Intel) for assistance and money.

C. A cash expenditure report is completed and given to the authorizing supervisor. A copy of this form is maintained in the informant's file.

406-4 Juvenile Informants

Juveniles are not used as confidential informants under normal circumstances. There may be an exception to this guideline if:

A. The juvenile is providing information about a major case;

B. The juvenile's parents, or legal guardian, and the juvenile provide written permission and sign the necessary forms; and

C. Authorization is obtained from the Detective Section commander.

406-5 Case Disposition

If a confidential informant has criminal charges pending, department members contact the District Attorney's Office for consultation on a case disposition.

406-6 Confidential Source

A person who only provides information, without payment, who wants to remain confidential in reports for fear of retaliation, may be known as a confidential source without being registered as a confidential informant.

406-7 Disclosure of Confidential Informant Information

Neither the name nor any other identifying information about a confidential informant is disclosed to non-law enforcement personnel without consultation with the District Attorney's Office and a court order to disclose.

406-8 Crime Stoppers Tips

Information received through the Crime Stoppers program is handled in accordance with C.R.S. 16-15.7-101 through 104.

Boulder Police Department
General Order 407
Narcotics Unit Operations

Effective: March 14, 2002
Replaces: General Order 407, August 10, 2000

407-1 Responsibilities
407-2 Case Investigations
407-3 Operations Fund
407-4 Use of Department Vehicles
407-5 Undercover Operations

POLICY

The department recognizes that illegal drugs are related to a variety of other crimes and that they can impact the quality of life within the community. The investigation of narcotics cases requires a team of detectives with specialized training and equipment. The Narcotics Unit is part of the Detective Section, and works with the Boulder County Drug Task Force, operating under the policies and procedures of the Task Force.

PROCEDURES

407-1 Responsibilities

The Narcotics Unit investigates:

A. Controlled substance violations;

B. Prescription fraud violations;

C. Organized crime and vice violations;

D. Special undercover operations; and

E. Other crimes determined on a case-by-case basis when the Narcotics Unit can provide specialized services.

407-2 Case Investigations

The Narcotics Unit handles case investigations in accordance with the polices and procedures of the Boulder County Drug Task Force, adopted August 26, 1998, and the relevant policies and procedures of the Boulder Police Department.

407-3 Operations Fund

The Finance Unit maintains records of disbursements and deposits from the Narcotics Unit budget. Cash expenditures may be used for work-related materials, maintenance, and miscellaneous items. The narcotics operations fund custodian is the Narcotics Unit supervisor. He/she:

A. Maintains custody of cash;

B. Monitors expenditures and maintains cash expense records; and

C. Ensures internal audits of cash expense records occur on an annual basis by the department's designated personnel.

407-4 Use of Department Vehicles

Members of the Narcotics Unit, assigned to the County Task Force, are each assigned a department owned or leased vehicle.

A. Department owned or leased Narcotics Unit vehicles are used for official business and for traveling to and from work. The use of department vehicles for travel to and from work is not contractual, is granted to benefit the department, and may be revoked at

any time.

B. Narcotics officers may only use department vehicles off-duty when expecting a call-back for duty on an investigation (a stand-by mode or special assignment), and with supervisory authorization.

C. Members do not drive department vehicles if they have consumed or plan to consume alcoholic beverages (except with supervisory approval, under controlled circumstances, and during an official undercover investigation).

D. The Narcotics Detective Sergeant may restrict use of department vehicles at any time to conform with mileage limits stipulated in a car lease.

407-5 Undercover Operations

The Narcotics Unit is the primary resource for conducting undercover investigations. Undercover operations have an inherently greater risk to members working in an undercover capacity. The following guidelines are used to minimize risks.

A. Undercover operations require extensive and thorough planning. These operations adhere to the guidelines established in General Order 408.

