

COVER

**SCHOOLCRAFT COLLEGE POLICE DEPARTMENT  
POLICY MANUAL**

These Operating Policies of the Schoolcraft College Police Department have been promulgated through the Chief of Police and may be amended, deleted or added to as needed.

**IT IS THE RESPONSIBILITY OF ALL PERSONNEL OF THIS DEPARTMENT TO REVIEW, REMAIN AWARE OF AND ADHERE TO ALL AMENDMENTS TO THE SCPD POLICY MANUAL.**

# Schoolcraft College Police Department

## Policy Manual

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### PREFACE

## **SCHOOLCRAFT COLLEGE POLICE DEPARTMENT POLICY MANUAL**

### **PREFACE**

These Operating Policies & Procedures, as set forth by the Chief of Police, contained in this Manual are published for the information and guidance of the Schoolcraft College Police Department. They are not intended to cover every case which may arise in the discharge of police duties, as there will be times when the officer will have to use his/her own discretion and judgment. In fact, his/her value to the Department will be gauged not only by the way he/she complies with these Policies & Procedures but by his/her demonstration of good judgment, zeal and activity on all occasions. All members, at the time of their initial employment and continually thereafter, shall familiarize themselves with the provisions of the Policy Manual. They shall conform to and obey such Policies and Procedures and render their services with discretion, enthusiasm and loyalty. The regulations contained in the Policy Manual will be observed by all members of the Department in order to maintain the confidence, respect, and support of the citizens of the Schoolcraft College community. Violations of regulations in the manual may subject the member to disciplinary action. Action taken will depend upon the seriousness of the offense, the past record of the offender, past warnings, and the seriousness of the consequences of the violation.

### **CONFLICTING OR ILLEGAL ORDERS**

A member, who is given an otherwise proper order which is in conflict with a previous order, rule, regulation, or directive, will respectfully inform the supervisor who issued the order of the conflict. If the supervisor does not alter or retract the conflicting order, the order shall stand with the following understanding: a) The responsibility for the conflict will be upon the supervisor; b) A member will obey the conflicting order and will not be held responsible for disobedience of the order, rule, regulation, or directive issued previously. A member will not obey any order which requires him to commit an illegal act. If in doubt as to the legality of an order, a member will request the issuing supervisor to clarify the order.

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### **LAW ENFORCEMENT CODE OF ETHICS**

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

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

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

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

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

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

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### **OFFICERS CANON OF ETHICS**

**Article 1 - Primary Responsibility of the Service:** The primary responsibility of the service and of the individual officer is the protection of the people of the United States through the upholding of their laws; chief among these is the Constitution of the United States and its amendments. The law enforcement officer always represents the whole of the community and its legally expressed will and is never the arm of any political party or clique.

**Article 2 - Limitations of Authority:** The first duty of a law enforcement officer, as upholder of the law, is to know its bounds upon him in enforcing it. Because he represents the legal will of the community, be it local, state or federal, he must be aware of the limitations and restrictions which the people, through law, have placed upon him. He must recognize the genius of the American system of government, which gives to no man, groups of men, or institution, absolute power, and he must ensure that he, as a prime defender of that system, does not pervert its character.

**Article 3 - Duty to Be Familiar with the Law and With Responsibilities of Self and Other Public Officials:** The law enforcement officer shall diligently apply himself to the study of the principles of the law which he is sworn to uphold. He will make certain of his responsibilities in matters of technicality or principle when these are not clear to him, he will make special effort to fully understand his relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and legally.

**Article 4 - Utilization of Proper Means to Gain Proper Ends:** The law enforcement officer shall be mindful of his responsibility to pay strict heed to the selection of means in discharging the duties of his office. Violation of law or disregard for public safety and property on the part of an officer are in their nature wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

**Article 5 - Cooperation with Public Officials in the Discharging of Their Authorized Duties:** The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. He shall be meticulous, however, in assuring himself of the propriety, under the law, of such actions and shall guard against the use of his office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question he shall seek authority from his superior officer, giving him a full report of the proposed service or action.

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### *Officers Canon of Ethics*

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**Article 6 - Private Conduct:** The law enforcement officer shall be mindful of his special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain the special privileges, cannot but reflect upon the police officer and the police service. The community and the service require that the law enforcement officer lead the life of a decent and honorable person. Following the career of a police officer gives no man special privileges. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American republic. The officer who reflects upon this tradition will not degrade it. Rather, he will so conduct his private life that the public will regard him as an example of stability, fidelity and morality.

**Article 7 - Conduct toward the Public:** The law enforcement officer mindful of his responsibility to the whole community shall deal with the individuals of the community in a manner calculated to instill respect for its laws and its police service. The law enforcement officer shall conduct his official life in a manner such as will inspire confidence and trust. Thus, he will be neither overbearing nor subservient as no individual citizen has an obligation to greatly admire him nor a right to command him. The officer will give service when he can and require compliance with the law. He will do neither from personal preference or prejudice but rather as a duly appointed officer of the law discharging his sworn obligation.

**Article 8 - Conduct in Arresting and Dealing with Law Violators:** The law enforcement officer shall use his powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. His office gives him no right to prosecute the violator or to mete out punishment for the offense. He shall, at all times, have a clear appreciation of his responsibilities and limitations regarding detention of the violator; he shall conduct himself in such a manner as will minimize the possibility of having to use force. To this end, he shall cultivate a dedication to the service of the people and the equitable upholding of their laws whether in the handling of law violators or in dealing with the law abiding.

**Article 9 - Gifts and Favors:** The law enforcement officer, representing his government, bears the heavy responsibility of maintaining, in his own conduct, the honor and integrity of all government institutions. He shall, therefore, guard against placing himself in a position in which any person can expect special consideration is being given. Thus, he should be firm in refusing gifts, favors, or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing his judgment in the discharge of his duties.

**Article 10 - Presentation of Evidence:** The law enforcement officer shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. He shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing,

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he will ignore social, political and all other distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word.

**Article 11 - Attitude toward Profession:** The law enforcement officer shall regard the discharge of his duties as a public trust and recognize his responsibility as a public servant. By diligent study and sincere attention to self-improvement he shall strive to make the best possible application of science to the solution of crime and in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. He shall appreciate the importance and responsibility of his office and hold police work to be an honorable profession rendering valuable service to his community and his country.

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## **MISSION STATEMENT**

### **Mission Statement**

The Schoolcraft College Police Department is a community-oriented agency committed to delivering professional police services while providing a safe physical environment for the campus populations to engage in learning and community activities.

### **Our Values**

- Our customers are the Schoolcraft community students, faculty and staff, as well as our partners in the field of Criminal Justice.
- We are accountable for our individual and organizational performance.
- Our organization is quality driven and knowledge based.
- We depend on the Schoolcraft College community's confidence and trust and every contact should endeavor to enhance that relationship.
- We embrace diversity and the dignity of each person.
- We respect and protect human rights.
- We have a positive attitude and will look to accomplishments rather than obstacles.

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## **Chapter 1 - Law Enforcement Role and Authority**

## Law Enforcement Authority

### 100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Schoolcraft College Police Department to perform their functions based on established legal authority.

### 100.2 POLICY

It is the policy of the Schoolcraft College Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

### 100.3 PEACE OFFICER POWERS

Certified members of this department are authorized to exercise peace officer powers pursuant to applicable state law.

#### 100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE SCHOOLCRAFT COLLEGE POLICE DEPARTMENT

The arrest authority within the jurisdiction of the Schoolcraft College Police Department includes (MCL 764.15):

- (a) In compliance with an arrest warrant.
- (b) When any misdemeanor, felony or ordinance violation is being, or has been, committed in an officer's presence.
- (c) When there is probable cause to believe that a misdemeanor punishable by imprisonment for more than 92 days or a felony was committed by the person to be arrested.
- (d) When there is probable cause to believe any misdemeanor was committed upon school property.
- (e) When there is probable cause to believe a person involved in an accident or stopped on a highway has violated the driving under the influence provisions listed in MCL 764.15.

#### 100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE SCHOOLCRAFT COLLEGE POLICE DEPARTMENT

An officer may make an arrest outside the jurisdiction of the Schoolcraft College Police Department when an arrest is permitted and (MCL 764.2a):

- (a) The officer is working with or assisting the Michigan State Police.
- (b) The officer is working with or assisting an officer of that jurisdiction.

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### *Law Enforcement Authority*

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- (c) The officer is in continuous fresh pursuit following the observation of a law violation within the officer's jurisdiction.

#### **100.4 INTERSTATE PEACE OFFICER POWERS**

Peace officer powers may be extended to other states:

- (a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.
- (b) When in fresh pursuit of a felony suspect into Ohio, Indiana or Wisconsin (ORC § 2935.30; I.C. § 35-33-3-1; Wis. Stat. § 976.04).
- (c) When in fresh pursuit of a person for whom the officer has probable cause to believe has committed an offense into Illinois (725 ILCS 5/107-4).

The person arrested out of state must be taken without unnecessary delay before a judge or magistrate of the county in which the arrest was made (ORC § 2935.31; I.C. § 35-33-3-2; Wis. Stat. § 976.04).

#### **100.5 CONSTITUTIONAL REQUIREMENTS**

All members shall observe and comply with every person's clearly established rights under the United States and Michigan Constitutions.

## Chief Executive Officer

### 101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the State of Michigan are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the Schoolcraft College Police Department, who is required to exercise the powers and duties of the office as prescribed by state law.

### 101.2 POLICY

It is the policy of the Schoolcraft College Police Department that the Chief of Police meets the minimum standards for exercising his/her authority granted by law.

### 101.3 CHIEF OF POLICE REQUIREMENTS

The Chief of Police of this department, as a condition of employment, shall:

- (a) Be at least 18 years of age.
- (b) Have no felony convictions.
- (c) Possess a high school diploma or GED.
- (d) Possess a valid certificate from the Michigan Commission on Law Enforcement Standards (MCOLES).
- (e) Be appointed by the governing body of Schoolcraft College.
- (f) Meet the position qualifications as established by the governing body of Schoolcraft College.

## Oath of Office

### 102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

### 102.2 POLICY

It is the policy of the Schoolcraft College Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

### 102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oath prescribed by law (Const 1963, art 11, § 1; MCL 15.151).

The form of the oath shall be as follows:

"I do solemnly swear that I will observe and support the Constitution of the United States of America; the Constitution of the State of Michigan; all duly authorized local charters and ordinances; the Rules and Regulations of the Schoolcraft College Police Department; and that I will faithfully perform the duties of \_\_\_\_\_ to the best of my ability."

[See attachment: SCPD Oath of Office.pdf](#)

### 102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed with the Michigan Commission on Law Enforcement Standards (MCOLES) as well as with the college clerk, or other specified clerk, as prescribed by law.

# Policy Manual

## 103.1 PURPOSE AND SCOPE

The manual of the Schoolcraft College Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

## 103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

### 103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Schoolcraft College Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the College, its officials or department members. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training or discipline. The Schoolcraft College Police Department reserves the right to revise any policy content, in whole or in part.

## 103.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

## 103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

**Adult** - Any person 18 years of age or older.

**APS** - Adult Protective Services.

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**CA/NCR** - Child Abuse and Neglect Central Registry.

**College** - The College of Schoolcraft College.

**CPS** - Children's Protective Services.

**Civilian** - Employees and volunteers who are not certified peace officers.

**Department/SCPD** - The Schoolcraft College Police Department.

**Employee** - Any person employed by the Department.

**FOIA** - Freedom of Information Act.

**LEIN** - Law Enforcement Information Network.

**Manual** - The Schoolcraft College Police Department Policy Manual.

**May** - Indicates a permissive, discretionary or conditional action.

**Member** - Any person who is appointed to or employed by the Schoolcraft College Police Department, including:

- Full- and part-time employees
- Certified peace officers
- Reserve, auxiliary officers
- Civilian employees
- Volunteers

**MCOLES** - Michigan Commission on Law Enforcement Standards.

**MDHHS** - Michigan Department of Health and Human Services.

**MDOC** - Michigan Department of Corrections.

**MiCJIN** - Michigan Criminal Justice Information Network.

**MIOSHA** - Michigan Occupational Safety and Health Administration.

**MSP** - Michigan State Police.

**Officer** - Those employees, regardless of rank, who are certified peace officer employees of the Schoolcraft College Police Department.

**On-duty** - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

**Order** - A written or verbal instruction issued by a superior.

**OTIS** - Offender Tracking Information System.

**Police Officer** - A duly appointed, fully sworn member of the Schoolcraft College Police Department who is granted powers under the code of criminal procedure, 1927 PA 175, MCL

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760.1 to 776.22, and as provided under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923 and is trained and certified pursuant to the Michigan Law Enforcement Officers Training Council Act of 1965, Act No. 203 of the Public Acts of 1965, being sections 28.601 to 28.616 of the Michigan Compiled Laws.

**Rank** - The title of the classification held by an officer.

**Security Guard** - an employee of Schoolcraft College who is hired to provide protection of College property but is not certified as a Police Officer or a Security Police Officer.

**Security Police Officer** - a private security police officer who is properly licensed under Act 330 of 1968, having authority to arrest a person without a warrant as set forth for public peace officers in section 15 of chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.15, when that private security police officer is on Schoolcraft property. Such authority is limited to his/her hours of employment and does not extend beyond the boundaries of the property of Schoolcraft College and only while in the full uniform of the College.

**Shall or will** - Indicates a mandatory action.

**Should** - Indicates a generally required or expected action, absent a rational basis for failing to conform.

**Supervisor** - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

### **103.5 ISSUING THE POLICY MANUAL**

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

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Members of the Department are prohibited from printing this Manual of Operations in its entirety or in-part on College printers or resources without approval.

Members are prohibited from disseminating this Manual of Operations in its entirety or in-part, outside of the department without the approval from the Office of the Chief.

#### **103.6 PERIODIC REVIEW OF THE POLICY MANUAL**

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

#### **103.7 REVISIONS TO POLICIES**

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

The Lieutenant will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Shift Supervisors, who will consider the recommendations and forward them to the command staff as appropriate.

## **Chapter 2 - Organization and Administration**

## **Organizational Structure and Responsibility**

### **200.1 PURPOSE AND SCOPE**

This policy establishes the organizational structure of the Department and defines general responsibilities of department members.

### **200.2 POLICY**

The Schoolcraft College Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control and guidance of the Department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

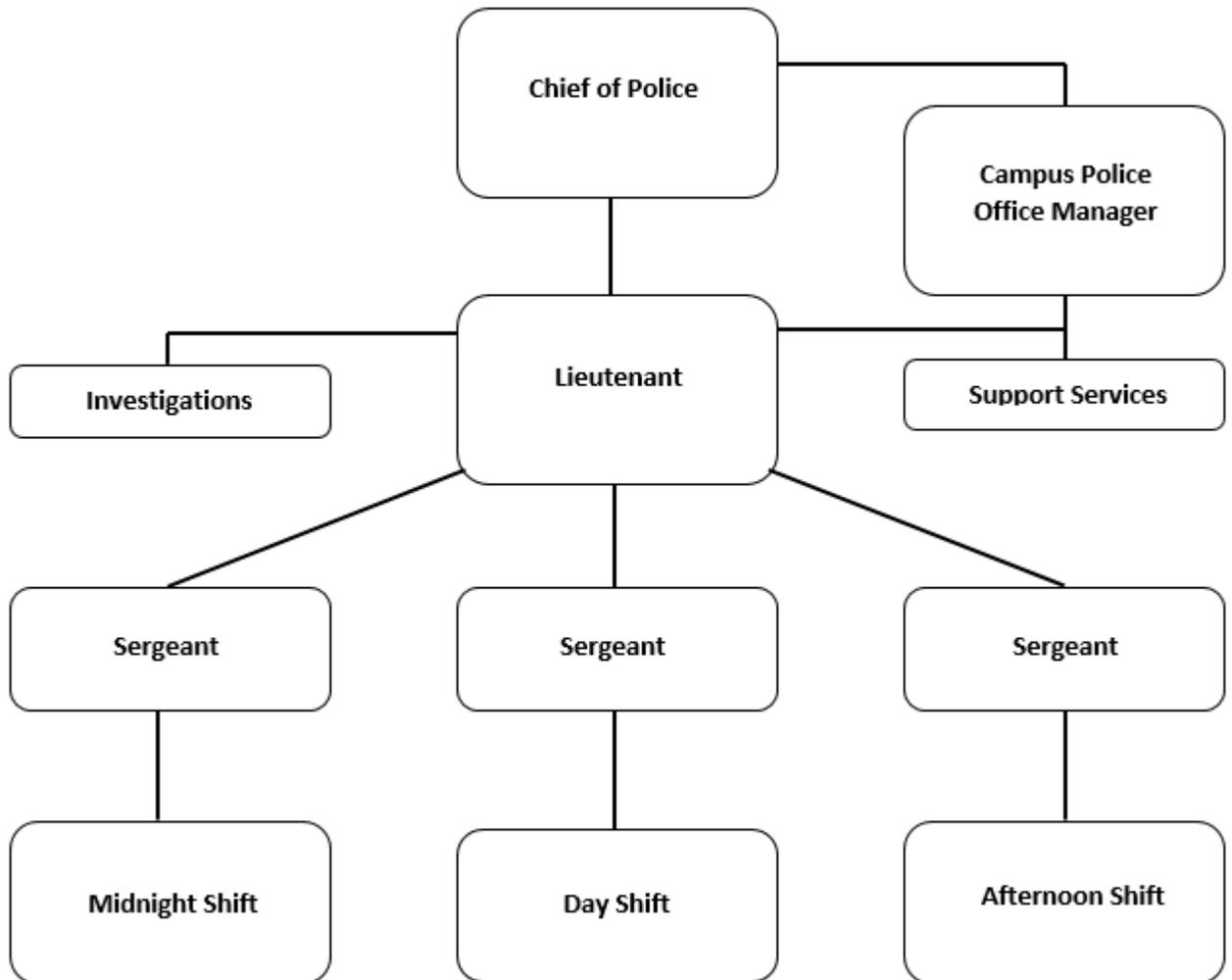
# Schoolcraft College Police Department

## Policy Manual

### Organizational Structure and Responsibility

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#### 200.3 ORGANIZATIONAL CHART



#### 200.4 COMMAND PROTOCOL

##### 200.4.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all members of the Schoolcraft College Police Department. During planned absences, the Chief of Police will designate the Shift Supervisor to serve as the acting Chief of Police.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) Lieutenant.

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### *Organizational Structure and Responsibility*

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- (b) Sergeant with highest seniority
- (c) Officer with highest full-time seniority with Schoolcraft College.
- (d) An officer being designated by a competent authority in command.

#### 200.4.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each member shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., Canine, Bicycle Patrol), any supervisor may temporarily direct any subordinate if an operational necessity exists.

#### 200.4.3 DUTIES APPLICABLE TO COMMAND

- (a) Command Officers shall be responsible for the proper enforcement of all applicable laws, College Policies and departmental orders, procedures, and rules.
- (b) Command Officers shall require at all times their shift or division to cooperate in every way with other shifts or divisions, other College departments and other Criminal Justice Agencies. They shall constantly work for the prevention of discord between shifts or divisions and within their own shift or division.
- (c) Command Officers shall make frequent inspections of their shift or division to determine whether or not the officers under their command are properly performing their duties.
- (d) Command Officers shall carefully read and explain, or have read and explained, Department rules and regulations, general orders or other pertinent inter-departmental correspondences pertaining to their shift, division or command, including all additions to, or modifications of, those rules, regulations, general orders or correspondences.
- (e) Command Officers shall be held responsible for the conduct and efficiency of the members of their shift, division or command, while on duty.
- (f) All command officers shall submit a written report on such acts requiring commendation or disciplinary measures to the Chief of Police or his/her designee, upon request.

#### **200.5 AUTHORITY AND RESPONSIBILITIES**

Each member will be assigned duties and responsibilities. Each member is delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

## General Orders

### 201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing General Orders.

### 201.2 POLICY

General Orders will be used to modify policies of the Schoolcraft College Police Department when an immediate need to adapt a policy or procedure exists, in order to best meet the mission of the Department. Applicable collective bargaining agreements and other alternatives should be considered before a General Order is issued.

### 201.3 PROTOCOL

General Orders will be incorporated into the Policy Manual, as required, upon approval. General Orders will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

The Administration Shift Supervisor or the authorized designee should ensure that all General Orders are disseminated appropriately. General Orders should be numbered consecutively and incorporate the year of issue. All members will be notified when a General Order is rescinded or has been formally adopted into the Policy Manual.

### 201.4 RESPONSIBILITIES

#### 201.4.1 COMMAND STAFF

Command staff shall periodically review General Orders to determine whether they should be formally incorporated into the Policy Manual and, as appropriate, will recommend necessary modifications to the Chief of Police.

#### 201.4.2 CHIEF OF POLICE

Only the Chief of Police or the authorized designee may approve and issue General Orders.

### 201.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the General Orders. Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

## Emergency Operations Plan

### 202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Schoolcraft College Police Department and responsibilities of its members pertaining to large-scale emergencies and the Michigan Emergency Management Act (MCL 30.401 et seq.).

### 202.2 POLICY

The Schoolcraft College Police Department will prepare for large-scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The College Emergency Operations Plan complies with Michigan's Emergency Management Act (MCL 30.401 et seq.; Mich. Admin. Code, R 30.52). This plan provides guidance for College emergency operations within and outside its borders as may be required.

### 202.3 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated in a number of ways. For the Schoolcraft College Police Department, the Chief of Police or the highest ranking on-duty supervisor may activate the Emergency Operations Plan in response to a major emergency.

Upon activation of the plan, the Chief of Police or the authorized designee should contact the county emergency management coordinator to assist with mutual aid response from local, state and federal law enforcement agencies.

#### 202.3.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Schoolcraft College Police Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the highest ranking on-duty supervisor.

Failure to promptly respond to an order to report for duty may result in discipline.

### 202.4 LOCATION OF THE EMERGENCY OPERATIONS PLAN

Copies of the Emergency Operations Plan are available in Administration and the Shift Supervisor's office. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles members will play when the plan is implemented. The Administration Shift Supervisor should ensure that department members are familiar with the roles they will play when the plan is implemented.

### 202.5 EMERGENCY OPERATIONS PLAN REVIEW

The Chief of Police or the authorized designee shall review the Emergency Operations Plan at least once every two years and ensure that the plan conforms to any revisions made by the

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## Policy Manual

### *Emergency Operations Plan*

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National Incident Management System (NIMS). The Chief of Police or the authorized designee should appropriately address any needed revisions.

#### **202.6 TRAINING**

The Department should provide annual training on the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command discussion.

## Training

### 203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

### 203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local and the Michigan Commission on Law Enforcement Standards (MCOLES) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

### 203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with MCOLES requirements.

### 203.4 TRAINING PLAN

It is the responsibility of the Sergeant to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and department-required training is completed by all members as needed or required. The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording and logging of all training for all members.

While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Sergeant shall review the entire training plan on an annual basis.

The plan will include information on curriculum, training material, training facilities and scheduling. The plan will address federal, state and department-required, minimum-mandated training of officers and other members.

#### 203.4.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations.

- (a) Federally mandated training:
  - 1. National Incident Management System (NIMS) training
- (b) State-mandated training (MCL 28.609):

# Schoolcraft College Police Department

## Policy Manual

### *Training*

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1. Members of the Department must successfully complete certified basic law enforcement training and successfully pass the licensing examination before being issued a law enforcement officer's license.
  - (a) The basic law enforcement training requirement may be waived if the member is eligible for licensure by meeting training and licensure standards within the parameters set by MCOLES.
  - (b) Members of the Department shall complete annual in-service training as specified by MCOLES.

#### **203.6 TRAINING ATTENDANCE**

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:
  1. Court appearances.
  2. Previously approved vacation or time off.
  3. Illness or medical leave.
  4. Physical limitations preventing the member's participation.
  5. Emergency situations or department necessity.
- (b) Any member who is unable to attend training as scheduled shall notify his/her supervisor as soon as practicable but no later than one hour prior to the start of training and shall:
  1. Document his/her absence in a memorandum to his/her supervisor.
  2. Make arrangements through his/her supervisor or the Sergeant to attend the required training on an alternate date.

#### **203.7 DAILY TRAINING BULLETINS**

The Lexipol Daily Training Bulletins (DTBs) are contained in a Web-accessed system that provides training on the Schoolcraft College Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Sergeant.

Members assigned to participate in DTBs shall only use the login credentials assigned to them by the Sergeant. Members should not share their password with others and should frequently change their password to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members who are assigned to participate in the DTB program should complete each DTB at the beginning of their shifts or as otherwise directed by their supervisor. Members should not

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## Policy Manual

### *Training*

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allow uncompleted DTBs to build up over time, and may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet-enabled computer, members shall only take DTBs as part of their on-duty assignments, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of those under their command to ensure compliance with this policy.

#### **203.8 TRAINING RECORDS**

The Sergeant is responsible for the creation, filing and storage of all training records. Training records shall be retained in accordance with the established records retention schedule.

## Electronic Mail

### 204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

### 204.2 POLICY

Schoolcraft College Police Department members shall use email in a professional manner in accordance with this policy and current law (e.g., Michigan Freedom of Information Act (FOIA); MCL 15.231 et seq.).

### 204.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

### 204.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from a supervisor in his/her chain of command.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name or password. Any member who believes his/her password has become known to another person shall change their password immediately.

### 204.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under FOIA and must be managed in accordance with the established records retention schedule and in compliance with state law.

# Schoolcraft College Police Department

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### *Electronic Mail*

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The FOIA coordinator shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

## **Administrative Communications**

### **205.1 PURPOSE AND SCOPE**

This policy sets forth the manner in which the Department communicates significant changes to its membership, such as promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status. This policy also provides guidelines for the professional handling of electronic and non-electronic administrative communications from the Department.

### **205.2 POLICY**

The Schoolcraft College Police Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

### **205.3 MEMORANDUMS**

Memorandums may be issued periodically by the Chief of Police or the authorized designee to announce and document all promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status.

### **205.4 CORRESPONDENCE**

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. All department letterhead shall bear the signature element of the Chief of Police. Official correspondence and use of letterhead requires approval of a supervisor. Department letterhead may not be used for personal purposes.

Official internal correspondence shall be on the appropriate department electronic or non-electronic memorandum forms.

Electronic correspondence shall contain the sender's department-approved signature.

### **205.5 SURVEYS**

All surveys made in the name of the Department shall be authorized by the Chief of Police or the authorized designee.

### **205.6 OTHER COMMUNICATIONS**

General Orders and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief of Police or the authorized designee (see the General Orders Policy).

## Supervision Staffing Levels

### **206.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines to ensure that proper supervision is available to meet the needs of the Department and members throughout all Bureaus.

### **206.2 POLICY**

The Schoolcraft College Police Department will ensure that proper supervision is available to meet the needs of its members and to achieve the goals of the Department. The needs of its members should be balanced with the needs of the Department for flexibility and discretion in assigning members to meet supervisory needs. While balance is desirable, the paramount concern is to meet the needs of the Department.

### **206.3 MINIMUM SUPERVISION STAFFING LEVELS**

Minimum staffing levels should be established by the Chief for each Bureau and work group. The supervision staffing levels should support proper supervision, span of control, compliance with any collective bargaining agreement and activity levels to meet the needs of members and the goals of the Department.

#### **206.3.1 TEMPORARY SUPERVISORS**

In order to accommodate training and other unforeseen circumstances, a qualified lower-ranking member may be used as a temporary supervisor in place of a regularly assigned supervisor.

## Retiree Concealed Firearms

### 207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Schoolcraft College Police Department identification cards to qualified former or retired law enforcement officers under the Law Enforcement Officers' Safety Act (LEOSA) and/or Michigan state law (18 USC § 926C; MCL 28.511 et seq.).

### 207.2 POLICY

It is the policy of the Schoolcraft College Police Department to provide to the Michigan Commission on Law Enforcement Standards (MCOLES) the authorization for the issuance of a LEOSA identification certificate to qualified former or retired officers of the Schoolcraft College Police Department to facilitate the lawful carrying of concealed weapons by those individuals.

### 207.3 LEOSA

The Chief of Police may authorize the issuance of an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a peace officer for an aggregate of 10 years or more or, if employed as a peace officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearms qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

#### 207.3.1 LEOSA CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Schoolcraft College Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active-duty standards for qualification to carry a firearm.

#### 207.3.2 AUTHORIZATION

Any qualified former peace officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

# Schoolcraft College Police Department

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### *Retiree Concealed Firearms*

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- (a) In possession of photographic identification that identifies him/her as having been employed as a peace officer, and one of the following:
  - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active-duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.
  - 2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active-duty peace officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by Michigan law or by a private person or entity on his/her property if such prohibition is permitted by Michigan law.

#### **207.4 MICHIGAN'S CERTIFICATION CARD**

The Chief of Police may issue an authorization letter to MCOLES authorizing the issuance of the LEOSA identification certificate on behalf of the Schoolcraft College Police Department to carry a concealed firearm to a person who meets the qualifications as established by 18 USC § 926C (MCL 28.513).

The applicant will then submit an application to MCOLES and comply with the testing process.

Upon completion of the testing and background check, MCOLES will issue the LEOSA identification certificate.

##### **207.4.1 AUTHORIZATION**

Qualified former officers with a Michigan LEOSA identification certificate issued by MCOLES may carry as a concealed weapon within this state, any firearm inspected and approved by MCOLES. The card does not itself authorize a retiree to carry a concealed firearm outside this state. The former officer must also meet state and LEOSA requirements.

#### **207.5 FORMER OFFICER RESPONSIBILITIES**

A former officer with a card issued under this policy shall immediately notify MCOLES of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Arrests, Convictions and Court Orders Policy (MCL 28.518).

A former officer must comply with the following state requirements when holding a LEOSA identification certification from the State of Michigan:

- (a) Carry both the LEOSA identification certificate and a valid Michigan driver's license or personal identification card whenever carrying a concealed firearm.

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### *Retiree Concealed Firearms*

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- (b) Provide notice to any peace officer who should stop the former officer while the former officer is carrying a concealed firearm (MCL 28.518).
- (c) Not possess a concealed firearm while under the influence of a controlled substance or with a blood alcohol content of .02 or higher (MCL 28.519).

#### **207.5.1 RESPONSIBILITIES UNDER LEOSA**

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

#### **207.5.2 RESPONSIBILITIES UNDER MICHIGAN LAW**

In order to maintain a LEOSA identification certificate issued under Michigan law, the retired officer shall (MCL 28.511 et seq.):

- (a) Qualify annually with the authorized firearm at a course approved by and conducted through MCOLES at the retired officer's expense.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Not engage in conduct that compromises public safety.

#### **207.6 DENIAL, SUSPENSION OR REVOCATION**

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by MCOLES. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by MCOLES. The decision of MCOLES is final.

## **Chapter 3 - General Operations**

## Use of Force

### 300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Conducted Energy Device policies.

#### 300.1.1 DEFINITIONS

Definitions related to this policy include:

**Deadly force** - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

**Feasible** - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

**Force** - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

**Imminent** - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

**Totality of the circumstances** - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

### 300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Schoolcraft College Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

# Schoolcraft College Police Department

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### *Use of Force*

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#### 300.2.1 DUTY TO INTERCEDE AND REPORT

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

#### 300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

### **300.3 USE OF FORCE**

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

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

#### 300.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.

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### *Use of Force*

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- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

#### 300.3.2 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

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#### 300.3.3 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and is subject to the following:

- (a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
- (b) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
- (c) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.
- (d) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

#### 300.3.4 RESPIRATORY RESTRAINT

The use of a respiratory restraint, also known as a chokehold, is limited to circumstances where deadly force is authorized and if applied, is subject to the same guidelines and requirements as a carotid control hold.

#### 300.3.5 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Schoolcraft College Police Department for this specific purpose.

#### 300.3.6 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

# Schoolcraft College Police Department

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#### **300.4 DEADLY FORCE APPLICATIONS**

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the [officer\_deputy] has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

##### **300.4.1 MOVING VEHICLES**

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

#### **300.5 REPORTING THE USE OF FORCE**

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department

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policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

#### **300.5.1 NOTIFICATIONS TO SUPERVISORS**

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the TASER (TM) or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

#### **300.6 MEDICAL CONSIDERATIONS**

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain

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(sometimes called “excited delirium”), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

#### **300.7 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
  - 1. The content of the interview should not be summarized or included in any related criminal charges.
  - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
  - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
  - 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
  - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

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In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

#### **300.7.1 SHIFT SUPERVISOR RESPONSIBILITY**

The Shift Supervisor shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

#### **300.8 TRAINING**

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

#### **300.9 USE OF FORCE ANALYSIS**

At least annually, the Patrol Shift Supervisor should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

## Use of Force Review Boards

### 301.1 PURPOSE AND SCOPE

This policy establishes a process for the Schoolcraft College Police Department to review the use of force by its members.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or the evaluation of the use of force.

### 301.2 POLICY

The Schoolcraft College Police Department will objectively evaluate the use of force by its members to ensure that their authority is used appropriately and consistent with training and policy.

### 301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever a member's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that member will be placed in a temporary administrative assignment pending an administrative review. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

### 301.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another person.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the member was on- or off-duty, excluding training or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Administration Shift Supervisor will convene the Use of Force Review Board as necessary. It will be the responsibility of the Shift Supervisor or supervisor of the involved member to notify the Administration Shift Supervisor of any incidents requiring board review. The involved member's Shift Supervisor or supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

#### 301.4.1 COMPOSITION OF THE BOARD

The Administration Shift Supervisor should staff the Use of Force Review Board with individuals from the following, as appropriate:

- Sergeant
- A peer officer/department member
- A law enforcement officer from an outside law enforcement agency, as appropriate

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- Department instructor for the type of weapon, device or technique used

The senior ranking command staff representative will serve as chairperson.

#### 301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved member to appear. The involved member will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

Absent an express waiver from the involved member, no more than two designated board members may ask questions of the involved member. Other board members may provide questions to the designated board members.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the involved member at the time shall neither justify nor call into question a member's decision regarding the use of force.

Any questioning of the involved member conducted by the board will be in accordance with Schoolcraft College Police Department disciplinary procedures, the \_\_\_\_\_, any applicable current collective bargaining agreement and any applicable state or federal law.

The board shall make one of the following recommended findings:

- (a) The member's actions were within department policy and procedure.
- (b) The member's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the member's actions were within policy and procedure, and determine whether any additional actions, investigations or reviews are appropriate. Those findings will be forwarded to the involved member's Shift Supervisor for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

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At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

## Handcuffing and Restraints

### 302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

### 302.2 POLICY

The Schoolcraft College Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

### 302.3 USE OF RESTRAINTS

Only members who have successfully completed Schoolcraft College Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

#### 302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to ensure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

#### 302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property.

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No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others.

#### **302.3.3 RESTRAINT OF JUVENILES**

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

#### **302.3.4 NOTIFICATIONS**

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

#### **302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS**

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

#### **302.5 APPLICATION OF SPIT HOODS**

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide

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assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

#### **302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES**

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

#### **302.7 APPLICATION OF LEG RESTRAINT DEVICES**

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.
- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

##### **302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS**

When applying leg restraints, the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

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- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a safety belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by Emergency Medical Services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

#### **302.8 REQUIRED DOCUMENTATION**

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report.

Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

#### **302.9 TRAINING**

Subject to available resources, the Sergeant should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.

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- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

## Control Devices

### 303.1 PURPOSE AND SCOPE

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

### 303.2 POLICY

In order to control individuals who are violent or who demonstrate the intent to be violent, the Schoolcraft College Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. The Chief of Police may also authorize other positions or individual department members to use specific control devices.

### 303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

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

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

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

### 303.4 RESPONSIBILITIES

#### 303.4.1 SHIFT SUPERVISOR RESPONSIBILITIES

The Shift Supervisor may authorize the use of a control device by selected department members who may not currently be issued or carrying the control device or those in specialized assignments who have successfully completed the required training.

#### 303.4.2 RANGE OFFICER RESPONSIBILITIES

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

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

#### 303.4.3 USER RESPONSIBILITIES

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

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Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Range Officer for disposition. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage.

#### **303.5 TEAR GAS GUIDELINES**

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects, based on the circumstances. Only the Shift Supervisor, Incident Commander or Western Wayne County Police Mutual Aid Special Operations Team Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire and emergency medical services personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation, if needed.

#### **303.6 OLEORESIN CAPSICUM (OC) GUIDELINES**

As with other control devices, OC spray and pepper projectiles may be considered for use to bring under control an individual or group of individuals who are engaging in, or are about to engage in, violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of department members or the public.

##### **303.6.1 OC SPRAY**

Uniformed members carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field members may carry OC spray as authorized, in accordance with the needs of their assignments or at the direction of their supervisors.

##### **303.6.2 TREATMENT FOR OC EXPOSURE**

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

#### **303.8 POST-APPLICATION NOTICE**

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

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#### **303.8 TRAINING FOR CONTROL DEVICES**

The Sergeant shall ensure that those members who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

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

#### **303.9 REPORTING USE OF CONTROL DEVICES**

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

## Conducted Energy Device

### 304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the TASER (TM).

### 304.2 POLICY

The TASER device is used to control a violent or potentially violent individual. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

### 304.3 ISSUANCE AND CARRYING TASER DEVICES

Only members who have successfully completed department-approved training may be issued and may carry the TASER device (MCL 750.224a).

TASER devices are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the TASER device and cartridges that have been issued by the Department. Uniformed officers who have been issued the TASER device shall wear the device in an approved holster. Non-uniformed officers may secure the TASER device in the driver's compartment of their vehicles.

Members carrying the TASER device should perform a spark test prior to every shift.

Officers who carry the TASER device while in uniform shall carry it in a weak-side holster on the side opposite the duty weapon.

- (a) All TASER devices shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Whenever practicable, officers should carry two or more cartridges on their person when carrying the TASER device.
- (c) Officers shall be responsible for ensuring that the issued TASER device is properly maintained and in good working order.
- (d) Officers should not hold a firearm and the TASER device at the same time.

### 304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the TASER device may be deployed.

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If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device) or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the TASER device in the related report.

#### **304.5 USE OF THE TASER DEVICE**

The TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

##### **304.5.1 APPLICATION OF THE TASER DEVICE**

The TASER device may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person (MCL 750.224a):

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the TASER device to apprehend an individual.

The TASER device shall not be used to psychologically torment, to elicit statements or to punish any individual.

##### **304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS**

The use of the TASER device on certain individuals should be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.

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- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

#### 304.5.3 TARGETING CONSIDERATIONS

The preferred targeting areas include the individual's back or front lower-center mass. The head, neck, chest and groin should be avoided when reasonably practicable. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the TASER device probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

#### 304.5.4 MULTIPLE APPLICATIONS OF THE TASER DEVICE

Officers should apply the TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Officers should not intentionally apply more than one TASER device at a time against a single individual.

If the first application of the TASER device appears to be ineffective in gaining control of an individual, the officer should evaluate the situation and consider certain factors before additional applications of the TASER device, including:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

#### 304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual to minimize the need for longer or multiple exposures to the TASER device. As soon as practicable, officers shall notify a supervisor any time the TASER device has been discharged. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

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#### 304.5.6 DANGEROUS ANIMALS

The TASER device may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

#### 304.5.7 TASER® CAM™

The TASER CAM is activated any time the safety is in the off position. The safety should be in the safe position unless the officer intends to use the device. Because the TASER CAM memory is limited, the video and audio data should be downloaded frequently and retained in accordance with the established records retention schedule.

#### 304.5.8 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department TASER devices while off-duty.

Officers shall ensure that TASER devices are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

### **304.6 DOCUMENTATION**

Officers shall document all TASER device discharges in the related arrest/crime reports and the TASER device report forms. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device, other than for testing purposes, will also be documented on the report form.

#### 304.6.1 TASER DEVICE REPORT FORM

Items that shall be included in the TASER device report form are:

- (a) The type and brand of TASER device and cartridge and cartridge serial number.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.
- (d) The number of TASER device activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the TASER device was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

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The Sergeant should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Sergeant should also conduct audits of data downloads and reconcile TASER device report forms with recorded activations. TASER device information and statistics, with identifying information removed, should periodically be made available to the public.

#### 304.6.2 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing TASER devices
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication or other medical problems

#### 304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove TASER device probes from a person's body. Used TASER device probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by TASER device probes or who have been subjected to the electric discharge of the device or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

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The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the TASER device (see the Medical Aid and Response Policy).

#### **304.8 SUPERVISOR RESPONSIBILITIES**

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the TASER device may be used. A supervisor should respond to all incidents where the TASER device was activated.

A supervisor should review each incident where a person has been exposed to an activation of the TASER device. The device's onboard memory should be downloaded through the data port by a supervisor or Range Officer and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

#### **304.9 TRAINING**

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the TASER device as a part of their assignments for a period of six months or more shall be recertified by a qualified TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of an officer's knowledge and/or practical skills may be required at any time if deemed appropriate by the Sergeant. All training and proficiency for TASER devices will be documented in the officer's training files.

Command staff, supervisors and investigators should receive TASER device training as appropriate for the investigations they conduct and review.

Officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Sergeant is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injuries and should not be mandatory for certification.

The Sergeant should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.

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- (e) Handcuffing a subject during the application of the TASER device and transitioning to other force options.
- (f) De-escalation techniques.
- (g) Restraint techniques that do not impair respiration following the application of the TASER device.

## Officer-Involved Shootings and Deaths

### 305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of another action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

### 305.2 POLICY

The policy of the Schoolcraft College Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

### 305.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- A criminal investigation of the suspect's actions.
- A criminal investigation of the involved officer's actions.
- An administrative investigation as to policy compliance by involved officers.
- A civil investigation to determine potential liability.

### 305.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

#### 305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Schoolcraft College Police Department would control the investigation if the suspect's crime occurred on Schoolcraft College property.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

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#### **305.4.2 CRIMINAL INVESTIGATIONS OF OFFICER ACTIONS**

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

#### **305.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION**

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

### **305.5 INVESTIGATION PROCESS**

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

#### **305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES**

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved SCPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

#### **305.5.2 SUPERVISOR RESPONSIBILITIES**

Upon arrival at the scene, the first uninvolved SCPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
  1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any SCPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
  1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident

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- scene, identity of known or potential witnesses and any other pertinent information.
2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to their immediate supervisor. If feasible, sensitive information should be communicated over secure networks.
  - (d) Take command of and secure the incident scene with additional SCPD members until properly relieved by another supervisor or other assigned personnel or investigator.
  - (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
    1. Each involved SCPD officer should be given an administrative order not to discuss the incident with other involved officers or SCPD members pending further direction from a supervisor.
    2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

#### 305.5.3 SHIFT SUPERVISOR RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Shift Supervisor shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or his/her designee.

All outside inquiries about the incident shall be directed to the Chief of Police.

#### 305.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
  1. Involved SCPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
  2. Requests from involved non-SCPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) A licensed psychotherapist shall be provided by the Department to each involved SCPD officer. A licensed psychotherapist may also be provided to any other affected SCPD members, upon request.
  1. Interviews with a licensed psychotherapist will be considered privileged.

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2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
  3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (d) Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such communications. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved SCPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Shift Supervisor to make schedule adjustments to accommodate such leave.

#### **305.6 CRIMINAL INVESTIGATION**

The Prosecuting Attorney's Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting involving injury or death.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the Prosecuting Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

- (a) SCPD supervisors and Chief of Police or his/her designee personnel should not participate directly in any voluntary interview of SCPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, he/she shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration

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should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.

- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

#### 305.6.1 REPORTS BY INVOLVED SCPD OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved SCPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved SCPD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved SCPD officer of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

#### 305.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.
  - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
  - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.

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- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
  - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

#### **305.6.3 INVESTIGATIVE PERSONNEL**

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated supervisor to assign appropriate investigative personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from the Prosecuting Attorney's Office and may be assigned to separately handle the investigation of any related crimes not being investigated by the Prosecuting Attorney's Office.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Shift Supervisor.

#### **305.7 ADMINISTRATIVE INVESTIGATION**

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved SCPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Chief of Police or his/her designee and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws.

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
  - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved

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officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.

- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
  2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative collectively or in groups prior to being interviewed.
  3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
  4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her Garrity rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally (MCL 15.393).
  5. The Chief of Police or his/her designee shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
  6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
  7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

#### **305.8 AUDIO AND VIDEO RECORDINGS**

Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video, or other video or audio recordings with the approval of assigned investigators or a supervisor.

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Any MAV, body-worn video, and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or College Attorney's Office, as appropriate.

#### **305.9 DEBRIEFING**

Following an officer-involved shooting or death, the Schoolcraft College Police Department should conduct both a critical incident stress debriefing and a tactical debriefing.

##### **305.9.1 CRITICAL INCIDENT STRESS DEBRIEFING**

A critical incident stress debriefing should occur as soon as practicable. The Chief of Police or his/her designee is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., civilian personnel). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Chief of Police or his/her designee personnel.

Provided that the person or entity providing service at the critical incident stress debriefing is an organized community or local crisis response team that is a member of the Michigan Crisis Response Association Network, communications made by members and records kept by the service provider are confidential and protected from disclosure as provided in MCL 333.20981 et seq.

##### **305.9.2 TACTICAL DEBRIEFING**

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to the criminal and/or administrative investigators.

#### **305.10 MEDIA RELATIONS**

Any media release shall be prepared with input and concurrence from the supervisor and the department representative responsible for each phase of the investigation. Releases will be available to the Shift Supervisor, Shift Supervisor and Chief of Police or his/her designee in the event of inquiries from the media.

No involved SCPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Shift Supervisor.

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Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

## Firearms

### 306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of a firearm that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

### 306.2 POLICY

The Schoolcraft College Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

The Department Supervisor in charge of training shall have the responsibility of maintaining a current inventory of all weapons owned by the Department.

### 306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Range Officer. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Shift Supervisor. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

#### 306.3.1 HANDGUNS

The authorized department-issued handgun is the Glock Model 22 Gen 4 .40. The following additional handguns are approved for on-duty use:

MAKE	MODEL	CALIBER

#### 306.3.2 PATROL RIFLES

The authorized department-issued patrol rifle is the Sig 516 .223, or a .223 patrol rifle manufactured by a reputable manufacturer and approved by the Chief of Police or his/her designee.

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Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured in the locked pelican case that is secured in the patrol vehicle as follows:

- (a) chamber empty,
- (b) bolt forward,
- (c) Safety in the ON position,
- (d) dust cover closed,
- (e) magazine loaded and inserted into the magazine well.

#### 306.3.3 PERSONALLY OWNED PATROL RIFLES

Members desiring to carry an authorized but personally owned patrol rifle must adhere to the following criteria:

- (a) The patrol rifle must be of an AR-15 designation, in 5.56mm, with the same operating functions as the Schoolcraft College Police Department's AR-15 patrol rifles. These specifications include iron sights, semi-automatic function only, a barrel with a minimum length of 16 inches, approved light system, and approved tactical sling.
- (b) The rifle may be equipped with an authorized red dot type optic. The optic must be mounted in a fashion that does not obscure the iron sight system. The optic may also have limited magnification. Rifle operators will be required to qualify on an additional course designed for the use of the approved optic. Optics may be from any reputable manufacturer and must be approved by the Chief of Police or his/her designee.
- (c) The rifle requested to be used while on-duty must be inspected annually by a department authorized AR-15 armorer, prior to use, to assure that it meets these requirements.
- (d) The officer must qualify with the patrol rifle annually.

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- (e) The officer must carry department-issued ammunition.
- (f) No modifications will be made to the patrol rifle for on-duty carry.
- (g) Maintenance and replacement of parts will be the responsibility of the individual officer.

#### 306.3.4 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Range Officer prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Range Officer, who will maintain a list of the information.

#### 306.3.5 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
  - 1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.

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- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (c) It will be the responsibility of the member to submit the firearm to the Range Officer for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Range Officer.
- (d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Range Officer that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Range Officer, who will maintain a list of the information.
- (f) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (g) When armed, officers shall carry their badges and Schoolcraft College Police Department identification cards under circumstances requiring possession of such identification.

#### 306.3.6 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Range Officer when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

#### 306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

##### 306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Range Officer.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Range Officer.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Range Officer.

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#### 306.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

#### 306.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Range Officer. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

#### 306.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Range Officer. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

### **306.5 SAFE HANDLING, INSPECTION AND STORAGE**

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Range Officer. Members shall not dry fire or practice quick draws except under Range Officer supervision.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the gun cleaning room (JC022), using the clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.

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- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Range Officer approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Range Officer will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

#### 306.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition (see 306.3.2). Inspection of the shotgun and rifle shall be done while in the gun cleaning room (JC022) while using the clearing barrels.

Personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner in the gun cleaning room (JC022) using the clearing barrel and then stored in the appropriate equipment storage room.

#### 306.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

#### 306.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or taken any combination thereof that would tend to adversely affect the member's senses or judgment.

### 306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete training bi-annually with their duty and secondary firearms. In addition to bi-annual training, all members will qualify at least annually with their duty firearms. Training and qualifications must be on an approved range course.

All members who carry a firearm while on-duty are required to successfully meet the Michigan Commission on Law Enforcement Standards, Active Duty Firearms standard annually. (Mich. Admin. Code, R 28.14210).

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

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#### 306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for:
  - 1. Unauthorized range make-up.
  - 2. Failure to meet minimum standards or qualify after remedial training.

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

#### **306.7 FIREARM DISCHARGE**

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Shift Supervisor or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

#### 306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing

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with the animal (e.g., fire extinguisher, TASER (TM), oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

#### **306.7.2 INJURED ANIMALS**

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

#### **306.7.3 WARNING SHOTS**

Warning shots are not permissible.

#### **306.8 RANGE OFFICER DUTIES**

The range will be under the exclusive control of the Range Officer. All members attending will follow the directions of the Range Officer. The Range Officer will maintain a roster of all members attending the range and will submit the roster to the Sergeant after each range date. Failure of any member to sign in and out with the Range Officer may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Range Officer has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Range Officer has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until it has been inspected and approved by the Range Officer.

The Range Officer has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Range Officer shall complete and submit to the Sergeant documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Range Officer should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Sergeant.

#### **306.9 FLYING WHILE ARMED**

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

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- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Schoolcraft College Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).
- (c) The Schoolcraft College Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Schoolcraft College Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

#### **306.10 CARRYING FIREARMS OUT OF STATE**

Qualified, active officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Schoolcraft College Police Department identification card whenever carrying such firearm.

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- (b) The officer may not be the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active peace officers from other states are subject to all requirements set forth in 18 USC § 926B.

## Vehicle Pursuits

### 307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and fleeing suspects.

#### 307.1.1 DEFINITIONS

Definitions related to this policy include:

**Blocking or vehicle intercept** - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary road block.

**Boxing-in** - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

**Pursuit Intervention Technique (PIT)** - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

**Ramming** - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

**Roadblocks** - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

**Terminate** - To discontinue a pursuit or stop chasing fleeing vehicles.

**Tire deflation device** - A device designed to puncture the tires of the pursued vehicle.

**Trail** - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

**Vehicle pursuit** - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

### 307.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

### 307.3 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law.

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Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (MCL 257.603):

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing direction of movement or turning in specified directions.

#### 307.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and base/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.
- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
- (i) Vehicle speeds.

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- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The availability of other resources, such as air support assistance.
- (l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

#### 307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards posed to uninvolved bystanders or motorists.
- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.

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#### **307.4 PURSUIT VEHICLES**

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit vehicles and the supervisor vehicle). However, the number of vehicles involved will vary with the circumstances.

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

##### **307.4.1 MOTORCYCLES**

When involved in a pursuit, police department motorcycles should be replaced by marked emergency vehicles as soon as practicable.

##### **307.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT**

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

##### **307.4.3 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES**

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.

The primary pursuing officer should notify the base, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

- (a) The location, direction of travel and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.
- (d) The use of firearms, threat of force, violence, injuries, hostages or other unusual hazards.
- (e) The number of occupants and identity or description.
- (f) The weather, road and traffic conditions.
- (g) The need for any additional resources or equipment.

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- (h) The identity of other law enforcement agencies involved in the pursuit.

Until relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

#### **307.4.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES**

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- (a) Immediately notifying the base of his/her entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

#### **307.5 PURSUIT DRIVING**

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
  1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
  2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.
- (c) As a general rule, officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:

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1. Request assistance from available air support.
  2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
  3. Request other officers to observe exits available to the suspect.
- (d) Notify the Michigan State Police (MSP) or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

#### 307.5.1 PURSUIT TRAILING

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

#### 307.5.2 AIR SUPPORT ASSISTANCE

When available, air support assistance should be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If officers on the ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew should recommend terminating the pursuit.

#### 307.5.3 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended accident or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a non-emergency manner, observing the rules of the road.

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The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

#### **307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES**

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The patrol supervisor of the officer initiating the pursuit, or if unavailable, the nearest patrol supervisor, will be responsible for:

- (a) Immediately notifying involved officers and the base of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines or additional resources is requested, if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Shift Supervisor is notified of the pursuit, as soon as practicable.
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- (j) Controlling and managing Schoolcraft College Police Department officers when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

##### **307.6.1 SHIFT SUPERVISOR RESPONSIBILITIES**

Upon becoming aware that a pursuit has been initiated, the Shift Supervisor should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Supervisor has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Shift Supervisor shall review all pertinent reports for content and forward them to the Shift Supervisor.

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#### **307.7 LOSS OF PURSUED VEHICLE**

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

#### **307.8 INTERJURISDICTIONAL CONSIDERATIONS**

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

##### **307.8.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY**

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Schoolcraft College Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The roles and responsibilities of officers at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

##### **307.8.2 PURSUITS EXTENDING INTO THIS JURISDICTION**

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Schoolcraft College Police Department, the supervisor should consider:

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- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit.
- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Shift Supervisor should review a request for assistance from another agency. The Shift Supervisor or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the College limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

#### **307.9 PURSUIT INTERVENTION**

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

##### **307.9.1 WHEN USE IS AUTHORIZED**

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

##### **307.9.2 USE OF FIREARMS**

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

##### **307.9.3 INTERVENTION STANDARDS**

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including

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deadly force, and are subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

- (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after giving consideration to the following:
  - 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers or others.
  - 2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
  - 3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
  - 4. The suspect vehicle is stopped or traveling at a low speed.
  - 5. Only law enforcement vehicles should be used in this tactic.
- (b) The PIT is limited to use by properly trained officers with the approval of a supervisor and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.
- (c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:
  - 1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
  - 2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
- (d) Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.

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Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

- (e) Tire deflation devices should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment, and in a manner that:
  - 1. Should reasonably only affect the pursued vehicle.
  - 2. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
  - 3. Takes into account the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle.
  - 4. Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children.
- (f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or the public.

#### **307.10 CAPTURE OF SUSPECTS**

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

#### **307.12 REPORTING REQUIREMENTS**

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) The primary pursuing officer or supervisor shall complete the appropriate pursuit report.

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- (c) After first obtaining the available information, the involved, or if unavailable, on-duty field supervisor shall promptly complete a supervisor's log or interoffice memorandum, briefly summarizing the pursuit to the Chief of Police or the authorized designee. This log or memorandum should include, at a minimum:
  - 1. Date and time of the pursuit.
  - 2. Initial reason and circumstances surrounding the pursuit.
  - 3. Length of pursuit in distance and time, including the starting and termination points.
  - 4. Involved vehicles and officers.
  - 5. Alleged offenses.
  - 6. Whether a suspect was apprehended, as well as the means and methods used.
    - (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.
  - 7. Arrestee information, if applicable.
  - 8. Any injuries and/or medical treatment.
  - 9. Any property or equipment damage.
  - 10. Name of supervisor at the scene or who handled the incident.
  - 11. A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.
- (d) After receiving copies of reports, logs and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.
- (e) Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

#### **307.13 REGULAR AND PERIODIC PURSUIT TRAINING**

In addition to initial and supplementary training on pursuits, all officers will participate, no less than annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

#### **307.14 POLICY REVIEW**

Officers of this department shall certify in writing that they have received, read and understand this policy initially, upon any amendments and whenever training on the policy is provided.

## Foot Pursuits

### 308.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

### 308.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

### 308.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.

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- (d) Thermal imaging or other sensing technology.
- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

#### **308.4 GENERAL GUIDELINES**

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspects should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the base or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

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- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

### **308.5 RESPONSIBILITIES IN FOOT PURSUITS**

#### **308.5.1 INITIATING OFFICER RESPONSIBILITIES**

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel
- (b) Call sign identifier
- (c) Reason for the foot pursuit, such as the crime classification
- (d) Number of suspects and description, to include name if known
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the base of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

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#### 308.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize nonessential radio traffic to permit the involved officers maximum access to the radio frequency.

#### 308.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

#### **308.6 REPORTING REQUIREMENTS**

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and officers.
- (f) Whether a suspect was apprehended as well as the means and methods used.
  - 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- (g) Arrestee information, if applicable.
- (h) Any injuries and/or medical treatment.
- (i) Any property or equipment damage.
- (j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

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In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

## Officer Response to Calls

### 309.1 PURPOSE AND SCOPE

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

### 309.2 POLICY

It is the policy of this department to appropriately respond to emergency and non-emergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

### 309.3 RESPONSE TO CALLS

Officers responding to non-emergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

#### 309.3.1 EMERGENCY CALLS

Officers responding to an emergency call shall proceed immediately as appropriate and shall continuously operate the emergency vehicle lighting and siren as required by law (MCL 257.603).

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required. This includes, but is not limited to:

- (a) When in pursuit or apprehending a violator or suspected violator.
- (b) When responding to a reported emergency involving possible personal injury, death or significant property damage.
- (c) When immediate assistance is requested by an officer or other law enforcement agency.

If an officer believes an emergency response to any call is appropriate, the officer shall immediately notify the base.

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

### 309.4 REQUESTING EMERGENCY ASSISTANCE

When requesting emergency assistance, the involved department member should reasonably believe there is an imminent threat to the safety of him/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

If circumstances permit, the requesting member should provide the following information:

- Identifying call sign
- Location of the emergency situation

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- Suspect information, including weapons
- Reason for the request and type of emergency
- The number of officers or resources required
- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the base.

#### **309.5 SAFETY CONSIDERATIONS**

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. However the officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property:

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement or turning in specified directions.

##### **309.5.1 NUMBER OF OFFICERS ASSIGNED**

The number of officers assigned to respond to an emergency call or request for assistance should be limited to that which is reasonably necessary.

##### **309.5.2 MOTORCYCLES**

An officer operating a police motorcycle should not be assigned to an emergency response. However, an officer operating a police motorcycle in an emergency response should be replaced by an authorized emergency vehicle equipped with emergency lights and siren as soon as practicable.

#### **309.6 EMERGENCY EQUIPMENT**

Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicles are operated in compliance with all traffic laws. Those officers should terminate their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles.

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Shift Supervisor of the equipment failure so that another officer may be assigned to the emergency response.

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#### **309.7 OFFICER RESPONSIBILITIES**

The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. In such an event, the officer should immediately notify the base. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify the base of his/her determination. Any subsequent change in the appropriate response level should be communicated to the base by the officer in charge of the scene unless a supervisor assumes this responsibility.

#### **309.8 SUPERVISOR RESPONSIBILITIES**

Upon being notified that an emergency response has been initiated or requested, the Shift Supervisor shall verify that:

- (a) The proper response has been initiated.
- (b) No more than those officers reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.

The supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing officers into or out of the response, if necessary. If, in the supervisor's judgment, the circumstances require additional officers to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment, is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the Shift Supervisor should consider:

- The type of call or crime involved.
- The type and circumstances of the request.
- The necessity of a timely response.
- Weather, traffic and road conditions.
- The location of the responding officers and the location of the incident.

## Domestic Violence

### 310.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of the Schoolcraft College Police Department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence (MCL 776.22).

#### 310.1.1 DEFINITIONS

Definitions related to this policy include:

**Court order** - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

**Domestic violence** - Any state or local criminal offense, or the act of causing or attempting to cause physical or mental harm; the fear of either physical or mental harm; sexual activity by force, threat or duress; or any other activity that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed or molested, when such criminal offense or act is committed against a family or household member (MCL 400.1501; MCL 764.15c).

**Domestic violence offense** - A violation of MCL 750.81 or MCL 750.81a when the suspect (MCL 764.15a):

- (a) Has had a child in common with the victim.
- (b) Resides or has resided with the victim.
- (c) Has or has had a dating relationship with the victim.
- (d) Is a spouse or former spouse of the victim.

**Family or household member** - Any of the following (MCL 400.1501; MCL 750.81a):

- (a) Spouses or former spouses
- (b) Individuals residing or who previously resided together
- (c) Individuals in a dating or previous dating relationship
- (d) Individuals engaged or previously engaged in a sexual relationship
- (e) Individuals who are or were formerly related by marriage
- (f) Individuals who have a child in common
- (g) A minor child of any of the above mentioned individuals

### 310.2 POLICY

The Schoolcraft College Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy

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of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

#### **310.3 OFFICER SAFETY**

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

#### **310.4 INVESTIGATIONS**

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Detective Bureau in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When

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reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
1. Whether the suspect lives on the premises with the victim.
  2. Claims by the suspect that the victim provoked or perpetuated the violence.
  3. The potential financial or child custody consequences of arrest.
  4. The physical or emotional state of either party.
  5. Use of drugs or alcohol by either party.
  6. Denial that the violence occurred where evidence indicates otherwise.
  7. A request by the victim not to arrest the suspect.
  8. Location of the incident (public/private).
  9. Speculation that the complainant may not follow through with the prosecution.
  10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.
  11. The social status, community status, or professional position of the victim or suspect.
  12. The absence of visible indications of injury or impairment (MCL 776.22).

#### 310.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

#### 310.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
  1. Voluntary separation of the parties.
  2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness assistance).
- (b) Document the resolution in a report.

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#### **310.5 VICTIM ASSISTANCE**

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected.

- (a) Victims shall be provided with the department domestic violence information handout, even if the incident may not rise to the level of a crime (MCL 764.15c; MCL 780.753).
- (b) Victims shall also be alerted to any available victim advocates, shelters and community resources (MCL 764.15c; MCL 776.22).
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers should stand by for a reasonable amount of time.
- (d) If the victim has sustained injury or complains of pain, officers shall seek medical assistance for the victim as soon as practicable (MCL 776.22).
- (e) Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (f) Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) If appropriate, officers shall seek or assist the victim in obtaining an emergency order (MCL 776.22).

#### **310.6 FOREIGN COURT ORDERS**

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state (MCL 600.2950i). An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

##### **310.6.1 VERIFICATION**

If a person seeking enforcement of a foreign court order does not possess a copy of the order, officers shall attempt to verify the existence of a foreign protection order. This may include, but is not limited to, checking the Law Enforcement Information Network (LEIN) or the National Crime Information Center (NCIC) system, contacting the court that issued the order or the law enforcement agency of the issuing jurisdiction (MCL 600.2950i).

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#### **310.7 VERIFICATION OF COURT ORDERS**

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

#### **310.8 STANDARDS FOR ARRESTS**

Officers investigating a domestic violence report should consider the following:

- (a) Officers having probable cause to believe that a person has committed a domestic violence offense should make an arrest (MCL 764.15a).
- (b) Officers having probable cause to believe that a person has violated a personal protective order, including a foreign protection order, should arrest the person (MCL 764.15b).
  1. If the person had not received prior notice of the order, he/she shall be given an opportunity to comply with the order before an arrest is made (MCL 600.2950; MCL 600.2950a).
- (c) An officer who has probable cause to believe that a person has violated a condition of release (conditional bond) imposed under MCL 780.582a should arrest the person (MCL 764.15e).
  1. The arresting officer shall prepare a complaint of violation in the format prescribed in MCL 764.15e and provide a copy to the arrestee.
- (d) Any decision not to arrest when there is probable cause to do so should be made by a supervisor based on a clear and compelling reason not to arrest.
- (e) An appearance ticket shall not be issued to a person arrested (MCL 764.9c):
  1. For a violation of a personal protective order.
  2. When the person is the subject to a mandatory period of confinement.

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3. When the person has not met a condition of bond or release.
  4. For assault and battery or domestic assault with a prior conviction (MCL 750.81).
  5. For assault with serious or aggravated injury or aggravated domestic assault with a prior conviction (MCL 750.81a).
- (f) Officers should not arrest an individual if the officer has probable cause to believe the individual was acting in lawful self-defense or in lawful defense of another (MCL 776.22).
- (g) When circumstances could result in a dual arrest because an officer has probable cause to believe that a family or household member has committed crimes against each other, the officer should consider the following when making a decision whether to arrest one or both of the individuals:
1. The intent of state law to protect victims of domestic violence.
  2. The degree of injury inflicted on the individuals involved.
  3. The extent to which the individuals have been put in fear of physical injury to themselves or other members of the household.
  4. Any history of domestic violence between the individuals.

#### **310.8.1 RELEASE**

Officers making an arrest for a domestic violence incident should notify the proper custodial officer that the individual may not be eligible for release until he/she can be arraigned or have an interim bond set by a judge or district court magistrate (MCL 780.582a; MCL 764.15b; MCL 764.15e).

#### **310.10 REPORTS AND RECORDS**

- (a) Reports of domestic violence shall be on the standard domestic violence incident report form created by the Michigan State Police (MSP) or on a substantially similar form (MCL 764.15c).
- (b) The Police Department Associate should ensure:
1. That a copy of the report is filed with the prosecuting attorney within 48 hours of the initial incident (MCL 764.15c).
  2. In cases of conditional bond violations, that a copy of the complaint is retained with the case file and that the original is forwarded as required (MCL 764.15e).
  3. For arrests involving the violation of a protection order, the biometric data of the arrestee, as defined by MCL 28.241a, that is collected during the booking process shall be forwarded to the MSP within 72 hours (MCL 28.243).
  4. That domestic violence incidents are reported to the MSP as required (MCL 28.257).

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#### **310.10 SERVICE OF COURT ORDERS**

Officers responding to a domestic violence incident and having knowledge that an unserved court order exists shall serve the person restrained or enjoined with a copy of the order, or advise the person of the existence of the order, the specific conduct enjoined, the penalties for violating the order and where the person may obtain a copy of the order. Proof of service shall be filed with the clerk of the issuing court (MCL 600.2950; MCL 600.2950a; MCL 600.2950i).

#### **310.12 ENTRY OF COURT ORDERS INTO THE LAW ENFORCEMENT INFORMATION NETWORK**

The Police Department Associate is responsible for the entry, modification and removal of personal protection orders and protective or parole conditions, as directed by the court, in LEIN (MCL 780.582a; MCL 600.2950; MCL 600.2950a; MCL 765.6b).

##### **310.12.1 FIREARMS**

If an officer encounters an individual carrying a weapon in violation of a suspension or revocation order, the officer should attempt to determine if the individual had received previous notice of the order. If the individual had not received notice, the officer shall inform the individual of the order and allow the individual the opportunity to comply with the order before making an arrest. The officer notifying an individual of the existence of a suspension or revocation order shall enter such information in LEIN (MCL 28.428).

#### **310.12 PUBLIC ACCESS TO POLICY**

The Chief of Police or the authorized designee shall ensure that this policy is made available to the public upon request (MCL 776.22).

#### **310.14 ANNUAL REVIEW**

This policy shall be reviewed annually by the Chief of Police or the authorized designee (MCL 776.22).

#### **310.14 DISCIPLINE**

Members who violate this policy may be subject to discipline up to and including termination (MCL 776.22).

#### **310.15 TRAINING**

Subject to available resources, members should receive appropriate training on this policy (MCL 776.22).

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## Search and Seizure

### 311.1 PURPOSE AND SCOPE

Both the federal and state constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Schoolcraft College Police Department personnel to consider when dealing with search and seizure issues.

### 311.2 POLICY

It is the policy of the Schoolcraft College Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

### 311.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions to the rule that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to:

- Valid consent.
- Incident to a lawful arrest.
- Legitimate community caretaking interests.
- Vehicle searches under certain circumstances.
- Exigent circumstances.

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

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#### **311.4 SEARCH PROTOCOL**

Although conditions will vary, and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) Whenever practicable, a search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.
- (f) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
  1. Another officer or a supervisor should witness the search.
  2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

#### **311.5 DOCUMENTATION**

Officers are responsible for documenting any search and ensuring that any required reports are sufficient including, at minimum, documentation of:

- Reason for the search.
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys).
- What, if any, injuries or damage occurred.
- All steps taken to secure property.
- The results of the search including a description of any property or contraband seized.
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer.

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

## Child Abuse

### 312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Schoolcraft College Police Department members are required to notify Children's Protective Services (CPS) of suspected child abuse.

#### 312.1.1 DEFINITIONS

Definitions related to this policy include:

**Child** - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

**Child abuse** - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency.

### 312.2 POLICY

The Schoolcraft College Police Department will investigate all reported incidents of alleged criminal child abuse and ensure CPS is notified as required by law.

### 312.3 MANDATORY NOTIFICATION

Officers of the Schoolcraft College Police Department shall notify CPS when there is reasonable cause to suspect child abuse or neglect (MCL 722.623).

For purposes of notification, abuse means harm or threatened harm to a child's health or welfare that occurs through non-accidental physical or mental injury, sexual abuse, sexual exploitation or maltreatment by a parent, legal guardian or any other person responsible for the child's health or welfare, including a teacher, teacher's aide or a member of the clergy. Neglect means harm or threatened harm to a child's health or welfare by a parent, legal guardian or other person responsible for the child by failing to provide the child with adequate food, clothing, shelter or medical care, or by failing to intervene to eliminate an unreasonable risk to the child's health or welfare (MCL 722.622).

#### 312.3.1 NOTIFICATION PROCEDURE

Notification shall occur as follows (MCL 722.623):

- (a) Immediately via the CPS Abuse and Neglect hotline or online reporting system if available.
- (b) A written report shall follow oral notification within 72 hours. The written report may be the prepared offense report if it includes the required information or the form prescribed by the Department of Human Services or a report made using the online reporting system if available. The report shall contain the following information, if known:
  1. The child's name and age.

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2. A description of the abuse or neglect and the manner in which it occurred.
  3. The name and address of the child's parent, guardian or person with whom the child resides.
  4. Any information that may establish the cause of the abuse or neglect.
- (c) If the abuse or neglect involves exposure of the child to methamphetamine production, the written report shall be forwarded to the county department of the county where the child is located. If the person responsible for exposure is a child care provider, the written report shall also be sent to the child care regulatory agency which may have authority over the organization.

#### **312.4 QUALIFIED INVESTIGATORS**

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed (MCL 722.628).
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

#### **312.5 INVESTIGATIONS AND REPORTING**

In all reported or suspected cases of child abuse, officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

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- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

#### **312.6 PROTECTIVE CUSTODY**

Before taking any child into protective custody, the officer should make reasonable attempts to contact CPS. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to CPS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian by an officer if there is reasonable cause to believe that the child is at substantial risk of harm or is in surroundings that present an imminent risk of harm and the child's immediate removal from those surroundings is necessary to protect the child's health and safety. The child shall not be held in a detention facility and the officer shall immediately, or as soon as practicable, notify CPS of the removal. If the release of the child cannot be arranged, a court order shall be obtained for placement of the child (MCL 712A.14a).

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#### 312.6.1 SAFE DELIVERY OF NEWBORNS

A parent may surrender his/her newborn child who is less than three days old to a uniformed or identified on-duty member of the Schoolcraft College Police Department.

The accepting member shall take necessary precautions for the safety of the infant, provide notice and written information outlining the parent's rights under the law and encourage the surrendering parent to provide all relevant facts related to the infant and both parents (MCL 712.3).

The accepting member shall arrange for safe transportation of the infant to a local hospital for a medical evaluation at which time the infant shall be released to medical personnel (MCL 712.5).

### **312.7 INTERVIEWS**

#### 312.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred. The child shall not be interviewed in the presence of an individual suspected to have perpetrated the abuse or neglect (MCL 722.628c).

#### 312.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
  - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
  - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
  - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

### **312.8 MEDICAL EXAMINATIONS**

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a

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medical examination, the notified supervisor should consider obtaining a court order for such an examination (MCL 722.626).

#### **312.9 DRUG-ENDANGERED CHILDREN**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

##### **312.9.1 SUPERVISOR RESPONSIBILITIES**

The Detective Bureau supervisor should:

- (a) Work with professionals from the appropriate agencies, including CPS, other law enforcement agencies, medical service providers and local prosecutors to develop community-specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Detective Bureau supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives at the scene.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

##### **312.9.2 OFFICER RESPONSIBILITIES**

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau supervisor so an interagency response can begin.

#### **312.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Members shall not release confidential information or identify the person reporting child abuse. This information is only subject to disclosure with the consent of that person or by judicial process (MCL 722.625).

##### **312.10.1 RELEASE OF REPORTS**

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy.

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#### 312.10.2 CHILD FATALITY REVIEW TEAMS

When a child dies as the result of abuse or neglect, the county child fatality review team should be notified (MCL 722.627b).

#### **312.11 TRAINING**

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.
- (g) Recognizing abuse that requires mandatory notification to another agency.
- (h) Instruction on the provisions of the Safe Delivery of Newborns law (MCL 712.1 et seq.).

## Adult Abuse

### 313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Schoolcraft College Police Department members as required by law.

#### 313.1.1 DEFINITIONS

Definitions related to this policy include:

**Adult abuse** - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

### 313.2 POLICY

The Schoolcraft College Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

### 313.3 MANDATORY NOTIFICATION

Members of the Schoolcraft College Police Department shall notify Adult Protective Services (APS) when they suspect or have reasonable cause to believe that an adult has been abused, neglected or exploited (MCL 400.11a).

If the abuse involves an adult in a nursing home facility, members should contact the Michigan Department of Community Health (MCL 333.21771).

For purposes of notification, adult means a person 18 years of age or older who is unable to protect him/herself from abuse, neglect or exploitation because of a mental or physical impairment or because of advanced age. Abuse means harm or threatened harm to an adult's health or welfare including, but not limited to, non-accidental physical or mental injury, sexual abuse or maltreatment of the adult by another person. Neglect means harm to an adult's health

#### 313.3.1 NOTIFICATION PROCEDURE

Notification should occur by calling the APS telephone hotline immediately or as soon as practicable (MCL 400.11a). Notification shall contain, if known:

- (a) The name and age of the adult.
- (b) The names and addresses of the adult's guardian, next of kin or persons with whom the adult resides, including their relationship to the adult.

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- (c) A description of the type of abuse, neglect or exploitation and the manner in which it occurred or is occurring.
- (d) Any other information available that may establish the cause of the abuse, neglect or exploitation.

#### **313.4 QUALIFIED INVESTIGATORS**

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed (MCL 400.11b).
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

#### **313.5 INVESTIGATIONS AND REPORTING**

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

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- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

#### **313.6 PROTECTIVE CUSTODY**

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

#### **313.7 INTERVIEWS**

##### **313.7.1 PRELIMINARY INTERVIEWS**

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

##### **313.7.2 DETAINING VICTIMS FOR INTERVIEWS**

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

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- (a) Exigent circumstances exist, such as:
  - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
  - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
  - 3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

#### **313.8 MEDICAL EXAMINATIONS**

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

#### **313.9 DRUG-ENDANGERED VICTIMS**

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

##### **313.9.1 SUPERVISOR RESPONSIBILITIES**

The Detective Bureau supervisor should:

- (a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers and local prosecutors to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Detective Bureau supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives at the scene.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

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#### 313.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Detective Bureau supervisor so an interagency response can begin.

#### **313.10 STATE MANDATES AND OTHER RELEVANT LAWS**

Michigan requires or permits the following:

##### 313.10.1 POLICE DEPARTMENT ASSOCIATE RESPONSIBILITIES

The Police Department Associate is responsible for:

- (a) Providing a copy of the adult abuse report to APS as required by law (MCL 400.11a).
- (b) Retaining the original adult abuse report with the initial case file.

##### 313.10.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy.

#### **313.11 TRAINING**

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

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## Discriminatory Harassment

### 314.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

### 314.2 POLICY

The Schoolcraft College Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

### 314.3 DEFINITIONS

Definitions related to this policy include:

#### 314.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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#### 314.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

#### 314.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

#### 314.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and the Michigan Civil Rights Commission guidelines (MCL 37.2208).
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with college or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

#### **314.4 RESPONSIBILITIES**

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Executive Director of Human Resources, or the College President.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or

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retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

#### 314.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Executive Director of Human Resources, or the College President for further information, direction, or clarification.

#### 314.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or the Executive Director of Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

#### 314.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline in a manner that is consistent with established procedures.

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#### **314.5 INVESTIGATION OF COMPLAINTS**

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

##### **314.5.1 SUPERVISOR RESOLUTION**

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

##### **314.5.2 FORMAL INVESTIGATION**

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Executive Director of Human Resources, or the College President.

##### **314.5.3 ALTERNATIVE COMPLAINT PROCESS**

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

#### **314.6 DOCUMENTATION OF COMPLAINTS**

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

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- (a) Approved by the Chief of Police, the College President, or the Executive Director of Human Resources, depending on the ranks of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

#### 314.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

#### **314.7 TRAINING**

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

## Missing Persons

### 315.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

#### 315.1.1 DEFINITIONS

Definitions related to this policy include:

**At risk** - Includes persons who (MCL 28.258):

- (a) Are 16 years of age or younger.
- (b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:
  1. Out of the zone of safety for his/her chronological age and developmental stage.
  2. Mentally, behaviorally, or physically disabled, or believed to be incapable of returning home without assistance.
  3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
  4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
  5. In a life-threatening situation.
  6. In the company of others who could endanger his/her welfare or physical safety.
  7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most persons have an established and reasonably predictable routine.
  8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.
  9. Disappeared under circumstances indicating that the disappearance is not voluntary.
  10. Missing as the result of a natural or intentionally caused catastrophe or extraordinary accident that causes the loss of human life.
- (c) Qualify for a Mozelle Senior or Vulnerable Adult Medical Alert (Mozelle Alert) (MCL 28.712).
- (d) Qualify for a state AMBER Alert™ pursuant to MCL 28.753.

**Missing person** - Any person who is reported missing to law enforcement when that person's location is unknown.

**Missing person networks** - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Law Enforcement Information

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Network (LEIN), the National Missing and Unidentified Persons System (NamUs), and the Michigan's Missing Child Information Clearinghouse (MMCIC).

#### **315.2 POLICY**

The Schoolcraft College Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. Priority shall be given to missing person cases over property-related cases. Members will initiate an investigation into all reports of missing persons, regardless of the length of time the person has been missing.

#### **315.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS**

The Detective Bureau supervisor shall ensure the following forms and kits are developed and available:

- Missing person report form
- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing person school notification form
- Medical and dental records release forms
- Biological sample collection kits

#### **315.4 ACCEPTANCE OF REPORTS**

Any member encountering an individual who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

#### **315.5 INITIAL INVESTIGATION**

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).

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- (d) Broadcast an alert if there is evidence that the missing person is at risk. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is at risk.
  - 1. An appropriate broadcast shall be initiated when the missing person is a child, has Alzheimer's disease or dementia, or is incapable of returning home without assistance (MCL 28.258).
- (e) Ensure that entries are made into the appropriate missing person networks:
  - 1. Immediately, when the missing person is at risk (MCL 28.258).
  - 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:
  - 1. A photograph and fingerprint card of the missing person, if available.
  - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
  - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
  - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (j) In the case of an at-risk missing person who qualifies for a Mozelle Alert, forward the report information to (MCL 28.715) :
  - 1. Law enforcement agencies in the jurisdiction where the person resides and where the person was last seen.
  - 2. Any law enforcement agency that requests a copy of the report.
  - 3. Broadcasters in the area where the missing senior or vulnerable adult may be located. Information may also be forwarded to local newspapers distributed in the area where the person may be located.

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#### **315.6 REPORT PROCEDURES AND ROUTING**

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

##### **315.6.1 SUPERVISOR RESPONSIBILITIES**

The responsibilities of the supervisor shall include but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
  - 1. The reports should be promptly sent to the Police Department Associate.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing person networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
  - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

##### **315.6.2 POLICE DEPARTMENT ASSOCIATE RESPONSIBILITIES**

The responsibilities of the Police Department Associate receiving member shall include but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Detective Bureau.
- (e) Coordinating with the NCIC Terminal Contractor for Michigan to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

#### **315.7 DETECTIVE BUREAU FOLLOW-UP**

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Shall ensure that the missing person's school is notified within 14 days if the missing person is a child (MCL 28.258).
  - 1. The notice shall be in writing and should also include a photograph.

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2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information, if the school receives a call requesting the transfer of the missing child's files to another school.
  - (b) Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.
  - (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
  - (d) Shall verify and update LEIN, NCIC, MMCIC (if a child) and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
  - (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
  - (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
  - (g) Should make appropriate inquiry with the Medical Examiner.
  - (h) Should obtain and forward medical and dental records, photos, X-rays, and biological samples, as applicable.
1. If a missing person is not found within 30 days, the assigned investigator shall seek the dental records which shall be entered into NCIC, NamUs, and, if the individual is a child, MMCIC (MCL 28.258; MCL 333.2844a).
  - (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to MMCIC and enter the photograph into applicable missing person networks (34 USC § 41308).
  - (j) Should consider making appropriate entries and searches in the NamUs.
  - (k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).
  - (l) Shall report new or updated information to the law enforcement agency in the area where the missing child may be located (MCL 28.259).

### **315.8 WHEN A MISSING PERSON IS FOUND**

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

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The Police Department Associate should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to MMCIC if the person is a child.
- (b) The missing child's school is notified.
- (c) Entries are made in the applicable missing person networks, including LEIN (MCL 28.259).
- (d) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation (Mich. Admin. Code, R 28.5401).

#### **315.8.1 UNIDENTIFIED PERSONS**

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description and any other information that would assist with identification into the NCIC Unidentified Person File, NamUs, and, if a child, MMCIC (MCL 28.258).
- (c) Use available resources, such as those related to missing persons, to identify the person.

#### **315.9 CASE CLOSURE**

The Detective Bureau supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Schoolcraft College or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

#### **315.10 TRAINING**

Subject to available resources, the Sergeant should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

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- (a) The initial investigation:
  - 1. Assessments and interviews
  - 2. Use of current resources, such as Mobile Audio/Video (MAV)
  - 3. Confirming missing status and custody status of minors
  - 4. Evaluating the need for a heightened response
  - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile, catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., internet use, cell phone use).
- (n) Media relations.

## Public Alerts

### 316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

### 316.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

### 316.3 RESPONSIBILITIES

#### 316.3.1 MEMBER RESPONSIBILITIES

Members of the Schoolcraft College Police Department should notify their supervisors, as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and the public could assist in locating a missing person, apprehending a dangerous person or gathering information.

#### 316.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible for making the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, Chief of Police or his/her designee when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for:

- (a) Updating alerts.
- (b) Canceling alerts.
- (c) Ensuring all appropriate reports are completed.
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Shift Supervisor.

### 316.4 AMBER ALERTS™

AMBER Alerts™ are used to provide a statewide system for the rapid dissemination of information regarding abducted children (MCL 28.752; MCL 28.753).

#### 316.4.1 CRITERIA

The criteria for an AMBER Alert are that the person is a child under 17 years of age and the child:

- (a) Suffers from a disability that impairs the child's ability to care for him/herself.
- (b) Is believed to be in the company of a person who has a history of domestic violence, sexual or child abuse, has threatened to harm the child or is suicidal.

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- (c) Has been taken by a non-custodial parent who has lost his/her parental rights.

#### 316.4.2 PROCEDURE

An AMBER Alert™ may be requested by contacting the Michigan State Police and following their protocol.

### 316.5 BLUE ALERTS

Blue Alerts are used to provide a statewide system for the rapid dissemination of information regarding a violent criminal who has seriously injured or killed a local, state or federal law enforcement officer.

#### 316.5.1 CRITERIA

The following criteria are used to determine if a Blue Alert should be issued (MCL 28.697):

- (a) A law enforcement officer has been killed or seriously injured and the investigation performed by this department has information identifying a suspect.
- (b) This department has determined that the suspect poses a serious risk or threat to the public and other law enforcement personnel.
- (c) A detailed physical description of the suspect, or the suspect's vehicle, vehicle registration plate numbers or letters, or registration plate numbers or letters, are available for broadcast to the public.
- (d) This department has jurisdiction and recommends issuing the Blue Alert.

#### 316.5.2 PROCEDURE

Members requesting a Blue Alert should contact the Michigan State Police and follow their protocol (MCL 28.697).

### 316.6 ADULT ALERTS

Adult alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing senior or vulnerable adult.

#### 316.6.1 CRITERIA

The criteria for adult alerts are that the missing person is a resident of Michigan and is (MCL 28.712):

- (a) At least 18 years of age and one of the following:
  1. Requires supervision or personal care because of age, developmental or physical disability or mental illness.
  2. Lacks the personal and social skills required to live independently.
- (b) A resident of an adult foster care family home or an adult foster care small group home.
- (c) At least 18 years of age and suspected of being abused, neglected or exploited.
- (d) Believed to be to be incapable of returning to his/her residence without assistance and is 60 years of age or older.

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- (e) Suffering from senility or a medical/mental condition, and is endangered or is a danger to others.

#### 316.6.2 PROCEDURE

The following is the procedure for initiating an adult alert. The officer shall (MCL 28.715):

- (a) Contact at least one broadcaster in the area where the missing person disappeared, request that the public be notified of the facts and circumstances surrounding the disappearance and request the public's assistance.
- (b) Consider contacting a local newspaper and request that an article be published concerning the disappearance.

#### **316.7 PUBLIC THREAT ALERTS**

The public threat alert system plan is designed to rapidly disseminate useful information in a predetermined manner to radio and televisions stations within Michigan and to wireless devices (MCL 28.673).

##### 316.7.1 CRITERIA

A public threat is a clear, present, persistent, ongoing, and random threat to public safety. A public threat includes, but is not limited to (MCL 28.672):

- (a) An act of terrorism.
- (b) An unresolved mass shooting spree.

##### 316.7.2 PROCEDURE

A public threat alert may be requested by contacting the Michigan State Police and following their protocol (MCL 28.673).

## Victim and Witness Assistance

### 317.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

### 317.2 POLICY

The Schoolcraft College Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Schoolcraft College Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

### 317.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Schoolcraft College Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

#### 317.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison shall:

- (a) Ensure that procedures are in place to accommodate requests for information from sexual assault victims (MCL 752.954 et seq.).
- (b) Provide notice to victims, within 24 hours of a defendant's arraignment, of the availability of pretrial release of the defendant and the contact information for the holding facility (MCL 780.755).
- (c) Immediately, or as soon as practicable, notify the prosecuting attorney if a defendant escapes from the custody of this department (MCL 780.770).