B. No member engages in any undercover activity without a team of support personnel.

C. An undercover detective typically uses an audio wire so support personnel can monitor activity of suspects.

D. In the course of an undercover investigation, a detective does not transport drugs and cash together.

E. All undercover operations have a predetermined audio and visual "trouble sign" for support personnel to immediately end the operation and respond to the undercover member.

F. Use of illegal controlled substances by undercover members is prohibited. Undercover members may consume alcohol when required for investigative purposes and when approved by a supervisor. Consumption is minimal and never to the extent of impairment.

G. Reverse undercover operations require pre-approval by a supervisor of the Drug Task Force, Detective Commander, and Chief of Police.

H. Members of the Narcotics Unit may have undercover identification, which is obtained through the Colorado Department of Revenue's motor vehicle section according to its procedures.

Boulder Police Department
General Order 408
Undercover Operations Planning

Effective: March 4, 2010
Replaces: Standard Operating Procedure I435, Special Operations Planning, August 10, 2000

408-1 Planning Considerations
408-2 Contingency Plans
408-3 No-knock Warrants

POLICY

The department recognizes the need to conduct undercover operations and to plan accordingly to ensure an optimum opportunity for success. Each plan is designed to maintain the highest level of safety for officers and the public, as well as to conform with legal and procedural guidelines.

PROCEDURES

408-1 Planning Considerations

A major emphasis is placed on thoroughly planning undercover operations. In general, the operations plan includes answers to: Who? What? When? Why? How? Specifically, the case agent preparing the plan provides detailed consideration of the following categories.

A. Logistics of the operation.

1. Background information and reason for the operation.
2. Suspect information, including descriptions and photographs.
3. Goals of the operation.
4. Case number.
5. Location, including a diagram or map.
6. Radio channels and cell phone numbers.
7. Vehicles, including suspect and member vehicles.
8. Equipment, including specialized equipment and operators.
9. Personnel and specific assignments.
10. Audio and visual arrest and trouble signals.

B. Personnel.

1. The case agent arranges to have the necessary personnel, including any personnel with specialized skills.
2. Each person is given a specific assignment.
3. Supervision of the operation, or the person designated to give specific commands, is understood by everyone involved.

C. Multi-jurisdiction operations.

1. It is imperative that members involved with multi-jurisdictional operations have a way to identify each other and distinguish law enforcement personnel

from the public. Uniforms or raid jackets are worn and all members involved attend a joint briefing.

2. All issues discussed in 408-1.A., above are clarified for all jurisdictions involved.

D. Briefing.

After receiving supervisory approval, the officer responsible for the case conducts a briefing to explain the operation and answer questions. All law enforcement personnel directly involved with the operation are expected to be at the briefing when possible.

408-2 Contingency Plans

As experience indicates, undercover operations frequently take unexpected courses. The detective considers contingency plans for a variety of options which may occur during an undercover operation.

408-3 No-knock Warrants

A. No-knock warrants executed by Boulder officers require the approval of the Chief of Police or designee and Deputy District Attorney.

B. No-knock warrants executed by the Boulder County Drug Task Force within the City of Boulder require approval of the Chief of Police or designee and Deputy District Attorney.

C. No-knock warrants executed by the Boulder County Drug Task Force outside the city limits of Boulder follow the approval procedure agreed to by the Boulder County Drug Task Force's Board of Directors.

Boulder Police Department
General Order 410
Intelligence Files

Effective: May 9, 2006
Replaces: General Order 410 Intelligence Files, July 6, 2000

410-1 Definitions
410-2 Criminal Intelligence Information
410-3 Types of Information
410-4 Supervision of Intelligence Information
410-5 Information Classification
410-6 Colorado Gang Database
410-7 Security of Information
410-8 Intelligence Investigations
410-9 Purging of Files

POLICY

The department establishes and maintains criminal intelligence files in accordance with these guidelines. The Detective Section's Intel Unit is responsible for the oversight and management of the collection, retention, dissemination, and disposition of criminal intelligence in conformance with the privacy interests and constitutional rights of individuals, groups, associations or other legal entities.

PROCEDURES

410-1 Definitions

A. Criminal Intelligence: information that has been collected, evaluated, and analyzed, which establishes suspicion of criminal activity or the potential for criminal activity on the part of individuals or groups within the community. It does not include suspect information that may appear in a criminal report or information contained on field interview (FI) cards.

B. Intel Unit: consists of an Intel detective and Intel sergeant who are directly responsible for the management of criminal intelligence information.

410-2 Criminal Intelligence Information

Information, consisting of photographic, electronic, memorandums, incident reports, or other supporting documents, may be taken or developed by any member of the department. All intelligence information, with the exception of narcotics intelligence, is forwarded to the Intel Unit.

A. The Intel Unit is responsible for evaluating, analyzing, categorizing, storing, and disseminating intelligence information.

B. Narcotics information is forwarded to the Narcotics Unit supervisor in care of the Boulder County Drug Task Force.

410-3 Types of Information
Intelligence information categories may consist of, but are not limited to:

A. Hate groups and hate crimes

B. Subversive groups

C. Criminal Activity

D. Dangerous Persons

E. Gangs and gang activity

410-4 Supervision of Intelligence Information
All criminal intelligence information shall be reviewed by the Intel sergeant or detective section commander prior to entry into any criminal intelligence database or file. The supervisor or commanding officer shall determine that the intelligence information conforms to this policy and was not obtained in violation of any applicable Federal, State, or local law or ordinance. The detective section commander ensures that a periodic review of criminal intelligence information is completed to maintain continuing compliance with this policy. Information retained in the database must be reviewed and validated for continuing compliance with this policy before the expiration of its retention period, as outlined in 410-9. All information retained as a result of this review must document the following:

A. Name of the reviewer

B. Date of review

410-5 Information Classification
Information approved for entry into an intelligence file shall be labeled for source reliability and content validity. The classification of information is subject to review and change as factors such as time and other information is developed.

A. Source Reliability: The reliability of the source is an indicator of the consistency of the information the source provides. The source shall be evaluated according to the following:

   1. Reliable: The reliability of the source is unquestioned or has been tested in the past.
   2. Usually Reliable: The reliability of the source can usually be relied upon. The majority of the information provided in the past has proved to be reliable.
   3. Unreliable: The reliability of the source has been sporadic in the past.
   4. Unknown: The reliability of the source cannot be judged.

B. Content Validity: the validity of information is an indicator of the accuracy or truthfulness of the information. The validity of the information shall be assessed as follows:

   1. Confirmed: The information has been corroborated by an investigator or another reliable independent source.
   2. Probable: The information is consistent with past accounts.
   3. Doubtful: The information is inconsistent with past accounts.
   4. Cannot Be Judged: The information cannot be evaluated. Its authenticity has not yet been determined by either experience or investigation.

410-6 Colorado Gang Database
The State of Colorado has established a database to monitor and track gang members and gang activity. The database is accessible statewide; however, it is restricted to specific users as authorized by the Colorado Bureau of Investigation. Individual department member's access is authorized by the Chief of Police. All gang related criminal intelligence information is entered and maintained in the State electronic database; hardcopy information is maintained by the Intel Unit

and in accordance with this policy. Information entered into the State database is reviewed and approved as outlined in 410-4.

410-7 Security of Information

Criminal intelligence information is maintained in an intelligence file. Files are not public information, and are confidential to protect ongoing investigations, the sources of information, and the individual or group's right to privacy.

A. Intelligence files are released only when there is a need to know and a right to know the information in the performance of a law enforcement activity. Information may be released to Boulder police officers concerning individuals or groups that pose a danger to officers or the community. Such information is labeled as being for "Department Use Only." Information may be released to other law enforcement agencies with the approval of the Intel sergeant or detective section commander.