### 317.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

#### 317.4.1 SPECIFIC REQUIREMENTS REGARDING VICTIMS

Investigating officers shall ensure victims receive applicable handouts within 24 hours of their initial contact with the victim when statutorily required (MCL 752.953; MCL 780.753; MCL 780.782; MCL 780.813; MCL 780.755).

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### *Victim and Witness Assistance*

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#### **317.5 VICTIM INFORMATION**

The Administration Shift Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims including domestic violence and sexual assault victims (MCL 764.15c; MCL 752.953).
- (b) The written notice to victims of domestic violence as required by MCL 764.15c including contact information for the Schoolcraft College Police Department.
- (c) Availability of emergency and medical services, if applicable (MCL 780.753; MCL 780.782; MCL 780.813).
- (d) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; MCL 752.953).
- (e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (f) A clear explanation of relevant court orders and how they can be obtained.
- (g) Information regarding available compensation for qualifying victims of crime.
- (h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (i) Notice regarding U visa and T visa application processes.
- (j) Resources available for victims of identity theft.
- (k) A place for the officer's name, badge number and any applicable case or incident number.
- (l) Contact information for the prosecuting attorney who coordinates victim's rights in the jurisdiction of the Schoolcraft College Police Department (MCL 780.753; MCL 780.782; MCL 780.813).
- (m) Information required under the William Van Regenmorter Crime Victim's Rights Act (MCL 780.751 et seq.).
- (n) The rights of crime victims provided under Const 1963, art 1, § 24.

#### **317.6 WITNESSES**

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

## Hate Crimes

### 318.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

#### 318.1.1 DEFINITIONS

Definitions related to this policy include:

**Hate crime** - A crime motivated by prejudice based on actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim.

### 318.2 POLICY

The Schoolcraft College Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

### 318.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.
- (b) Providing victim assistance and community follow-up or identifying available resources to do so.
- (c) Educating community and civic groups about hate crime laws.

### 318.4 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- (d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.

# Schoolcraft College Police Department

## Policy Manual

### *Hate Crimes*

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- (e) Depending on the situation, the assigned officers or supervisor may request assistance from investigators or other resources.
- (f) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."
- (i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid and obtaining a personal protective order through the courts.

#### **318.4.1 DETECTIVE BUREAU RESPONSIBILITIES**

If a hate crime case is assigned to the Detective Bureau, the assigned investigator will be responsible for:

- (a) Coordinating further investigation with the College Attorney and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals, as needed.
- (c) Maintaining statistical data and tracking of suspected hate crimes, as indicated or required by state law.

#### **318.5 TRAINING**

All members of this department should receive training on hate crime recognition and investigation.

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## Standards of Conduct

### 319.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Schoolcraft College Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

### 319.2 POLICY

The continued employment or appointment of every member of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

### 319.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

#### 319.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

#### **319.3.2 SUPERVISOR RESPONSIBILITIES**

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation or exhibiting indifference to such a violation.
- (d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

#### **319.4 GENERAL STANDARDS**

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Michigan constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

#### **319.5 CAUSES FOR DISCIPLINE**

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

##### **319.5.1 LAWS, RULES AND ORDERS**

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive or requirement, or failure to follow instructions contained in department or College manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

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#### 319.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Schoolcraft College Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

#### 319.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

#### 319.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official, basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

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#### 319.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

#### 319.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

#### 319.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the Human Resources Department of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

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#### 319.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
  - 1. While on department premises.
  - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
  - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
  - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
  - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by College policy, the collective bargaining agreement, or the Chief of Police.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by College policy, the collective bargaining agreement, or the Chief of Police.
- (i) Any act on- or off-duty that brings discredit to this department.

#### 319.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law

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enforcement agency or that may result in criminal prosecution or discipline under this policy.

- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the College.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract, including fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

#### 319.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling including loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority.

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- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic accident.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

#### 319.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

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# Information Technology Use

## 320.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

### 320.1.1 DEFINITIONS

Definitions related to this policy include:

**Computer system** - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Schoolcraft College Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

**Hardware** - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones (including cellular and satellite), pagers, modems or any other tangible computer device generally understood to comprise hardware.

**Software** - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

**Temporary file, permanent file or file** - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

## 320.2 POLICY

It is the policy of the Schoolcraft College Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

## 320.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all key strokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

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### *Information Technology Use*

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Unless required by federal or state law, the Department shall not require a member to disclose a personal username or password or access a personal social website, except when access is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (MCL 37.271. et seq.)

#### **320.4 RESTRICTED USE**

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

##### **320.4.1 SOFTWARE**

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes, in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software on any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as a part of the automated maintenance or update process of department- or College-approved or installed programs by the original manufacturer, producer or developer of the software. Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

##### **320.4.2 HARDWARE**

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

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#### **320.4.3 INTERNET USE**

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms, and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information from the Internet shall be limited to messages, mail and data files.

#### **320.4.4 OFF-DUTY USE**

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other off-the-clock work-related activities. This also applies to personally owned computers that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

#### **320.5 PROTECTION OF SYSTEMS AND FILES**

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

#### **320.6 INSPECTION AND REVIEW**

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department

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### *Information Technology Use*

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involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download, or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

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## Department Use of Social Media

### 321.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

#### 321.1.1 DEFINITIONS

Definitions related to this policy include:

**Social media** - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

### 321.2 POLICY

The Schoolcraft College Police Department will use social media as a method of effectively informing the public about department services, issues, investigations, recruitment and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all people.

### 321.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

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### *Department Use of Social Media*

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#### **321.4 AUTHORIZED CONTENT**

Only content that is appropriate for public release, that supports the department mission and that conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Media releases.
- (h) Recruitment of personnel.

##### **321.4.1 INCIDENT-SPECIFIC USE**

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Chief of Police or his/her designee or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

#### **321.5 PROHIBITED CONTENT**

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Schoolcraft College Police Department or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

# Schoolcraft College Police Department

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### *Department Use of Social Media*

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#### **321.5.1 PUBLIC POSTING PROHIBITED**

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

#### **321.6 MONITORING CONTENT**

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

#### **321.7 RETENTION OF RECORDS**

The Administration Shift Supervisor should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

#### **321.8 TRAINING**

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

## Report Preparation

### 322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to those members of the Department who complete investigations and reports as a part of their duties.

### 322.2 POLICY

It is the policy of the Schoolcraft College Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

### 322.3 EXPEDITIOUS REPORTING

Incomplete reports, unorganized reports or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority made necessary under exceptional circumstances.

### 322.4 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. It is the responsibility of the member to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved; all pertinent information seen, heard or assimilated by any other sense; and any actions taken. Members shall not suppress, conceal or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

#### 322.4.2 ELECTRONIC SIGNATURES

The Schoolcraft College Police Department has established an electronic signature procedure for use by all members of the Schoolcraft College Police Department. The Patrol Shift Supervisor shall be responsible for maintaining the electronic signature system, ensuring that each member creates a unique, confidential password for his/her electronic signature.

- (a) Members may only use their electronic signatures for official reports or other official communications.
- (b) Each member shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

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#### **322.5 REQUIRED REPORTING**

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if he/she deems it necessary or as directed by a supervisor.

##### **322.5.1 CRIMINAL ACTIVITY**

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- (a) All arrests.
- (b) All felony crimes.
- (c) Non-felony criminal incidents involving threats or stalking behavior.
- (d) Situations covered by separate policy. These include:
  - 1. Use of Force Policy
  - 2. Domestic Violence Policy
  - 3. Child Abuse Policy
  - 4. Adult Abuse Policy
  - 5. Hate Crimes Policy
  - 6. Suspicious Activity Reporting Policy
- (e) All misdemeanor crimes where the victim desires a report.

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., a CFS).

##### **322.5.2 NON-CRIMINAL ACTIVITY**

Non-criminal activity to be documented includes:

- (a) Any found property or found evidence.
- (b) All protective custody and welfare detentions.
- (c) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).
- (d) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (e) Suspicious incidents that may place the public or others at risk.

# Schoolcraft College Police Department

## Policy Manual

### *Report Preparation*

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- (f) Any use of force by members of this department against any person (see the Use of Force Policy).
- (g) Any firearm discharge (see the Firearms Policy).
- (h) Any time a member points a firearm at any person.
- (i) Any traffic accidents above the minimum reporting level (see the Traffic Accidents Policy).
- (j) Whenever the member believes the circumstances should be documented or at the direction of a supervisor.

#### 322.5.3 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) There is an attempted suicide.
- (c) The injury is major or serious, and potentially fatal.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to document the event.

#### 322.5.4 DEATHS

Death investigations require specific investigation methods, depending on the circumstances. They should be handled in accordance with the Death Investigation Policy. The handling member should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following incidents shall be appropriately investigated and documented:

- (a) Unattended deaths (no physician or qualified hospice care during the period preceding death)
- (b) Sudden, accidental or suspicious deaths
- (c) Suicides
- (d) Homicide or suspected homicide
- (e) Found dead bodies or body parts

#### 322.5.5 COLLEGE PERSONNEL OR PROPERTY

Incidents involving College personnel or property shall require a report when:

- (a) An injury occurs as the result of an act of a College employee or on College property.
- (b) There is damage to College property or equipment.

## Media Relations

### 323.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

### 323.2 POLICY

It is the policy of the Schoolcraft College Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

### 323.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. In situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Shift Supervisors, Shift Supervisors and those designated by Chief of Police may prepare and release information to the media in accordance with this policy and applicable laws regarding confidentiality.

### 323.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

### 323.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the Chief of Police or his/her designee or, if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

- (a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from a supervisor or the Chief of Police or his/her designee.
- (b) In situations involving multiple agencies or government departments, every reasonable effort should be made to coordinate media releases with the authorized

# Schoolcraft College Police Department

## Policy Manual

### *Media Relations*

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representative of each involved agency prior to the release of any information by this department.

- (c) Under no circumstance should any member of this department make any comment to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police. Under these circumstances the member should direct the media to the agency handling the incident.

#### **323.6 ACCESS**

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities as required by law.

Access by the media is subject to the following conditions:

- (a) The media representative shall produce valid media credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives should be prevented from interfering and may be removed for interfering with emergency operations and criminal investigations.
  - 1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the Chief of Police or his/her designee or other designated spokesperson.
- (c) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express written consent of the person in custody.
- (d) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member.

##### **323.6.1 CRITICAL OPERATIONS**

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through a supervisor or the Chief of Police or his/her designee.

##### **323.6.2 TEMPORARY FLIGHT RESTRICTIONS**

Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Supervisor. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower.

# Schoolcraft College Police Department

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### *Media Relations*

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If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

#### **323.7 CONFIDENTIAL OR RESTRICTED INFORMATION**

It shall be the responsibility of the Chief of Police or his/her designee to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

##### **323.7.1 EMPLOYEE INFORMATION**

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the involved officer or upon a formal request filed.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the Chief of Police or his/her designee.

Requests should be reviewed and fulfilled by the Freedom of Information Act (FOIA) coordinator or, if unavailable, the Shift Supervisor or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws (e.g., FOIA).

#### **323.8 RELEASE OF INFORMATION**

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

## Subpoenas and Court Appearances

### 324.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Schoolcraft College Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

### 324.2 POLICY

Schoolcraft College Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

### 324.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

#### 324.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf or at the request of any party other than the College Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the College or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.
- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Schoolcraft College Police Department.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Schoolcraft College Police Department.

The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

#### 324.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties.

# Schoolcraft College Police Department

## Policy Manual

### *Subpoenas and Court Appearances*

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The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

#### **324.3.3 OFF-DUTY RELATED SUBPOENAS**

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

#### **324.4 FAILURE TO APPEAR**

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

#### **324.5 STANDBY**

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

#### **324.6 COURTROOM PROTOCOL**

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

##### **324.6.1 TESTIMONY**

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

#### **324.7 OVERTIME APPEARANCES**

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with College policy.

## Part-Time (On-Call) Officers

### 325.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Schoolcraft College Police Department part-time officers to supplement and assist regular full-time police officers in their duties. These officers provide professional and special functions and part-time services that can augment regular staffing levels.

#### 325.1.1 DEFINITIONS

Definitions related to this policy include:

**Part-time officer-** A person who is employed less than 40 hours a week on a permanent basis or less than a full year annually and is certified as a peace officer by the Michigan Commission on Law Enforcement Standards (MCOLES).

### 325.2 POLICY

The Schoolcraft College Police Department shall ensure that part-time officers are properly appointed, trained and supervised and that they maintain the appropriate certifications and readiness to carry out their assigned duties.

### 325.3 RECRUITMENT AND SELECTION

The Schoolcraft College Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as regular full-time police officers before appointment.

#### 325.3.1 APPOINTMENT

Applicants who are selected for appointment as part-time officers shall, on the recommendation of the Chief of Police, be sworn in and take the Oath of Office in accordance with the Oath of Office Policy and as required for the position.

Part-time officers are considered at-will employees and may be dismissed at the discretion of the Chief of Police, with or without cause. Part-time officers shall have no property interest in continued appointment. However, if a part-time officer is removed for alleged misconduct, the part-time officer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

### 325.4 IDENTIFICATION AND UNIFORMS

Part-time officers will be issued Schoolcraft College Police Department uniforms, badges and identification cards. The uniforms and badges shall be the same as those worn by regular full-time police officers. The identification cards will be the standard Schoolcraft College Police Department identification cards, with the exception that "Part-time" will be indicated on the cards.

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## Policy Manual

### *Part-Time (On-Call) Officers*

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#### **325.5 AUTHORITY**

Part-time officers shall perform peace officer duties within the scope of their approved training (MCL 28.609). Part-time officers:

- (a) Perform law enforcement functions and have the authority to arrest on behalf of this department (MCL 764.15).
- (b) Shall not exercise peace officer duties when off-duty.

#### **325.6 COMPENSATION**

Compensation for part-time officers is provided as follows:

- (a) Part-time officers shall be compensated as prescribed by the ordinances of the College of Schoolcraft College.
- (b) Part-time officers are issued two sets of uniforms and all designated attire and safety equipment, as applicable to their positions. All property issued to part-time officers shall be returned to this department upon termination or resignation.

#### **325.7 PERSONNEL WORKING AS PART-TIME**

Qualified regular department personnel, when authorized, may also serve as part-time officers. However, this department shall not utilize the services of part-time officers in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a part-time officer for reduced pay or no pay). Therefore, the part-time officer coordinator should consult with the Human Resources Department prior to allowing regular department personnel to serve in a part-time officer capacity (29 CFR 553.30).

#### **325.8 COMPLIANCE**

Part-time officers shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each part-time officer upon appointment. The officers shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this Policy Manual refers to a regular full-time police officer, it shall also apply to a part-time officer, unless by its nature it is inapplicable.

Part-time officers are required by this department to meet department-approved training requirements.

All part-time officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the scheduling supervisor.

#### **325.9 FIREARMS**

Part-time officers shall successfully complete department-authorized training in the use of firearms. Their appointments must be approved by the College prior to being issued firearms by this department or otherwise acting as part-time officers on behalf of the Schoolcraft College Police Department.

# Schoolcraft College Police Department

## Policy Manual

### *Part-Time (On-Call) Officers*

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Part-time officers will be issued duty firearms as specified in the Firearms Policy. Any part-time officer who is permitted to carry a firearm other than the assigned duty weapon or any optional firearm may do so only in compliance with the Firearms Policy.

Part-time officers are required to maintain proficiency with firearms used in the course of their assignments. Part-time officers shall comply with all training and qualification requirements set forth in the Firearms Policy.

#### **325.10 PART-TIME OFFICER COORDINATOR**

The Chief of Police shall delegate certain responsibilities to a supervisor who shall coordinate part-time officer scheduling and training. The supervisor shall be appointed by and directly responsible to the Shift Supervisor or the authorized designee.

The part-time officer supervisor may appoint a senior part-time member or other designee to assist in the coordination of part-time officers and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- (a) Assigning part-time officers.
- (b) Conducting part-time officer meetings.
- (c) Establishing and maintaining a part-time officer callout roster.
- (d) Maintaining and ensuring performance evaluations are completed.
- (e) Monitoring the field training progress of part-time officers.
- (f) Monitoring individual part-time officer performance.
- (g) Monitoring overall part-time officer activities.
- (h) Maintaining a liaison with other agency part-time officer coordinators.

#### **325.11 FIELD TRAINING**

All part-time officers shall complete the same department-specified field training as regular full-time police officers, as described in the Field Training Policy.

#### **325.12 SUPERVISION**

Part-time officers may perform the same duties as regular full-time officers of this department provided they are under the direct or indirect supervision of a supervisor or officer in charge. Part-time officers should not supervise a regular full-time officer.

##### **325.12.1 EVALUATIONS**

While in training, part-time officers should be continuously evaluated using standardized daily and weekly observation reports. The part-time officer will be considered a trainee until he/she has satisfactorily completed training. Part-time officers who have completed their field training should

# Schoolcraft College Police Department

## Policy Manual

### *Part-Time (On-Call) Officers*

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be evaluated annually using performance dimensions applicable to the duties and authorities granted to that part-time officer.

#### 325.12.2 INVESTIGATIONS AND COMPLAINTS

If a part-time officer has a personnel complaint made against him/her or becomes involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.

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## Outside Agency Assistance

### 326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

### 326.2 POLICY

It is the policy of the Schoolcraft College Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

### 326.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Shift Supervisor's office for approval. In some instances, a preexisting agreement or other established protocol may exist that eliminates the need for approval of individual requests (MCL 123.811; MCL 123.812; MCL 123.813; MCL 123.814).

When another law enforcement agency requests assistance from this department, the Shift Supervisor may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance; however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

#### 326.3.1 INTRASTATE AUTHORITY

Peace officers from states physically adjacent to Michigan, who respond to requests for assistance by agencies within Michigan, have the same authority as law enforcement officers from within Michigan (MCL 3.731 et seq.).

#### 326.3.2 INITIATED ACTIVITY

Any on-duty department officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Schoolcraft College Police Department shall notify his/her supervisor as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

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## Policy Manual

### *Outside Agency Assistance*

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#### **326.4 REQUESTING OUTSIDE ASSISTANCE**

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

#### **326.5 REPORTING REQUIREMENTS**

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Shift Supervisor.

#### **326.6 MANDATORY SHARING**

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Shift Supervisor or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
  - 1. The use of the equipment and supplies.
  - 2. The members trained in the use of the equipment and supplies.
- (c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to the Shift Supervisor to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Sergeant should maintain documentation that the appropriate members have received the required training.

## Registered Offender Information

### 327.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Schoolcraft College Police Department will address issues associated with certain offenders who are residing in the jurisdiction, and how the Department will disseminate information and respond to public inquiries for information about registered sex offenders.

### 327.2 POLICY

It is the policy of the Schoolcraft College Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

### 327.3 REGISTRATION

The Department shall establish a process to reasonably accommodate registration of offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. Those assigned to register offenders should receive appropriate training regarding the registration process (MCL 28.724 et seq.).

Upon conclusion of the registration process, the Department member shall ensure that the registration information is provided to the Michigan State Police (MSP) in accordance with Michigan law.

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

#### 327.3.1 CONTENTS OF REGISTRATION

Members tasked with registering offenders should use the form prescribed by the MSP.

The registering member shall verify the offender's residence and any other required information. The registering member shall also determine whether the offender's photograph matches the offender's appearance so as to properly identify him/her from that photograph. If not, the registering member shall require the offender to immediately obtain a current photograph (MCL 28.725a).

When all of the verification information has been provided, the registering member shall (MCL 28.725a):

- (a) Review the information with the offender and make any corrections, additions or deletions as necessary based on the review.
- (b) Sign and date a verification receipt.
- (c) Provide a copy of the signed receipt showing the date of verification to the offender.
- (d) Forward the verification information to the MSP as required.

# Schoolcraft College Police Department

## Policy Manual

### *Registered Offender Information*

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#### **327.4 MONITORING OF REGISTERED OFFENDERS**

The Detective Bureau supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.
- (b) Review of information on the Michigan Sex Offender Registry (SOR) and the Public Sex Offender Registry (PSOR) (MCL 28.728).
- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the MSP so they can notify all registering authorities and take enforcement action (MCL 28.725a).

The Detective Bureau supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Schoolcraft College Police Department members, including timely updates regarding new or relocated registrants.

##### **327.4.1 FAILURE TO REGISTER**

If an offender, for which this department is responsible, fails to register or update registration information as required, this department shall (MCL 28.728a):

- (a) Determine whether the offender has absconded or is otherwise unlocatable.
- (b) If the offender was to appear in order to register or update registration information and failed to appear as required, notify the MSP.
- (c) Revise the information in the registry to reflect that the offender has absconded or is otherwise unlocatable.
- (d) Seek a warrant for the offender's arrest if the legal requirements for obtaining a warrant are satisfied.
- (e) Enter the offender into the National Crime Information Center (NCIC) wanted person file if the requirements for entering the offender's information are met.

#### **327.5 DISSEMINATION OF PUBLIC INFORMATION**

Members will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be directed to the PSOR website or the Schoolcraft College Police Department's website (MCL 28.728).

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## Policy Manual

### *Registered Offender Information*

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The Police Department Associate may release local registered offender information to residents in accordance with MCL 28.730 and in compliance with the Michigan Freedom of Information Act request.

#### **327.5.1 RELEASE NOTIFICATIONS**

Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.
- (e) Anyone who divulges, uses or publishes non-public information contained in the registry may be subject to criminal prosecution (MCL 28.730).

#### **327.5.2 DISSEMINATION**

The Department shall make information from the PSOR website available for public inspection during regular business hours. The Department is not required to make a copy of this information (MCL 28.730).

#### **327.5.3 INFORMATION AVAILABLE VIA THE INTERNET**

The Department may make information from the PSOR website available to the public through electronic, computerized or other accessible means (MCL 28.730).

#### **327.6 LEGAL MANDATES AND RELEVANT LAWS**

The Department shall require the offender to pay the registration fee required under Michigan law (MCL 28.724a; MCL 28.725a; MCL 28.725b; MCL 28.727).

## Major Incident Notification

### 328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Schoolcraft College Police Department in determining when, how and to whom notification of major incidents should be made.

### 328.2 POLICY

The Schoolcraft College Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

### 328.3 CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police, the affected Shift Supervisor and the College. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Officer-involved shooting, whether on- or off-duty (see the Officer-Involved Shootings and Deaths Policy for special notification)
- Homicides, suspicious deaths or deaths related to law enforcement activity
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions, armed robbery or sexual assaults
- Missing children or missing adults
- In-custody deaths
- Aircraft, train, boat or other transportation accidents with major damage and/or injury or death
- Traffic accidents with fatalities or severe injuries
- Death of a prominent Schoolcraft College official
- Significant injury or death to a member of the Department, whether on- or off-duty
- Arrest of a member of the Department or prominent Schoolcraft College official
- Equipment failures, utility failures and incidents that may affect staffing or pose a threat to basic police services
- Any other incident that has attracted or is likely to attract significant media attention

# Schoolcraft College Police Department

## Policy Manual

### *Major Incident Notification*

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#### **328.4 SHIFT SUPERVISOR RESPONSIBILITIES**

The Shift Supervisor is responsible for making the appropriate notifications. The Shift Supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification, and shall attempt to make the notifications as soon as practicable.

##### **328.4.1 COMMAND STAFF NOTIFICATION**

In the event an incident occurs as identified in the Criteria for Notification section above, the Chief of Police shall be notified along with the Shift Supervisor.

##### **328.4.2 INVESTIGATOR NOTIFICATION**

If the incident requires that an investigator respond from home, the immediate supervisor of the appropriate detail shall be notified, who will then contact the appropriate investigator.

##### **328.4.3 CHIEF OF POLICE OR HIS/HER DESIGNEE**

After members of the command staff have been notified, the Chief of Police or his/her designee shall be called if it appears the media may have a significant interest in the incident.

## Death Investigation

### 329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence gathering techniques is critical.

### 329.2 POLICY

It is the policy of the Schoolcraft College Police Department to respond to, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, conducted and properly documented.

### 329.3 INVESTIGATION CONSIDERATIONS

Emergency medical services shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor should determine whether follow-up investigation is required and notify the Detective Bureau as necessary. The Shift Supervisor will make notification to command staff in accordance with the Major Incident Notification Policy.

#### 329.3.1 REPORTING

All incidents involving a death shall be documented on the appropriate form.

#### 329.3.2 MEDICAL EXAMINER REQUEST

Officers are not authorized to pronounce death unless they are also Medical Examiners, Deputy Medical Examiners, or appointed Medical Examiner investigators. The Medical Examiner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Medical Examiner be notified when the death/decedent was (MCL 52.203; MCL 52.205a):

- (a) Sudden, unexpected, accidental, violent, or the result of any suspicious circumstance.
- (b) Not seen by medical personnel in the preceding 48 hours, unless the decedent's attending physician is able to accurately determine the cause of death.
- (c) The result of an abortion, either medically performed or self-induced.
- (d) Of a child two years of age or younger when the death is sudden, unknown, or the child is found dead.

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### *Death Investigation*

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Where two or more individuals involved in a single incident had similar physical attributes, including being of approximately the same age, sex, height, weight, hair color, eye color, or race the Medical Examiner must also be notified.

If one or more of the involved individuals survived the incident, the Medical Examiner must also be notified of which treating facility the surviving individual was taken to for treatment and notification of the similarity must also be made to the treating facility (MCL 52.203).

#### 329.3.3 SEARCHING DEAD BODIES

- (a) The Medical Examiner, his/her assistant and authorized investigators are generally the only persons permitted to move, handle or search a dead body.
- (b) An officer may make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purpose of identification or for information identifying the individual as an anatomical donor. If a donor document is located, the Medical Examiner or his/her assistant shall be promptly notified.
- (c) The Medical Examiner, with the permission of the Department, may take property, objects or articles found on the deceased or in the immediate vicinity of the deceased that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death.
- (d) Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Medical Examiner or his/her assistant, the investigating officer should first obtain verbal consent from the Medical Examiner or his/her assistant when practicable.
- (e) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Medical Examiner or his/her assistant. The name and address of this person shall be included in the narrative of the death report.
- (f) Whenever personal effects are removed from the body of the deceased by the Medical Examiner or his/her assistant, a receipt shall be obtained. This receipt shall be attached to the death report.

#### 329.3.4 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Detective Bureau shall be notified to determine the possible need for an investigator to respond to the scene.

If the on-scene supervisor, through consultation with the Shift Supervisor or Detective Bureau supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

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### *Death Investigation*

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The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of his/her supervisor, request the Medical Examiner to conduct physical examinations and tests, and to provide a report.

#### **329.3.5 EMPLOYMENT-RELATED DEATHS OR INJURIES**

Any member of this department who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment should ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified of all pertinent information.

#### **329.4 UNIDENTIFIED DEAD BODY**

If the identity of a dead body cannot be established, the handling officer will request from the Medical Examiner a unique identifying number for the body. The number shall be included in any report.

After a preliminary investigation, a member of the Department shall immediately enter the required data into the National Crime Information Center (NCIC) and the National Missing and Unidentified Persons System (NamUs) (MCL 28.258; MCL 333.2844a).

If the body is that of a child, the required information shall also be entered into the Michigan's Missing Child Information Clearinghouse.

If a missing person has not been found within 30 days of a report, this department shall request that the missing person's family or next of kin provide written consent to obtain the missing person's dental records pursuant to the Missing Persons Policy and enter these records into NCIC.

If a person who has been reported missing is subsequently found, this department shall cancel the entries into NCIC.

#### **329.5 DEATH NOTIFICATION**

When reasonably practicable, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

## Private Person's Arrest

### 330.1 PURPOSE AND SCOPE

This policy provides guidance for the handling and acceptance of a private person's arrest.

### 330.2 POLICY

It is the policy of the Schoolcraft College Police Department to accept a private person's arrest only when legal and appropriate.

### 330.3 ARRESTS BY PRIVATE PERSON

A private person may arrest another person under the following circumstances (MCL 764.16):

- (a) When the person arrested committed a felony.
- (b) When the private person is a merchant, agent or employee of the merchant, or an independent contractor providing security for the merchant, and the private person has probable cause to believe the person arrested violated MCL 750.356c or MCL 750.356d (retail fraud) in that store.

### 330.4 OFFICER RESPONSIBILITIES

An officer confronted with a person claiming to have made a private person's arrest should determine whether such an arrest is lawful.

If the officer determines that the private person's arrest is unlawful, the officer should:

- (a) Take no action to further detain or restrain the arrested individual, unless there is independent justification for continuing a detention.
- (b) Advise the parties that the arrest will not be accepted but the circumstances will be documented in a report.
- (c) Document the incident, including the basis for refusing to accept custody of the individual.

Whenever an officer determines that a private person's arrest is justified, the officer may take the individual into custody and proceed in the same manner as with any other arrest (MCL 764.13; MCL 764.14).

### 330.5 PRIVATE PERSON'S ARREST FORM

The arresting person should be asked to complete statement detailing the specifics of the incident/arrest. If the person fails or refuses to do so, the arrested individual should be released, unless the officer has a lawful reason, independent of the private person's arrest, to take the individual into custody and determines an arrest is appropriate.

## Biological Samples

### 331.1 PURPOSE AND SCOPE

This policy provides guidelines for the collection of biological samples from those individuals required to provide samples upon conviction or arrest for certain offenses. This policy does not apply to biological samples collected at a crime scene or taken from an individual in conjunction with a criminal investigation, nor does it apply to biological samples collected from those required to register, for example, as sex offenders.

### 331.2 POLICY

The Schoolcraft College Police Department will assist in the expeditious collection of required biological samples from arrestees and offenders in accordance with the laws of this state and with as little reliance on force as practicable.

### 331.3 ARRESTEES AND OFFENDERS SUBJECT TO BIOLOGICAL SAMPLE COLLECTION

The following arrestees or offenders must submit a biological sample (MCL 750.520m; MCL 28.176):

- (a) After arraignment, persons arrested for committing or attempting to commit any felony offense.
- (b) Persons convicted of committing or attempting to commit any felony offense.
- (c) Persons convicted of the following misdemeanors or substantially corresponding local ordinance:
  1. Disorderly person by window peeping, engaging in indecent or obscene conduct in public, or loitering in a house of prostitution
  2. Indecent exposure
  3. Prostitution (first and second)
  4. Leasing a house for prostitution

### 331.4 PROCEDURE

When an arrestee or an offender is required to provide a biological sample, a trained member shall attempt to obtain the sample in accordance with this policy.

#### 331.4.1 COLLECTION

The following steps should be taken to collect a sample:

- (a) Verify that the arrestee or offender is required to provide a sample pursuant to MCL 750.520m.
  1. For samples required upon arrest for a felony offense, the collection should occur within 30 days of the arrest.

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## Policy Manual

### *Biological Samples*

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2. For samples required upon conviction or a finding of responsibility, the collection should occur within 15 days of the court's disposition.
  - (b) Verify that a biological sample has not been previously collected from the arrestee or offender by querying the Michigan Law Enforcement Information Network (LEIN). There is no need to obtain a biological sample if one has been previously obtained (MCL 750.520m).
  - (c) Samples shall be taken in a medically approved manner by qualified persons (MCL 28.176).
  - (d) Use the designated collection kit provided by the Michigan State Police (MSP) to perform the collection and take steps to avoid cross contamination.
  - (e) Forward the sample to the MSP within 72 hours of collection (Mich. Admin. Code, R 28.5054).

#### **331.5 USE OF FORCE TO OBTAIN SAMPLES**

If an arrestee or offender refuses to cooperate with the sample collection process, members should attempt to identify the reason for refusal and seek voluntary compliance without resorting to using force. Force will not be used in the collection of samples except as authorized by court order or approval of legal counsel, and only with the approval of a supervisor.

Methods to consider when seeking voluntary compliance include contacting:

- (a) The individual's parole or probation officer, when applicable.
- (b) The prosecuting attorney to seek additional charges against the individual for failure to comply or to otherwise bring the refusal before a judge (MCL 28.173a).
- (c) The judge at the individual's next court appearance.
- (d) The individual's attorney.
- (e) A chaplain.
- (f) Another custody facility with additional resources, where the individual can be transferred to better facilitate sample collection.
- (g) A supervisor who may be able to authorize custodial disciplinary actions to compel compliance, if any are available.

The supervisor shall review and approve any plan to use force and be present to document the process.

#### **331.5.1 VIDEO RECORDING**

A video recording should be made any time force is used to obtain a biological sample. The recording should document all persons participating in the process, in addition to the methods and all force used during the collection. The recording should be part of the investigation file, if any, or otherwise retained in accordance with the established records retention schedule.

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### *Biological Samples*

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#### **331.6 LIAISON WITH THE MICHIGAN STATE POLICE**

The Chief of Police shall designate a liaison to correspond with the MSP regarding matters concerning sample collections. The liaison shall ensure that the MSP has his/her contact information and that the Department maintains a sufficient supply of collection kits (Mich. Admin. Code, R 28.5053).

## Public Safety Video Surveillance System

### 332.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

### 332.2 POLICY

The Schoolcraft College Police Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the College to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist College officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

### 332.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The Chief of Police or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

#### 332.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Chief of Police should confer with other affected College divisions and designated community groups when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

Cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public safety video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified areas of gang and narcotics complaints or activity.
- (c) To respond to critical incidents.

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### *Public Safety Video Surveillance System*

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- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document officer and offender conduct during interactions to safeguard the rights of the public and officers.
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Shift Supervisor's office and Base. When activity warranting further investigation is reported or detected at any camera location, the available information should be provided to responding officers in a timely manner. The Shift Supervisor or trained Base personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Chief of Police may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than police personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention of anything documented by public safety surveillance equipment is prohibited.

#### **332.3.2 CAMERA MARKINGS**

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under police surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

#### **332.3.3 INTEGRATION WITH OTHER TECHNOLOGY**

The Department may elect to integrate its public safety video surveillance system with other technology to enhance available information. Systems such as gunshot detection, incident mapping, crime analysis, license plate recognition, facial recognition and other video-based analytical systems may be considered based upon availability and the nature of department strategy.

The Department should evaluate the availability and propriety of networking or otherwise collaborating with appropriate private sector entities and should evaluate whether the use of certain camera systems, such as pan-tilt-zoom systems, video enhancement or other analytical technology, requires additional safeguards.

#### **332.4 VIDEO SUPERVISION**

Supervisors should monitor video surveillance access and usage to ensure members follow department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

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### *Public Safety Video Surveillance System*

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#### 332.4.1 VIDEO LOG

A Call For Service (CFS) will be used to document all persons not assigned to the monitoring locations who have been given access to view or monitor images provided by the video surveillance cameras. The CFS shall be logged as "L4505 IOC CCTV System" and should, at a minimum, record the:

- (a) Date and time access was given.
- (b) Name and agency of the person being given access to the images.
- (c) Name of person authorizing access.
- (d) Identifiable portion of images viewed.

#### 332.4.2 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public safety video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target individuals or groups based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

#### **332.5 STORAGE AND RETENTION OF MEDIA**

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule.

#### 332.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

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### *Public Safety Video Surveillance System*

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#### **332.6 RELEASE OF VIDEO IMAGES**

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Schoolcraft College Police Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the Shift Supervisor for release in accordance with a specific and legitimate law enforcement purpose.

Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

#### **332.7 VIDEO SURVEILLANCE AUDIT**

The Chief of Police or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Chief of Police or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

#### **332.8 TRAINING**

All department members authorized to operate or access public safety video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

## Child and Dependent Adult Safety

### 333.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

### 333.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Schoolcraft College Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

### 333.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should consider reasonable alternatives to arresting a parent, guardian or caregiver in the presence of his/her child or dependent adult.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be nonproductive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

#### 333.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

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### *Child and Dependent Adult Safety*

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Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
  - 1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence that it would not be in the dependent person's best interest (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
  - 1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify Children's or Adult Protective Services, if appropriate.
- (e) Notify the field supervisor or Shift Supervisor of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

#### 333.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee should be allowed to make telephone calls to arrange for the care of any child or dependent adult in accordance with the Temporary Custody of Adults Policy.

If an arrestee is unable to arrange for the care of any child or dependent adult through this process, or circumstances prevent them from making such arrangements (e.g., their behavior prevents reasonable accommodations for making necessary calls), a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

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### *Child and Dependent Adult Safety*

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#### 333.3.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting member will document the following information:
1. Name
  2. Sex
  3. Age
  4. Special needs (e.g., medical, mental health)
  5. How, where and with whom or which agency the child was placed
  6. Identities and contact information for other potential caregivers
  7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:
1. Name
  2. Sex
  3. Age
  4. Whether the person reasonably appears able to care for him/herself
  5. Disposition or placement information if he/she is unable to care for him/herself

#### 333.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis response telephone number, the appropriate referral information may be provided.

#### **333.4 DEPENDENT WELFARE SERVICES**

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service agency to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

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## *Child and Dependent Adult Safety*

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### **333.5 TRAINING**

The Sergeant is responsible for ensuring that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

## Service Animals

### 334.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

#### 334.1.1 DEFINITIONS

Definitions related to this policy include:

**Service animal** - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

### 334.2 POLICY

It is the policy of the Schoolcraft College Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

### 334.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

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### *Service Animals*

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- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

#### **334.4 MEMBER RESPONSIBILITIES**

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Schoolcraft College Police Department affords to all members of the public (28 CFR 35.136).

##### **334.4.1 INQUIRY**

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

##### **334.4.2 CONTACT**

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

##### **334.4.3 REMOVAL**

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

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#### 334.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

## Off-Duty Law Enforcement Actions

### 335.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for officers of the Schoolcraft College Police Department with respect to taking law enforcement action while off-duty.

### 335.2 POLICY

It is the policy of the Schoolcraft College Police Department that officers generally should not initiate law enforcement action while off-duty. Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, any officer who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage or loss, may take reasonable action to minimize or eliminate the threat.

### 335.3 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. Officers should consider waiting for on-duty uniformed law enforcement personnel to arrive instead of immediately intervening and, while waiting, gather as much accurate intelligence as possible. However, if an officer decides to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

- (a) The potential to be misidentified by other law enforcement personnel.
- (b) The potential to be misidentified by members of the public, who may be armed or who may take action.
- (c) The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
- (d) Limited off-duty firearms capabilities and ammunition.
- (e) The inability to communicate with responding law enforcement personnel.
- (f) The lack of equipment, such as body armor, handcuffs or control devices.
- (g) Unfamiliarity with the surroundings, including escape routes.
- (h) The potential for increased risk to bystanders by confronting a suspect or taking action.

#### 335.3.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. If possible, the dispatcher receiving the call should obtain a description of the off-duty officer from the caller and broadcast that information to responding officers.

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### *Off-Duty Law Enforcement Actions*

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Whenever practicable, the officer should loudly and repeatedly identify him/herself as an officer with the Schoolcraft College Police Department until acknowledged. Official identification should also be displayed when possible.

#### **335.4 CONSIDERATIONS**

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she is working in an undercover capacity.

##### **335.4.1 CIVILIAN RESPONSIBILITIES**

Civilian members should not become involved in any law enforcement action while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

##### **335.4.2 INCIDENTS OF PERSONAL INTEREST**

Department members should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

#### **335.5 REPORTING**

If prior notification to the appropriate local law enforcement agency is not reasonably possible before taking action, the officer shall notify the agency as soon as reasonably practicable. Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Officers shall notify the Shift Supervisor regarding any law enforcement action taken while off-duty. The Shift Supervisor may send a supervisor to the location. The supervisor may request assistance from the Chief of Police or his/her designee, if deemed appropriate.

The Shift Supervisor shall determine whether a crime report or an administrative report should be completed by the involved officer.

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## Community Relations

### 336.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Policy.
- Suspicious Activity Reporting Policy.

### 336.2 POLICY

It is the policy of the Schoolcraft College Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities.

### 336.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships (see the Contacts and Temporary Detentions Policy).
- (b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
- (c) Work with community members and the department community relations coordinator to identify issues and solve problems related to community relations and public safety.
- (d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify an appropriate supervisor and Base of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform Base of their location and status during the foot patrol.

### 336.4 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.

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## Policy Manual

### *Community Relations*

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- (c) Building community partnerships.
- (d) Community policing and problem-solving principles.
- (e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

## Chapter 4 - Patrol Operations

## Patrol

### 400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

### 400.2 POLICY

The Schoolcraft College Police Department provides patrol services 24 hours a day, seven days a week and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

### 400.3 FUNCTION

Patrol will generally be conducted by uniformed officers in clearly marked law enforcement vehicles in assigned jurisdictional areas of Schoolcraft College. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

- (a) Responding to emergency calls for service.
- (b) Apprehending criminal offenders.
- (c) Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
- (d) Preventing criminal acts, traffic violations and collisions, maintaining public order and discovering hazardous situations or conditions.
- (e) Responding to reports of both criminal and non-criminal acts.
- (f) Responding to routine calls for service, such as public assistance or public safety.
- (g) Directing and controlling traffic.
- (h) Carrying out crime prevention activities, such as residential inspections, business inspections and community presentations.
- (i) Carrying out community-oriented policing and problem-solving activities, including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.

### 400.4 INFORMATION SHARING

To the extent feasible, all information relevant to the mission of the Department should be shared among all bureaus and specialized units on a timely basis. Members should be provided with

# Schoolcraft College Police Department

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### *Patrol*

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opportunities on a regular basis to share information during the daily roll calls and to attend roll calls of other bureaus or specialized units.

Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws. Members are encouraged to share information with other units and bureaus.

#### **400.5 CROWDS, EVENTS AND GATHERINGS**

Officers may encounter gatherings of people, including, but not limited to, civil demonstrations, public displays, parades, sporting events and civic, social and business events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations, and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety concerns.

## Bias-Based Policing

### 401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Schoolcraft College Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

#### 401.1.1 DEFINITIONS

Definitions related to this policy include:

**Bias-based policing** - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

### 401.2 POLICY

The Schoolcraft College Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

### 401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

### 401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any bias-based actions by another member.

#### 401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

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### *Bias-Based Policing*

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To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

#### **401.4.2 REPORTING TRAFFIC STOPS**

Each time an officer makes a traffic stop, the officer shall report any information as required in the Traffic and Parking Citations Policy.

#### **401.5 SUPERVISOR RESPONSIBILITIES**

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
  - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
  - 1. Supervisors should document these periodic reviews.
  - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

#### **401.6 ADMINISTRATION**

The Patrol Shift Supervisor should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

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### *Bias-Based Policing*

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#### **401.7 TRAINING**

Training on fair and objective policing and review of this policy should be conducted as directed by the Sergeant.

## Roll call

### 402.1 PURPOSE AND SCOPE

This policy discusses the activity of roll call and includes the tasks that should be accomplished during this short period.

### 402.2 POLICY

Roll call is intended to facilitate the accurate flow of information in order to enhance coordination of activities, improve performance and safety, and outline the expected actions of members.

### 402.3 ROLL CALL

All bureaus and specialized units will conduct regular roll call to discuss, disseminate and exchange information among department members, work groups and other organizations. A supervisor generally will conduct roll call. However, the supervisor may delegate this responsibility to a subordinate member in his/her absence or for training purposes.