   1. The release of intelligence information to other agencies for law enforcement purposes shall be documented and will include:

      a. The name of the supervisor who approved the request.

      b. The name of the requesting agency and the name of the requesting officer.

      c. The reason for the request.

      d. The date of the request.

B. Intelligence files (electronic and hardcopies) are maintained in a secure manner that limit access as described above. Individual department member's access is authorized by the Chief of Police.

410-8 Intelligence Investigations

The investigation and development of leads on intelligence information may be assigned to an investigator at the discretion of the Intel sergeant or detective section commander. Investigations of intelligence information are limited to criminal activity and activities which are reasonably believed to pose significant safety risks to the community. All investigative techniques adhere to constitutional and statutory guidelines and limitations.

410-9 Purging of Files

Intelligence files are purged by the Intel Unit after five years, unless during that five year period additional supporting information and documentation have been added to the file indicating ongoing activity or risk, as per 410-4. Files are purged five years after the date of the last information entry. Files are also purged in accordance with any court order.

Boulder Police Department

General Order 411

Boulder County Investigation Team

(Adopted County-wide policy)

Effective: October 22, 2008
Replaces: Not Applicable

411-1 Personnel
411-2 Procedures
411-3 Investigation
411-4 Responsibilities of the Requesting Agency at the Scene
411-5 Responsibilities of the Investigative Team
411-6 Costs

POLICY

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

Supervisors and officers need to refer to GO 208 for further information on responsibilities and activation protocol.

PROCEDURES

411-1 Personnel

A. The Boulder County Investigation Team will consist of law enforcement personnel who are designated by the Sheriff, Police Chiefs, and District Attorney, hereafter referred to as the Chief Executive Officers CEO's.

B. The team consists of a coordinator, alternate coordinator, team supervisors, team members and an advisor from the District Attorney's office.

C. A coordinator and alternate coordinator of the team will be selected by the CEO's. The coordinators serve as the initial contact point for investigations and as liaison between the team and the requesting agency. Coordinators provide overall direction and management of each investigation, and are responsible for completing the Investigative Summary and presenting the investigation to the CEO's and DA's Office.

D. The team supervisors serve as the secondary contact point for investigations and as actual supervisors overseeing the conduct of the investigation.

E. Team members conduct the investigation and perform those duties assigned by a team supervisor.

F. A Deputy District Attorney will be appointed to serve as an advisor to the team, to provide legal guidance and information to members of the team.

G. All appointments to the team will be re viewed on an annual basis by the Boulder County CEO's.

411-2 Procedures

A. The Boulder County Investigation Team is available to all law enforcement agencies within Boulder County to assist, upon request, in those aspects of an investigation deemed necessary by the requesting agency.

B. The Boulder County Investigation Team will be activated only upon the request of the CEO or the CEO's designee having law enforcement and investigative jurisdiction for the incident.

C. The Boulder County Investigation Team will operate under the direction of the requesting agency's CEO or the CEO's designee.

D. The team coordinator will keep the requesting agency's CEO or the CEO's designee apprised of the status of the investigation throughout all phases of the investigation.

E. The Boulder County Investigation Team will perform its designated functions and present fact-finding reports to the requesting agency. Unless otherwise directed by the requesting agency's CEO or the CEO's designee and upon approval of the team coordinator, this will be the sole responsibility of the team.

F. In cases involving the use of deadly force, the team will be responsible for conducting the criminal investigation into the facts and circumstances giving rise to the use of deadly force. The requesting agency is responsible for any internal or administrative reviews.

G. Members of the Boulder County Investigative Team do not respond to media requests for information on specific investigations. Media inquiries concerning investigations will be the responsibility of the requesting agency.

H. The completed investigative report and summary generated by the investigative team becomes the custodial property of the requesting or home agency, subject to criminal justice records laws and agency policy. Any release of these reports becomes the responsibility of the agency who requested the investigation.

411-3 Investigation

A. Requests for assistance of the Boulder County Investigation Team will be made by the CEO, or the CEO's designee, from the agency having primary jurisdiction for the investigation.