Roll call should include, but is not limited to:

- (a) Providing members with information regarding daily activities, with particular attention given to changes in the status of:
  - 1. Wanted persons.
  - 2. Crime patterns.
  - 3. Suspect descriptions.
  - 4. Intelligence reports and photographs.
  - 5. Community issues affecting law enforcement.
  - 6. Major investigations.
- (b) Notifying members of changes in schedules and assignments.
- (c) Reviewing recent incidents for situational awareness and training purposes.
- (d) Providing training on a variety of subjects.
- (e) Conducting periodic personnel inspections.

Supervisors should also ensure that all members are informed about General Orders and any recent policy changes.

### 402.4 PREPARATION OF MATERIALS

The member conducting roll call is responsible for preparation of the materials necessary for a constructive roll call.

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### *Roll call*

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#### **402.5 TRAINING**

Roll call training should incorporate short segments on a variety of subjects or topics and may include:

- (a) Review and discussion of new or updated policies.
- (b) Presentation and discussion of the proper application of existing policy to routine daily activities.
- (c) Presentation and discussion of the proper application of existing policy to unusual activities.
- (d) Review of recent incidents for training purposes.

## Crime and Disaster Scene Integrity

### 403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

### 403.2 POLICY

It is the policy of the Schoolcraft College Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

### 403.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, it shall be maintained until the officer is properly relieved by a supervisor or other designated person.

### 403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

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### *Crime and Disaster Scene Integrity*

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#### **403.5 SEARCHES**

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

##### **403.5.1 CONSENT**

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

#### **403.6 SCENE-SPECIFIC CONSIDERATIONS**

##### **403.6.1 IMMEDIATE REMOVAL OF VEHICLES FROM PROPERTY**

This department or a governmental agency designated by this department may provide for the immediate removal of a vehicle from public or private property to a place of safekeeping at the expense of the last-titled owner when (MCL 257.252d):

removal is necessary to preserve evidence, there is reasonable cause to believe the vehicle was used in the commission of a crime or when removal is necessary in the interest of public safety because of a fire, flood, storm, snow, natural or man-made disaster, or other emergency.

##### **403.6.2 METHAMPHETAMINE REPORTING AND RESPONSE**

This department shall report to the Michigan State Police any incident which primarily involves the manufacture, possession, use or distribution of methamphetamine (MCL 28.192).

This department shall report the discovery of a clandestine drug laboratory within 48 hours to the Michigan Department of Community Health, the local health department and any other appropriate enforcing agency. This department shall post a notice on the premises which states potential contamination exists and may constitute a hazard to the health or safety of occupants (MCL 125.485a).

This department shall also comply with the Michigan Drug Endangered Children Response and Medical protocols, including any necessary notifications to the Department of Human Services. Only Michigan Occupational Safety and Health Administration-certified members wearing appropriate safety and protective equipment may enter a location believed to be a clandestine drug lab.

## Ride-Alongs

### 404.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with members of the Schoolcraft College Police Department. This policy provides the requirements, approval process, hours of operation and member responsibilities for ride-alongs.

### 404.2 POLICY

Ride-along opportunities will be provided to the members of the public, College employees and members of this department to observe and experience, first-hand, various functions of the Schoolcraft College Police Department. The term "ride-along" includes riding as a passenger with an officer on patrol or observing the work day of members engaged in other functions within the Department, such as dispatch or the Intelligence Operations Center.

### 404.3 ELIGIBILITY

A ride-along is available to students currently attending class at Schoolcraft College and those employed by Schoolcraft College. Efforts will be made to accommodate all interested persons. However, any applicant may be disqualified without cause from participating.

Factors that may be considered in disqualifying an applicant include, but are not limited to:

- Being under 15 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against this department or the College.
- Denial by any supervisor.

### 404.4 AVAILABILITY

A ride-along or job observation is available most days of the week, from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police or Shift Supervisor.

### 404.5 REQUESTS TO PARTICIPATE

Generally, ride-along and job observation requests will be maintained and scheduled by the Shift Supervisor. The applicant will complete and sign a ride-along or job observation waiver form. If the applicant is under 18 years of age, a parent or guardian must be present to complete the waiver form. Information requested will include a valid state-issued identification card or driver's license number, birthdate, address and telephone number.

The Shift Supervisor will schedule a date, based on availability, generally one week after the date of application. If approved, a copy of the waiver form will be forwarded to the appropriate bureau as soon as possible for scheduling considerations.

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### *Ride-Alongs*

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If the request is denied, a representative of this department will advise the applicant of the denial.

#### **404.6 MEMBER RESPONSIBILITIES**

The assigned department member shall consider the safety of the ride-along or job observation participant at all times. The member shall maintain control over the participant and shall instruct the individual about the conditions that necessarily limit his/her participation. Instructions should include:

- (a) The participant will follow the directions of the department member.
- (b) The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, reading an individual's criminal history or other protected information, or handling any police department equipment.
- (c) Participation may be terminated at any time by the member if the participant interferes with the performance of the member's duties.
  - 1. If the ride-along is in progress, the member may return the participant to the point the ride originated.
- (d) Participants may be allowed to continue a ride-along during the transportation and booking process, provided it does not jeopardize their safety.
- (e) Members will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.
- (f) Participants who are not law enforcement officers shall not be permitted to accompany the department member into a private residence without the express consent of the resident or other authorized person.

The member assigned to provide a ride-along shall advise the base that a ride-along participant is present in the vehicle before going into service. An officer with a ride-along participant should use sound discretion when encountering a potentially dangerous situation, such as a high-speed pursuit and, if feasible, let the participant out of the vehicle in a well-lit public place. The base will be advised of the situation and as soon as practicable have another department member respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

Conduct by a person participating in a ride-along that results in termination of the ride, or is otherwise inappropriate, should be immediately reported to the Shift Supervisor. The member should enter comments regarding the reasons for terminating the ride-along on the waiver form.

Upon completion of the ride-along, the member shall return the waiver form to the Shift Supervisor.

## Hazardous Material Response

### 405.1 PURPOSE AND SCOPE

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities.

#### 405.1.1 DEFINITIONS

Definitions related to this policy include:

**Hazardous material** - A substance which, by its nature, containment or reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

### 405.2 POLICY

It is the policy of the Schoolcraft College Police Department to respond to hazardous material emergencies with due regard for the safety of the public and those members responding to such incidents.

### 405.3 HAZARDOUS MATERIAL RESPONSE

Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When members come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond to and mitigate most incidents involving hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training. A responder entering the area may require decontamination before he/she is allowed to leave the scene, and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

### 405.4 CONSIDERATIONS

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potentially hazardous material from a safe distance.
- (b) Notify the base, appropriate supervisors, the appropriate fire department and hazardous response units.
  1. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.

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## Policy Manual

### *Hazardous Material Response*

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- (c) Wear personal protective gear, being cognizant that some hazardous material can be inhaled.
- (d) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
- (e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:
  - 1. Placards or use of an emergency response guidebook.
  - 2. Driver's statements or shipping documents from the person transporting the material.
  - 3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
    - (a) The type of material.
    - (b) How to secure and contain the material.
    - (c) Any other information to protect the safety of those present, the community and the environment.
- (f) Provide first aid to injured parties if it can be done safely and without contamination.
- (g) Make reasonable efforts to secure the scene to prevent access from unauthorized individuals and to protect and identify any evidence.
- (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered; mandatory evacuation may be necessary and will depend on the type of material.
- (i) Establish a decontamination area when needed.
- (j) Activate automated community notification systems, if applicable.
- (k) Notify the local fire department, the state bureau of fire services and the state police, if not already notified (MCL 29.5g; MCL 480.19).

#### **405.5 REPORTING EXPOSURE**

Department members who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded via chain of command to the Shift Supervisor as soon as practicable. Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

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### *Hazardous Material Response*

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Injury or illness caused or believed to be caused by exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report as applicable.

#### 405.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.

To ensure the safety of members, safety equipment is available from supervisors. Safety items not maintained by this department may be available through the appropriate fire department or emergency response team.

## Hostage and Barricade Incidents

### 406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

#### 406.1.1 DEFINITIONS

Definitions related to this policy include:

**Barricade situation** - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

**Hostage situation** - An incident where it is reasonable to believe a person is:

- Unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.
- Unlawfully held against his/her will under threat or actual use of force.

### 406.2 POLICY

It is the policy of the Schoolcraft College Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

### 406.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands, and the available resources.

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### *Hostage and Barricade Incidents*

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#### **406.4 FIRST RESPONDER CONSIDERATIONS**

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

##### **406.4.1 BARRICADE SITUATION**

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. In the interim, the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt to obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.
- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

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## Policy Manual

### *Hostage and Barricade Incidents*

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- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Chief of Police or his/her designee (Chief of Police or his/her designee).
- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

#### 406.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options, while not all-inclusive or in any particular order, should be considered:

- (a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated, if practicable, pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate uninjured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt to obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

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- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Chief of Police or his/her designee.
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

#### **406.5 SUPERVISOR RESPONSIBILITIES**

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting Western Wayne County Police Mutual Aid Special Operations Team response if appropriate and apprising the Western Wayne County Police Mutual Aid Special Operations Team Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- (a) Ensure injured persons are evacuated and treated by medical personnel.
- (b) Ensure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized assignment members, additional department members, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers when restricting such services (e.g., electric power, gas, telephone service).
- (h) Ensure adequate law enforcement coverage for the remainder of the College during the incident. The supervisor should direct nonessential personnel away from the scene unless they have been summoned by the supervisor or the base.
- (i) Identify a media staging area outside the outer perimeter and have the Chief of Police or his/her designee or a designated temporary media representative provide media access in accordance with the Media Relations Policy.
- (j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

#### **406.6 WESTERN WAYNE COUNTY POLICE MUTUAL AID SPECIAL OPERATIONS TEAM RESPONSIBILITIES**

It will be the Western Wayne County Police Mutual Aid Special Operations Team Commander's decision, with input from the Incident Commander, whether to deploy the Western Wayne County

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Police Mutual Aid Special Operations Team during a hostage or barricade situation. Once the Western Wayne County Police Mutual Aid Special Operations Team Commander authorizes deployment, the Western Wayne County Police Mutual Aid Special Operations Team Commander or the authorized designee will be responsible for the tactical response and negotiations. The Incident Commander shall continue to supervise the command post operation, outer perimeter security, evacuation and media access, and will support the Western Wayne County Police Mutual Aid Special Operations Team. The Incident Commander and the Western Wayne County Police Mutual Aid Special Operations Team Commander or the authorized designees shall maintain direct communications at all times.

#### **406.7 REPORTING**

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

## Crisis Intervention Incidents

### 407.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

#### 407.1.1 DEFINITIONS

Definitions related to this policy include:

**Person in crisis** - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; noncompliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

### 407.2 POLICY

The Schoolcraft College Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

### 407.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation or lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

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Members should be aware that this list is not exhaustive. The presence or absence of any of these signs should not be treated as proof of the presence or absence of a mental health issue or crisis.

#### **407.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS**

The Chief of Police should designate an appropriate Shift Supervisor to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

##### **407.4.1 COUNTY INTERAGENCY AGREEMENT**

The Department will actively participate in the county interagency agreement regarding assistance for individuals with serious mental illnesses (MCL 330.1207a).

#### **407.5 FIRST RESPONDERS**

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.

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- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

Officers should follow all procedures set forth by the county interagency agreement when responding to individuals in crisis (MCL 330.1207a).

#### **407.6 DE-ESCALATION**

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm and courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (i.e., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

#### **407.7 INCIDENT ORIENTATION**

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the base provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents or suicide threats/attempts, and whether there has been previous police response.

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- (c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

#### **407.8 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Absent an imminent threat to the public, consider strategic disengagement. This may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Shift Supervisor.
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

#### **407.9 INCIDENT REPORTING**

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

##### **407.9.1 DIVERSION**

Individuals who are not being arrested should be processed in accordance with the Civil Commitments Policy.

#### **407.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS**

Civilian or clerical members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.

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- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

#### **407.11 EVALUATION**

The Shift Supervisor designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

#### **407.12 TRAINING**

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

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## Civil Commitments

### 408.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place a person under civil commitment (MCL 330.1427).

### 408.2 POLICY

It is the policy of the Schoolcraft College Police Department to protect the public and individuals through legal and appropriate use of civil commitment process.

### 408.3 AUTHORITY

An officer may take into protective custody and transport to a preadmission screening unit or other designated site any person who the officer observes acting in a manner that causes the officer to reasonably believe the person requires treatment as defined in MCL 330.1401 (MCL 330.1427).

An officer shall take a person into protective custody and transport him/her immediately to the preadmission screening unit or designated hospital when ordered to do so by the court or when presented with a petition for hospitalization and a clinical certificate by a medical doctor or licensed psychologist (MCL 330.1426; MCL 330.1455; MCL 330.1436; MCL 330.1438; MCL 330.1469a; MCL 330.1475). An officer taking a person into protective custody shall inform the person that he/she is not under arrest (MCL 330.1427a(2)).

#### 408.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for civil commitment, he/she may inquire as to whether the person desires to be voluntarily evaluated at an appropriate facility. If the person so desires, the officer should:

- (a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person.
- (b) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

If at any point the person changes his/her mind regarding voluntary evaluation, the officers should proceed with the application for hospitalization, if appropriate.

### 408.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving a person who may qualify for detention for the purpose of civil commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the possible cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.

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- (d) Community or other resources that may be readily available to assist with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Civil commitments should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

#### **408.5 TRANSPORTATION**

When transporting any individual for civil commitment, the transporting officer should have the base notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in the patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Shift Supervisor approval is required before transport commences.

#### **408.6 TRANSFER TO APPROPRIATE FACILITY**

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for hospitalization and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

#### **408.7 DOCUMENTATION**

The officer who determines a person is in need of treatment and takes the person into protective custody for a civil commitment shall complete a petition for hospitalization, provide it to the facility staff member assigned to the person, and retain a copy for inclusion in the case report (MCL 330.1427).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

The officer shall also prepare a report indicating the date, time, and place of the protective custody. The report shall not be treated as an arrest or criminal record (MCL 330.1427a).

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#### **408.8 CRIMINAL OFFENSES**

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody through a civil commitment should resolve the criminal matter by issuing a warning or a citation, as appropriate.

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the detention.
- (c) Facilitate the individual's transfer to jail.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for civil commitment.

In the supervisor's judgment, the individual may instead be transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

#### **408.9 FIREARMS AND OTHER WEAPONS**

Whenever a person is taken into custody for a civil commitment, the handling officers should seek to determine if the person owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent) (MCL 330.1427a(1)).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officer should further advise the person of the procedure for the return of any firearm or other weapon that has been taken into custody.

#### **408.10 TRAINING**

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, civil commitments and crisis intervention.

## Appearance Ticket

### 409.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Schoolcraft College Police Department with guidance on when to release adults who are suspected offenders on an appearance ticket for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

### 409.2 POLICY

The Schoolcraft College Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on an appearance ticket, when authorized to do so.

### 409.3 RELEASE

A suspected offender may be released on issuance of a notice to appear in court for a misdemeanor with a maximum penalty of 93 days (MCL 764.9c).

### 409.4 PROHIBITIONS

The release of a suspected offender on an appearance ticket is not permitted when the person is arrested on a felony charge (MCL 764.9c; MCL 764.13).

See the Domestic Violence Policy for release restrictions related to those investigations.

### 409.5 CONSIDERATIONS

In determining whether to issue an appearance ticket to a person when discretion is permitted, officers should consider:

- (a) The type of offense committed.
- (b) The known criminal history of the suspected offender.
- (c) The ability to identify the suspected offender with reasonable certainty.
- (d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.
- (e) The individual's ties to the area, such as residence, employment or family.
- (f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.

# Foreign Diplomatic and Consular Representatives

## 410.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Schoolcraft College Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

## 410.2 POLICY

The Schoolcraft College Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

## 410.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol or, in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll-free at 866-217-2089, or at another current telephone number, and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

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### *Foreign Diplomatic and Consular Representatives*

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#### **410.4 ENFORCEMENT ACTION**

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
  - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving, may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
  - 1. Diplomatic-level staff of missions to international organizations and recognized family members
  - 2. Diplomatic agents and recognized family members
  - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
  - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
  - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents
  - 2. Support staff of missions to international organizations
  - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries
  - 4. Honorary consular officers

#### **410.5 DOCUMENTATION**

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

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#### 410.6 DIPLOMATIC IMMUNITY

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
<b>Diplomatic Agent</b>	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Member of Admin and Tech Staff</b>	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
<b>Service Staff</b>	Yes (note (a))	Yes	Yes	Yes	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
<b>Career Consul Officer</b>	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise (note (a))	No immunity or inviolability
<b>Honorable Consul</b>	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise	No immunity or inviolability
<b>Consulate Employees</b>	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
<b>Int'l Org Staff (note (b))</b>	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts Yes otherwise (note (c))	No immunity or inviolability
<b>Diplomatic-Level Staff of Missions to Int'l Org</b>	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability)

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<b>Support Staff of Missions to Int'l Orgs</b>	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability
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Notes for diplomatic immunity table:

- (a) This table represents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety or the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

## Rapid Response and Deployment

### 411.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist officers in situations that call for rapid response and deployment.

### 411.2 POLICY

The Schoolcraft College Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those who are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

### 411.3 DEFINITIONS

**Active Shooter:** one or more subjects who participate in a random or systematic shooting spree, demonstrating their intent to continuously harm others. The overriding objective of an active shooter appears to be that of mass murder, rather than other criminal conduct, such as robbery, hostage taking, etc. For the purpose of this policy, the term “active shooter” will also include anyone who uses any other deadly weapon to systematically or randomly inflict death or serious bodily injury on others over a continuous or extended period of time.

**Immediate Deployment or Rapid Intervention:** synonymous terms meaning the swift and immediate deployment of law enforcement resources to an on-going, life-threatening situation where delayed deployment could otherwise result in death or serious bodily injury to innocent persons. IMMEDIATE DEPLOYMENT/RAPID INTERVENTION TACTICS ARE NOT A SUBSTITUTE FOR CONVENTIONAL RESPONSE TO A BARRICADED GUNMAN/HOSTAGE SITUATION

### 411.4 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

## *Rapid Response and Deployment*

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### **411.5 FIRST RESPONSE**

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to incidents at other locations.

When deciding on a course of action officers should consider:

- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advancement or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.
- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In the case of a barricaded or trapped suspect, with no hostages and no immediate threat to others, officers should consider covering escape routes and evacuating persons as appropriate, while summoning and waiting for additional assistance (e.g., special tactics and/or hostage negotiation team response).

### **411.6 PLANNING**

The Patrol Shift Supervisor should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment venues and sporting event venues.

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### *Rapid Response and Deployment*

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- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

#### **411.7 TRAINING**

The Sergeant should include rapid response to critical incidents in the training plan. This training should address:

- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment venues and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

## Immigration Violations

### 412.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Schoolcraft College Police Department relating to immigration and interacting with federal immigration officials.

### 412.2 POLICY

It is the policy of the Schoolcraft College Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

### 412.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Michigan constitutions.

### 412.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

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### *Immigration Violations*

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An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

#### **412.4.1 SUPERVISOR RESPONSIBILITIES**

When notified that an officer has detained an individual and established reasonable suspicion or probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

- (a) Transfer the person to federal authorities.
- (b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority Policy).

#### **412.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT**

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

#### **412.6 FEDERAL REQUESTS FOR ASSISTANCE**

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts.

#### **412.7 INFORMATION SHARING**

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

- (a) Sending information to, or requesting or receiving such information from federal immigration officials
- (b) Maintaining such information in department records
- (c) Exchanging such information with any other federal, state, or local government entity

#### **412.7.1 IMMIGRATION DETAINERS**

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

#### **412.8 U VISA AND T VISA NONIMMIGRANT STATUS**

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

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Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Detective Bureau supervisor assigned to oversee the handling of any related case. The Detective Bureau supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
  - 1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

#### **412.9 TRAINING**

The Sergeant shall ensure officers receive training on this policy.

Training should include:

- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

## Field Training

### 413.1 PURPOSE AND SCOPE

This policy provides guidelines for field training that ensure standardized training and evaluation; facilitate the transition from the academic setting to the actual performance of general law enforcement duties; and introduce the policies, procedures and operations of the Schoolcraft College Police Department. The policy addresses the administration of field training and the selection, supervision, training and responsibilities of the Field Training Officer (FTO).

### 413.2 POLICY

It is the policy of the Schoolcraft College Police Department that all newly hired or appointed officer trainees will participate in field training that is staffed and supervised by trained and qualified FTOs.

### 413.3 FIELD TRAINING

The Department shall establish minimum standards for field training, which should be of sufficient duration to prepare officer trainees for law enforcement duties. The field training is designed to prepare trainees for a patrol assignment and ensure they acquire the skills needed to operate in a safe, productive and professional manner, in accordance with the general law enforcement duties of this department.

To the extent practicable, field training should include procedures for:

- (a) Issuance of training materials to each trainee at the beginning of his/her field training.
- (b) Daily, weekly and monthly evaluation and documentation of the trainee's performance.
- (c) A multiphase structure that includes:
  1. A formal evaluation progress report completed by the FTOs involved with the trainee and submitted to the Sergeant and FTO coordinator.
  2. Assignment of the trainee to a variety of shifts and geographical areas.
  3. Assignment of the trainee to a rotation of FTOs in order to provide for an objective evaluation of the trainee's performance.
- (d) The trainee's confidential evaluation of his/her assigned FTOs and the field training process.
- (e) Retention of all field training documentation in the officer trainee's training file including:
  1. All performance evaluations.
  2. A certificate of completion certifying that the trainee has successfully completed the required number of field training hours.

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### *Field Training*

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#### **413.4 FTO COORDINATOR**

The Chief of Police shall delegate certain responsibilities to an FTO coordinator. The coordinator shall be appointed by and directly responsible to the Patrol Shift Supervisor or the authorized designee.

The FTO coordinator may appoint a senior FTO or other designee to assist in the coordination of FTOs and their activities.

The responsibilities of the coordinator include, but are not limited to:

- (a) Assignment of trainees to FTOs.
- (b) Conducting FTO meetings.
- (c) Maintaining and ensuring FTO and trainee performance evaluations are completed.
- (d) Maintaining, updating and issuing department training materials to each FTO and trainee.
- (e) Developing ongoing training for FTOs.
- (f) Mentoring and supervising individual FTO performance.
- (g) Monitoring the overall performance of field training.
- (h) Keeping the Shift Supervisor informed through monthly evaluation reports about the trainees' progress.
- (i) Maintaining a liaison with FTO coordinators from other law enforcement agencies.
- (j) Maintaining a liaison with police academy staff on recruit officer performance during academy attendance.
- (k) Performing other activities as may be directed by the Patrol Shift Supervisor.

The FTO coordinator will be required to successfully complete a training course approved by this department that is applicable to supervision of field training within one year of appointment to this position.

#### **413.5 FTO SELECTION, TRAINING AND RESPONSIBILITIES**

##### **413.5.1 SELECTION PROCESS**

The selection of an FTO will be at the discretion of the Chief of Police or the authorized designee. Selection will be based on the officer's:

- (a) Desire to be an FTO.
- (b) Experience, which shall include a minimum of four years of patrol experience, two of which shall be with this department.
- (c) Demonstrated ability as a positive role model.
- (d) Successful completion of an internal oral interview process.

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### *Field Training*

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- (e) Evaluation by supervisors and current FTOs.
- (f) Possession of, or ability to obtain, department-approved certification.

An FTO must remain in good standing and may be relieved from FTO duties due to discipline, inappropriate conduct or poor performance.

#### 413.5.2 TRAINING

An officer selected as an FTO shall successfully complete a MCOLES certified (40-hour) FTO course prior to being assigned as an FTO.

All FTOs must complete an FTO update course approved by this department every three years while assigned to the position of FTO.

#### 413.5.3 TRAINING MATERIALS

The FTO shall receive training materials outlining the requirements, expectations and objectives of the FTO position. FTOs should refer to their training materials or the FTO coordinator regarding specific questions related to FTO or field training.

#### 413.5.4 RESPONSIBILITIES

The responsibilities of the FTO include, but are not limited to:

- (a) Issuing his/her assigned trainee field training materials in accordance with the Training Policy.
  1. The FTO shall ensure that the trainee has the opportunity to become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.
  2. The FTO shall sign off on all completed topics contained in the training materials, noting the methods of learning and evaluating the performance of his/her assigned trainee.
- (b) Completing and reviewing daily performance evaluations with the trainee.
- (c) Completing and submitting a written evaluation on the performance of his/her assigned trainee to the FTO coordinator on a daily basis.
- (d) Completing a detailed weekly performance evaluation of his/her assigned trainee at the end of each week.
- (e) Completing a monthly evaluation report of his/her assigned trainee at the end of each month.
- (f) Providing the shift supervisor with a verbal synopsis of the trainee's activities at the end of each day or during any unusual occurrence needing guidance or clarification.

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## Contacts and Temporary Detentions

### 414.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

#### 414.1.1 DEFINITIONS

Definitions related to this policy include:

**Consensual encounter** - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

**Field interview (FI)** - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

**Field photographs** - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio/Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

**Pat-down search** - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

**Reasonable suspicion** - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

**Temporary detention** - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

### 414.2 POLICY

The Schoolcraft College Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

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#### **414.3 FIELD INTERVIEWS**

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Schoolcraft College Police Department to strengthen community involvement, community awareness and problem identification.

##### **414.3.1 INITIATING A FIELD INTERVIEW**

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include, but are not limited to, an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

#### **414.4 PAT-DOWN SEARCHES**

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include, but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.

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- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

#### **414.5 FIELD PHOTOGRAPHS**

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

##### **414.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT**

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent.

##### **414.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT**

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

##### **414.5.3 SUPERVISOR RESPONSIBILITIES**

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

#### **414.6 WITNESS IDENTIFICATION AND INTERVIEWS**

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
  1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.

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2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

## Mobile Data Terminal Use

### 415.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) system in order to ensure proper access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Base.

### 415.2 POLICY

Schoolcraft College Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

### 415.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

### 415.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Shift Supervisors.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks or communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDT system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDT system unless directed to do so by a supervisor. Members are required to log off the MDT or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

#### 415.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages

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that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

#### **415.5 DOCUMENTATION OF ACTIVITY**

Except as otherwise directed by the Shift Supervisor or other department-established protocol, all calls for service assigned by a base should be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a base.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

##### **415.5.1 STATUS CHANGES**

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDT system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT.

##### **415.5.2 EMERGENCY ACTIVATION**

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Shift Supervisor are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are handling a different emergency.

#### **415.6 EQUIPMENT CONSIDERATIONS**

##### **415.6.1 MALFUNCTIONING MDT**

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify Base. It shall

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be the responsibility of the base to document all information that will then be transmitted verbally over the police radio.

#### 415.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

## Public Recording of Law Enforcement Activity

### 416.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

### 416.2 POLICY

The Schoolcraft College Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

### 416.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
  - 1. Tampering with a witness or suspect.
  - 2. Inciting others to violate the law.
  - 3. Being so close to the activity as to present a clear safety hazard to the officers.
  - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officer, him/herself or others.

### 416.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or

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behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

#### **416.5 SUPERVISOR RESPONSIBILITIES**

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of department members, such as how and where to file a complaint.

#### **416.6 SEIZING RECORDINGS AS EVIDENCE**

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
  1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
  1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
  2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the

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evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property Policy.

## Bicycle Patrol

### 417.1 PURPOSE AND SCOPE

This policy establishes guidelines for the Schoolcraft College Police Department to safely and effectively use bicycle patrol for the purpose of enhancing field patrol efforts in the community.

### 417.2 POLICY

It is the policy of the Schoolcraft College Police Department that patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. The use of the patrol bicycle will emphasize officer mobility and department visibility in the community.

### 417.3 OPERATIONS

Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas, and the quiet operation of the patrol bicycle can facilitate a tactical approach to crimes in progress. Patrol bicycles may be deployed to any area, at any hour of the day or night, according to department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the bicycle patrol coordinator or the Shift Supervisor.

### 417.4 SELECTION

Interested officers who are off probation shall submit a request to their appropriate Shift Supervisors. A copy will be forwarded to the bicycle patrol coordinator. Qualified applicants will then be evaluated by the coordinator.

Interested officers shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance
- (b) Special skills or training as it pertains to the assignment
- (c) Good physical condition
- (d) Willingness to perform duties using the bicycle as a mode of transportation

#### 417.4.1 OFFICER RESPONSIBILITIES

Officers should operate the bicycle in compliance with the vehicle code under normal operation, unless their duties require otherwise (MCL 257.656 et seq.).

Officers may operate the bicycle without lighting equipment during hours of darkness only when it reasonably appears necessary for officer safety or tactical considerations. Officers must use caution and care when operating bicycles without lighting equipment or when they are operating in violation of the rules of the road.

Officers are exempt from the rules of the road under the following conditions (MCL 257.603):

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- (a) In response to an emergency call
- (b) While engaged in rescue operations
- (c) In the immediate pursuit of an actual or suspected violator of the law

#### **417.5 BICYCLE PATROL COORDINATOR**

The Chief of Police shall delegate certain responsibilities to a bicycle patrol coordinator. The coordinator shall be appointed by and directly responsible to the Patrol Shift Supervisor or the authorized designee.

The coordinator may appoint a senior bicycle patrol officer or other designee to assist in the coordination of bicycle patrol officers and their activities.

The responsibilities of the coordinator include, but are not limited to:

- (a) Organizing bicycle patrol training.
- (b) Inspecting and maintaining an inventory of patrol bicycles and program equipment.
- (c) Inspecting, no less than every three months, bicycles that are not in active service and documenting that they are in serviceable condition.
- (d) Scheduling maintenance and repairs.
- (e) Evaluating the performance of bicycle patrol officers.
- (f) Coordinating activities with the Patrol Bureau.
- (g) Other activities as required to maintain the efficient operation of bicycle patrol.

#### **417.6 PATROL BICYCLE**

Bicycle patrol officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, two batteries and a charger.

Patrol bicycles shall be primarily black or white in color with a "Police" decal affixed to each side of the crossbar or the bicycle's gear bag. Every patrol bicycle shall be equipped with:

- (a) Front and rear reflectors.
- (b) A siren and horn.
- (c) A steady or flashing blue and red warning light that is visible from the front, sides or rear of the bicycle.
- (d) A rear rack and/or gear bag sufficient to carry all necessary equipment to handle routine patrol calls, including report writing, vehicle storage and citations.
- (e) A gear bag that shall include a first-aid kit, tire pump, repair tool, tire tube, security lock, high-visibility vest and equipment information and use manuals. These items are to remain with/on the patrol bicycle at all times.

Patrol bicycles shall be properly secured when not in the officer's immediate presence.

# Schoolcraft College Police Department

## Policy Manual

### *Bicycle Patrol*

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#### 417.6.1 TRANSPORTING THE PATROL BICYCLE

The patrol bicycle should be transported using a vehicle bicycle rack. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a law enforcement vehicle push-bumper is discouraged.

#### 417.6.2 MAINTENANCE

- (a) Bicycle patrol officers shall conduct an inspection of the patrol bicycle and equipment prior to use to ensure proper working order of the equipment.
- (b) Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).
  - 1. Each patrol bicycle will have scheduled maintenance twice yearly to be performed by a repair shop or technician approved by the Department.
- (c) Officers shall not modify the patrol bicycle or remove, modify or add components to the patrol bicycle except with the express approval of the bicycle patrol coordinator, or in the event of an emergency.
- (d) If a needed repair is beyond the ability of the bicycle patrol officer, a repair work order will be completed and forwarded to the coordinator for repair by a technician approved by the Department.
- (e) Patrol bicycle batteries shall be rotated on the assigned charger at the end of each tour of duty.
  - 1. During prolonged periods of nonuse, each bicycle patrol officer assigned a patrol bicycle shall periodically rotate the batteries on the respective chargers to increase battery life.
- (f) At the end of a patrol bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

#### **417.7 UNIFORMS AND EQUIPMENT**

Officers shall wear uniforms and safety equipment in accordance with the Uniforms and Civilian Attire Policy.

The uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt, with Schoolcraft College Police Department badge and patches, and department-approved bicycle patrol pants or shorts. Optional attire may include, but is not limited to, a jacket in colder weather and turtleneck shirts or sweaters when worn under the uniform shirt.

Bicycle patrol officers shall carry the same equipment on their duty belts as they would on regular patrol assignments. Assignment-specific safety equipment should include, but is not limited to, department-approved helmet, a radio headset and microphone, riding gloves, protective eyewear and approved footwear.

# Schoolcraft College Police Department

## Policy Manual

### *Bicycle Patrol*

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Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

#### **417.8 TRAINING**

Officers must complete an initial department-approved bicycle-training course prior to assignment to bicycle patrol. Thereafter, bicycle patrol officers should receive twice yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include:

- (a) Bicycle patrol strategies.
- (b) Bicycle safety and accident prevention.
- (c) Operational tactics and techniques using bicycles.

Bicycle patrol officers will be required to train and qualify with their duty and secondary firearms while wearing bicycle safety equipment, including the helmet and riding gloves.

## Homeless Persons

### 418.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department members understand the needs and rights of the homeless, and to establish procedures to guide them during all contacts with the homeless, whether consensual or for enforcement purposes.

This policy establishes a liaison to the homeless community, addresses the responsibilities of the department member appointed to act as a liaison to the homeless, and details the need for special protection and services for homeless persons.

### 418.2 POLICY

It is the policy of the Schoolcraft College Police Department to protect the rights, dignity and private property of all members of the community, including people who are homeless. Abuse of authority to harass any member of the community will not be permitted. The Schoolcraft College Police Department will address the needs of homeless persons in balance with the overall mission of this department.

Homelessness is not a crime and members will not use homelessness as the sole basis for detention or law enforcement action.

### 418.3 LIAISON TO THE HOMELESS COMMUNITY

The Chief of Police shall delegate certain responsibilities to a liaison to the homeless community. The liaison shall be appointed by and directly responsible to the Patrol Shift Supervisor or the authorized designee.

The responsibilities of the liaison include, but are not limited to:

- (a) Maintaining and making available to all department members a list of assistance programs and other resources that are available to homeless persons.
- (b) Meeting with social services and representatives of other organizations that render assistance to the homeless community.
- (c) Maintaining a list of the areas within and near the jurisdiction of this department that are used as frequent homeless encampments.
- (d) Remaining abreast of laws dealing with homelessness, including personal property rights.
- (e) Being present during any clean-up operation conducted by this department that involves the removal of personal property of the homeless. This is to ensure that the established rights of the homeless are not violated.
- (f) Developing training to assist members in understanding current legal and social issues relating to the homeless.

# Schoolcraft College Police Department

## Policy Manual

### *Homeless Persons*

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#### **418.4 FIELD CONTACTS**

Officers are encouraged to contact a homeless person to render aid, offer assistance or to check on the person's welfare. Officers also will take enforcement action when information supports a reasonable and articulable suspicion of criminal activity. However, such contacts shall not be used for harassment.

When encountering a homeless person who has committed a nonviolent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions, such as shelter referrals and counseling, in lieu of an arrest and criminal charges.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent that such services may be appropriate.

##### **418.4.1 CONSIDERATIONS**

A homeless person will receive the same level and quality of service provided to other members of the community. The fact that a victim, witness or suspect is homeless can, however, require special consideration for a successful investigation and prosecution. When handling investigations involving victims, witnesses or suspects who are homeless, officers should consider:

- (a) Documenting alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Documenting locations the person may frequent.
- (c) Providing victim/witness resources, when appropriate.
- (d) Obtaining sufficient statements from all available witnesses in the event that a victim cannot be located and is unavailable for a court appearance.
- (e) Arranging for transportation for investigation-related matters, such as medical exams and court appearances.
- (f) Whether a crime should be reported and submitted for prosecution, even when a victim who is homeless indicates that he/she does not desire prosecution.
- (g) Whether the person may be an adult abuse victim and, if so, proceed in accordance with the Adult Abuse Policy.

#### **418.5 MENTAL HEALTH ISSUES**

When mental health issues are evident, officers should consider referring the person to the appropriate mental health agency or providing the person with contact information for mental health assistance, as appropriate. In these circumstances, officers may provide transportation to a mental health facility for voluntary evaluation if it is requested or offered and accepted by the person, and approved by a supervisor. Officers should consider detaining the person under civil commitment or an involuntary commitment when facts and circumstances reasonably indicate such a detention is warranted (see the Civil Commitments Policy).

# Schoolcraft College Police Department

## Policy Manual

### *Homeless Persons*

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#### **418.6 PERSONAL PROPERTY**

The personal property of homeless persons must not be treated differently than the property of other members of the community. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, it should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure it. It will be the supervisor's responsibility to coordinate its removal and safekeeping.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the homeless liaison. When practicable, requests by the public for clean-up of a homeless encampment should be referred to the liaison.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the liaison if such property appears to involve a trespass, is a blight to the community or is the subject of a complaint. It will be the responsibility of the liaison to address the matter in a timely fashion.

#### **418.7 ECOLOGICAL ISSUES**

Sometimes homeless encampments can have an impact on the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or College departments when a significant impact to the environment has or is likely to occur. A significant impact to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

## Medical Marihuana

### 419.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, transportation, delivery, production or use of marihuana under the Michigan Medical Marihuana Act (MCL 333.26421 et seq.).

#### 419.1.1 DEFINITIONS

Definitions related to this policy include (MCL 333.26423):

**Medical use** - The acquisition, possession, cultivation, manufacture, extraction, use, internal possession, delivery, transfer, or transportation of marihuana, marihuana-infused products, or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

**Primary caregiver or caregiver** - A person who is at least 21 years old and who has agreed to assist with a patient's medical use of marihuana; who has not been convicted of any felony within the past 10 years; and who has never been convicted of a felony involving illegal drugs or a violent felony set forth in MCL 333.26423.

**Qualifying patient or patient** - A person who has been diagnosed by a physician as having a debilitating medical condition.

**Registry identification card (RIC)** - A document issued by the Michigan Department of Licensing and Regulatory Affairs that identifies a person as a registered qualifying patient or registered primary caregiver.

**Usable marihuana** - The dried leaves and flowers, plant resin, or extract of the marihuana plant, not including the seeds, stalks, and roots of the plant.

**Usable marihuana equivalent** - An amount of usable marihuana in a marihuana-infused product processed for human consumption by means other than smoking. The amounts that equate to 1 ounce of usable marihuana are (MCL 333.26424):

- (a) 16 ounces of marihuana-infused product if in a solid form.
- (b) 7 grams of marihuana-infused product if in a gaseous form.
- (c) 36 fluid ounces of marihuana-infused product if in a liquid form.

**Written certification** - A document signed by a physician, stating all of the following:

- (a) The patient's debilitating medical condition.
- (b) The physician has completed a full assessment of the patient's medical history and current medical condition, including a relevant, in-person medical evaluation.
- (c) In the physician's professional opinion, the patient is likely to receive therapeutic or palliative benefit from the medical use of marihuana to treat or alleviate the patient's

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## Policy Manual

### *Medical Marihuana*

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debilitating medical condition or symptoms associated with the debilitating medical condition.

#### **419.2 POLICY**

It is the policy of the Schoolcraft College Police Department to prioritize resources to avoid making arrests related to marihuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

Michigan's medical marihuana laws are intended to provide protection from prosecution to those who use, possess, deliver or produce marihuana to mitigate the symptoms of certain chronic or debilitating medical conditions. However, Michigan medical marihuana laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of marihuana. The Schoolcraft College Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Michigan law and the resources of the Department.

#### **419.3 INVESTIGATION**

Investigations involving the possession, delivery, production or use of marihuana generally fall into one of several categories:

- (a) Investigations when no person makes a medicinal claim.
- (b) Investigations when a medicinal claim is made by a person with a RIC.
- (c) Investigations involving a caregiver with a RIC.
- (d) Investigations related to more than an allowable amount by a person with a RIC or medical claim by someone without a RIC.
- (e) Investigations involving a qualifying patient or caregiver interacting with a licensed marihuana facility.

##### **419.3.1 INVESTIGATIONS WITH NO MEDICAL CLAIM**

In any investigation involving the possession, delivery, production, or use of marihuana or drug paraphernalia where no person claims that the marihuana is used for medicinal purposes, the officer should proceed with a criminal investigation if the amount is greater than permitted for personal use of marihuana under the Michigan Regulations and Taxation of Marihuana Act. A medicinal defense may be raised at any time, so officers should document any statements and observations that may be relevant to whether the marihuana was possessed or produced for medicinal purposes.

##### **419.3.2 INVESTIGATIONS INVOLVING A PATIENT WITH A RIC**

Officers shall not arrest or take other enforcement action against a qualifying patient with a RIC for possessing or manufacturing (MCL 333.26424):

- (a) A combined total of 2.5 ounces of usable marihuana and usable marihuana equivalents or less.
- (b) 12 marihuana plants kept in an enclosed, locked facility.

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Incidental amount of seeds, stalks and unusable roots shall not be included in the 2.5 ounces of marihuana.

If a patient exceeds the above amount, the matter should be investigated as if the person did not have a RIC but had a medical claim as set forth below.

#### 419.3.3 INVESTIGATIONS INVOLVING A CAREGIVER WITH A RIC

Officers shall not arrest or take other enforcement action against a caregiver with a RIC for possessing or manufacturing (MCL 333.26424):

- (a) A combined total of 2.5 ounces of usable marihuana and usable marihuana equivalents or less for each qualifying patient to whom he/she is connected through the registration process.
- (b) 12 marihuana plants kept in an enclosed, locked facility for each registered patient who has specified that the caregiver will be allowed to cultivate marihuana for the patient.

Incidental amount of seeds, stalks and unusable roots shall not be included in the 2.5 ounces of marihuana.

If a caregiver exceeds the above amount, the matter should be investigated as if the person did not have a RIC but was cultivating for a person with a medical claim as set forth below.

#### 419.3.4 INVESTIGATIONS INVOLVING A MEDICAL CLAIM BY A PERSON WITHOUT A RIC

Officers should not arrest a person for possessing marihuana or cultivating marihuana if they claim to be a patient or a caregiver for a patient and (MCL 333.26424; MCL 333.26428):

- (a) There is a written certification or a physician was available and could confirm the patient's status.
- (b) The amount of marihuana in question appeared reasonably necessary to ensure the uninterrupted availability of marihuana to the patient.
- (c) The marihuana was legitimately possessed or cultivated for a medical purpose.
- (d) No other facts suggest the person would not qualify for a defense to the possession under MCL 333.26428.

#### 419.3.5 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving marihuana possession, delivery, production, or use:

- (a) Because enforcement of medical marihuana laws can be complex, time consuming, and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:
  - 1. The suspect has been identified and can be easily located at another time.
  - 2. The case would benefit from review by a person with expertise in medical marihuana investigations.

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### *Medical Marihuana*

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3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
  4. Any other relevant factors, such as available department resources and time constraints.
- (b) Whenever the initial investigation reveals an amount of marihuana greater than that specified by law, officers should consider and document, in anticipation of an affirmative defense:
1. The amount of marihuana recommended by a medical professional to be ingested.
  2. The quality of the marihuana.
  3. The method of ingestion (e.g. smoking, eating, nebulizer).
  4. The timing of the possession in relation to a harvest (patient may be storing marihuana).
  5. Whether the marihuana is being cultivated indoors or outdoors, the climate.
- (c) Before proceeding with enforcement related to growers, processors, provisioning centers, secure transporters, and safety compliance facilities, officers should consider conferring with appropriate legal counsel and the Michigan Department of Licensing and Regulatory Affairs to ensure their activities are not protected (MCL 333.27201; MCL 333.27401).
- (d) The Michigan Department of Licensing and Regulatory Affairs' statewide monitoring system may be accessed, when available, to verify registry identification cards (MCL 333.27902).
- (e) Transporting or possessing marihuana-infused products in or upon a motor vehicle is restricted as set forth in MCL 333.26424b.

#### 419.3.6 EXCEPTIONS

This policy does not apply to the following offenses. Officers may take enforcement action if the person (MCL 333.26427):

- (a) Undertakes any task under the influence of marihuana, when doing so would constitute negligence or professional malpractice.
- (b) Possesses marihuana, or otherwise engages in the medical use of marihuana in a school bus, on school grounds or in any correctional facility.
- (c) Smokes marihuana on any form of public transportation or in any public place.
- (d) Operates, navigates or is in actual physical control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle or motorboat while under the influence of marihuana.
- (e) Uses marihuana when he/she really does not have a serious or debilitating medical condition.

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### *Medical Marihuana*

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- (f) Separates plant resin from a marihuana plant by butane extraction in any public place or motor vehicle, or inside or near any residential structure.
- (g) Separates plant resin from a marihuana plant by butane extraction in a manner that demonstrates a failure to exercise reasonable care or reckless disregard for the safety of others.

#### **419.3.7 INVESTIGATIONS INVOLVING A QUALIFYING PATIENT OR CAREGIVER INTERACTING WITH A LICENSED MARIHUANA FACILITY**

Officers shall not arrest or take other enforcement action against a qualified patient or caregiver for (MCL 333.26424a; MCL § 333.27203):

- (a) Transferring or purchasing marihuana in an authorized amount from a licensed provisioning center.
- (b) Transferring or selling marihuana seeds or seedlings to a licensed grower.
- (c) Transferring marihuana for testing to and from a licensed safety compliance facility.

#### **419.4 FEDERAL LAW ENFORCEMENT**

Officers should provide information regarding a marihuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

#### **419.5 PROPERTY SUPERVISOR RESPONSIBILITIES**

The Property supervisor should ensure that marihuana, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical marihuana is not destroyed. The Property supervisor is not responsible for caring for live marihuana plants.

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Property supervisor should return to the person from whom it was seized any useable marihuana, plants, drug paraphernalia or other related property.

The Property supervisor should not destroy marihuana that was alleged to be for medical purposes except upon receipt of a court order.

The Property supervisor may release marihuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Detective Bureau supervisor.

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## Medical Aid and Response

### 420.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

### 420.2 POLICY

It is the policy of the Schoolcraft College Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

### 420.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Base and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Base with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
  1. Signs and symptoms as observed by the member.
  2. Changes in apparent condition.
  3. Number of patients, sex, and age, if known.
  4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
  5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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### *Medical Aid and Response*

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#### **420.4 TRANSPORTING ILL AND INJURED PERSONS**

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

#### **420.5 PERSONS REFUSING EMS CARE**

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive medical care or be transported.

However, members may assist EMS personnel when EMS personnel determine the person lacks the mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with involuntary commitment in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

#### **420.6 MEDICAL ATTENTION RELATED TO USE OF FORCE**

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Conducted Energy Device policies.

#### **420.7 AIR AMBULANCE**

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are

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### *Medical Aid and Response*

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victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Patrol Shift Supervisor should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members shall follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during the landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

## **420.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE**

### **420.8.1 AED USER RESPONSIBILITY**

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Sergeant who is responsible for ensuring appropriate maintenance.

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Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED should contact base as soon as possible and request response by EMS.

#### **420.8.2 AED REPORTING**

Any member using an AED will complete an incident report detailing its use.

#### **420.8.3 AED TRAINING AND MAINTENANCE**

The Sergeant should ensure appropriate training is provided to members authorized to use an AED.

The Sergeant is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule.

### **420.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION**

Only members who have completed opioid administration training may administer opioid overdose medication (MCL 15.673).

#### **420.9.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES**

Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Sergeant.

#### **420.9.2 OPIOID OVERDOSE MEDICATION REPORTING**

Any member administering opioid overdose medication should detail its use in an appropriate report.

#### **420.9.3 OPIOID OVERDOSE MEDICATION TRAINING**

The Sergeant should ensure training is provided to members authorized to administer opioid overdose medication.

### **420.10 SICK OR INJURED ARRESTEE**

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

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Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

#### **420.11 ADMINISTRATION OF EPINEPHRINE**

Only members who have completed epinephrine administration training may provide or administer epinephrine (MCL 333.17744d).

##### **420.11.1 EPINEPHRINE USER RESPONSIBILITIES**

Members who are qualified to administer epinephrine should handle, store, and administer the medication consistent with their training. Members should check the medication and associated administration equipment at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Sergeant.

Any member who administers epinephrine should contact Base as soon as possible and request response by EMS.

##### **420.11.2 EPINEPHRINE REPORTING**

Any member administering epinephrine should detail its use in an appropriate report.

The Sergeant is responsible for state report submissions to the Michigan Department of Licensing and Regulatory Affairs required by MCL 333.17744d.

##### **420.11.3 EPINEPHRINE TRAINING**

The Sergeant should ensure that training is provided to members authorized to administer epinephrine (MCL 333.17744d).

#### **420.12 FIRST AID TRAINING**

Subject to available resources, the Sergeant should ensure officers receive periodic first aid training appropriate for their position.

## First Amendment Assemblies

### 421.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

### 421.2 POLICY

The Schoolcraft College Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

### 421.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress (MCL 750.352); trespass upon the property of another (MCL 750.552); trespass upon key facilities (MCL 750.552c); trespass upon health facilities for prohibited purposes (MCL 333.20198); noise; unlawful picketing (MCL 423.17a); mass picketing or picketing of a private residence (MCL 423.9f); distribution of handbills; leafleting; or conduct directed toward disruption of elections (Const 1963, art 2, § 4; MCL 168.931 et seq.). However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential.

The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and to prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

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Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

#### **421.3.1 PHOTOGRAPHS, VIDEO RECORDINGS AND OTHER INFORMATION**

Photographs, video recordings and other information may be collected at assemblies and demonstrations as they can serve a number of purposes, such as support of criminal prosecutions, assistance in evaluating department performance, serving as training material, recording the use of dispersal orders and facilitating a response to allegations of improper law enforcement conduct.

Photographs, video recordings and other information shall not be maintained on the political, religious or social activities, views or associations of any individual, group or organization unless those activities, views or associations directly relate to an investigation of criminal activity and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

#### **421.4 UNPLANNED EVENTS**

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to:

- Location.
- Number of participants.
- Apparent purpose of the event.
- Leadership (whether it is apparent and/or whether it is effective).
- Any initial indicators of unlawful or disruptive activity.
- Indicators that lawful use of public facilities, streets or walkways will be impacted.
- Ability and/or need to continue monitoring the incident.

Initial assessment information should be promptly communicated to Base, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

#### **421.5 PLANNED EVENT PREPARATION**

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

##### **421.5.1 INFORMATION GATHERING AND ASSESSMENT**

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

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- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

#### 421.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (helmets, shields, etc.).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) An established liaison with demonstration leaders and external agencies.
- (h) An established liaison with College government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.

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- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

#### **421.5.3 MUTUAL AID AND EXTERNAL RESOURCES**

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

#### **421.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS**

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear, standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

#### **421.7 USE OF FORCE**

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER (TM)s should be

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considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and the Conducted Energy Device policies).

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

#### **421.8 ARRESTS**

The Schoolcraft College Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been or reasonably appear likely to be unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Appearance Ticket Policy).

#### **421.9 MEDIA RELATIONS**

The Chief of Police or his/her designee should use all available avenues of communication, including press releases, briefings, press conferences and social media, to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

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#### **421.10 DEMOBILIZATION**

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

#### **421.11 POST EVENT**

The Incident Commander should designate a member to assemble full documentation of the event, to include:

- (a) Operational plan.
- (b) Any incident logs.
- (c) Any assignment logs.
- (d) Vehicle, fuel, equipment and supply records.
- (e) Incident, arrest, use of force, injury and property damage reports.
- (f) Photographs, audio/video recordings, dispatch records/tapes (if applicable).
- (g) Media accounts (print and broadcast media).

##### **421.11.1 AFTER-ACTION REPORTING**

The Incident Commander should work with College legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used, to include:

- (a) Date, time and description of the event.
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests, costs).
- (c) Problems identified.
- (d) Significant events.
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

#### **421.12 TRAINING**

Department members shall receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

## Civil Disputes

### 422.1 PURPOSE AND SCOPE

This policy provides members of the Schoolcraft College Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to "court orders" apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Michigan law.

### 422.2 POLICY

The Schoolcraft College Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

### 422.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While the following is not intended to be an exhaustive list, members should give consideration to the following when handling civil disputes:

- (a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.
- (b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.
- (c) Members shall not provide legal advice; however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.
- (d) Members are reminded that they shall not enter a residence or other non-public location without legal authority.
- (e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

## *Civil Disputes*

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### **422.4 COURT ORDERS**

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document:

- (a) The person's knowledge of the court order or whether proof of service exists.
- (b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

#### **422.4.1 STANDBY REQUESTS**

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

### **422.5 VEHICLES AND PERSONAL PROPERTY**

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

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#### **422.6 REAL PROPERTY**

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

# Suspicious Activity Reporting

## 423.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

### 423.1.1 DEFINITIONS

Definitions related to this policy include:

**Involved party** - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

**Suspicious activity** - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

**Suspicious Activity Report (SAR)** - An incident report used to document suspicious activity.

## 423.2 POLICY

The Schoolcraft College Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

## 423.3 RESPONSIBILITIES

The Shift Supervisor and the authorized designees will manage SAR activities. Authorized designees should include supervisors and detectives.

The responsibilities of SAR managers shall include, but not be limited to:

- (a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

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- (b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.
- (e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.
- (f) Coordinating investigative follow-up, if appropriate.
- (g) Coordinating with any appropriate agency or fusion center.
- (h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage community members to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

#### **423.4 REPORTING AND INVESTIGATION**

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any civilian member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare a SAR and include information about the involved parties and the circumstances of the incident. If, during any investigation an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

#### **423.5 HANDLING INFORMATION**

The detective bureau will ensure that any report that qualifies as an SAR will be forwarded, in a timely manner, to:

- The Chief of Police.
- The lieutenant.
- Other authorized designees.

## Chapter 5 - Traffic Operations

## Traffic

### 500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

### 500.2 POLICY

It is the policy of the Schoolcraft College Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic accidents, citizen complaints, traffic volume, traffic conditions and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety.

### 500.3 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors will be considered in the development of deployment schedules for department members. State and local data on traffic accidents are a valuable resource. Factors for analysis include, but are not limited to:

- Location.
- Time.
- Day.
- Violation factors.
- Requests from the public.
- Construction zones.
- School zones.
- Special events.

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents, and also will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.

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#### **500.4 ENFORCEMENT**

Traffic enforcement will be consistent with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of arrests or citations issued by any member shall not be used as the sole criterion for evaluating member overall performance.

Several methods are effective in the reduction of traffic accidents.

##### **500.4.1 WARNINGS**

Warnings are a non-punitive option that may be considered by the member when circumstances warrant, such as when a minor violation was inadvertent.

##### **500.4.2 CITATIONS**

Citations should be issued when a member believes it is appropriate. When issuing a citation for a traffic violation, it is essential that the rights and requirements imposed on motorists be fully explained. At a minimum, motorists should be provided with (MCL 257.728):

- (a) An explanation of the violation or charge.
- (b) The court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) A notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

##### **500.4.3 PHYSICAL ARREST**

Physical arrest can be made on a number of criminal traffic offenses. These cases usually deal with, but are not limited to:

- (a) Vehicular manslaughter.
- (b) Felony and misdemeanor operating while intoxicated (OUI) of alcohol or drugs (MCL 257.625).
- (c) Felony or misdemeanor hit-and-run (MCL 257.617).
- (d) The violator demands arraignment in lieu of a citation (MCL 257.728).
- (e) Reckless driving resulting in injury or death (MCL 257.626).

#### **500.5 SUSPENDED OR REVOKED LICENSES**

If an officer contacts a traffic violator who is also driving on a suspended or revoked license, the officer should issue a traffic citation or make an arrest as appropriate.

#### **500.6 HIGH-VISIBILITY VESTS**

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented

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by passing traffic or by maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

#### 500.6.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn when increased visibility would improve the safety of the department member or when the member will be exposed to the hazards of passing traffic or will be maneuvering or operating vehicles, machinery and equipment.

Examples of when high-visibility vests should be worn include traffic control duties, traffic accident investigations, lane closures and disaster scenes.

When emergency conditions preclude the immediate donning of the vest, members should retrieve and wear the vest as soon as conditions reasonably permit.

Use of the vests shall also be mandatory when directed by a supervisor.

#### 500.6.2 CARE AND STORAGE

High-visibility vests shall be maintained in the trunk of each patrol and investigation vehicle, in the side box of each police motorcycle and in the gear bag of each patrol bicycle. Each vest should be stored inside a resealable plastic bag to protect and maintain the vest in a serviceable condition. Before going into service, each member shall ensure that a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained and made available for replacement of damaged or unserviceable vests. The Sergeant should be promptly notified whenever the supply of vests needs replenishing.

## Traffic Accidents

### 501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic accidents.

### 501.2 POLICY

It is the policy of the Schoolcraft College Police Department to respond to traffic accidents and render or summon aid to injured victims as needed. The Department will investigate and prepare reports according to the established minimum reporting requirements with the goal of reducing the occurrence of accidents by attempting to identify the cause of the accident and through enforcing applicable laws. Unless restricted by law, traffic accident reports will be made available to the public upon request.

### 501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate. Generally, the member initially dispatched to the scene will be responsible for the investigation and report, if required, unless responsibility is reassigned by a supervisor.

A supervisor should be called to the scene when the incident:

- (a) Is within the jurisdiction of this department and there is:
  - 1. A life-threatening injury.
  - 2. A fatality.
  - 3. A Schoolcraft College vehicle involved.
  - 4. A Schoolcraft College official or employee involved.
  - 5. Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
  - 1. A Schoolcraft College vehicle involved.
  - 2. A Schoolcraft College official involved.
  - 3. Involvement of an on-duty member of this department.

#### 501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control.
- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.

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- (d) The potential for involvement of hazardous materials.
- (e) The need for additional support as necessary (e.g., traffic control, emergency medical services, fire department, hazardous materials response, tow vehicles).
- (f) Clearance and cleanup of the roadway.

#### **501.4 NOTIFICATION**

If a traffic accident involves a life-threatening injury or fatality, the responding officer shall notify a supervisor. The supervisor may assign a traffic investigator or other appropriate personnel to investigate the incident. The supervisor will ensure notification is made to the Chief of Police and, if requested by the Chief, the VP/CFO and College President, in accordance with the Major Incident Notification Policy.

##### **501.4.1 NOTIFICATION OF FAMILY**

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Medical Examiner, department chaplain or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic accident should not be released until notification is made to the victim's immediate family.

#### **501.5 MINIMUM REPORTING REQUIREMENTS**

An accident report shall be taken when:

- (a) A fatality, any injury (including complaint of pain), operating under the influence or hit-and-run is involved.
- (b) An on-duty member of Schoolcraft College is involved.
- (c) The accident results in any damage to any College-owned or leased vehicle.
- (d) The accident involves any other public agency driver or vehicle.
- (e) There is damage to public property.
- (f) Damage to property appears to exceed \$1000.
- (g) There is damage to any vehicle to the extent that towing is required.
- (h) Prosecution or follow-up investigation is contemplated.
- (i) Directed by a supervisor.

##### **501.5.3 INJURED ANIMALS**

Department members should refer to the Animal Control Policy when a traffic accident involves the disposition of an injured animal.

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#### **501.6 INVESTIGATION**

When a traffic accident meets minimum reporting requirements the investigation should include, at a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence, reporting) on the appropriate forms.

##### **501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY**

The Sergeant or on-duty Shift Supervisor should request that the Michigan State Police or other outside law enforcement agency investigate and complete a traffic accident investigation when a life-threatening injury or fatal traffic accident occurs within the jurisdiction of the Schoolcraft College Police Department and involves:

- (a) An on- or off-duty member of the Department.
  - 1. The involved member shall complete the department traffic accident form. If the member is unable to complete the form, the supervisor shall complete it. ?
- (b) An on- or off-duty official or employee of Schoolcraft College.

Department members shall promptly notify a supervisor when any department vehicle is involved in a traffic accident. The accident investigation and report shall be completed by the agency having jurisdiction.

#### **501.7 ENFORCEMENT ACTION**

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the accident, authorized members should issue a citation or arrest the offending driver, as appropriate (MCL 257.728; MCL 600.8807).

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

#### **501.8 REPORTS**

Department members shall utilize forms approved by the Michigan State Police as required for the reporting of traffic accidents. All such reports shall be forwarded to the Patrol Division for approval and filing.

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#### 501.8.1 REPORT MODIFICATION

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member.

#### 501.8.2 SERGEANT RESPONSIBILITIES

The responsibilities of the Sergeant include, but are not limited to:

- (a) Ensuring the monthly and quarterly reports on traffic accident information and statistics are forwarded to other persons as required.
- (b) Ensuring that all traffic accident reports are completed in a timely manner and forwarded to the Michigan State Police.
- (c) Maintaining a copy of all traffic accident reports for a minimum of 3 years (MCL 257.622).

## Vehicle Towing

### 502.1 PURPOSE AND SCOPE

This policy provides guidance related to vehicle towing. Nothing in this policy shall require a member of this department to tow a vehicle.

### 502.2 POLICY

The Schoolcraft College Police Department will tow vehicles when appropriate and in accordance with the law.

### 502.3 REMOVAL OF VEHICLES DUE TO HAZARD

When a vehicle should be towed because it presents a hazard, the owner or operator should arrange for the towing. Department members may assist by communicating requests through the tow company to expedite the process.

If the owner or operator is unable to arrange for towing and the vehicle presents a hazard, the vehicle may be towed at the direction of the department member (MCL 257.252d).

Vehicles that are not the property of the College should not be driven by department members unless it is necessary to move the vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or comply with posted signs.

### 502.4 ARREST SCENES

Whenever the owner or operator of a vehicle is arrested, the arresting officer should provide reasonable safekeeping by leaving the vehicle secured and lawfully parked at the scene or, when appropriate, by having the vehicle towed, such as when the vehicle presents a traffic hazard or the vehicle would be in jeopardy of theft or damage if left at the scene.

Officers are not required to investigate whether alternatives to towing a vehicle exist after an arrest. However, a vehicle should not be towed if reasonable alternatives exist. When considering whether to leave a vehicle at the scene, officers should take into consideration public safety as well as the reasonable safety of the vehicle and its contents.

The following are examples of situations where a vehicle should not be towed:

- The vehicle can be legally parked, left in a reasonably secure and safe location and is not needed as evidence.
- The vehicle is parked on private property, on which the arrestee or owner is legally residing, or the property owner does not object to the vehicle being parked at that location.
- The arrestee or owner of the vehicle requests that it be released to a person who is present, willing and able to legally take control of the vehicle.

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- The vehicle is legally parked and the arrestee or owner requests that it be left at the scene. In such cases the requester should be informed that the Department will not be responsible for theft or damages.

#### **502.5 VEHICLES RELATED TO CRIMINAL INVESTIGATIONS**

Officers should tow vehicles that are needed for the furtherance of an investigation or prosecution of a case, or that are otherwise appropriate for seizure as evidence. Officers should make reasonable efforts to return a recovered stolen vehicle to its owner rather than have it towed, so long as the vehicle is not needed for evidence.

#### **502.6 RECORDS**

Police Department Associate shall ensure that pertinent data regarding a towed vehicle is promptly entered into the appropriate database.

##### **502.6.1 VEHICLE STORAGE REPORT**

Department members towing a vehicle shall complete a vehicle tow report in CLEMIS. The report should be submitted to the Police Department Associate as soon as practicable after the vehicle is towed.

##### **502.6.2 NOTICE OF TOW**

Within 24 hours of a vehicle being towed, it shall be the responsibility of the Police Department Associate to send a notice of tow to the Michigan Secretary of State through the Michigan Law Enforcement Information Network (LEIN). The notice shall include (MCL 257.252a):

- (a) The name, address, and telephone number of the Schoolcraft College Police Department.
- (b) The location where the vehicle is stored.
- (c) A description of the vehicle including:
  1. Color.
  2. Manufacturer year.
  3. Make and model.
  4. License plate number and/or Vehicle Identification Number (VIN).
  5. Mileage.
- (d) The authority and purpose for the removal of the vehicle.
- (e) An explanation of the procedure for release of the vehicle and for obtaining a vehicle tow hearing.
- (f) The address or location from where the vehicle was towed.
- (g) The name of the court with jurisdiction over the case.

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- (h) The date the vehicle is being entered into the law enforcement information network and whether the information is being entered within 24 hours after the vehicle was taken into custody.

Upon receipt of the above information, the Michigan Secretary of State will provide the notice of towing to the last-titled owner.

#### **502.7 TOWING SERVICES**

Members shall not show preference among towing services that have been authorized for use by the Department. A rotation or other system established by the Department for tow services should be followed.

#### **502.8 VEHICLE INVENTORY**

The contents of all vehicles towed at the request of department members shall be inventoried and listed on the CLEMIS impound report. When reasonably practicable, photographs may be taken to assist in the inventory.

- (a) An inventory of personal property and the contents of open containers will be conducted throughout the passenger and engine compartments of the vehicle including, but not limited to, any unlocked glove box, other accessible areas under or within the dashboard area, any pockets in the doors or in the back of the front seat, in any console between the seats, under any floor mats and under the seats.
- (b) In addition to the passenger and engine compartments as described above, an inventory of personal property and the contents of open containers will also be conducted in any other type of unlocked compartments that are a part of the vehicle, including unlocked vehicle trunks and unlocked car top containers.
- (c) Any locked compartments including, but not limited to, locked glove compartments, locked vehicle trunks, locked hatchbacks and locked car-top containers should be inventoried, provided the keys are available and released with the vehicle to the third-party towing company or an unlocking mechanism for such compartment is available within the vehicle.
- (d) Closed containers located either within the vehicle or any of the vehicle's compartments will not be opened for inventory purposes except for the following: wallets, purses, coin purses, fanny packs, personal organizers, briefcases or other closed containers designed for carrying money, small valuables or hazardous materials.

Members should ask the occupants whether the vehicle contains any valuables or hazardous materials. Responses should be noted in the impound report. If the occupant acknowledges that any closed container contains valuables or a hazardous material, the container shall be opened and inventoried. When practicable and appropriate, such items should be removed from the vehicle and given to the owner, or booked into property for safekeeping.

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Any cash, jewelry or other small valuables located during the inventory process will be held for safekeeping, in accordance with the Property Policy.

These inventory procedures are for the purpose of protecting the vehicle owner's property, providing for the safety of department members and protecting the Department against fraudulent claims of lost, stolen or damaged property.

Towing a vehicle in order to perform an inventory should not be used as a pretext for an evidence search. Nothing in this policy prevents the towing of a vehicle that would occur for reasons independent of any suspicion that the vehicle may contain evidence if it is otherwise justified by law or this policy.

#### **502.9 SECURITY OF VEHICLES AND RETRIEVAL OF PROPERTY**

If the search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, the department member conducting the search shall take such steps as are reasonably necessary to secure or protect the vehicle or property from such hazards.

Unless it would cause an unreasonable delay in towing the vehicle or create an issue of officer safety, reasonable accommodations should be made to permit the owner, operator or occupant to retrieve small items of value or personal need (e.g., cash, jewelry, cell phone, prescriptions) that are not considered evidence or contraband.

Members who become aware that a vehicle may have been towed by the Department in error should promptly advise a supervisor. Supervisors should approve, when appropriate, the release of the vehicle without requiring the owner or his/her agent to request a hearing to contest the tow.

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## Driving While Intoxicated or Impaired

### 503.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving while intoxicated or impaired (DWII).

### 503.2 POLICY

The Schoolcraft College Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Michigan's DWII laws.

### 503.3 INVESTIGATIONS

Officers should not enforce DWII laws to the exclusion of their other duties unless specifically assigned to DWII enforcement. All officers are expected to enforce these laws with due diligence.

The Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DWII investigation will be documented using the appropriate CLEMIS forms. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Michigan or another jurisdiction.

### 503.4 FIELD TESTS

The Sergeant should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DWII laws.

The current standard for FSTs is from the National Highway Traffic Safety Administration (NHTSA). [See attachment: SFST\\_Procedures.pdf](#)

### 503.5 CHEMICAL TESTS

A person implies consent under Michigan law to a chemical test or tests, and to providing the associated chemical sample as follows (MCL 257.625c):

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- (a) The person operates a vehicle upon a public highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles and the person is arrested for most DWII-related offenses.
- (b) A person who is afflicted with hemophilia, diabetes or a condition requiring the use of an anticoagulant under the direction of a physician is not considered to have given consent to the withdrawal of blood.

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

#### 503.5.1 STATUTORY NOTIFICATIONS

A person arrested for DWII shall be advised of his/her chemical test rights by reading them from the appropriate form (MCL 257.625a).

Officers shall advise drivers of commercial vehicles that a refusal to take a preliminary breath test is a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100, or both, and will result in the issuance of a 24-hour out-of-service order (MCL 257.625a).

#### 503.5.2 CHOICE OF TESTS

Officers shall respect a viable choice of chemical test made by an arrestee, as provided for by law (e.g., breath will not be acceptable for suspected narcotics influence) (MCL 257.625a).

#### 503.5.3 BREATH SAMPLES

The Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Sergeant.

#### 503.5.4 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples. The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task (MCL 257.625a).

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test (MCL 257.625c).

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Such inability to take a blood test shall not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

#### 503.5.5 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample (MCL 257.625a).

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

#### 503.6 REFUSALS

When an arrestee refuses to provide a chemical sample, officers shall:

- (a) Advise the arrestee of the requirement to provide a sample.
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Document the refusal in the appropriate report.

##### 503.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test, officers shall advise the person of the refusal consequences by reading from the appropriate form (MCL 257.625e).

##### 503.6.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when a search warrant has been obtained (MCL 257.625d).

##### 503.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer), and attempt to persuade the individual to submit to providing such a sample without physical resistance.
  - 1. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.

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- (e) Ensure that the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances:
  - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
  - 2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
  - 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform the duties of a supervisor, as set forth above.

#### **503.7 ARREST AND INVESTIGATION**

Generally, an officer with probable cause may arrest a person for DWII offenses not committed in the officer's presence when (MCL 257.625a; MCL 257.625m):

- (a) The person is found in the driver's seat of a vehicle parked or stopped on a highway or street and any part of the vehicle intrudes into the roadway.
- (b) The driver was involved in an accident.

##### **503.7.1 RIGHT TO ATTORNEY CONTACTS**

Arrestees should be allowed a reasonable opportunity to consult with an attorney before being required to submit to a chemical test if the delay would not unreasonably interfere with evidence collection.

##### **503.7.2 RIGHT TO SECOND TEST**

A person who takes a chemical test shall be given a reasonable opportunity to have a person of his/her own choosing administer a separate chemical test within a reasonable time after his/her detention (MCL 257.625a).

##### **503.7.3 REPORTING**

The Sergeant shall ensure that this department complies with all state reporting requirements pursuant to MCL 257.625i.

##### **503.7.4 TEMPORARY LICENSES**

In the case of a positive test result or a refusal, the arresting officers shall ensure that temporary licenses are issued and licenses are destroyed pursuant to MCL 257.625g. Related state forms shall be completed and forwarded in a timely fashion.

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#### **503.8 POLICE DEPARTMENT ASSOCIATE RESPONSIBILITIES**

The Police Department Associate will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

#### **503.9 ADMINISTRATIVE HEARINGS**

The Police Department Associate will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the Michigan Secretary of State (SOS).

Any officer who receives notice of required attendance at an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and the SOS file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

## Traffic and Parking Citations

### 504.1 PURPOSE AND SCOPE

This policy outlines the responsibilities for issuing, correcting, voiding and dismissing traffic and parking citations.

### 504.2 POLICY

It is the policy of the Schoolcraft College Police Department to enforce traffic laws fairly and equally. Authorized members may issue a traffic citation, parking citation, or written or verbal warning based upon the circumstances of the contact and in the best interest of the motoring public and community safety.

### 504.3 RESPONSIBILITIES

The sergeant shall be responsible for the supply and accounting of all traffic and parking citations issued to members of this department. Citations will be kept in a secure location and issued to members by the sergeant. Members will sign for the citation books when issued or upon return of unused citations.

Members of the Schoolcraft College Police Department shall only use department-approved traffic and parking citation forms.

### 504.4 TRAFFIC CITATIONS

#### 504.4.1 CORRECTION

When a traffic citation is issued but is in need of correction, the member issuing the citation shall submit the citation and a letter to his/her immediate supervisor requesting a specific correction. Once approved, the citation and letter shall then be forwarded to the Police Department Associate. The Police Department Associate or the authorized designee shall prepare a letter of correction to the court having jurisdiction and notify the citation recipient in writing.

#### 504.4.2 VOIDING

Voiding a traffic citation may occur when the citation has not been completed or when it is completed but not issued. All copies of the voided citation shall be presented to a supervisor for approval. The citation and copies shall then be forwarded to the Police Department Associate.

#### 504.4.3 DISMISSAL

Members of this department do not have the authority to dismiss a traffic citation once it has been issued. Only the court has that authority. Any request from a recipient to dismiss a citation shall be referred to the Sergeant. Upon a review of the circumstances involving the issuance of the traffic citation, the Sergeant may request the Patrol Shift Supervisor to recommend dismissal. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal. All recipients of traffic citations whose request for dismissal has been denied shall be referred to the appropriate court.

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Prior to a court hearing, a member may submit a request for dismissal of a traffic citation to his/her supervisor. The request must be in writing and should include the reason for dismissal (i.e., in the interest of justice, prosecution is deemed inappropriate). Upon a review of the circumstances involving the issuance of the traffic citation, the supervisor may forward the request to the Patrol Shift Supervisor to recommend dismissal. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal.

Should a member determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the member may request the court to dismiss the citation. Upon such dismissal, the member shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required, and forward it to the Patrol Shift Supervisor for review.

#### **504.4.4 DISPOSITION**

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the member's immediate supervisor for review by the end of each shift. The citation copies shall then be filed with the Police Department Associate.

Upon separation from appointment or employment with this department, all members who were issued traffic citation books shall return any unused citations to the Police Department Associate.

#### **504.4.5 JUVENILE CITATIONS**

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency and the type of offense should be considered before issuing a juvenile a citation.

#### **504.5 PARKING CITATION APPEALS**

Parking citations may be appealed in accordance with local and state law.

## Disabled Vehicles

### 505.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for department members who provide assistance to motorists in disabled vehicles within the primary jurisdiction of the Schoolcraft College Police Department.

### 505.2 POLICY

It is the policy of the Schoolcraft College Police Department to assist motorists with disabled vehicles until those vehicles are safely removed from the roadway. Members should take appropriate action to mitigate potential problems when a vehicle constitutes a traffic hazard or the safety of the motorist is a concern.

### 505.3 RESPONSIBILITIES

When an on-duty member of this department sees a disabled vehicle on the roadway, the member should make a reasonable effort to provide assistance. If this is not reasonably possible, the base should be advised of the location of the disabled vehicle and the need for assistance. The base should then assign another department member to respond as soon as practicable.

### 505.4 ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department members will be contingent on the time of day, the location, the availability of department resources and the vulnerability of the disabled motorist.

#### 505.4.1 MECHANICAL REPAIRS

Department members shall not make mechanical repairs to a disabled vehicle. The use of push bumpers, with consent of the owner, to relocate vehicles to a position of safety is not considered a mechanical repair.

#### 505.4.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

#### 505.4.3 RELOCATION OF MOTORISTS

The relocation of a motorist with a disabled vehicle should only occur with the person's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the motorist or transport him/her to a safe area to await pickup.

## Chapter 6 - Investigation Operations

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## Investigation and Prosecution

### 600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and dispositions of criminal investigations.

### 600.2 POLICY

It is the policy of the Schoolcraft College Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

### 600.3 INITIAL INVESTIGATION

#### 600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
  - 1. An initial statement from any witnesses or complainants.
  - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
  - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
  - 2. Determine whether additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
  - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Shift Supervisor.
  - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
  - 5. Collect any evidence.
  - 6. Take any appropriate law enforcement action.
  - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary and what other resources may be available, and advise the informant or complainant of this information.

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#### 600.3.2 CIVILIAN MEMBER RESPONSIBILITIES

A civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

#### **600.4 CUSTODIAL INTERROGATION REQUIREMENTS**

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

##### 600.4.1 AUDIO/VIDEO RECORDINGS

The Schoolcraft College Police Department will utilize audiovisual recording equipment anytime a custodial interrogation of a persons suspected of the following crimes is conducted (MCL 763.8):

- (a) A felony punishable by imprisonment for life, for life or any term of years, or for a statutory maximum of 20 years or more
- (b) A violation of MCL 750.520d (criminal sexual conduct in the third degree)

The recording will be time stamped and contain the entire interrogation including the notice of the *Miranda* rights. Any objection to the recording will be documented but the recording will continue (MCL 763.8).

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Detective Bureau supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete, and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

#### **600.5 DISCONTINUATION OF INVESTIGATIONS**

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

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- (a) All reasonable investigative efforts have been exhausted, there is no reasonable belief that the person who committed the crime can be identified and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.
  - 1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
  - 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor; charges have been filed; further investigation is not reasonable, warranted or requested; and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proved that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

#### **600.6 COMPUTERS AND DIGITAL EVIDENCE**

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

#### **600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES**

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery

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to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and Criminal Organizations policies).

#### **600.7.1 ACCESS RESTRICTIONS**

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

#### **600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION**

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

#### **600.8 IDENTITY THEFT**

A report shall be taken any time a person reports that he/she has been a victim of identity theft that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in the name of Schoolcraft College to facilitate the crime) (MCL § 780.754a). This includes:

- (a) Providing the victim with the appropriate information, as set forth in the Victim and Witness Assistance Policy. Department members should encourage the individual to review the material and should assist with any questions.
- (b) Referring the victim to the Police Department Associate to obtain a copy of the police report (MCL § 780.754a).

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A member investigating a case of identity theft should ensure that the case is referred to the appropriate agency if it is determined that this department should not be the investigating agency (e.g., an identity theft ring working from out of state). The victim should be advised that the case is being transferred to the agency of jurisdiction. The appropriate entries should be made into any databases that have been authorized for department use and are specific to this type of investigation.

#### **600.9 MODIFICATION OF CHARGES FILED**

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of a Shift Supervisor or the Chief of Police. Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

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## Sexual Assault Investigations

### 601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

#### 601.1.1 DEFINITIONS

Definitions related to this policy include:

**Sexual assault** - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in MCL 750.520b through MCL 750.520e and MCL 750.520g.

**Sexual Assault Response Team (SART)** - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

### 601.2 POLICY

It is the policy of the Schoolcraft College Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

### 601.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates and support for the victim.
- (f) Participate in or coordinate with the SART or other multidisciplinary investigative teams as applicable.

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- (g) Inform the victim if the suspect has voluntarily submitted to a polygraph examination or other lie detector test and the test indicated that the person may not have committed the crime (MCL 776.21).

#### **601.4 REPORTING**

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

#### **601.5 RELEASING INFORMATION TO THE PUBLIC**

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Detective Bureau supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

#### **601.6 TRAINING**

Subject to available resources, periodic training should be provided to:

- (a) Members who are first responders. Training should include:
  1. Initial response to sexual assaults.
  2. Legal issues.
  3. Victim advocacy.
  4. Victim's response to trauma.
- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
  1. Interviewing sexual assault victims.
  2. SART.
  3. Medical and legal aspects of sexual assault investigations.
  4. Serial crimes investigations.
  5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (VICAP).
  6. Techniques for communicating with victims to minimize trauma.

#### **601.7 VICTIM INTERVIEWS**

The primary considerations in sexual assault investigations, which begin with the initial call to Base, should be the health and safety of the victim, the preservation of evidence and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

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Whenever possible, a member of the SART should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

Victims shall not be asked or required to take a polygraph examination (34 USC § 10451; MCL 776.21).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

#### **601.8 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE**

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

##### **601.8.1 DNA TEST RESULTS**

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance policy.

Members investigating sexual assaults cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

##### **601.8.2 COLLECTION AND TESTING REQUIREMENTS**

Members investigating sexual assaults or handling related evidence are required to do the following (MCL 752.934):

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- (a) Take possession of sexual assault kit evidence collected at a health care facility within 14 days after receiving notice of the kit evidence as set forth in MCL 752.934.
- (b) Notify a law enforcement agency with jurisdiction of alleged offense within 14 days after receiving a sexual assault kit related to that agency's case from a health care facility.
- (c) Submit sexual assault kit evidence to the appropriate laboratory within 14 days of its receipt.

Additional guidance regarding evidence retention and destruction is found in the Property Policy.

#### **601.9 DISPOSITION OF CASES**

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Detective Bureau supervisor.

Classification of a sexual assault case as unfounded requires the Detective Bureau supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

#### **601.10 CASE REVIEW**

The Detective Bureau supervisor should ensure cases are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

# Eyewitness Identification

## 602.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

### 602.1.1 DEFINITIONS

Definitions related to this policy include:

**Eyewitness identification process** - Any field identification, live lineup or photographic identification.

**Field identification** - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

**Live lineup** - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

**Photographic lineup** - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

## 602.2 POLICY

The Schoolcraft College Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

## 602.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

## 602.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Detective Bureau supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications. DB supervisor?

The process should include appropriate forms or reports that provide:

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

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- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all individuals present during the identification procedure.
- (e) An admonishment to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An admonishment that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.
- (g) If the identification process is a photographic or live lineup, an admonishment that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An admonishment that the investigation will continue regardless of whether an identification is made by the witness.
- (i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.
- (j) A statement from the witness taken and documented at the time an eyewitness identification is made.

The process and related forms should be reviewed at least annually and modified when necessary.

#### **602.5 EYEWITNESS IDENTIFICATION**

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

#### **602.6 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS**

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. When this is not possible, the member presenting a lineup to a witness should not know which photograph depicts the suspect or which person in a live lineup is the suspect (e.g., randomly numbering photographs, shuffling folders, using a computer program).

Other persons or photos used in any lineup should bear similar characteristics to the suspect to avoid causing him/her to unreasonably stand out. In cases involving multiple suspects, a separate

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lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup should do so sequentially and not simultaneously (i.e., show the witness one person at a time). The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

#### **602.7 FIELD IDENTIFICATION CONSIDERATIONS**

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identification. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
  - 1. The length of time the witness observed the suspect.
  - 2. The distance between the witness and the suspect.
  - 3. Whether the witness could view the suspect's face.
  - 4. The quality of the lighting when the suspect was observed by the witness.
  - 5. Whether there were distracting noises or activity during the observation.
  - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
  - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) The person who is the subject of the show-up should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

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- (g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies a subject of a show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow-up, if necessary.

#### **602.8 DOCUMENTATION**

A thorough description of the eyewitness process and the result of any eyewitness identification should be documented in the case report. Witness comments of how certain he/she is of the identification or non-identification should be quoted.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

## Brady Information

### 603.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

#### 603.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** - Information known or possessed by the Schoolcraft College Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

### 603.2 POLICY

The Schoolcraft College Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Schoolcraft College Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

### 603.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., informant or protected personnel files), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the department case file.

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#### **603.4 BRADY PROCESS**

The Chief of Police shall select a member of the Department to coordinate requests for *Brady* information. This person shall be directly responsible to the Shift Supervisor or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

- (a) Working with the appropriate prosecutors' offices and the College Attorney's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure.
- (b) Maintaining a current list of members who have *Brady* information in their files or backgrounds.
  - 1. Updating this list whenever potential *Brady* information concerning any department member becomes known to the Department or is placed into a personnel or internal affairs file.

#### **603.5 DISCLOSURE OF REQUESTED INFORMATION**

If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member whose file is related to the motion shall be notified of the potential presence of *Brady* information.
- (b) The prosecuting attorney or College Attorney should be requested to file a motion in order to initiate an in camera review by the court.
  - 1. If no motion is filed, the Custodian of Records should work with the appropriate counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.
- (d) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.
  - 1. Prior to the release of any information pursuant to this process, a protective order should be requested from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in a member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

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#### **603.6 INVESTIGATING BRADY ISSUES**

If the Department receives information from any source that a member may have issues of credibility or dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

#### **603.7 SUBPOENA PROCESSING**

The individual processing subpoenas (or the supervisor of the subpoenaed member) shall check the subpoenaed member's name against the current list of those who are known to have *Brady* information in their files or background, and shall alert the coordinator if a person on the list is subpoenaed.

#### **603.8 TRAINING**

Department personnel should receive periodic training on the requirements of this policy.

## Warrant Service

### 604.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

### 604.2 POLICY

It is the policy of the Schoolcraft College Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

### 604.3 OPERATIONS DIRECTOR

The operations director (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

### 604.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

### 604.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence

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to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

#### **604.6 WARRANT PREPARATION**

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

- (a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness.
- (b) A clear explanation of the affiant's training, experience and relevant education.
- (c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.
- (d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.
- (e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.
- (f) A specific description of the location to be searched, including photographs of the location, if reasonably available.
- (g) A sufficient description of the items to be seized.
- (h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Information Policy).

#### **604.7 WARRANT SERVICE**

During a warrant execution, officers shall knock and announce their presence before forcing any door open.

Officers do not need to knock and announce if doing so would cause harm or danger to the officers. However, the burden is on the officers to show exigent circumstances that precluded the knock and announce requirement. Approval for a "no-knock" warrant must be first be approved by the Chief of Police or his/her designee. Additionally, a "no knock" clause should be in the affidavit and search warrant, which is independently approved by a prosecutor and then authorized and ordered by a judge, prior to the execution of the warrant.

#### **604.8 HIGH-RISK WARRANT SERVICE**

The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

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The member responsible for directing the service should ensure the following as applicable:

- (a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.
- (b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.
- (c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.
- (d) Reasonable efforts are made during the search to maintain or restore the condition of the location.
- (e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.
- (f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).
- (g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.
- (h) A copy of the search warrant is left at the location.
- (i) The condition of the property is documented with video recording or photographs after the search.

#### **604.9 DETENTIONS DURING WARRANT SERVICE**

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

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#### **604.10 ACTIONS AFTER WARRANT SERVICE**

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

#### **604.11 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS**

The operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Schoolcraft College Police Department are utilized appropriately. Any concerns regarding the requested use of Schoolcraft College Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Shift Supervisor should assume this role.

If officers intend to serve a warrant outside Schoolcraft College Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Schoolcraft College Police Department when assisting outside agencies or serving a warrant outside Schoolcraft College Police Department jurisdiction.