B. All requests for assistance will be made to the team coordinator, or if available, the alternate coordinator, who will then serve as the Investigation Team coordinator for the incident.

C. The coordinator will be provided the details of the incident and determine what personnel and equipment may be needed for the investigation.

D. The coordinator will contact the necessary members of the Investigation Team with response instructions and an assembly location. Team members will be briefed on the event and will receive investigative assignments.

411-4 Responsibilities of the Requesting Agency at the Scene

A. The requesting agency is responsible for the following:

1. General security, preservation of the scene, and evidence storage

2. Rendering aid to injured people

3. Establishment and maintenance of a perimeter

4. Identifying all witnesses and, when ever possible, the full names, address, phone number and other particular information about the witness should be collected.

5. In case of an officer-involved shooting, weapons of all involved officers should be secured and preserved at the scene by a supervisor of the involved agency. Weapons not in the possession of the involved officer(s), but at the scene, should not be moved or disturbed.

6. Brief members of the Boulder County Investigative Team.

B. Beyond scene responsibilities, the requesting agency is also responsible for:

1. Conducting any internal or administrative reviews.

2. Handling all media inquiries and general media relations.

3. Providing necessary equipment, material or supplies.

4. The costs of any special tests or procedures, if previously approved of by the requesting agency.

411-5 Responsibilities of the Investigative Team

A. The investigative team is normally responsible for the following:

1. Still or video photography is done by or under the direction of investigative team members.

2. Sketching or diagramming of the scene is done by or under the direction of investigative team members.

3. The collection of physical evidence is done by or under the direction of investigative team members.

4. Interviews with any involved officers.

5. Interviews with any witnesses.

6. Transcription of any recorded interviews.

7. Updates to the CEO.

8. Final investigative reports.

9. Case presentation to the CEO and District Attorney's Office.

411-6 Costs

A. Necessary equipment may be supplied by the requesting agency and/or member agencies of the Investigative Team. If additional or specialized equipment is needed, the cost of obtaining the equipment will be the responsibility of the requesting agency.

B. Any specialized tests must be approved by the requesting agency who will be responsible for any costs pertaining to these tests.

C. Personnel costs, including overtime, will be the responsibility of the agency providing the member to the team and not the requesting agency.

D. All investigative team members, while responding to a call-out, regardless of jurisdiction, will be deemed to be on duty and responding to a call or mutual aid.

Boulder Police Department
General Order 412
Crime Tips

Effective: October 16, 2009
Replaces: Not applicable

412-1 Definition
412-2 Types of Crime Tips
412-3 General Guidelines for Documenting Tips
412-4 Crime Tip Management
412-5 Tip Follow-up Documentation

POLICY

Crime tips can be valuable information that may develop into a lead for an investigator to resolve a criminal investigation. Detective supervisors are responsible for the accurate and timely management of crime tips, to include the receipt, documentation, assignment and tracking of each tip received.

PROCEDURES

412-1 Definition

For the purposes of this policy, a tip is specific information pertinent to a police investigation or concerning criminal behavior imparted or conveyed to a law enforcement representative on a self initiated or voluntary basis.

412-2 Types of Crime Tips

Tips may be reported by an identified person or anonymously and can be communicated through Crime Stoppers, by telephone, the postal service, electronically or in person.

412-3 General Guidelines for Documenting Tips

Every attempt will be made to get as much information as possible and to include detailed descriptions (e.g., name of suspect(s), phone numbers, license plate number, address, etc).

A. On phone calls, if an immediate response is needed, the call will be forwarded to Communications so an officer can be dispatched. If the member has reason to believe the caller will disconnect, the member will record as much information as possible.

B. Upon receipt of tip information, officers evaluate the need to investigate further and generally document the information in a police report or on a Tip Sheet as outlined below.

C. Other department members who receive a tip evaluate the need to immediately notify an officer and/or a supervisor of the information. If there is no immediate need for notification, members will

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