#### **604.12 MEDIA ACCESS**

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

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#### **604.13 TRAINING**

The Sergeant should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

## Operations Planning and Deconfliction

### 605.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

#### 605.1.1 DEFINITIONS

Definitions related to this policy include:

**High-risk operations** - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

### 605.2 POLICY

It is the policy of the Schoolcraft College Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

### 605.3 OPERATIONS DIRECTOR

The Chief of Police will designate a member of this department to be the operations director.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

### 605.4 RISK ASSESSMENT

#### 605.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

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- (a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.
- (b) Maps of the location.
- (c) Diagrams of any property and the interior of any buildings that are involved.
- (d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).
- (e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).
- (f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).
- (g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).
- (h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

#### 605.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

#### 605.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

- (a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:
  - 1. Western Wayne County Police Mutual Aid Special Operations Team
  - 2. Additional personnel
  - 3. Outside agency assistance
  - 4. Special equipment
  - 5. Medical personnel
  - 6. Persons trained in negotiation
  - 7. Additional surveillance

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8. Canines
  9. Property or analytical personnel to assist with cataloguing seizures
  10. Forensic specialists
  11. Specialized mapping for larger or complex locations
- (b) Contact the appropriate department members or other agencies as warranted to begin preparation.
  - (c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.
  - (d) Coordinate the actual operation.

#### **605.5 DECONFLICTION**

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in an applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

#### **605.6 OPERATIONS PLAN**

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

- (a) Operation goals, objectives and strategies.
- (b) Operation location and people:
  1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
  2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces,

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- availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)
  4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children
- (c) Information from the risk assessment form by attaching a completed copy in the operational plan.
1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.
- (d) Participants and their roles.
1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.
  2. How all participants will be identified as law enforcement.
- (e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.
- (f) Identification of all communications channels and call-signs.
- (g) Use of force issues.
- (h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).
- (i) Plans for detaining people who are not under arrest.
- (j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.
- (k) Communications plan.
- (l) Responsibilities for writing, collecting, reviewing and approving reports.

#### **605.6.1 OPERATIONS PLAN RETENTION**

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

#### **605.7 OPERATIONS BRIEFING**

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

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- (a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.
- (b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.
- (c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.
  - 1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.
- (d) The briefing should include details of the communications plan.
  - 1. It is the responsibility of the operations director to ensure that base is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
  - 2. If the radio channel needs to be monitored by base, communications personnel assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
  - 3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

#### **605.8 WESTERN WAYNE COUNTY POLICE MUTUAL AID SPECIAL OPERATIONS TEAM PARTICIPATION**

If the operations director determines that Western Wayne County Police Mutual Aid Special Operations Team participation is appropriate, the director and the Western Wayne County Police Mutual Aid Special Operations Team supervisor shall work together to develop a written plan. The Western Wayne County Police Mutual Aid Special Operations Team supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the Western Wayne County Police Mutual Aid Special Operations Team supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

#### **605.9 MEDIA ACCESS**

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

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#### **605.10 OPERATIONS DEBRIEFING**

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any Western Wayne County Police Mutual Aid Special Operations Team debriefing.

#### **605.11 TRAINING**

The Sergeant should ensure officers and Western Wayne County Police Mutual Aid Special Operations Team team members who participate in operations subject to this policy receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

## Chapter 7 - Equipment

## Department-Owned and Personal Property

### 700.1 PURPOSE AND SCOPE

This policy addresses the care of department-owned property and the role of the Department when personal property, the property of another person or department-owned property is damaged or lost.

### 700.2 POLICY

Members of the Schoolcraft College Police Department shall properly care for department property assigned or entrusted to them. Department-owned property that becomes damaged shall be promptly replaced. Members' personal property that becomes damaged during the performance of assigned duties will be reimbursed in accordance with this policy.

### 700.3 DEPARTMENT-ISSUED PROPERTY

All property and equipment issued by the Department shall be documented in the appropriate property sheet or equipment log. Receipt of issued items shall be acknowledged by the receiving member's signature. Upon separation from the Department, all issued property and equipment shall be returned. Documentation of the return shall be acknowledged by the signature of a supervisor.

#### 700.3.1 CARE OF PROPERTY

Members shall be responsible for the safekeeping, serviceable condition, proper care, proper use and replacement of department property that has been assigned or entrusted to them.

Intentional or negligent abuse or misuse of department property may lead to discipline including, but not limited to, the cost of repair or replacement.

- (a) Members shall promptly report, through their chain of command, any loss, damage to, or unserviceable condition of any department-issued property or equipment.
  1. A supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Shift Supervisor, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.
  2. A review by command staff should determine whether additional action is appropriate.
- (b) The use of damaged or unserviceable property should be discontinued as soon as practicable, and the item replaced with a comparable item as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or otherwise reasonable by circumstances, department property shall only be used by those to whom it was

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assigned. Use should be limited to official purposes and in the capacity for which it was designed.

- (d) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.
- (e) A supervisor's approval is required before any attempt to repair damaged or unserviceable property is made by a member.

#### **700.4 PERSONAL PROPERTY**

Carrying and/or using personal property or equipment on-duty requires prior written approval by the Chief of Police or appropriate Shift Supervisor. The member should submit a request that includes a description of the property and the reason and length of time it will be used. Personal property of the type routinely carried by persons who are not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

The Department will not replace or repair costly items (e.g., jewelry, expensive watches, exotic equipment) that are not reasonably required as part of work.

#### **700.5 DAMAGE TO PROPERTY OF ANOTHER PERSON**

Anyone who intentionally or unintentionally damages or causes to be damaged the real or personal property of another person while performing any law enforcement function shall promptly report the damage through his/her chain of command.

The supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate command officer, which shall include the result of the investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

A review of the incident by command staff to determine whether misconduct or negligence was involved should be completed.

##### **700.5.1 DAMAGE BY PERSONNEL OF ANOTHER AGENCY**

Personnel from another agency may intentionally or unintentionally cause damage to the real or personal property of the College of Schoolcraft College or of another person while performing their duties within the jurisdiction of this department. It shall be the responsibility of the department member present or the member responsible for the property to report the damage as follows:

- (a) A verbal report shall be made to the member's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the member goes off-duty or as otherwise directed by the supervisor.

The supervisor receiving such a report shall conduct an investigation and direct a memo to the appropriate Shift Supervisor, which shall include the result of the investigation and whether misconduct or negligence caused the loss, damage or unserviceable condition.

## Personal Communication Devices

### 701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

### 701.2 POLICY

The Schoolcraft College Police Department allows members to utilize department-issued PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

### 701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance.)

### 701.4 DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue a PCD for the member's use to facilitate on-duty performance. Department-issued PCDs may not be used for personal business either on- or off-duty unless authorized by the Chief of Police or the authorized designee. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

# Schoolcraft College Police Department

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### *Personal Communication Devices*

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Unless a member is expressly authorized by the Chief of Police or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned off when leaving the workplace.

#### **701.5 PERSONALLY OWNED PCD**

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
- (e) The device shall not be utilized to record or disclose any department business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the Department, without the express authorization of the Chief of Police or the authorized designee.
- (f) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.
- (g) All work-related documents, e-mails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Schoolcraft College Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisors, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in department business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document

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the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

#### **701.6 USE OF PCD**

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (e) Members are prohibited from taking pictures, audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.
- (f) Members will not access social networking sites for any purpose that is not official department business.
- (g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

#### **701.7 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.
- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.

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1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

#### **701.8 OFFICIAL USE**

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

#### **701.9 USE WHILE DRIVING**

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

## Vehicle Maintenance

### 702.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

### 702.2 POLICY

The Schoolcraft College Police Department will service department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

### 702.3 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

### 702.4 VEHICLE INSPECTIONS

At the beginning AND the end of each shift, the officer is responsible to make a thorough inspection of the vehicle and its equipment. The inspection shall include checking the following:

- Condition of tires, wheels, and body; #
- Emergency equipment; #
- Locking mechanisms; #
- Condition of other equipment: brakes, lights, radios, P.A. system, upholstery, spare tire, jack, etc.; #
- Presence of any contraband, evidence or weapons.

In any event, employees shall ensure, as much as possible, that the vehicle to be used is in a condition that allows for the safe completion of a tour of duty.

### 702.5 DEFECTIVE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. Proper documentation shall be promptly completed by the member who becomes aware of the defective condition and forwarded for action.

Documents describing the correction of the safety issue shall be promptly filed with the vehicle history.

#### 702.5.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

#### 702.5.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service

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and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

#### 702.5.3 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle and properly secured in the department armory prior to the vehicle being released for maintenance, service or repair.

#### **702.6 VEHICLE EQUIPMENT**

Certain items shall be maintained in all department vehicles.

##### 702.6.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is in the vehicle:

- 1 roll crime scene barricade tape
- 1 MFR orange backpack
- 1 blanket
- 1 fire extinguisher
- 1 bloodborne pathogen kit, including protective gloves and a National Institute for Occupational Safety and Health (NIOSH) particulate respirator mask
- 1 sharps container
- 1 hazardous waste disposal bag
- 1 high-visibility vest
- 1 hazardous materials emergency response handbook ???
- Spare tire, jack and lug wrench

##### 702.6.2 FIRE EXTINGUISHERS

Fire extinguishers must be dry chemical type extinguishers containing at least 4 pounds of extinguishing agent, which are listed by and bear the label of a nationally recognized testing laboratory and which are inspected at least annually by the local fire department (MCL 29.351).

#### **702.6 VEHICLE REFUELING**

Absent emergency conditions or supervisor approval, patrol vehicles shall not be placed into service with less than one-quarter tank of fuel. Patrol vehicles should not be retired at the end of shift with less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

#### **702.8 WASHING OF VEHICLES**

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain the professional appearance of the Department.

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Patrol officers should obtain clearance from the base before going to the car wash. Only one patrol vehicle should be at the car wash at a time unless otherwise approved by a supervisor.

Members using a vehicle shall remove any trash or debris at the end of their shifts. Confidential material should be placed in a designated receptacle that has been provided for shredding this material.

## Vehicle Use

### 703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the College of Schoolcraft College to provide assigned take-home vehicles.

### 703.2 POLICY

The Schoolcraft College Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

### 703.3 USE OF VEHICLES

#### 703.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

#### 703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

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#### 703.3.4 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than College personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Alongs Policy.

#### 703.3.5 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

#### 703.3.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require Shift Supervisor approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

#### 703.3.6 PARKING

Except when responding to an emergency or when department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

#### 703.3.7 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from a supervisor.

### **703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES**

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

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The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

#### 703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

#### 703.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Schoolcraft College College limits.
- (d) Off-street parking will be available at the member's residence.
- (e) The vehicle will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

#### 703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Schoolcraft College Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed and appropriately attired and shall carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

#### 703.4.5 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

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- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

#### **703.5 DAMAGE, ABUSE AND MISUSE**

When any department vehicle is involved in a traffic accident or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic accident report shall be filed with the agency having jurisdiction (see the Traffic Accidents Policy).

Damage to any department vehicle that was not caused by a traffic accident shall be immediately reported during the shift in which the damage was discovered and documented in memorandum format, which shall be forwarded to the Shift Supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

#### **703.6 ATTIRE AND APPEARANCE**

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

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## Cash Handling, Security and Management

### 704.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Informants policies.

### 704.2 POLICY

It is the policy of the Schoolcraft College Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

### 704.3 PETTY CASH FUNDS

The Chief of Police shall designate a person as the fund manager responsible for maintaining and managing petty cash funds.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

### 704.4 PETTY CASH TRANSACTIONS

The fund manager shall document all transactions on the ledger and any other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

### 704.5 PETTY CASH AUDITS

The fund manager shall perform an audit no less than once every six months. This audit requires that the fund manager and at least one command staff member, selected by the Chief of Police, review the transaction ledger and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and an immediate reporting of the discrepancy to the Chief of Police.

Transference of fund management to another member shall require a separate petty cash audit and involve a command staff member.

A separate audit of each petty cash fund should be completed on a random date, approximately once each year, by the Chief of Police or the College.

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#### **704.6 ROUTINE CASH HANDLING**

Members who handle cash as part of their regular duties (e.g., sergeants, the Patrol supervisor, those who accept payment for department services) will discharge those duties in accordance with the procedures established for those tasks (see the Property and Informants policies).

#### **704.7 OTHER CASH HANDLING**

Members who, within the course of their duties, are in possession of cash that is not their property or that is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property Policy.

Cash in excess of \$1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

## **Chapter 8 - Support Services**

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## Crime Analysis

### 800.1 PURPOSE AND SCOPE

This policy provides guidelines for utilizing crime analysis to support the overall law enforcement efforts of the Schoolcraft College Police Department. It addresses the collection and dissemination of crime analysis data that is useful to long-range planning and that can assist in identifying enforcement priorities, strategies and tactics.

### 800.2 POLICY

It is the policy of the Schoolcraft College Police Department to utilize crime analysis as a tool in crime control and prevention efforts. This entails gathering, analyzing and correlating data to effectively deploy the resources of this department.

### 800.3 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports.
- Field Interview (FI) cards.
- Parole and probation records.
- Activity records from Base.
- Michigan Law Enforcement Data Exchange (Mi-DEx).
- Michigan Intelligence Operations Center (MIOC).
- Michigan Automated Prescription System (MAPS).
- CJIN (MiCJIN)

### 800.4 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for crime analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

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#### **800.5 CRIME ANALYSIS DISSEMINATION**

Information developed through crime analysis should be disseminated to the appropriate bureaus or members on a timely basis. Information that is relevant to the operational or tactical plans of specific line members should be sent directly to them. Information relevant to the development of department strategic plans should be provided to the appropriate command staff members.

When information pertains to tactical and strategic plans, it should be provided to all affected members.

## Property

### 801.1 PURPOSE AND SCOPE

This policy provides guidelines for the proper processing, storage, security and disposition of evidence and other property. This policy also provides for the protection of the chain of custody and identifies those persons authorized to remove and/or destroy property.

#### 801.1.1 DEFINITIONS

Definitions related to this policy include:

**Property** - All articles placed in secure storage, including the following:

- Evidence - Items taken or recovered in the course of an investigation that may be used in the prosecution of a case, including photographs and latent fingerprints.
- Found property - Items found by members of the Department or the public that have no apparent evidentiary value and where the owner cannot be readily identified or contacted.
- Safekeeping - Items received by the Department for safekeeping, such as a firearm, the personal property of an arrestee that has been not taken as evidence and items taken for safekeeping under authority of law.

### 801.2 POLICY

It is the policy of the Schoolcraft College Police Department to process and store all property in a manner that will protect it from loss, damage or contamination, while maintaining documentation that tracks the chain of custody, the location of property and its disposition.

### 801.3 PROPERTY SECURITY

The Department shall maintain secure storage and control of all property.. A sergeant shall be appointed by and will be directly responsible to the Shift Supervisor or the authorized designee as the person in the Department that is responsible for all property.

#### 801.3.1 REFUSAL OF PROPERTY

The sergeant has the obligation to refuse any piece of property that is hazardous or that has not been properly documented or packaged. Should the sergeant refuse an item of property, he/she shall maintain secure custody of the item in a temporary property locker or other safe location and inform the submitting member's supervisor of the reason for refusal and the action required for acceptance into Property.

#### 801.3.2 KEY CONTROL

Property keys should be maintained by the sergeant and members assigned to Property. An additional set of keys should be kept in a sealed and initialed envelope in an after-hours key box. Property keys shall not be loaned to anyone and shall be maintained in a secure manner. If a Property key is lost, all access points shall be re-keyed and new keys issued as necessary.

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After-hours access to Property via the additional set of keys must be documented in an email and submitted to the Shift Supervisor as soon as practicable.

#### **801.4 PROPERTY HANDLING**

The member who first comes into possession of any property is generally responsible for the care, custody and control of such property until it is transferred to the sergeant and/or processed and placed in a temporary property locker or storage area. Care shall be taken to maintain the chain of custody for all items of evidence.

Whenever property is taken from an individual, for safekeeping or arrest, a CLEMIS property receipt form will be completed. The receipt shall describe the property and contain a notice on how to retrieve the property from the Department. A copy of the property receipt form shall be given to the individual from whom the property was taken.

##### **801.4.1 PROCESSING AND PACKAGING**

All property must be processed by the responsible member prior to the member going off-duty, unless otherwise approved by a supervisor. Members shall process and package property as follows:

- (a) A CLEMIS property form shall be completed describing each item. List all known information, including:
  1. The serial number.
  2. The owner's name.
  3. The finder's name.
  4. Other identifying information or markings.
- (b) Each item shall be marked with the member's initials and the date processed using a method that will not damage, deface, degrade or devalue the item. Items too small or too delicate to mark should be individually packaged and labeled and the package marked with the member's initials and date.
- (c) Property shall be packaged in a container suitable for its size.
- (d) A property tag shall be completed and attached to the property or container in which the property is stored.
- (e) The case number shall be indicated on the property tag and the container.
- (f) The CLEMIS property form shall be submitted with the case report.
- (g) The property control card shall be submitted with the property directly to the sergeant or placed in a temporary property locker. Items too large to fit in a temporary property locker may be placed in a designated storage area (JC022) that can be secured from unauthorized entry, and the property control card placed in a temporary property locker.

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#### 801.4.2 EXCEPTIONAL PROCESSING

The following items require special consideration and shall be processed as follows, unless special conditions dictate a reasonable deviation:

**Bicycles** - Bicycles and bicycle frames shall have a property tag securely attached and should be placed in the bicycle storage area (JC022).

**Biological and related items** - Evidence that may contain biological samples shall be indicated as such on the property form.

Property stained with bodily fluids, such as blood or semen, shall be air-dried in a secure location (e.g., locked drying cabinet) prior to processing.

Items of evidence collected from a crime scene that require specific storage requirements pursuant to laboratory processing shall have such storage requirements clearly indicated on the property form.

Items that are potential biohazards shall be appropriately packaged and marked "Biohazard" to reduce the risk of exposure or contamination.

**Cash** - Cash shall be counted in the presence of another member. The cash shall be placed in a property envelope and initialed by both members. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall witness the count, initial and date the envelope, and specify any additional security procedures that may be necessary.

**Explosives and fireworks** - Explosives will not be retained in the police facility. Fireworks that are considered stable and safe, as well as road flares or similar signaling devices, may be stored in proper containers in an area designated for storage of flammable materials.

The sergeant is responsible for transporting to the fire department, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

**Firearms and other weapons** - Firearms shall be unloaded and packaged separately from ammunition. Knife boxes should be used to package knives.

**Government property** - License plates that have not been reported stolen or are of no evidentiary value should be placed in the designated container for return to the Michigan Secretary of State. No formal property processing is required.

College property that is of no evidentiary value should be released directly to the appropriate College department. No formal property processing is required.

If no responsible College personnel can be located, the property should be held for safekeeping.

**Sharps** - Syringe tubes should be used to package syringes and needles.

#### 801.4.3 CONTROLLED SUBSTANCES

- (a) Controlled substances shall not be packaged with other property, but shall be processed separately using a separate property form.

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- (b) The member processing controlled substances shall retain such property in his/her possession until it is weighed, packaged, tagged and placed in the designated controlled substances locker, accompanied by the property control card and lab copy of the property form.
- (c) Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected controlled substances. If conducted, the result of the test shall be included in the crime report.
  - 1. The member shall package controlled substances as follows:
    - (a) Maintain the property in the container in which it was seized and place it in a property envelope of appropriate size.
    - (b) Seal and initial the property envelope and cover the initials with cellophane tape.
    - (c) Weigh the property envelope to obtain the Gross Package Weight (GPW).
    - (d) Write the GPW and then initial and date both the outside of the package and the property form.
- (d) When the quantity of controlled substances exceeds the available safe storage capacity as determined by the sergeant, the quantity shall be photographed and weighed.
  - 1. A representative sample of sufficient quantity to allow scientific analysis of the controlled substances should be taken as allowed by state law and placed in a separate package or container.
  - 2. Excess quantities should be stored or disposed of as required by law or directed by court order.
- (e) Marijuana with any perceptible moisture content shall be loosely packaged in a container that allows for drying or shall be dried prior to storage. The sergeant shall monitor stored marijuana for growth of mold.

#### **801.5 RECORDING OF PROPERTY**

The sergeant receiving custody of property shall ensure a property control card for each item or group of items is created. The property control card will be the permanent record of the property. The sergeant will record on the property control card his/her signature, GPW if the package contains controlled substances, the date and time the property was received and where the property will be stored.

A unique property number shall be obtained for each item or group of items from the property log. This number shall be recorded on the property form, property tag and the property control card. The property log shall document the following:

- (a) CLEMIS Property number

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- (b) Case number
- (c) Property tag number
- (d) Item description
- (e) Item storage location
- (f) Receipt, release and disposal dates

Any change in the location of property held by the Schoolcraft College Police Department shall be noted in the CLEMIS property log.

#### **801.6 PROPERTY CONTROL**

The sergeant temporarily relinquishing custody of property to another person shall record on the property control card his/her signature, the date and time the property was released, the name and signature of the person accepting custody of the property and the reason for release.

Any member receiving property shall be responsible for such property until it is returned to Property storage or released to another authorized person or entity.

The return of the property to the Property storage should be recorded on the property control card, indicating the date, the time, the name and the signature of the person who returned the property and the name and signature of the person to whom the property was returned.

##### **801.6.1 EVIDENCE**

Every time evidence is released or received, an appropriate entry on the CLEMIS property control card shall be completed to maintain the chain of custody. No evidence is to be released without first receiving written authorization from the Detective Bureau supervisor or investigator.

The temporary release of evidence to members for investigative purposes or for court proceedings shall be noted on the CLEMIS property control card, stating the date, time and to whom it was released. Requests for items of evidence needed for court proceedings shall be submitted to the sergeant at least one day prior to the court date.

Requests for laboratory analysis shall be completed on the appropriate lab form and submitted to the sergeant. This request may be submitted any time after the property has been processed.

##### **801.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY**

The sergeant releasing items of evidence for laboratory analysis must complete the required information on the CLEMIS property control card. The transporting member will acknowledge receipt of the evidence by indicating the date and time on the CLEMIS property control card. The lab form will be transported with the evidence to the examining laboratory. Upon delivering the item, the member will record the delivery time on the lab form and the CLEMIS property control card, and obtain the signature of the person accepting responsibility for the evidence. The original copy of the lab form will remain with the evidence and a copy of the form will be returned to the Police Department Associate for filing with the case.

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#### 801.6.3 CONTROLLED SUBSTANCES

The Detective Bureau will be responsible for the storage, control and destruction of all controlled substances coming into the custody of this department. The GPW will be verified every time controlled substances are checked in or out of the Property and any discrepancies noted on the outside of the package. Any change in weight should be immediately reported to the Detective Bureau supervisor.

#### 801.6.4 UNCLAIMED MONEY

The sergeant shall submit an annual report, or more frequently as directed, regarding money that is presumed to have been abandoned to the Chief of Police and the College department responsible for auditing property. The sergeant may deposit such money in compliance with existing laws upon receipt of proper authorization from the Chief of Police.

#### **801.7 RELEASE OF CRIME RELATED PROPERTY**

The Detective Bureau shall authorize the release of all property related to criminal cases coming into the care and custody of the Department.

Release of property shall be made upon receipt of an authorized property release form, listing the name and address of the person to whom the property is to be released. The property release form shall be signed by the authorizing supervisor or investigator, and must conform to the items listed on the property control card or must specify the specific items to be released. Release of all property shall be documented on the CLEMIS property control card.

Firearms or ammunition should only be released upon presentation of valid identification and authorized documents showing that the individual may legally possess the item.

All reasonable attempts shall be made to identify the rightful owner of found property and items held for safekeeping.

Found property and property held for safekeeping shall be retained for the period of time required by law. During such period, Property members shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. The final disposition of all such property shall be fully documented on the CLEMIS property control card.

A sergeant shall release such property when the owner presents proper identification and an authorized property release form has been received. The signature of the person receiving the property shall be recorded on the property control card.

If any item listed on a property control card has not been released, the property control card will remain with the Property. When all property listed on the card has been released, the card shall be forwarded to the Police Department Associate for filing with the case, and the release of all items shall be documented in the property log.

#### 801.7.1 DISCREPANCIES

The Shift Supervisor shall be notified whenever a person alleges that there is a shortage or discrepancy regarding his/her property. The Shift Supervisor will interview the person claiming

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the shortage. The Shift Supervisor shall ensure that a search for the alleged missing items is completed and shall attempt to prove or disprove the claim.

#### **801.7.2 DISPUTED CLAIMS TO PROPERTY**

Occasionally, more than one party may claim an interest in property being held by this department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or establishes an undisputed right to the property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for this department should be contacted.

#### **801.8 DESTRUCTION OR DISPOSAL OF PROPERTY**

An authorized Detective Bureau investigator or supervisor shall approve the destruction or disposal of all property held by this department.

All property not held for evidence in a pending criminal investigation or proceeding may be destroyed or disposed of in compliance with existing laws upon receipt of proper authorization from a supervisor. The disposition of all property shall be entered on the CLEMIS property control card and property log.

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law, unless a different disposition is ordered by a court:

- Weapons or devices declared by law to be illegal to possess
- Controlled substances declared by law to be illegal to possess without a legal prescription
- Fireworks

#### **801.8.1 BIOLOGICAL EVIDENCE**

The sergeant shall ensure that no biological evidence held by this department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor and Attorney General
- (d) Any sexual assault victim
- (e) The Detective Bureau Shift Supervisor

Biological evidence shall be retained for a minimum period established by law or the expiration of any sentence imposed related to the evidence (MCL 767.24; MCL 770.16). Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice, unless a motion seeking an order to retain the sample is filed and served on this department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any

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objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Detective Bureau Shift Supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

Biological evidence from an unsolved sexual assault should not be disposed of prior to expiration of the statute of limitations. Even after expiration of the applicable statute of limitations, the Detective Bureau Shift Supervisor should be consulted and the sexual assault victim should be notified.

#### **801.8.2 MARIHUANA**

At the first sign of mold growth, stored marihuana shall be photographed showing the mold growth. As soon as practicable, the sergeant shall make efforts to lawfully destroy the contaminated marihuana, in compliance with this policy. The sergeant should consult with the member assigned to the case investigation for authorization to destroy the remaining marihuana, after taking representative samples, and should request assistance from the appropriate prosecutor in obtaining a court order for immediate destruction.

#### **801.8.3 MEDICAL MARIHUANA**

The investigating member should advise the sergeant and the prosecutor if the party from whom the marihuana was seized holds a valid medical permit to possess marihuana or claims that the possession of the marihuana is for medical purposes.

The sergeant shall store marihuana, drug paraphernalia or other related property that is seized from a person engaged in or assisting with the use of medical marihuana in a manner that is consistent with the provisions of the Medical Marihuana Policy.

Marihuana that is infected with mold shall not be returned. This includes marihuana seized from a person who holds a valid medical permit to possess marihuana or who claims that possession of the marihuana is for medical purposes.

#### **801.9 INSPECTION OF THE PROPERTY**

The Detective Bureau Supervisor shall ensure that periodic, unannounced inspections of the Property operations and storage facilities are conducted to ensure adherence to appropriate policies and procedures. The Detective Bureau Supervisor also shall ensure that an audit is conducted annually, or as directed by the Chief of Police. Inspections and audits shall be conducted by a member of this department who is not routinely or directly connected with the Property operations.

Whenever there is a change of assignment for any member with authorized access to Property, an inventory of all property shall be conducted by a person who is not associated with Property or its function. This is to ensure that all property is accounted for and the records are correct.

## Records Maintenance and Release: Named Parties, Prosecutors or Law Enforcement

### 803.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records to named parties in a police report, prosecutors and members of other law enforcement agencies. Protected information is separately covered in the Protected Information Policy.

### 803.2 POLICY

It is the policy of the Schoolcraft College Police Department to release reports, documents, and other public records to a requestor who is named in the record. SCPD personnel shall also cooperate with the lawful and professional requests of prosecutors and other law enforcement agency requests. This shall not apply to records that are related to Freedom of Information Act Requests, Requests for Expungement, Discovery Orders, or Subpoenas.

### 803.3 RECORDS REQUESTED BY NAMED PARTIES

- (a) Ask the individual for the type of record, i.e. police, fire, accident, or other incident, and for the case number. If the case number is not known, personnel shall request the date and location of the incident and/or the name of the driver or reporting party.
- (b) Obtain identification of the requesting party, and determine whether the requestor is a named party in the desired record.
  1. The requesting party may desire a record in which he or she is not named. Examples may include FOIA Requests, Requests for Expungement, Discovery Orders, or Subpoenas.
  2. If the requesting party is not named in the record, then FOIA procedures shall apply. Under these circumstances, personnel shall follow the procedures outlined in the [Schoolcraft College Police Department Policy Manual: 804.3 CUSTODIAN OF RECORDS AND FOIA COORDINATOR](#).
- (c) Personnel shall redact any information obtained from LEIN/NCIC.
- (d) Personnel shall redact addresses, dates of birth, phone numbers, drivers license numbers, student numbers or any other personally identifiable information of the other parties. The names of other parties shall not be redacted.
  1. Personnel shall not redact insurance company names and policy numbers on accident reports.

### 803.4 RECORDS REQUESTED BY PROSECUTOR'S OFFICE

- (a) Local prosecutors will forward requests for records to the Schoolcraft College Police Department. Such requests will list the defendant, incident number, charge, and any other information needed.

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### *Records Maintenance and Release: Named Parties, Prosecutors or Law Enforcement*

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- (b) Personnel shall provide any and all records requested, including:
  1. Hard copy of citations, reports, and all related contents from CLEMIS, including booking paperwork.
  2. Certified driving record for all driving offenses.
  3. Michigan State Police Laboratory Reports.
  4. Video retention for viewing.
  5. Audio and/or video recordings, in accordance with department policy pertaining to video.

#### **803.5 RECORDS REQUESTED BY OTHER LAW ENFORCEMENT AGENCIES**

- (a) Requests for unredacted hard copies of SCPD reports or records will be provided to members of other law enforcement agencies, with the approval of a supervisor.
- (b) Reports that contain LEIN/NCIC information should not be emailed unless redacted. Reports may be faxed, unredacted, to official agency fax machines and authorized personnel there to receive it.

#### **803.6 DEPARTMENT RECORD OF ALL PROCESSED REQUESTS**

Personnel shall accurately document records provided to named parties, including the prosecutor's office or other law enforcement agencies, using the Records and Maintenance Release spreadsheet. Personnel shall document the date, case number, who the record was released to and who released it. This shall apply to Freedom of Information Act Requests, Discovery Orders, Subpoenas, and all other records provided, regardless of the source of the request or whether it was made in person or remotely. This spreadsheet shall be stored on the Department's secure network and accessible to personnel on the M:/ drive.

## Records Maintenance and Release

### 804.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

### 804.2 POLICY

The Schoolcraft College Police Department is committed to providing public access to records in a manner that is consistent with the Michigan Freedom of Information Act (FOIA) (MCL 15.231 et seq.). As an entity under the umbrella of Schoolcraft College, the Police Department shall comply with FOIA request by following State law and corresponding College Policy (1072 Freedom of Information Act).

### 804.3 CUSTODIAN OF RECORDS AND FOIA COORDINATOR

The Chief of Police shall designate a Custodian of Records and a FOIA coordinator, who may be, but are not required to be, the same person. The responsibilities of the Custodian of Records include, but are not limited to (MCL 15.234; MCL 15.236):

- (a) Managing the records management system for the Department, including the protection, retention, archiving, release and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule, including:
  1. Identifying the minimum length of time the Department must keep records.
  2. Identifying the department bureau responsible for the original record.
- (c) Establishing procedures and guidelines regarding the inspection, copying and protection of department public records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring the availability of a current schedule of fees for public records as allowed by law.
- (g) Preparing a written public summary of the specific procedures and guidelines that includes how to submit a written request, explaining the department written responses, deposit requirements, fee calculations and avenues for challenge and appeal. The summary shall be posted on the department website, available free to the public upon request and in the department response to a written request.
  1. The link to the department website may be provided in the written response instead of providing paper copies.

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### *Records Maintenance and Release*

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#### **804.4 PROCESSING REQUESTS FOR PUBLIC RECORDS**

Any department member who receives a request for any record shall route the request to the Custodian of Records, FOIA Coordinator or the authorized designee.

##### **804.4.1 REQUESTS FOR RECORDS**

The processing of requests for any record is subject to the following (MCL 15.233):

- (a) Requests for public information or records shall be made in writing.
- (b) The Department is not required to create records that do not exist.
- (c) The Department is not required to make a compilation, summary, or report of information.
- (d) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released (MCL 15.244).
  - 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.
- (e) A response to a written request for inspection or copies of a public record shall be made within five business days (unless more time has been agreed to in writing by the requester) after receiving the request by (MCL 15.235):
  - 1. Granting the request.
  - 2. Written notice denying the request.
  - 3. Granting the request in part and providing written notice denying the request in part.
  - 4. Providing written notice extending the response time for not more than 10 business days.
    - (a) Only one notice of extension by the Department shall be issued for a particular request. The notice shall specify the reasons for the extension and the date by which the Department shall do one of the following:
      - 1. Grant the request.
      - 2. Provide written notice denying the request.
      - 3. Grant the request in part and provide written notice denying the request in part.
- (f) Responses may be emailed, faxed, or mailed first-class, with the consent of the requester.
- (g) A certified copy of a public record shall be furnished upon written request.

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### *Records Maintenance and Release*

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- (h) A requester has a right to subscribe to future issuances of a public record that is created, issued, or disseminated on a regular basis. The subscription shall be valid for up to six months at the request of the requester and shall be renewable.
- (i) All written requests for public records shall be kept on file for a minimum of one year.

#### 804.4.2 DENIALS

The written denial of a request for information or records in whole or in part is a final determination to deny the request or a portion of the request. The Custodian of Records or FOIA Coordinator is responsible for the denial and shall sign the written notice. The written notice shall contain (MCL 15.235):

- (a) An explanation of the basis under FOIA or other statute for the determination that the public record is exempt from disclosure.
- (b) A certificate that the public record does not exist under the name given by the requester or by another name reasonably known to the Department.
- (c) A description of the public record or information on a public record that is separated or deleted, if made.
- (d) A full explanation of the requester's right to:
  - 1. Submit to the Chief of Police a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the disclosure denial.
  - 2. Seek judicial review of the denial under MCL 15.240.
- (e) Notice of the right to receive attorneys' fees and damages as provided in MCL 15.240 after judicial review if the court has determined the Department had not complied with the request and orders disclosure of all or a portion of a public record.

A failure to provide a response constitutes a final determination to deny the request.

#### 804.4.3 APPEALS

If the Department receives a written appeal directed to the Chief of Police from the requester, it shall be immediately forwarded to the Chief of Police, Custodian of Records and FOIA Coordinator for review. Within 10 business days of receiving the appeal, the Chief of Police shall do one of the following (MCL 15.240):

- (a) Reverse the disclosure denial.
- (b) Issue a written notice to the requester upholding the disclosure denial.
- (c) Reverse the disclosure denial in part and provide written notice to the requester upholding the disclosure denial in part.
- (d) Only in unusual circumstances, provide a notice extending for not more than 10 business days, the period that the Chief of Police shall respond to the written appeal.
  - 1. Only one notice of extension by the Department shall be issued for a particular appeal.

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### *Records Maintenance and Release*

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If the Department receives an appeal commenced as a civil action filed in court, the appeal shall be forwarded to legal counsel for the Department.

#### **804.5 RELEASE RESTRICTIONS**

Examples of release restrictions include, but are not limited to (MCL 15.243):

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle record or any department record, including traffic accident reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).
- (b) Information of a personal nature if public disclosure would constitute a clearly unwarranted invasion of an individual's privacy.
- (c) Information or records that would disclose a Social Security number.
- (d) Investigating records, including an audio or video recording from a body-worn camera, compiled or recorded for law enforcement purposes, to the extent disclosure would do any of the following (MCL 780.315):
  - 1. Interfere with a law enforcement proceeding.
  - 2. Deprive a person of the right to a fair trial or impartial administrative adjudication.
  - 3. Constitute an unwarranted invasion of person privacy.
  - 4. Disclose the identity of a confidential source or confidential information furnished by a confidential source if contained in a record compiled by law enforcement in a criminal investigation.
  - 5. Disclose law enforcement investigative techniques or procedures.
  - 6. Endanger the life or physical safety of law enforcement personnel.
- (e) Unless public interest in disclosure outweighs the public interest in nondisclosure, records of the Department that do any of the following:
  - 1. Identify or provide a means of identifying an informant.
  - 2. Identify or provide a means of identifying an undercover officer or plainclothes officer.
  - 3. Disclose the personal address or telephone number of an active or retired member or a special skill the member may have.
  - 4. Disclose the name, address or telephone numbers of family members, relatives, children or parents of active or retired members.
  - 5. Disclose operational instructions for members.
  - 6. Reveal the contents of staff manuals.
  - 7. Endanger the life or safety of members, their families, relatives, children parents or those who furnish information to the Department.

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8. Identify or prove a means of identifying a person as a law enforcement officer or informant.
  9. Discloses personnel records of members.
  10. Identify or provide a means of identifying residences that the Department is requested to check in the absence of the owner or tenant.
- (f) An involuntary statement made by an officer unless an applicable circumstance by MCL 15.395 allows for disclosure (MCL 15.395).
  - (g) Records that if disclosed would prejudice the ability to maintain the physical security of custodial or penal institutions occupied by persons arrested or convicted of a crime, or admitted because of a mental disability, unless public interest in disclosure outweighs the public interest in nondisclosure.
  - (h) Records of law enforcement communication codes, or plans for deployment of law enforcement personnel, where disclosure would prejudice the department ability to protect the public safety unless public interest in disclosure outweighs the public interest in nondisclosure in the particular interest.
  - (i) Records of the department security measures.
  - (j) Confidential victim information, including what may be contained in audio or video from body-worn cameras (MCL 780.758; MCL 780.313; MCL 780.315).
  - (k) Certain types of reports involving, but not limited to, child abuse (MCL 722.628).
  - (l) Internal communications and notes within the Department or between the College of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to a final agency determination of policy or action.
  - (m) Information or records subject to the attorney-client privilege.
  - (n) Body-worn camera recordings made where an individual may reasonably expect to be safe from casual or hostile intrusion or surveillance (no public access) unless excepted by MCL 780.314 (MCL 780.312; MCL 780.313).
  - (o) Any other records or information specifically described and exempted from disclosure by statute.

#### **804.6 SUBPOENAS AND DISCOVERY REQUESTS**

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records or FOIA coordinator for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the Prosecuting Attorney, College Attorney or the courts.

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All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

#### **804.7 RELEASED RECORDS TO BE MARKED**

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

#### **804.8 EXPUNGEMENT**

Expungement orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall expunge such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once a record is expunged, members shall respond to any inquiry as though the record did not exist.

#### **804.9 SECURITY BREACHES**

Members who become aware that any Schoolcraft College Police Department record system may have been breached should notify the Police Department Associate as soon as practicable. Once a breach of security is discovered, the Police Department Associate should ensure that an immediate audit of the Schoolcraft College Police Department central records system is conducted.

## Protected Information

### 805.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Schoolcraft College Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

#### 805.1.1 DEFINITIONS

Definitions related to this policy include:

**Protected information** - Any information or data that is collected, stored or accessed by members of the Schoolcraft College Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

### 805.2 POLICY

Members of the Schoolcraft College Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

### 805.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Secretary of State (SOS) records, and Michigan Law Enforcement Information Network (LEIN).
- (b) Developing, disseminating, and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating, and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release, and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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### *Protected Information*

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#### **805.4 ACCESS TO PROTECTED INFORMATION**

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Schoolcraft College Police Department policy, or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access (MCL 15.654).

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

#### **805.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION**

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Police Department Associate for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Police Department Associate to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Members shall not maintain files supplied by, or supply information to, an interstate law enforcement intelligence organization without consulting with a supervisor to determine whether the organization meets the requirements of MCL 752.2 or MCL 752.3.

Nothing in this policy is intended to prohibit broadcasting warrant information.

#### **805.6 SECURITY OF PROTECTED INFORMATION**

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.

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- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

#### **805.6.1 MEMBER RESPONSIBILITIES**

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk, in or on an unattended vehicle, in an unlocked desk drawer or file cabinet, on an unattended computer terminal).

#### **805.7 TRAINING**

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

## Animal Control

### 806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

### 806.2 POLICY

It is the policy of the Schoolcraft College Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

### 806.3 CITY OF LIVONIA/GARDEN CITY ANIMAL CONTROL RESPONSIBILITIES

Animal control services are generally the primary responsibility of City of Livonia/Garden City Animal Control and include the following:

- (a) Animal-related matters during periods when City of Livonia/Garden City Animal Control is available.
- (b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that City of Livonia/Garden City Animal Control is available for investigation and resolution.
- (c) Follow-up on animal-related calls, such as locating owners of injured animals.

City of Livonia/Garden City Animal Control officers who are not police officers and who have not previously served at least three years as an City of Livonia/Garden City Animal Control officer, must complete, in addition to requirements for physical, educational, mental and moral fitness, a minimum 100-hour training course prescribed by the Department of Agriculture and Rural Development (MCL 287.289b).

### 806.4 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding members generally should not attempt to capture or pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members may consider acting before the arrival of such assistance when:

- (a) There is a threat to public safety.
- (b) An animal has bitten someone. Members should take measures to confine the animal and prevent further injury.

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- (c) An animal is creating a traffic hazard.
- (d) An animal is seriously injured.
- (e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the member should find appropriate placement for the animal.
  - 1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.
  - 2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
  - 3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

#### **806.4.1 SEIZURE OF ANIMALS AND FOWL**

The animals and fowl kept by, and in the custody of, a person arrested for a violation of Chapter IX which were held or used for the purpose of violating Chapter IX of the Michigan Penal Code shall be seized and immediately delivered to the appropriate poundmaster (MCL 750.53).

#### **806.5 ANIMAL CRUELTY COMPLAINTS**

Laws relating to the cruelty to animals should be enforced, including, but not limited to, those found in Chapter IX of the Michigan Penal Code, entitled Animals (MCL 750.49 et seq.).

- (a) An investigation should be conducted on all reports of animal cruelty.
- (b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.
- (c) Officers who have reasonable cause to believe a person is in violation of Chapter IX of the Michigan Penal Code may arrest the person and hold without warrant (MCL 750.53).

#### **806.6 ANIMAL BITE REPORTS**

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

#### **806.7 STRAY DOGS**

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate shelter/holding pen.

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Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter).

#### **806.8 DANGEROUS ANIMALS**

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the Shift Supervisor will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

#### **806.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS**

Members should diligently address calls related to nuisance animals (e.g., barking dogs), because such calls may involve significant quality-of-life issues.

#### **806.10 DECEASED ANIMALS**

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property should be removed, sealed in a plastic bag and properly disposed of by the responding member.

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

#### **806.11 INJURED ANIMALS**

When a member becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact an owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

#### **806.12 DESTRUCTION OF ANIMALS**

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor.

## Jeanne Clery Campus Security Act

### 807.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

### 807.2 POLICY

The Schoolcraft College Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any Schoolcraft College Police Department facility. Reports will be accepted anonymously, by phone, via email or on the institution's website.

It is the policy of the Schoolcraft College Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the Schoolcraft College Police Department and the administration of the institution.

Supervisors who are assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

### 807.3 POLICY, PROCEDURE AND PROGRAM DEVELOPMENT

The Chief of Police will:

- (a) Ensure that the Schoolcraft College Police Department establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication, and testing of these procedures (20 USC § 1092(f)(1)(J)(i); 20 USC § 1092(f)(1)(J)(iii)).
- (b) Enter into agreements as appropriate with local law enforcement agencies to:
  1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).
  2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092(f)(1)(G)).
  3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).
  4. Notify the Schoolcraft College Police Department of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).

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5. Notify the Schoolcraft College Police Department of criminal offenses reported to local law enforcement agencies to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
  - (c) Appoint a designee to develop programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092(f)(1)(D)).
  - (d) Appoint a designee to develop programs to inform students and employees about the prevention of crime (20 USC § 1092(f)(1)(E)).
  - (e) Appoint a designee to develop educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking, and what to do if an offense occurs, including, but not limited to, who should be contacted, the importance of preserving evidence and to whom the alleged offense should be reported (20 USC § 1092(f)(8)(B)). The designee shall also develop written materials to be distributed to reporting persons that explain the rights and options provided for under 20 USC § 1092 (20 USC § 1092(f)(8)(C)).
  - (f) Appoint a designee to make the appropriate notifications to institution staff regarding missing person investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

#### **807.4 RECORDS COLLECTION AND RETENTION**

The Police Department Associate is responsible for maintaining Schoolcraft College Police Department statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

- (a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i)); 34 CFR 668.46(c):
  1. Murder
  2. Sex offenses, forcible or non-forcible
  3. Robbery
  4. Aggravated assault
  5. Burglary
  6. Motor vehicle theft
  7. Manslaughter

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8. Arson
  9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession
  10. Dating violence, domestic violence and stalking
- (b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of his/her actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).
- (c) The statistics shall be compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7); 34 CFR 668.46(c)(9)). For the offenses of domestic violence, dating violence and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 34 USC § 12291; 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur (20 USC § 1092(f)(12); 34 CFR 668.46(c)(5)):
1. On campus.
  2. In or on a non-campus building or property.
  3. On public property.
  4. In dormitories or other on-campus, residential or student facilities.
- (d) Statistics will be included by the calendar year in which the crime was reported to the Schoolcraft College Police Department (34 CFR 668.46(c)(3)).
- (e) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location where the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).
- (f) Statistics will include the three most recent calendar years (20 USC § 1092(f)(1)(F); 34 CFR 668.46(c)).
- (g) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).

#### 807.4.1 CRIME LOG

The Police Department Associate is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4); 34 CFR 668.46(f)):

- (a) The daily crime log will record all crimes reported to the Schoolcraft College Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.
- (b) All log entries shall be made within two business days of the initial report being made to the Department.

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- (c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police department .
- (d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Information in the log is not required to be disclosed when:
  - 1. Disclosure of the information is prohibited by law.
  - 2. Disclosure would jeopardize the confidentiality of the victim.
  - 3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

#### **807.5 INFORMATION DISSEMINATION**

It is the responsibility of the Chief of Police and/or his/her designee to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with institution procedures.

This includes:

- (a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092(f)(3); 34 CFR 668.46(e); 34 CFR 668.46(g)).
- (b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).
- (c) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46(b)). This report will include, but is not limited to:
  - 1. Crime statistics and the policies for preparing the crime statistics.
  - 2. Crime and emergency reporting procedures, including the responses to such reports.
  - 3. Policies concerning security of and access to campus facilities.
  - 4. Crime, dating violence, domestic violence, sexual assault and stalking awareness and prevention programs, including:
    - (a) Procedures victims should follow.

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- (b) Procedures for protecting the confidentiality of victims and other necessary parties.
- 5. Enforcement policies related to alcohol and illegal drugs.
- 6. Locations where the campus community can obtain information about registered sex offenders.
- 7. Emergency response and evacuation procedures.
- 8. Missing student notification procedures.
- 9. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.

## **Chapter 9 - Custody**

## Temporary Custody of Adults

### 900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Schoolcraft College Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

#### 900.1.1 DEFINITIONS

Definitions related to this policy include:

**Holding cell/cell** - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

**Safety checks** - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

**Temporary custody** - The period an adult is in custody at the Schoolcraft College Police Department prior to being released or transported to a housing or other type of facility.

### 900.2 POLICY

The Schoolcraft College Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

### 900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours.

#### 900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Schoolcraft College Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

- (a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.
- (b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision or medication while in temporary custody.
- (c) Any individual who is seriously injured.

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- (d) Individuals who are a suspected suicide risk (see the Civil Commitments Policy) .
  - 1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.
- (e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.
- (f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (g) Any individual who has exhibited extremely violent or continuously violent behavior.
- (h) Any individual who has claimed, is known to be afflicted with or displays symptoms of any communicable disease that poses an unreasonable exposure risk.
- (i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

#### 900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

#### 900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

- (a) Authorized members entering for official business purposes.
- (b) Emergency medical personnel when necessary.

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- (c) Any other person authorized by the Shift Supervisor.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

#### **900.4 INITIATING TEMPORARY CUSTODY**

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there are any statements, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the appropriate mental health facility.

The officer should promptly notify the Shift Supervisor of any conditions that may warrant immediate medical attention or other appropriate action. The Shift Supervisor shall determine whether the individual will be placed in a cell, immediately released or transported to jail or another facility.

#### **900.4.1 SCREENING AND PLACEMENT**

The officer responsible for an individual in custody shall do the following:

- (a) Advise the Shift Supervisor of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).
- (b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:
  1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.
  2. Provide an individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141) :
    - (a) Continuous, direct sight and sound supervision.
    - (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.
  3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).
  4. Ensure males and females are separated by sight and sound when in cells .

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5. Ensure restrained individuals are not placed in cells with unrestrained individuals.
  - (c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.
  - (d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

#### 900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Patrol Shift Supervisor will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

- (a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.
  1. This notification should be documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
  1. If the country is on the mandatory notification list, then:
    - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.
    - (b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.
    - (c) Forward any communication from the individual to his/her consular officers without delay.
    - (d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.
  2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:
    - (a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

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- (b) Forward any communication from the individual to his/her consular officers without delay.

#### **900.5 SAFETY, HEALTH AND OTHER PROVISIONS**

##### 900.5.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the Schoolcraft College Police Department, the custody shall be promptly and properly documented in a police report, including:

- (a) Identifying information about the individual, including his/her name.
- (b) Date and time of arrival at the Department.
- (c) Any charges for which the individual is in temporary custody and any case number.
- (d) Time of all safety checks.
- (e) Any medical and other screening requested and completed.
- (f) Any emergency situations or unusual incidents.
- (g) Any other information that may be required by other authorities, such as compliance inspectors.
- (h) Date and time of release from the Schoolcraft College Police Department.

The Shift Supervisor should make periodic checks to ensure safety and security checks are made on time.

##### 900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

- (a) Safety checks and significant incidents/activities are noted in a police report.
- (b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.
  - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.
  - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (c) There is reasonable access to toilets and wash basins.
- (d) There is reasonable access to a drinking fountain or water.
- (e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (f) There is privacy during attorney visits.
- (g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

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- (h) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
- (i) Adequate furnishings are available, including suitable chairs or benches.

#### 900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members. At least one member who has current certification in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Schoolcraft College Police Department. They should be released or transferred to another facility as appropriate.

#### 900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Shift Supervisor shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

#### 900.5.5 TELEPHONE CALLS

Every individual in temporary custody should be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival.

- (a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense.
  - 1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).
- (b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.
  - 1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.
- (c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

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#### **900.5.6 RELIGIOUS ACCOMMODATION**

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

#### **900.5.7 FIREARMS AND OTHER SECURITY MEASURES**

Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed. They should be properly secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

#### **900.6 USE OF RESTRAINT DEVICES**

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Schoolcraft College Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

#### **900.6.1 PREGNANT ADULTS**

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

#### **900.7 PERSONAL PROPERTY**

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (e.g., cash, car or house keys, medications) be released to another person. A request for the release of property to another

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person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return. If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Department shall maintain a copy of the property receipt.

The Shift Supervisor shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The Shift Supervisor shall attempt to prove or disprove the claim.

#### **900.8 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY**

The Patrol Shift Supervisor will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Schoolcraft College Police Department. The procedures should include:

- (a) Immediate request for emergency medical assistance if appropriate.
- (b) Immediate notification of the Shift Supervisor, Chief of Police and Detective Bureau Shift Supervisor.
- (c) Notification of the spouse, next of kin or other appropriate person.
- (d) Notification of the appropriate prosecutor.
- (e) Notification of the College Attorney.
- (f) Notification of the Medical Examiner.
- (g) Evidence preservation.

#### **900.9 RELEASE AND/OR TRANSFER**

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

- (a) All proper reports, forms and logs have been completed prior to release.
- (b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.
- (c) It has been confirmed that the correct individual is being released or transported.
- (d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.
- (e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).
- (f) The individual is not permitted in any nonpublic areas of the Schoolcraft College Police Department unless escorted by a member of the Department.

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- (g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.
  - 1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.
- (h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.
- (i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with his/her personal needs as reasonable.

#### **900.10 ASSIGNED ADMINISTRATOR**

The Patrol Shift Supervisor will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

- (a) General security
- (b) Key control
- (c) Sanitation and maintenance
- (d) Emergency medical treatment
- (e) Escapes
- (f) Evacuation plans
- (g) Fire and life-safety
- (h) Disaster plans
- (i) Building and safety code compliance

#### **900.11 TRAINING**

Department members should be trained and familiar with this policy and any supplemental procedures.

## Temporary Custody of Juveniles

### 901.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Schoolcraft College Police Department (42 USC § 5633).

#### 901.1.1 DEFINITIONS

Definitions related to this policy include:

**Juvenile non-offender** - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person. Juveniles nine years or younger are non-offenders.

**Juvenile offender** - A juvenile 16 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense). It also includes the possession of a handgun by a minor under MCL 28.422 (28 CFR 31.303).

**Non-secure custody** - When a juvenile is held in the presence of an officer or other department member at all times and is not placed in a locked room, cell or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

**Safety checks** - Direct visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of juveniles in temporary custody.

**Secure custody** - When a juvenile offender is held in a locked room, a set of rooms or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when a non-secure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

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- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

**Sight and sound separation** - Located or arranged to prevent physical, visual or auditory contact.

**Status offender** - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

#### **901.2 POLICY**

The Schoolcraft College Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and to keeping juveniles safe while in temporary custody at the Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

#### **901.3 JUVENILES WHO SHOULD NOT BE HELD**

Juveniles who exhibit certain behaviors or conditions should not be held at the Schoolcraft College Police Department. These include:

- (a) Unconsciousness or having been unconscious while being taken into custody or transported.
- (b) Serious injuries or a medical condition requiring immediate medical attention.
- (c) A suspected suicide risk or showing obvious signs of severe emotional or mental disturbance (see the Civil Commitments Policy).
  - 1. If the officer taking custody of a juvenile believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or transfer to an appropriate facility is completed.
- (d) Significant intoxication or showing signs of having ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
- (e) Extremely violent or continuously violent behavior.
- (f) Afflicted with, or displaying symptoms of, a communicable disease that poses an unreasonable exposure risk.

Officers taking custody of a juvenile exhibiting any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and should notify a supervisor of the situation. These juveniles should not be held at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

#### **901.4 CUSTODY OF JUVENILES**

Officers should take custody of a juvenile and temporarily hold the juvenile at the Schoolcraft College Police Department when there is no other lawful and practicable alternative to temporary

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custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile who is suspected of being a victim.

No juvenile should be held in temporary custody at the Department without authorization of the arresting officer's supervisor or the Shift Supervisor. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

Any juvenile taken into custody shall be released to the care of the juvenile's parent, legal guardian or other responsible adult, or transferred to a juvenile custody facility or to other authority as soon as practicable. In no event shall a juvenile be held beyond six hours from the time of his/her entry into the Department (42 USC § 5633).

#### 901.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Schoolcraft College Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (42 USC § 5633).

#### 901.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (42 USC § 5633).

#### 901.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Schoolcraft College Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

An officer lacking a court order may take a juvenile offender into custody provided (MCL 712A.14; MCL 712A.2(h)):

- (a) The juvenile is found violating any law or ordinance.
- (b) There is reasonable cause to believe the juvenile is violating or has violated a personal protection order (PPO) or a valid foreign protection order.

Officers should release a juvenile offender to a parent or guardian on a written promise to appear unless (MCL 712A.14; MCR 3.933):

- (a) There is reason to believe that because of the nature of the offense, the interest of the juvenile or the interest of the public would not be protected by release of the juvenile.
- (b) A parent, guardian or legal custodian cannot be located or has refused to take custody of the juvenile.

When an officer is unable to, or otherwise does not, release a juvenile offender to a parent or guardian, he/she shall contact a court intake worker as soon as practicable.

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Officers should also notify the prosecutor when there is reason to believe that a juvenile offender 14 years of age or older has committed a specified juvenile violation that may authorize the filing of a complaint and warrant as an adult offense under MCL 764.1f.

#### **901.5 ADVISEMENTS**

Officers taking custody of a juvenile offender shall notify the juvenile's parents and the court or the court's representative of the custody as soon as practicable (MCL 764.27; MCR 3.933; MCR 3.934).

#### **901.6 JUVENILE CUSTODY LOGS**

Any time a juvenile is in temporary custody at the Schoolcraft College Police Department, the custody shall be promptly and properly documented in a police report, including:

- (a) Identifying information about the juvenile.
- (b) Date and time of arrival and release from the Department.
- (c) Shift Supervisor notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
- (e) Any changes in status (e.g., emergency situations, unusual incidents).
- (f) Time of all safety checks.
- (g) Any medical and other screening requested and completed.
- (h) Circumstances that justify any secure custody.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

#### **901.7 NO-CONTACT REQUIREMENTS**

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Schoolcraft College Police Department (42 USC § 5633; MCR 3.933). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Department shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

#### **901.8 TEMPORARY CUSTODY REQUIREMENTS**

Members and supervisors assigned to monitor or process any juvenile at the Schoolcraft College Police Department shall ensure:

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- (a) The Shift Supervisor is notified if it is anticipated that a juvenile may need to remain at the Department more than four hours. This will enable the Shift Supervisor to ensure no juvenile is held at the Department more than six hours.
- (b) Safety checks and significant incidents/activities are noted in the report.
- (c) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.
  - 1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.
  - 2. This does not apply to surreptitious and legally obtained recorded interrogations.
- (d) A member of the same sex will supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (e) There is reasonable access to toilets and wash basins.
- (f) There is reasonable access to a drinking fountain or water.
- (g) Food is provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (h) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.
- (i) There is privacy during family, guardian and/or attorney visits.
- (j) Juveniles are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (k) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.
  - 1. The supervisor should ensure that there is an adequate supply of clean blankets.
- (l) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.
- (m) Adequate furnishings are available, including suitable chairs or benches.
- (n) Juveniles have the right to the same number of telephone calls as adults in temporary custody (see the Temporary Custody of Adults Policy). goes hand in hand w/adult policy
- (o) Discipline is not administered to any juvenile, nor will juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

#### **901.9 RELIGIOUS ACCOMMODATION**

Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

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#### **901.10 USE OF RESTRAINT DEVICES**

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Schoolcraft College Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Shift Supervisor. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

##### **901.10.1 PREGNANT JUVENILES**

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

#### **901.11 PERSONAL PROPERTY**

The personal property of a juvenile shall be processed in the same manner as an adult in temporary custody (see the Temporary Custody of Adults Policy).

#### **901.12 SECURE CUSTODY**

Only juvenile offenders 14 years of age or older may be placed in secure custody. Shift Supervisor approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody. A member must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

#### **901.13 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY**

The Patrol Shift Supervisor will ensure procedures are in place to address any suicide attempt, death or serious injury of any juvenile held at the Schoolcraft College Police Department. The procedures should include the following:

- (a) Immediate request for emergency medical assistance if appropriate

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- (b) Immediate notification of the Shift Supervisor, Chief of Police and Detective Bureau Shift Supervisor
- (c) Notification of the parent, guardian or person standing in loco parentis of the juvenile
- (d) Notification of the appropriate prosecutor
- (e) Notification of the College Attorney
- (f) Notification of the Medical Examiner
- (g) Notification of the juvenile court
- (h) Evidence preservation

#### **901.14 INTERVIEWING OR INTERROGATING**

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent, to an interview or interrogation.

#### **901.15 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING**

A juvenile offender may be photographed or fingerprinted in connection with being taken into custody for an offense where the maximum penalty exceeds 92 days' imprisonment or a fine of \$1,000 or more, or for a misdemeanor offense that is included in the DNA Identification Profiling System Act (MCL 28.243; MCL 28.176).

The Schoolcraft College Police Department will follow all required procedures established by the Michigan State Police (MSP) regarding the forwarding of biometric information collected (within 72 hours) and the notification of the MSP if a juvenile petition is not authorized by the court (MCL 28.243).

#### **901.16 TRAINING**

Department members should be trained on and familiar with this policy and any supplemental procedures.

## Custodial Searches

### 902.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Schoolcraft College Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

#### 902.1.1 DEFINITIONS

Definitions related to this policy include:

**Custody search** - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

**Physical body cavity search** - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

**Strip search** - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

### 902.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

### 902.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

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#### **902.4 SEARCHES AT SCHOOLCRAFT COLLEGE POLICE DEPARTMENT FACILITIES**

Custody searches shall be conducted on all individuals in custody, upon entry to the Schoolcraft College Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

##### **902.4.1 PROPERTY**

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property Policy.

#### **902.5 STRIP SEARCHES**

No individual in temporary custody at any Schoolcraft College Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention, or is concealing a weapon or contraband. Probable cause is required for individuals who are in custody for a misdemeanor or a lesser offense and have not been ordered to jail by a court. Searches of these individuals are limited to weapons, controlled substances and evidence (MCL 764.25a). Factors to be considered in determining probable cause or reasonable suspicion include, but are not limited to:

- (a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.
- (b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.
  - 1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).
- (d) The individual's actions or demeanor.
- (e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be

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determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

#### 902.5.1 STRIP SEARCH PROCEDURES

Strip searches at Schoolcraft College Police Department facilities shall be conducted as follows (28 CFR 115.115):

- (a) Written authorization from the Shift Supervisor shall be obtained prior to the strip search (MCL 764.25a).
- (b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that the search cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.
- (e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.
- (f) The primary member conducting the search shall prepare a written report to include:
  - 1. The facts that led to the decision to perform a strip search.
  - 2. The reasons less intrusive methods of searching were not used or were insufficient.
  - 3. The written authorization for the search, obtained from the Shift Supervisor.
  - 4. The name of the individual who was searched.
  - 5. The name and sex of the members who conducted the search.
  - 6. The name, sex and role of any person present during the search.
  - 7. The time and date of the search.
  - 8. The place at which the search was conducted.
  - 9. A list of the items, if any, that were recovered.
  - 10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.
- (g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or

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a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

Any documentation listed above shall be provided to a searched person who is in custody for a misdemeanor or lesser offense and who has not been ordered to jail by a court. Reports may be redacted for security or other reasons appropriate under the Michigan Freedom of Information Act (MCL 764.25a).

#### **902.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES**

A strip search may be conducted in the field only with Shift Supervisor authorization and only in exceptional circumstances, such as when:

- (a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.
- (b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Shift Supervisor authorization does not need to be in writing.

#### **902.6 PHYSICAL BODY CAVITY SEARCH**

Physical body cavity searches shall be subject to the following:

- (a) No individual shall be subjected to a physical body cavity search without written approval of the Shift Supervisor and only upon a search warrant. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a licensed physician or a physician's assistant, licensed practical nurse, or registered professional nurse acting with the approval of a licensed physician may conduct a physical body cavity search (MCL 764.25b).
- (c) Except for the licensed physician or a physician's assistant, licensed practical nurse, or registered professional nurse conducting the search, persons present must be of the same sex as the individual being searched (MCL 764.25b). Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented, including:

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1. The facts that led to the decision to perform a physical body cavity search of the individual.
  2. The reasons less intrusive methods of searching were not used or were insufficient.
  3. The Shift Supervisor's approval.
  4. A copy of the search warrant.
  5. The time, date and location of the search.
  6. The medical personnel present.
  7. The names, sex and roles of any department members present.
  8. Any contraband or weapons discovered by the search.
  9. The identification of the person who actually conducted the search (MCL 764.25b).
- (f) A copy of the written authorization shall be retained and shall be provided/made available to the individual who was searched or other authorized representative upon request.

#### **902.7 TRAINING**

The Sergeant shall ensure members have training that includes (28 CFR 115.115):

- (a) Conducting searches of cross-gender individuals.
- (b) Conducting searches of transgender and intersex individuals.
- (c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

## **Chapter 10 - Personnel**

## Special Assignments and Promotions

### 1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Schoolcraft College Police Department.

### 1000.2 POLICY

The Schoolcraft College Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

### 1000.3 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

- (a) Western Wayne County Police Mutual Aid Special Operations Team SWAT member
- (b) Western Wayne County Mutual Aid Mobile Field Force member
- (c) Detective
- (d) Bicycle Patrol officer
- (e) Field Training Officer
- (f) Community Relations/Training Officer
- (g) Range Officer

#### 1000.3.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

- (a) Three years of relevant experience
- (b) Off probation
- (c) Possession of or ability to obtain any certification required by Michigan Commission on Law Enforcement Standards (MCOLES) or law
- (d) Exceptional skills, experience or abilities related to the special assignment

#### 1000.3.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

- (a) Presents a professional, neat appearance.
- (b) Maintains a physical condition that aids in his/her performance.
- (c) Expressed an interest in the assignment.
- (d) Demonstrates the following traits:

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1. Emotional stability and maturity
2. Stress tolerance
3. Sound judgment and decision-making
4. Personal integrity and ethical conduct
5. Leadership skills
6. Initiative
7. Adaptability and flexibility
8. Ability to conform to department goals and objectives in a positive manner

#### 1000.3.3 SELECTION PROCESS

The selection process for special assignments will include an administrative evaluation as determined by the Chief of Police to include:

- (a) Supervisor recommendations - Each supervisor who has supervised or otherwise been involved with the candidate will submit a recommendation.
  1. The supervisor recommendations will be submitted to the Shift Supervisor for whom the candidate will work.
- (b) Shift Supervisor interview - The Shift Supervisor will schedule interviews with each candidate.
  1. Based on supervisor recommendations and those of the Shift Supervisor after the interview, the Shift Supervisor will submit his/her recommendations to the Chief of Police.
- (c) Assignment by the Chief of Police.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training and at the discretion of the Chief of Police.

#### 1000.4 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available at the Schoolcraft College Human Resources Department.

## Grievances

### 1001.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the Schoolcraft College Police Department grievance system. The grievance system is intended to facilitate communication and to promptly and equitably address employee grievances in the workplace.

#### 1001.1.1 GRIEVANCE DEFINED

A grievance is a difference of opinion or dispute regarding the meaning, interpretation, or application of any of the following:

- The collective bargaining agreement
- This Policy Manual
- Rules and regulations governing personnel practices or working conditions
- Workplace issues that do not amount to misconduct under the Personnel Complaints Policy, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety, or well-being of members

Specifically outside the category of grievances are complaints related to allegations of discrimination or harassment subject to the Discriminatory Harassment Policy. Also outside the category of grievances are personnel complaints regarding any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy or federal, state, or local law, as set forth in the Personnel Complaints Policy.

### 1001.2 POLICY

It is the policy of the Schoolcraft College Police Department to provide a just and equitable system for the prompt handling of employee grievances without discrimination, coercion, restraint or retaliation against any employee who submits or is otherwise involved in a grievance.

### 1001.3 PROCESS

Grievances may be brought by an individual employee or by an employee group representative. Employees may have representation during the grievance process.

Except as otherwise required under a collective bargaining agreement, if an employee believes that he/she has a grievance as defined above, that employee shall:

- (a) Attempt to resolve the issue through informal discussion with his/her immediate supervisor.
- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the appropriate Shift Supervisor.

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- (c) If a successful resolution is not found with the Shift Supervisor, the employee may request a meeting with the Chief of Police.
- (d) If the employee and the Chief of Police are unable to arrive at a mutual solution, the employee shall proceed as follows:
  - 1. Submit a written statement of the grievance to the Chief of Police and provide a copy to the employee's immediate supervisor.
  - 2. Include the following information in the written statement:
    - (a) The basis for the grievance (i.e., the facts of the case).
    - (b) The allegation of any specific wrongful act and the harm done.
    - (c) The specific policies, rules or regulations at issue.
    - (d) The remedy or goal being sought by the grievance.
- (e) The supervisor shall provide the employee with a signed acknowledgment of the grievance that shall include the date and time of receipt.
- (f) The Chief of Police and the College President should review the grievance and respond to the employee within 14 calendar days.
  - 1. The response will be in writing, and will affirm or deny the allegations.
  - 2. The response shall include any remedies, if appropriate.
  - 3. The decision of the College President is considered final.

#### **1001.4 GRIEVANCE RECORDS**

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the Administration Bureau for inclusion into a secure file for all written grievances. Copies of the documents should also be sent to the Human Resources Department.

#### **1001.5 POLICY OR TRAINING IMPLICATIONS**

If an employee who participates in the grievance review process identifies any issue that may warrant an immediate revision to this Policy Manual, a procedural change or an immediate training need, the employee should promptly notify the Chief of Police in the memorandum.

#### **1001.6 GRIEVANCE AUDITS**

The Sergeant should perform an annual audit of all grievances filed the previous calendar year to evaluate whether any change in policy, procedure or training may be appropriate to avoid future grievances. The Sergeant should record these findings in a confidential memorandum to the Chief of Police without including any identifying information about any individual grievance.

## Anti-Retaliation

### 1002.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, state and local law, ordinance or collective bargaining agreement.

### 1002.2 POLICY

The Schoolcraft College Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

### 1002.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

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### *Anti-Retaliation*

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#### **1002.4 COMPLAINTS OF RETALIATION**

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the College Executive Director of Human Resources.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

#### **1002.5 SUPERVISOR RESPONSIBILITIES**

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

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### *Anti-Retaliation*

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#### **1002.6 COMMAND STAFF RESPONSIBILITIES**

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

#### **1002.7 WHISTLE-BLOWING**

State law protects employees who report violations of a law, rule or regulation (MCL 15.362). Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Chief of Police or his/her designee for investigation pursuant to the Personnel Complaints Policy.

#### **1002.8 RECORDS RETENTION AND RELEASE**

The Police Department Associate shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

#### **1002.9 TRAINING**

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

# Reporting of Arrests, Convictions and Court Orders

## 1003.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions and court orders restrict their ability to perform the official duties and responsibilities of the Schoolcraft College Police Department. This policy will also describe the notification requirements and procedures that certain retired officers must follow when an arrest, conviction or court order disqualifies them from possessing a firearm.

## 1003.2 POLICY

The Schoolcraft College Police Department requires disclosure of member arrests, convictions and certain court orders to maintain the high standards, ethics and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Department.

## 1003.3 DOMESTIC VIOLENCE CONVICTIONS AND COURT ORDERS

Federal and Michigan law prohibits individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing firearms. Such convictions and court orders often involve allegations of the use or attempted use of force, or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922).

All members and retired officers with identification cards issued by the Department are responsible for ensuring that they have not been disqualified from possessing firearms by any such conviction or court order, and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

## 1003.4 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

An officer's state certification will be revoked by the Michigan Commission on Law Enforcement Standards (MCOLES) for a conviction of any felony offense or other offenses listed in MCL 28.609 and MCL 28.609a.

## 1003.5 REPORTING

All members with identification cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Shift Supervisor or the Chief of Police) in writing of any past or current criminal detention, arrest, charge or conviction in any state or foreign country, regardless of whether the matter was dropped or rejected, is currently pending or is on appeal, and regardless of the penalty or sentence, if any.

All members with identification cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Shift Supervisor or the Chief of Police)

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### *Reporting of Arrests, Convictions and Court Orders*

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in writing if they become the subject of a domestic violence-related order or any court order that prevents the member from possessing a firearm or requires suspension or revocation of applicable MCOLES certification.

Any member whose criminal arrest, conviction or court order restricts or prohibits that member from fully and properly performing his/her duties, including carrying a firearm, may be disciplined. This includes, but is not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member, on his/her own time and at his/her own expense.

All retired officers with Law Enforcement Officers Safety Act (LEOSA) certification issued by MCOLES shall report to MCOLES in writing of any:

- (a) Past or current criminal detention, arrest, charge or conviction in any state or foreign country, regardless of whether the matter was dropped or rejected, is currently pending or is on appeal, and regardless of the penalty or sentence, if any.
- (b) Domestic violence-related order or of any court order that restricts or prohibits possessing a firearm or requires suspension or revocation of applicable MCOLES certification.
- (c) Drug test by a laboratory conducted that reflects the illicit presence of a controlled substance (MCL 28.518).

Any employee failing to provide prompt written notice pursuant to this policy shall be subject to discipline, up to and including termination.

Retired officers may have their identification cards rescinded or modified, as may be appropriate (see the Retiree Concealed Firearms Policy).

#### 1003.5.1 NOTIFICATION REQUIREMENTS

The Schoolcraft College Police Department is required to notify MCOLES within three business days that an officer employed by the Schoolcraft College Police Department has been separated from service (Mich. Admin. Code, R 28.14510).

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## Drug- and Alcohol-Free Workplace

### 1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

### 1004.2 POLICY

It is the policy of the Schoolcraft College Police Department to provide a drug- and alcohol-free workplace for all members.

### 1004.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Supervisor or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see the Work Restrictions section in this policy).

#### 1004.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

### 1004.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow on-duty member is impaired due to drug or alcohol use.

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### *Drug- and Alcohol-Free Workplace*

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Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

#### **1004.5 EMPLOYEE ASSISTANCE PROGRAM**

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Human Resources Department, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

#### **1004.6 WORK RESTRICTIONS**

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

#### **1004.7 SCREENING TESTS**

A supervisor may require an employee to submit to a screening under any the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm in the performance of his/her duties (excluding training or authorized euthanizing of an animal).
- (c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death or substantial property damage.
- (d) The employee drives a motor vehicle in the performance of his/her duties and becomes involved in an incident that results in bodily injury, death or substantial damage to property.

##### **1004.7.1 SUPERVISOR RESPONSIBILITIES**

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.

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### *Drug- and Alcohol-Free Workplace*

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- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

#### 1004.7.2 DISCIPLINE

An employee may be subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

#### **1004.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT**

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

#### **1004.9 CONFIDENTIALITY**

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the member's confidential medical file in accordance with the Personnel Records Policy.

## Sick Leave

### 1005.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees is detailed in the College personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) and the Michigan Paid Medical Leave Act (MCL 408.962 et seq.).

### 1005.2 POLICY

It is the policy of the Schoolcraft College Police Department to provide eligible employees with a sick leave benefit.

### 1005.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences.

Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see the Outside Employment and Outside Overtime Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

#### 1005.3.1 NOTIFICATION

All members should notify the Shift Supervisor or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence.

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

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#### **1005.4 EXTENDED ABSENCE**

Members absent from duty for for **5 days or more** are required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

#### **1005.5 SUPERVISOR RESPONSIBILITIES**

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Human Resources Department as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
  1. Negatively affected the member's performance or ability to complete assigned duties.
  2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

#### **1005.6 STATE MANDATES AND OTHER RELEVANT LAWS**

##### **1005.6.1 MICHIGAN PAID MEDICAL LEAVE ACT**

An eligible employee should be given at least three days to provide any requested documentation affirming the reason for an absence. Such documentation should be kept confidential (MCL 408.964).

The Executive Director of Human Resources should ensure that the required Michigan Department of Licensing and Regulatory Affairs poster explaining medical leave benefits is displayed at the Schoolcraft College Police Department in a location that is conspicuous and accessible for employees (MCL 408.968).

In addition to health issues, eligible employees may receive leave under the Paid Medical Leave Act for domestic violence and sexual assault situations for the following (MCL 408.964):

- (a) Medical care or psychological or other counseling

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### *Sick Leave*

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- (b) Receiving services from a victim services organization
- (c) Relocation and obtaining legal services
- (d) Participation in civil or criminal proceedings related to or resulting from the domestic violence or sexual assault

Documentation affirming the reason for an absence related to domestic violence or sexual assault shall not require details prohibited under MCL 408.964.

The Executive Director of Human Resources shall retain the records documenting the hours worked and sick leave taken by an eligible employee pursuant to the department retention schedule and at a minimum of one year (MCL 408.970).

## Smoking and Tobacco Use

### 1006.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Schoolcraft College Police Department facilities or vehicles.

For the purpose of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device that is intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

### 1006.2 POLICY

Schoolcraft College is smoke-free institution, per College policy #2005. Additionally, the Schoolcraft College Police Department recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy.

### 1006.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited any time members are in public view representing the Schoolcraft College Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside College facilities and vehicles.

### 1006.4 ADDITIONAL PROHIBITIONS

No employee shall smoke tobacco products in a public place or at a meeting of a public body, including but not limited to government owned and operated facilities (MCL 333.12601; MCL 333.12603).

## Personnel Complaints

### 1007.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Schoolcraft College Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

### 1007.2 POLICY

The Schoolcraft College Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law and municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

### 1007.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

#### 1007.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

**Informal** - A matter in which the Shift Supervisor is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

**Formal** - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Chief of Police or his/her designee, depending on the seriousness and complexity of the investigation.

**Incomplete** - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Chief of Police or his/her designee, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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#### 1007.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

#### **1007.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS**

##### 1007.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in the police department offices (Main Campus and Radcliff) and available upon request. Personnel complaints can also be made via the SC Aware on-line reporting tool that is accessible through the department website.

##### 1007.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

#### **1007.5 DOCUMENTATION**

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

#### **1007.6 ADMINISTRATIVE INVESTIGATIONS**

Allegations of misconduct will be administratively investigated as follows.

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#### 1007.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
  - 1. The original complaint form will be directed to the Shift Supervisor of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
  - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Shift Supervisor or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
  - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
  - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Shift Supervisor.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Shift Supervisor and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Human Resources Department and the Shift Supervisor for direction regarding the supervisor's role in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Shift Supervisor, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:

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1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
  2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
  - (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

#### 1007.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Chief of Police or his/her designee, the following applies to employees:

- (a) Interviews of an accused employee should be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.
- (b) Unless waived by the employee, interviews of an accused employee should be at the Schoolcraft College Police Department or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused employee.
- (d) Prior to any interview, an employee should be informed of the nature of the investigation.
- (e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.
- (f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
- (g) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
  1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the employee has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
  2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor. An involuntary statement made by an officer as defined by MCL

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15.391, may only be disclosed with the written consent of the officer, pursuant to a court order or when needed for an administrative, civil or criminal proceeding as provided in MCL 15.395.

- (h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.
- (i) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All employees shall provide complete and truthful responses to questions posed during interviews.
- (k) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

#### 1007.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

**Introduction** - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

**Synopsis** - Provide a brief summary of the facts giving rise to the investigation.

**Summary** - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

**Evidence** - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

**Conclusion** - A recommendation regarding further action or disposition should be provided.

**Exhibits** - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

#### 1007.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

**Unfounded** - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

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**Exonerated** - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

**Not sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

**Sustained** - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

#### 1007.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation.

#### 1007.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

#### 1007.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

#### 1007.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift and will report as ordered.

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#### **1007.9 CRIMINAL INVESTIGATION**

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Schoolcraft College Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

#### **1007.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES**

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

##### **1007.10.1 SHIFT SUPERVISOR RESPONSIBILITIES**

Upon receipt of any completed personnel investigation, the Shift Supervisor of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Shift Supervisor may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Shift Supervisor may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Shift Supervisor shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

##### **1007.10.2 CHIEF OF POLICE RESPONSIBILITIES**

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Shift Supervisor for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed.

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In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

- (a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.
  - 1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
  - 2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response, or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

#### 1007.10.3 NOTICE REQUIREMENTS

If no disciplinary action is taken, the employee shall be notified that an investigation was conducted (MCL 423.509).

If disciplinary action is taken, a copy of the Chief of Police's written decision of disciplinary action shall be filed with the human resources department no later than 90 days from the date of discovery of the violation (MCL 38.514; MCL 51.362).

#### 1007.10.4 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

#### 1007.10.5 NOTICE REQUIREMENTS FOR DISCIPLINE DISCLOSURE

Disclosure of a disciplinary report, letter of reprimand or other disciplinary action to a complainant requires notice be mailed to the affected employee as set forth in MCLA 423.506.

#### **1007.11 PRE-DISCIPLINE EMPLOYEE RESPONSE**

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.

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- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to conduct further investigation, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

#### **1007.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE**

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

#### **1007.13 POST-DISCIPLINE APPEAL RIGHTS**

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any applicable civil service procedures, collective bargaining agreement and/or personnel rules (MCL 38.513; MCL 51.362).

#### **1007.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS**

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

In cases where an individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate, the probationary period may be extended at the discretion of the Chief of Police.

#### **1007.15 RETENTION OF PERSONNEL INVESTIGATION FILES**

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

## Safety Belts

### 1008.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of safety belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

#### 1008.1.1 DEFINITIONS

Definitions related to this policy include:

**Child restraint system** - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and regulations set forth in 49 CFR 571.213.

### 1008.2 POLICY

It is the policy of the Schoolcraft College Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle accident.

### 1008.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a safety belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

### 1008.4 TRANSPORTING CHILDREN

Child passengers shall be transported using an approved child restraint system in compliance with MCL 257.710d.

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of safety belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side air bag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

### 1008.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is

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not available, by safety belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

#### **1008.6 INOPERABLE SAFETY BELTS**

Department vehicles shall not be operated when the safety belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the safety belt is inoperable.

Department vehicle safety belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

#### **1008.7 VEHICLES MANUFACTURED WITHOUT SAFETY BELTS**

Vehicles manufactured and certified for use without safety belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

#### **1008.8 VEHICLE AIRBAGS**

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

## Body Armor

### 1009.1 PURPOSE AND SCOPE

The purpose of this policy is to provide officers with guidelines for the proper use of body armor.

### 1009.2 POLICY

It is the policy of the Schoolcraft College Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

### 1009.3 ISSUANCE

The Shift Supervisor shall ensure that body armor is issued to all officers and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

Body armor shall be issued when an officer begins service at the Schoolcraft College Police Department and shall be replaced when the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

The Chief of Police may authorize issuance of body armor to uniformed, civilian members whose jobs may make wearing of body armor advisable.

#### 1009.3.1 USE

Generally, the required use of body armor is subject to the following:

- (a) Members shall only wear department-approved body armor.
- (b) Members shall wear body armor any time they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Members shall wear body armor when working in uniform or taking part in department range training.
- (d) Members are not required to wear body armor when they are functioning primarily in an administrative or support capacity and would not reasonably be expected to take enforcement action.
- (e) Officers may be excused from wearing body armor when they are involved in undercover or plainclothes work that their supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
  1. In those instances when body armor is not worn, officers should have reasonable access to their body armor.

#### 1009.3.2 INSPECTION

Supervisors should ensure through routine observation and periodic documented inspections that body armor is worn and maintained in accordance with this policy.

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Annual inspections of body armor should be conducted by a person trained to perform the inspection for fit, cleanliness and signs of damage, abuse and wear.

#### 1009.3.3 CARE AND MAINTENANCE

The required care and maintenance of body armor is subject to the following:

- (a) Members are responsible for inspecting their body armor for signs of damage, wear and cleanliness at the start of each shift.
  - 1. Unserviceable body armor shall be reported to the supervisor.
- (b) Members are responsible for the proper storage of their body armor.
  - 1. Body armor should not be stored for an extended period of time in an area where environmental conditions (e.g., temperature, light, humidity) could potentially degrade its effectiveness.
- (c) Members are responsible for the care and cleaning of their body armor pursuant to the manufacturer's care instructions.
  - 1. Body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer.
  - 2. Failure to follow manufacturer's care instructions may damage the ballistic performance capabilities of the body armor. If care instructions for the body armor cannot be located, the manufacturer should be contacted to request the instructions.
- (d) Body armor should be replaced in accordance with the manufacturer's recommended replacement schedule, or when its effectiveness or functionality has been compromised.

#### 1009.4 RANGE OFFICER RESPONSIBILITIES

The responsibilities of the Range Officer include, but are not limited to:

- (a) Monitoring technological advances in the body armor industry for any appropriate changes to department-approved body armor.
- (b) Assessing the level of weapons and ammunition currently utilized by the public and the suitability of approved body armor to protect against those threats.
- (c) Educating officers about the safety benefits of wearing body armor.

## Personnel Records

### 1010.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records, including the provisions of the Bullard-Plawecki Employee Right to Know Act (MCL 423.501 et seq.). Personnel records include any file maintained under an individual member's name.

### 1010.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Michigan.

### 1010.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
  - 1. Officers shall have the opportunity to read and initial comments regarding their separation from service (MCL 28.563).
  - 2. A written statement submitted by a separating officer under MCL 28.563 disagreeing with the separation information shall be kept in the file.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.
  - 1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
  - 2. Any member response shall be attached to and retained with the original adverse comment.
  - 3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.
- (g) Commendations and awards.

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- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

#### **1010.4 BUREAU FILE**

Bureau files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Bureau file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

#### **1010.5 TRAINING FILE**

An individual training file shall be maintained by the Sergeant for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Sergeant or supervisor shall ensure that copies of such training records are placed in the member's training file.

#### **1010.6 INTERNAL AFFAIRS FILE**

Internal affairs files shall be maintained under the exclusive control of the Chief of Police or his/her designee in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Chief of Police or his/her designee supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file. Unfounded or unsubstantiated information from this file shall not be used in any future consideration for promotion, transfer, additional compensation or disciplinary action (MCL 423.509):

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated
- (d) No disciplinary action taken

#### **1010.7 MEDICAL FILE**

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

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- (a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).
- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.
- (e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

#### **1010.8 SECURITY**

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the College President, College Attorney or other attorneys or representatives of the College in connection with official business.

##### **1010.8.1 REQUESTS FOR DISCLOSURE**

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made. Written notice by first-class mail, on or before the day the information is to be divulged, shall be given to the member where a third party has requested a disciplinary report, letter of reprimand or other disciplinary action unless there is an applicable exception under MCL 423.506.

Except when the release of a personnel record is ordered in a legal action or arbitration, the responsible person shall review the record prior to release to a third party to ensure that disciplinary reports, letters of reprimand or other records of disciplinary action are deleted when the records are more than 4 years old (MCL 423.507).

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

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#### 1010.8.2 RELEASE OF PERSONNEL INFORMATION

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

#### 1010.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS

Any member upon written request may request access to his/her own personnel records twice in a calendar year. The review shall take place at the Schoolcraft College Police Department and during normal business hours. Members may obtain a copy of the information reviewed and charged for any duplication fees (MCL 423.503; MCL 423.504).

If the member demonstrates that he/she is unable to review the personnel record at the Department, a copy of the requested record shall be mailed to the member, upon written request (MCL 423.504).

Any member who disagrees with information contained in a personnel record may seek the removal or correction of that information by mutual agreement between the member and the Chief of Police. If an agreement is not reached, the member may submit a written statement explaining the member's position to the Chief of Police through the chain of command. The statement shall not exceed five pages and shall be included whenever the information is divulged to a third party as long as the original information is a part of the file (MCL 423.505).

Members may be restricted from accessing records containing any of the following information (MCL 423.501(c)):

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Investigations involving alleged criminal activity or the violation of a department rule by the member.
- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.

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### *Personnel Records*

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- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- (h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.
- (i) Medical reports and records made or obtained by the Schoolcraft College Police Department if the records or reports are available to the member from the doctor or medical facility involved.
- (j) Records limited to grievance investigations.

#### **1010.10 RETENTION AND PURGING**

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

## Commendations and Awards

### 1011.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Schoolcraft College Police Department and individuals from the community.

### 1011.2 POLICY

It is the policy of the Schoolcraft College Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

### 1011.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

### 1011.4 CRITERIA

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

#### 1011.4.1 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts. The documentation should contain:

- (a) Identifying information:
  1. For members of the Department - name, bureau and assignment at the date and time of the meritorious or commendable act
  2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the member submitting the documentation.

#### 1011.4.2 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

- (a) Identifying information:

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1. For members of the Department - name, bureau and assignment at the date and time of the meritorious or commendable act
  2. For individuals from the community - name, address, telephone number
- (b) A brief account of the meritorious or commendable act with report numbers, as appropriate.
- (c) The signature of the person submitting the documentation.

#### 1011.4.3 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Shift Supervisor for his/her review. The Shift Supervisor should sign and forward the documentation to the Chief of Police for his/her review.

The Chief of Police or the authorized designee will present the commendation to the department member for his/her signature. The documentation will then be returned to the Administration secretary for entry into the member's personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Administration Shift Supervisor. The documentation will be signed by the Shift Supervisor and forwarded to the Chief of Police for his/her review. An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

#### **1011.5 AWARDS**

Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

- Award of Valor.
- Award of Merit.
- Lifesaving Award.
- Meritorious Conduct.

Criteria for each award and the selection, presentation and display of any award are determined by the Chief of Police.

## **Fitness for Duty**

### **1012.1 PURPOSE AND SCOPE**

Monitoring members' fitness for duty is essential for the safety and welfare of the members of the Department and the community. The purpose of this policy is to ensure that all members of this department remain fit for duty and able to perform their job functions.

### **1012.2 POLICY**

The Schoolcraft College Police Department strives to provide a safe and productive work environment and ensure that all members of this department can safely and effectively perform the essential functions of their jobs. Under limited circumstances, the Department may require a professional evaluation of a member's physical and/or mental capabilities to determine his/her ability to perform essential functions.

### **1012.3 MEMBER RESPONSIBILITIES**

It is the responsibility of each member of this department to maintain physical stamina and psychological stability sufficient to safely and effectively perform the essential duties of his/her position.

During working hours, all members are required to be alert, attentive and capable of performing their assigned responsibilities.

Any member who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that a member believes that another department member is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

### **1012.4 SUPERVISOR RESPONSIBILITIES**

All supervisors should be alert to any indication that a member may be unable to safely perform his/her duties due to an underlying physical or psychological impairment or condition.

Such indications may include:

- (a) An abrupt and negative change in the member's normal behavior.
- (b) A pattern of irrational conduct, hostility or oppositional behavior.
- (c) Personal expressions of instability.
- (d) Inappropriate use of alcohol or other substances, including prescribed medication.
- (e) A pattern of questionable judgment, impulsive behavior or the inability to manage emotions.
- (f) Any other factor or combination of factors causing a supervisor to believe the member may be suffering from an impairment or condition requiring intervention.

Supervisors shall maintain the confidentiality of any information consistent with this policy.

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#### 1012.4.1 REPORTING

A supervisor observing a member, or receiving a report of a member, who is perceived to be unable to safely or effectively perform his/her duties shall promptly document all objective information and/or observations.

The supervisor should attempt to meet with the member to inquire about the conduct or behavior giving rise to the concerns.

If a meeting does not resolve the supervisor's concerns or does not take place, the supervisor shall promptly document his/her observations and actions in a written report and inform the Shift Supervisor or the member's Shift Supervisor.

#### 1012.4.2 DUTY STATUS

In conjunction with the Shift Supervisor or the member's Shift Supervisor, the supervisor should make a preliminary determination regarding the member's duty status.

If a determination is made that the member can safely and effectively perform the essential functions of his/her job, the member should be returned to duty and arrangements made for appropriate follow-up.

If a preliminary determination is made that the member's conduct or behavior represents an inability to safely and effectively perform the essential functions of his/her job, the Shift Supervisor or the member's Shift Supervisor should immediately relieve the member of duty pending further evaluation.

Employees relieved of duty shall comply with the administrative leave provisions of the Personnel Complaints Policy.

The Chief of Police shall be promptly notified in the event that any member is relieved of duty.

#### **1012.5 FITNESS-FOR-DUTY EVALUATIONS**

A fitness-for-duty evaluation may be ordered whenever circumstances reasonably indicate that a member is unfit for duty or following an officer-involved shooting or death-in-custody incident.

##### 1012.5.1 PROCESS

The Chief of Police, in cooperation with the Human Resources Department, may order the member to undergo a fitness-for-duty evaluation.

The examining practitioner will provide the Department with a report indicating whether the member is fit for duty. If the member is not fit for duty, the practitioner will include the existing restrictions or conditions in the report.

In order to facilitate the evaluation of any member, the Department will provide all appropriate documents and available information.

All reports and evaluations submitted by the examining practitioner shall be part of the member's confidential medical file.

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Any member ordered to undergo a fitness-for-duty evaluation shall comply with the terms of the order and cooperate fully with the examining practitioner. Any failure to comply with such an order and any failure to cooperate with the practitioner may be deemed insubordination and shall subject the member to discipline, up to and including termination.

Determinations regarding duty status of members who are found to be unfit for duty or fit for duty with limitations will be made in cooperation with the Human Resources Department.

#### **1012.6 LIMITATION ON HOURS WORKED**

Absent emergency operations, members should not work more than:

- 16 hours in a one-day (24 hours) period
- 30 hours in any two-day (48 hours) period
- 84 hours in any seven-day (168 hours) period

Except in unusual circumstances, members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve any member who has exceeded the above guidelines to off-duty status.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime and any other work assignments.

#### **1012.7 APPEALS**

Employees disputing the application or interpretation of this policy may submit a grievance as provided in the Grievances Policy.

## Meal Periods

### 1013.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the availability of meal periods and breaks.

### 1013.2 POLICY

It is the policy of the Schoolcraft College Police Department to provide meal periods and breaks to members of this department in accordance with the applicable collective bargaining agreement and the College personnel manual.

### 1013.3 MEAL PERIODS

Officers and dispatchers shall remain on-duty subject to call during meal periods. All other members are not on-call during meal periods unless directed otherwise by a supervisor.

Uniformed patrol and traffic officers shall request clearance from the base prior to taking a meal period. Uniformed officers shall take their meal periods on school property and shall monitor the police radio, unless on assignment outside of the College.

The time spent for the meal period shall not exceed the authorized time allowed.

## Payroll Records

### 1014.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

### 1014.2 POLICY

The Schoolcraft College Police Department maintains timely and accurate payroll records.

### 1014.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for approving the payroll records for those under their commands.

### 1014.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administration as established by the College payroll procedures.

### 1014.5 RECORDS

The Chief of Police, through the Police Department Associate, shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5; MCL 408.479). check wording here; do we maintain? Admin LT

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## Overtime Compensation

### 1015.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

### 1015.2 POLICY

The Schoolcraft College Police Department will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

### 1015.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(k)(2); 29 USC § 207(o)(1)).

Short periods of overtime worked at the end of the normal duty day (e.g., less than one hour in duration) may be handled informally by an agreement between the supervisor and the employee. In such cases, the supervisor shall document the overtime worked and schedule a subsequent shift adjustment within the same work period that the overtime was worked, rather than submit a request for overtime compensation (29 USC § 207(k)).

Salary exempt employees may be eligible for administrative leave, which may be granted at the discretion of the exempt employee's immediate supervisor.

### 1015.4 REQUESTS FOR OVERTIME COMPENSATION

#### 1015.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written.
- (b) Not work in excess of 16 hours, including regularly scheduled work time, overtime and extra-duty time, in any consecutive 24-hour period without supervisory approval.
- (c) Record the actual time worked in an overtime status using the department-approved form or method. Informal notations on reports, logs or other forms not approved for overtime recording are not acceptable.
- (d) Submit the request for overtime compensation to their supervisors by the end of shift or no later than the next calendar day.

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#### 1015.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.
  - 1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of department resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
  - 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an investigation consistent with the Personnel Complaints Policy.
- (c) After verifying and approving the overtime amount, promptly forward the request for compensation to the employee's Shift Supervisor for final approval.
  - 1. After the Shift Supervisor has authorized compensation, the request shall be submitted to Administration as soon as practicable.

Supervisors may not authorize or approve their own overtime.

#### 1015.5 ACCOUNTING FOR PORTIONS OF AN HOUR

Authorized overtime work shall be accounted in the increments as listed:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>
Up to 15 minutes	.25 hour
16 to 30 minutes	.50 hour
31 to 45 minutes	.75 hour
46 to 60 minutes	1 hour

#### 1015.5.1 VARIATION IN TIME REPORTED

When two or more employees are assigned to the same activity, case or court trial, and the amount of time for which overtime compensation is requested varies among the officers, the Shift Supervisor or other approving supervisor may require each employee to include the reason for the variation on the overtime compensation request.

#### 1015.6 REQUESTING USE OF COMPENSATORY TIME

Employees who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request, if the request does not unduly disrupt department operations. Requests to use compensatory time will be submitted to the employee's supervisor at least 24 hours in advance of its intended use. Supervisors may make exceptions in unusual or extraordinary circumstances.

Compensatory time may not be used for time off for a date and time when the employee is required to appear in court on department-related matters. Supervisors shall not unreasonably deny employee requests to use compensatory time (29 CFR 553.25).

## Outside Employment and Outside Overtime

### 1016.1 PURPOSE AND SCOPE

This policy provides guidelines for department members who seek to engage in authorized outside employment or outside overtime.

#### 1016.1.1 DEFINITIONS

Definitions related to this policy include:

**Outside employment** - Duties or services performed by members of this department for another employer, organization or individual who is not affiliated directly with this department when wages, compensation or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products or benefits rendered.

**Outside overtime** - Duties or services performed by members of this department for a private organization, entity or individual, that are requested and scheduled directly through the Department. Member compensation, benefits and costs for such outside services are reimbursed to the Department.

### 1016.2 POLICY

Members of the Schoolcraft College Police Department shall obtain written approval from the Chief of Police or the authorized designee prior to engaging in any outside employment or outside overtime. Approval of outside employment or overtime shall be at the discretion of the Chief of Police in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment or overtime, or engaging in outside employment or overtime that is prohibited by this policy, may lead to disciplinary action.

### 1016.3 OUTSIDE EMPLOYMENT

#### 1016.3.1 REQUEST AND APPROVAL

Members must submit an email to their immediate supervisors, requesting permission for outside employment. The email shall detail the name of the outside employer and shall detail the scope of employment, including the impact of scheduling to the Department. The email will then be forwarded through the chain of command to the Chief of Police for consideration.

If approved, the member will be provided with a return email from the immediate supervisor, notifying them of same. Unless otherwise indicated in writing in the email, approval for outside employment will be valid through the end of the calendar year in which the request is approved. Members seeking to continue outside employment must submit a new request email at the start of each calendar year.

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### *Outside Employment and Outside Overtime*

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#### 1016.3.2 DENIAL

Any member whose request for outside employment has been denied should be provided with a written notification of the reason at the time of the denial.

#### 1016.3.3 REVOCATION OR SUSPENSION

Any member whose approval for outside employment is revoked or suspended should be provided with a written notification of the reason for revocation or suspension.

Approval for outside employment may be revoked or suspended:

- (a) When a supervisor determines the member's performance is failing to meet standards and the outside employment may be related to the deficient performance.
  - 1. Approval for the outside employment may be reestablished when the member's performance has reached a satisfactory level and with his/her supervisor's authorization.
- (b) When a member's conduct or outside employment conflicts with department policy or any law.
- (c) When the outside employment creates an actual or apparent conflict of interest with the Department or College.

#### 1016.3.4 APPEAL

If a member's request for outside employment is denied or if previous approval is revoked or suspended, the member may file a written notice of appeal with the Chief of Police within 10 days of receiving notice of the denial, revocation or suspension.

A revocation or suspension will only be implemented after the member has completed the appeal process.

If the member's appeal is denied, he/she may file a grievance as provided in the Grievances Policy.

### **1016.4 REQUIREMENTS**

#### 1016.4.1 PROHIBITED OUTSIDE EMPLOYMENT

The Department reserves the right to deny any request for outside employment that involves:

- (a) The use of department time, facilities, equipment or supplies.
- (b) The use of the Schoolcraft College Police Department badge, uniform or influence for private gain or advantage.
- (c) The member's receipt or acceptance of any money or other consideration for the performance of duties or services that he/she would be required or expected to render in the course or hours of his/her employment, appointment or as a part of his/her regular duties.

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- (d) The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other member of this department.
- (e) Demands upon the member's time that would render the performance of his/her duties for this department deficient or substandard.
- (f) Activities that may conflict with any other policy or rule of the Department.

#### 1016.4.2 SECURITY AND LAW ENFORCEMENT OFFICER OUTSIDE EMPLOYMENT

The Department shall evaluate additional considerations before granting permission for outside employment as a law enforcement officer, private security guard, private investigator or other similar private security position. Included in these considerations are the potential for policy differences between the Department and the outside employer, potential liability with weapons or other use-of-force issues, training that may differ or run contrary to practices established by the Department, the potential reputation of the Department and the College should a incident occur with the outside employer, the potential impact on scheduling, court time, etc.

#### 1016.4.3 DEPARTMENT RESOURCES

Members are prohibited from using any department equipment or resources in the course of, or for the benefit of, any outside employment. This shall include the prohibition against any member using his/her position with this department to gain access to official records or databases of this department or other agencies.

#### 1016.4.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If a member terminates his/her outside employment, the member shall promptly submit written notification of such termination to the Chief of Police through the chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through the procedures set forth in this policy.

Members shall also promptly submit in writing to the Chief of Police any material changes in outside employment, including any change in the number of hours, type of duties or the demands of any approved outside employment. Members who are uncertain whether a change in outside employment is material are advised to report the change.

#### 1016.4.6 LEAVE OR RESTRICTED DUTY STATUS

Members who are placed on leave or other restricted duty status shall inform their immediate supervisors in writing within five days as to whether they intend to continue their outside employment while on such leave or restricted status. The immediate supervisor shall review the duties of the outside employment, along with any related orders (e.g., administrative, medical), and make a recommendation to the Chief of Police regarding whether such employment should continue.

In the event that the Chief of Police determines that the outside employment should be discontinued, or if the member fails to promptly notify his/her supervisor of his/her intention

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regarding outside employment, a notice revoking approval of the outside employment will be forwarded to the member and a copy attached to the original outside employment request form.

Criteria for revoking approval due to leave or restricted duty status include, but are not limited to:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the College's medical professional advisers.
- (b) The outside employment requires performance of the same or similar physical ability as would be required of an on-duty member.
- (c) The member's failure to make timely notice of his/her intention to the supervisor.

When the member returns to full duty with the Schoolcraft College Police Department, a written request may be submitted to the Chief of Police to approve the outside employment request.

#### **1016.5 OUTSIDE OVERTIME**

##### **1016.5.1 REQUESTS FOR SPECIAL SERVICES**

Any private organization, entity or individual seeking special services (e.g., security, traffic control) from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such services will be assigned, monitored and compensated through the Department as outside overtime assignments.

- (a) A request for special services during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute will not be approved.
- (b) The requester will be required to enter into an agreement that includes indemnification with the Department prior to approval.
- (c) The requester will be required to reimburse the Department for the members' compensation, benefits and costs (e.g., court time) associated with such outside services.
- (d) Should such a request be approved, any member working outside overtime shall be subject to the following conditions:
  - 1. The member shall wear the department uniform and carry department identification.
  - 2. The member shall be subject to the rules and regulations of this department.
  - 3. Compensation for such approved outside overtime shall be pursuant to normal overtime procedures (see the Overtime Compensation Policy).
  - 4. Outside overtime shall not be subject to the collective bargaining process.
- (e) Outside overtime shall be assigned at the discretion of the Chief of Police or the authorized designee.

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#### 1016.5.2 ARREST AND REPORTING PROCEDURE

Any officer making an arrest or taking other official law enforcement action while working in an outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to the Report Preparation Policy. Time spent on the completion of such reports shall be considered part of the outside overtime assignment.

#### 1016.5.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Shift Supervisor, undercover officers or officers assigned to covert operations shall not be eligible to work outside overtime in a uniformed or other capacity that could reasonably disclose the officer's law enforcement status.

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## Personal Appearance Standards

### 1017.1 PURPOSE AND SCOPE

This policy provides guidelines for the personal appearance of members of the Schoolcraft College Police Department.

Requirements for department uniforms and civilian attire are addressed in the Uniforms and Civilian Attire Policy.

### 1017.2 POLICY

Schoolcraft College Police Department members shall maintain their personal hygiene and appearance to project a professional image that is appropriate for this department and for their assignments. Department personal appearance standards are primarily based on safety requirements, appearance conformity and the social norms of the community served, while considering matters important to members of the Department.

### 1017.3 GROOMING

Unless otherwise stated and because deviations from these standards may present officer safety issues, the following appearance standards shall apply to all members, except those whose current assignments would deem them not applicable, and where the Chief of Police has granted an exception.

#### 1017.3.1 PERSONAL HYGIENE

All members must maintain proper personal hygiene. Examples of improper personal hygiene include, but are not limited to, dirty fingernails, bad breath, body odor and dirty or unkempt hair. Any member who has a condition due to a protected category (e.g., race, physical disability) that affects any aspect of personal hygiene covered by this policy may qualify for an accommodation and should report any need for an accommodation to the Chief of Police.

#### 1017.3.2 HAIR

Hair shall be clean, neatly trimmed or arranged, and of a natural hair color. Hairstyles with shaved designs in the scalp are prohibited. Hair adornments shall be primarily for the purpose of securing the hair and must present a professional image.

Hairstyles for male department members must not extend below the top edge of a uniform or dress shirt collar while assuming a normal stance.

When working a field assignment, hairstyles for female department members must not extend below the bottom edge of a uniform or dress shirt collar while assuming a normal stance. Longer hair shall be worn up or in a tightly wrapped braid or ponytail that is secured to the head above the bottom edge of the shirt collar.

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#### 1017.3.3 MUSTACHES

Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip and shall be short and neatly trimmed.

#### 1017.3.4 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

#### 1017.3.5 FACIAL HAIR

An officer may wear a beard or goatee, but it shall:

- (a) Be neatly trimmed.
- (b) Not be more than one half inch in depth.
- (c) Not extend on to the neck area; the neck must be clean shaven.

#### 1017.3.6 FINGERNAILS

Fingernails shall be clean and neatly trimmed to a length that will not present a safety concern. The color of fingernail polish shall present a professional image.

### **1017.4 APPEARANCE**

#### 1017.4.1 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related or obscene language is not allowed. See the Uniforms and Civilian Attire Policy for jewelry specifications that apply while wearing the department uniform.

- (a) Necklaces shall not be visible above the shirt collar.
- (b) Earrings shall be small, worn only in or on the earlobe and only by female department members. Earrings shall be limited to no more than two earrings per ear.
- (c) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.
- (d) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.
- (e) Wristwatches shall be conservative and present a professional image.
- (f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

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#### 1017.4.2 TATTOOS

While on-duty or representing the Schoolcraft College Police Department in any official capacity, members should make every reasonable effort to conceal tattoos or other body art. At no time while the member is on-duty or representing the Department in any official capacity shall any offensive tattoo or body art be visible. Examples of offensive tattoos include but are not limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

#### 1017.4.3 BODY PIERCING OR ALTERATION

Body piercing (other than earlobes) or alteration to any area of the body that is visible while on-duty or while representing the Schoolcraft College Police Department in any official capacity, that is a deviation from normal anatomical features and that is not medically required, is prohibited. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement (i.e., foreign objects inserted under the skin to create a design or pattern).
- (c) Abnormal shaping of the ears, eyes, nose or teeth (i.e., enlarged or stretched out holes in the earlobes).
- (d) Branding, scarification or burning to create a design or pattern.

#### 1017.4.4 DENTAL ORNAMENTATION

Dental ornamentation that is for decorative purposes and that is not medically required is prohibited while on-duty or while representing the Schoolcraft College Police Department in any official capacity. Such ornamentation includes, but is not limited to:

- (a) Objects that are bonded to front teeth.
- (b) Gold, platinum or other veneers or caps used for decorative purposes.
- (c) Orthodontic appliances that are colored for decorative purposes.

#### 1017.4.5 GLASSES AND CONTACT LENSES

Eyeglasses and sunglasses shall be conservative and present a professional image. Contact lenses with designs that change the normal appearance of the eye and that are not medically required are prohibited while on-duty or while representing the Schoolcraft College Police Department in any official capacity.

#### 1017.4.6 COSMETICS AND FRAGRANCES

Cosmetics shall be conservative and present a professional image. Use of cologne, perfume, aftershave lotion and other items used for body fragrance shall be kept to a minimum.

# Schoolcraft College Police Department

## Policy Manual

### *Personal Appearance Standards*

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#### 1017.4.7 UNDERGARMENTS

Proper undergarments shall be worn as necessary for reasons of hygiene and general appearance standards.

#### **1017.5 RELIGIOUS ACCOMMODATION**

The religious beliefs and needs of department members should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The Chief of Police should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves, simple head coverings, certain hairstyles or facial hair for religious reasons should generally be accommodated absent unusual circumstances.

## Uniforms and Civilian Attire

### 1018.1 PURPOSE AND SCOPE

This policy provides guidelines for Schoolcraft College Police Department-authorized uniforms and civilian attire regulations. It is established to ensure that uniformed members will be readily identifiable to the public through the proper use and wearing of department uniforms, and that the appearance of members who wear civilian attire reflects favorably on the Department.

This policy addresses the wearing and maintenance of department uniforms, accessories, insignia, patches and badge; the requirements for members who wear civilian attire; and the authorized use of optional equipment and accessories by members of the Department.

Other related topics are addressed in the Badges, Patches and Identification, Department-Owned and Personal Property, and Personal Appearance Standards policies.

### 1018.2 POLICY

The Schoolcraft College Police Department will provide uniforms for all employees who are required to wear them in the manner, quantity and frequency that is directed by the Chief of Police.

All uniforms and equipment issued to department members shall be returned to the Department upon termination or resignation.

### 1018.3 UNIFORMS

The Chief of Police or the authorized designee shall maintain and update uniform and equipment specifications, which should be consulted by all members as needed. Uniforms shall be worn as described therein and as specified in this policy.

The following shall apply to those assigned to wear department-issued uniforms:

- (a) Uniforms and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed.
- (b) Officers in a non-uniformed assignment shall possess and maintain at all times a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (c) Uniforms shall be worn in compliance with any applicable department specifications.
- (d) Members shall wear only the uniforms specified for their ranks and assignments.
- (e) Civilian attire shall not be worn in combination with any distinguishable part of a uniform.
- (f) Uniforms are only to be worn while on-duty, for court, at official department functions or events, while in transit to or from work, or when authorized by the Chief of Police or the authorized designee.

# Schoolcraft College Police Department

## Policy Manual

### *Uniforms and Civilian Attire*

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1. When the uniform is worn while in transit, a non-uniform outer garment shall be worn over the uniform shirt to avoid bringing attention to the member while he/she is off-duty.
- (g) Members are not to purchase or drink alcoholic beverages while wearing any part of department-issued uniforms, including the uniform pants.
- (h) All supervisors will perform periodic inspections of members under their commands to ensure conformance to this policy.

#### 1018.3.1 ACCESSORIES

Members shall adhere to the following when wearing department uniforms:

- (a) Mirrored sunglasses will not be worn.
- (b) Jewelry shall be in accordance with the specifications in the Personal Appearance Standards Policy.

#### 1018.3.2 INSIGNIA, PATCHES AND BADGE

Only the following elements may be affixed to department uniforms unless an exception is authorized by the Chief of Police:

- (a) Shoulder patch - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets.
- (b) Badge - The department-issued badge, or an authorized sewn-on cloth replica, must be worn and visible at all times while in uniform.
- (c) Nameplate - The regulation nameplate, or an authorized sewn-on cloth nameplate, shall be worn at all times while in uniform.
- (d) Rank insignia - The designated insignia indicating the member's rank must be worn at all times while in uniform.
- (e) Assignment insignias - Assignment insignias (e.g., Western Wayne County Police Mutual Aid Special Operations Team Western Wayne County Police Mutual Aid Special Operations Team, Field Training Officer (FTO)) may be worn as designated by the Chief of Police.
- (f) Award/commendation insignia - Insignia representing an award or commendation received under the Commendations and Awards Policy, or other recognition authorized by the Chief of Police, may be worn, centered above the nameplate. If more than one award is worn, the insignia shall be equally spaced in one, two or three horizontal rows centered above the nameplate in a manner that provides a balanced appearance.

# Schoolcraft College Police Department

## Policy Manual

### *Uniforms and Civilian Attire*

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#### 1018.3.3 MOURNING BAND

Uniformed members shall wear a black mourning band across the department badge whenever a law enforcement officer is killed in the line of duty or as directed by the Chief of Police. The following mourning periods will be observed:

- (a) Schoolcraft College Police Department officer - From the time of death until midnight on the 14th day after the death.
- (b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out-of-region fallen officer.
- (d) National Peace Officers' Memorial Day (May 15) - From 0001 hours until 2359 hours.
- (e) As directed by the Chief of Police.

#### 1018.4 UNIFORM CLASSES

The Chief of Police or the authorized designee shall determine the uniform to be worn by each department member or any deviations that may be authorized.

Uniforms are classified as follows:

- (a) Class A - Full dress uniform to be worn by designated department members on special occasions, such as funerals, graduations, ceremonies, or as directed by the Chief of Police or the authorized designee.
- (b) Class B - Standard issue uniform to be worn daily by designated department members.
- (c) Class C - General utility uniform to be worn by designated Department members.
- (d) Specialized assignment - Specific uniforms to be worn by members in special assignments or bureaus.

##### 1018.4.1 CLASS A UNIFORM

The Class A uniform consists of the following:

- (a) Dress hat
- (b) Long-sleeve shirt
- (c) Tie with tie bar
- (d) Trousers
- (e) Black belt
  - 1. Belts shall be equipped as needed for the member's assignment.
- (f) Dark blue or black sock
- (g) Black polished dress shoes.
- (h) White gloves

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### *Uniforms and Civilian Attire*

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#### 1018.4.2 CLASS B UNIFORM

The Class B uniform consists of the following:

- (a) Long- or short-sleeve shirt with the collar open and no tie
  - 1. A black crew neck t-shirt must be worn under the uniform shirt.
  - 2. All shirt buttons must remain buttoned except for the top button at the neck.
  - 3. Long sleeves must be buttoned at the cuff.
- (b) Trousers
- (c) Black belt
  - 1. Belts shall be equipped as needed for the member's assignment.
- (d) Dark blue or black socks
- (e) Black polished dress shoes
  - 1. Approved black unpolished shoes may be worn.
  - 2. Boots with pointed toes are not permitted.
  - 3. Decorative stitching or adornment is not permitted.
- (f) Weather-appropriate items
  - 1. Hat
  - 2. Jacket
  - 3. Rain gear

#### 1018.4.3 CLASS C UNIFORM

The Chief of Police or the authorized designee will establish the specifications, regulations and conditions for wearing the Class C uniform.

#### 1018.4.4 SPECIALIZED ASSIGNMENT UNIFORM

The Chief of Police or the authorized designee may authorize certain uniforms to be worn by members in specialized assignments, such as detectives, canine handlers, the Western Wayne County Police Mutual Aid Special Operations Team, bicycle patrol, motor officers and other specific assignments.

#### **1018.5 CIVILIAN ATTIRE**

There are assignments within the Department that do not require a uniform because recognition and authority are not essential to their functions. There are also assignments for which civilian attire is necessary.

- (a) Civilian attire shall fit properly, be clean and free of stains, and not be damaged or excessively worn.

# Schoolcraft College Police Department

## Policy Manual

### *Uniforms and Civilian Attire*

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- (b) Members assigned to administrative, investigative and support positions shall wear business-appropriate clothing that is conservative in style.
- (c) Variations from this policy are allowed at the discretion of the Chief of Police or the authorized designee when the member's assignment or current task is not conducive to wearing such clothing.
- (d) No item of civilian attire may be worn while on-duty that would adversely affect the reputation of the Schoolcraft College Police Department or the morale of the members.
- (e) The following items shall not be worn while on-duty or when representing the Department in any official capacity:
  - 1. Clothing that reveals cleavage, the back, chest, stomach or buttocks
  - 2. T-shirt alone or exposed undergarments
  - 3. Swimsuits, tank tops, tube tops or halter tops
  - 4. Sweatshirts, sweatpants or similar exercise clothing
  - 5. Spandex-type pants or transparent clothing
  - 6. Denim pants of any color
  - 7. Shorts
  - 8. Clothing, buttons or pins displaying racial, sexual, discriminatory, gang-related or obscene language

#### **1018.6 OPTIONAL EQUIPMENT**

Any items that are allowed by the Schoolcraft College Police Department but that have been identified as optional shall be purchased entirely at the expense of the member. No part of the purchase cost shall be offset by the department.

Maintenance of optional items shall be the financial responsibility of the purchasing member (e.g., repairs due to normal wear and tear).

Replacement of items listed in this policy as optional shall be managed as follows:

- (a) When the item is no longer functional because of normal wear and tear, the member bears the full cost of replacement.
- (b) When the item is no longer functional because of damage in the course of the member's duties, it shall be replaced in accordance with the Department-Owned and Personal Property Policy.

#### **1018.7 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES**

Schoolcraft College Police Department members may not wear any uniform item, accessory or attachment unless specifically authorized by the Chief of Police or the authorized designee.

# Schoolcraft College Police Department

## Policy Manual

### *Uniforms and Civilian Attire*

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Department members may not use or carry any safety item, tool or other piece of equipment unless specifically authorized by the Chief of Police or the authorized designee.

## Conflict of Interest

### 1019.1 PURPOSE AND SCOPE

The purpose of this policy is to assist members in recognizing and avoiding potential conflicts of interest, thereby ensuring effective and ethical operating practices on the part of the Schoolcraft College Police Department.

#### 1019.1.1 DEFINITIONS

Definitions related to this policy include:

**Conflict of interest** - Any actual, perceived or potential conflict, in which it reasonably appears that a member's action, inaction or decisions are or may be influenced by a personal or business relationship.

### 1019.2 POLICY

Members of the Schoolcraft College Police Department are expected to conduct themselves with the utmost professional integrity and objectivity. Members will guard against actual or perceived conflicts of interest in order to ensure the fair and equitable treatment of department members and the public, and thereby maintain the trust of the public and department members.

### 1019.3 PROHIBITIONS

The Department prohibits the following types of personal or business relationships among members:

- (a) Members are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other member who is a relative or with whom they are involved in a personal or business relationship.
  - 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved member to an uninvolved supervisor.
  - 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing members in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any member to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Members are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting a member who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, field training officers (FTOs) and other trainers will not be assigned to train relatives. Department FTOs and other trainers are prohibited from

# Schoolcraft College Police Department

## Policy Manual

### *Conflict of Interest*

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entering into or maintaining personal or business relationships with any member they are assigned to train until such time as the training has been successfully completed and the person is off probation.

#### **1019.4 CONFLICTS IN CONTRACTING**

Members shall not enter into any contract with the Department or participate in making a contract with any person or business with which the member has an employment or substantial interest if it is prohibited by Michigan law (MCL 15.322; MCL 15.323; MCL 15.323a; MCL 15.324).

#### **1019.5 MEMBER RESPONSIBILITIES**

Members shall avoid situations that create a conflict of interest. Members should take reasonable steps to address a perception of a conflict of interest when such a perception is reasonably foreseeable and avoidable (e.g., deferring a decision to an uninvolved member).

Whenever any member is placed in circumstances that would require him/her to take enforcement action or to provide official information or services to any relative or individual with whom the member is involved in a personal or business relationship, that member shall promptly notify his/her uninvolved, immediate supervisor.

In the event that no uninvolved supervisor is immediately available, the member shall promptly notify the base to have another uninvolved member either relieve the involved member or, minimally, remain present to witness the action.

#### **1019.6 SUPERVISOR RESPONSIBILITIES**

Upon being notified of or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police or the authorized designee of such actual or potential violations through the chain of command.

## Badges, Patches and Identification

### 1020.1 PURPOSE AND SCOPE

The Schoolcraft College Police Department (SCPD) badge, patch and identification card, as well as the likeness of these items and the name of the Department, are property of the Department. Their use shall be restricted as set forth in this policy.

### 1020.2 POLICY

Members of the Department will use the SCPD badge, patch and identification card, as well as the likeness of these items, appropriately and professionally.

### 1020.3 UNAUTHORIZED USE

The SCPD badge, patch and identification card shall not be displayed or used by any member except when acting in an official or authorized capacity.

Department members shall not:

- (a) Display or use the SCPD badge, patch or identification card for personal gain or benefit.
- (b) Loan the SCPD badge, patch or identification card to others or permit these items to be reproduced or duplicated.
- (c) Use images of the SCPD badge, patch or identification card, or the likeness thereof, or the Schoolcraft College Police Department name, for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as email, blogs, social networking or websites.

#### 1020.3.1 LOST BADGE, PATCH OR IDENTIFICATION CARD

Department members shall promptly notify their supervisors whenever their SCPD badges, patches or identification cards are lost, damaged or are otherwise removed from their control.

### 1020.4 BADGES

The Chief of Police shall determine the form of badges authorized for use by department members. No other badges may be used, carried, worn or displayed.

Only badges issued by this department are authorized to be used, displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

Members, with the written approval of the Chief of Police, may purchase at their own expense a second badge or flat badge that can be carried in a wallet.

#### 1020.4.1 RETIREE BADGES

The Chief of Police may establish rules for allowing honorably retired members to keep their badges in some form upon retirement, for use as private memorabilia.

# Schoolcraft College Police Department

## Policy Manual

### *Badges, Patches and Identification*

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#### 1020.4.2 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the SCPD badge shall not be used for any purpose without the express authorization of the Chief of Police and shall be subject to the following:

- (a) An authorized employee group may use the likeness of the SCPD badge for merchandise and official employee group business provided it is used in a clear representation of the employee group and not the Schoolcraft College Police Department. The following modification shall be included:
  - 1. Any text identifying the Schoolcraft College Police Department is replaced with the name of the employee group.
  - 2. A badge number is not included. That portion of the badge may display the acronym of the employee group.

#### 1020.5 IDENTIFICATION CARDS

All members will be issued an official SCPD identification card bearing the member's name, full-face photograph, member identification number, member's signature and signature of the Chief of Police or the official seal of the Department. All members shall be in possession of their department-issued identification cards at all times while on-duty or in department facilities.

- (a) Whenever on-duty or acting in an official capacity representing the Department, members shall display their department-issued identification cards in a courteous manner to any person upon request and as soon as practicable.
- (b) Officers or other members working specialized assignments may be excused from the possession and display requirements when directed by their Shift Supervisors.

#### 1020.6 BUSINESS CARDS

The Department will supply business cards to those members whose assignments involve frequent interaction with the public or who may require the use of a business card. The only authorized business cards are those issued or approved by the Department and should contain identifying information including, but not limited to, the member's name, bureau, badge or other identification number and contact information (e.g., telephone number, email address).

Members should provide a business card upon request.

## Temporary Modified-Duty Assignments

### 1021.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, College rules or current collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

### 1021.2 POLICY

Subject to operational considerations, the Schoolcraft College Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

### 1021.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Schoolcraft College Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

### 1021.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

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## Policy Manual

### *Temporary Modified-Duty Assignments*

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Employees seeking a temporary modified-duty assignment should submit a written request to their Shift Supervisors or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Shift Supervisor will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Human Resources Department or the College Attorney as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Shift Supervisor or Shift Supervisor, with notice to the Chief of Police.

#### **1021.5 ACCOUNTABILITY**

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Shift Supervisor.

##### **1021.5.1 EMPLOYEE RESPONSIBILITIES**

The responsibilities of employees assigned to temporary modified duty shall include, but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Shift Supervisor that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

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### *Temporary Modified-Duty Assignments*

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#### 1021.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but are not limited to:

- (a) Periodically apprising the Shift Supervisor of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Shift Supervisor and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

#### 1021.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

#### 1021.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

##### 1021.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the College's personnel rules and regulations regarding family and medical care leave.

#### 1021.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

#### 1021.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees

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## *Temporary Modified-Duty Assignments*

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who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

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# Speech, Expression and Social Networking

## 1022.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the Schoolcraft College Police Department.

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech and use of all Internet services, including the Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

## 1022.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Schoolcraft College Police Department. 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 efficiently provide service to the public, the Department will carefully balance the individual member's rights against the needs and interests of the Department when exercising a reasonable degree of control over its members' speech and expression.

## 1022.3 SAFETY

Members should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Schoolcraft College Police Department members, such as posting personal information in a public forum or posting a photograph taken with a GPS-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.

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### *Speech, Expression and Social Networking*

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- Disclosing the address of a fellow department member.
- Otherwise disclosing where another officer can be located off-duty.

#### **1022.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT**

To meet the safety, performance and public-trust needs of the Schoolcraft College Police Department, the following are prohibited unless the speech is otherwise protected (for example, a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, on a matter of public concern):

- (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 members.
- (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 members. Examples may include:
  1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
  2. Expression that demonstrates support for criminal activity.
  3. Participation in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting to a website statements or expressions that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the Department (e.g., a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape).
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment or appointment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Schoolcraft

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## Policy Manual

### *Speech, Expression and Social Networking*

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College Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

#### **1022.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS**

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the Schoolcraft College Police Department or identify themselves in any way that could be reasonably perceived as representing the Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video or public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Schoolcraft College Police Department.

Members retain their rights to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

#### **1022.5 PRIVACY EXPECTATION**

Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.

# Schoolcraft College Police Department

## Policy Manual

### *Speech, Expression and Social Networking*

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#### 1022.5.1 PROHIBITIONS

The Department shall not request or require members or applicants to provide access to, viewing of or disclosure of private internet accounts (MCL 37.273).

#### 1022.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

#### 1022.7 TRAINING

Subject to available resources, the Department should provide training regarding the limitations on speech, expression and use of social networking to all members of the Department.

#### 1022.8 REPORTING VIOLATIONS

Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

## Line-of-Duty Deaths

### 1023.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Schoolcraft College Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

#### 1023.1.1 DEFINITIONS

Definitions related to this policy include:

**Line-of-duty death** - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

**Survivors** - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

### 1023.2 POLICY

It is the policy of the Schoolcraft College Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

### 1023.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Shift Supervisor and Base.
  1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Chief of Police or his/her designee section of this policy).
- (b) The Shift Supervisor should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Shift Supervisor or the authorized designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

#### **1023.4 NOTIFYING SURVIVORS**

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Shift Supervisor or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital. Notifying members should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.
- (g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Schoolcraft College Police Department members may be apprised that survivor notifications are complete.

#### **1023.4.1 OUT-OF-AREA NOTIFICATIONS**

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

#### **1023.5 NOTIFYING DEPARTMENT MEMBERS**

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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#### **1023.6 LIAISONS AND COORDINATORS**

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Critical Incident Stress Management (CISM) coordinator.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

##### **1023.6.1 DEPARTMENT LIAISON**

The Department Liaison should be a Shift Supervisor or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.
- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.
- (g) Ensuring that department members are reminded of appropriate information-sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

#### 1023.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
  - 1. The survivors and others whose presence is requested by the survivors.
  - 2. Department members and friends of the deceased member.
  - 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Schoolcraft College Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
  - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
  - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

#### 1023.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Shift Supervisor. The following should be considered when selecting the Survivor Support Liaison:

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

- (a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.
- (b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.
- (c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.
- (d) Providing assistance with travel and lodging arrangements for out-of-town survivors.
- (e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:
  1. Items should not be delivered to the survivors until they are ready to receive the items.
  2. Items not retained as evidence should be delivered in a clean, unmarked box.
  3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
  4. The return of some personal effects may be delayed due to ongoing investigations.
- (f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.
  1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.
- (g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.
- (h) Coordinating with the department's Chief of Police or his/her designee (Chief of Police or his/her designee) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Chief of Police or his/her designee section of this policy).
- (i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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- (j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.
- (k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.
- (l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).
- (m) Inviting survivors to department activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

#### 1023.6.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:
  - 1. Members involved in the incident.
  - 2. Members who witnessed the incident.
  - 3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.
- (c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.
- (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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- (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

#### 1023.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
  - 1. Honor Guard
    - (a) Casket watch
    - (b) Color guard
    - (c) Pallbearers
    - (d) Bell/rifle salute
  - 2. Bagpipers/bugler
  - 3. Uniform for burial
  - 4. Flag presentation
  - 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

#### 1023.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Schoolcraft College Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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#### 1023.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and will assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Workplace Illness and Injury Reporting Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
  - 1. Public Safety Officers' Educational Assistance (PSOEA) Program.
  - 2. Social Security Administration.
  - 3. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
  - 1. Michigan Public Safety Officers Benefit Act (MCL 28.631 et seq.).
  - 2. Michigan Fire Fighters and Police Officers Retirement Act death benefits (MCL 38.556; MCL 38.556b).
  - 3. Michigan Police Officer's and Fire Fighter's Survivor Tuition Grant Act (MCL 390.1241 et seq.).
  - 4. Peace officers medical and burial expenses (MCL 419.102).
- (d) Researching and assisting survivors with application for other survivor benefits such as:
  - 1. Private foundation survivor benefits programs.
  - 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
  - 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.
- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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#### 1023.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
  - 1. Paying survivors' travel costs if authorized.
  - 2. Transportation costs for the deceased.
  - 3. Funeral and memorial costs.
  - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

#### 1023.7 CHIEF OF POLICE OR HIS/HER DESIGNEE

In the event of a line-of-duty death, the department's Chief of Police or his/her designee should be the department's contact point for the media. As such, the Chief of Police or his/her designee should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the Chief of Police or his/her designee.
- (c) Prepare necessary press releases.
  - 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
  - 2. Ensure that important public information is disseminated, such as information on how the public can show support for the department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
  - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

# Schoolcraft College Police Department

## Policy Manual

### *Line-of-Duty Deaths*

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The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the Chief of Police or his/her designee should request that the media withhold the information from release until proper notification can be made to survivors. The Chief of Police or his/her designee should ensure that media are notified when survivor notifications have been made.

#### **1023.8 DEPARTMENT CHAPLAIN**

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain are in the Chaplains Policy.

#### **1023.9 INVESTIGATION OF THE INCIDENT**

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

#### **1023.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL**

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

#### **1023.11 NON-LINE-OF-DUTY DEATH**

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

# Schoolcraft College Police Department Policy Manual

Policy Manual

## **Attachments**

**SFST\_Procedures.pdf**

**THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION  
STANDARDIZED FIELD SOBRIETY  
TESTING PROCEDURES**

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**HORIZONTAL GAZE NYSTAGMUS INSTRUCTIONS**

1. Please remove your glasses (if worn).
  2. Put your feet together, hands at your side. Keep your head still and look at and follow this stimulus with your eyes only.
  3. Keep looking at the stimulus until told the test is over.
  4. Do not move your head.
  5. Do you understand the directions?
- 

**WALK AND TURN INSTRUCTIONS**

1. Put your left foot on the line, then place your right foot on the line ahead of your left, with the heel of your right foot against the toe of your left foot.
  2. Do not start until I tell you to do so.
  3. Do you understand? (must receive affirmative response)
  4. When I tell you to begin, take 9 heel-to-toe steps on the line (demonstrate) and take 9 heel-to-toe steps back down the line.
  5. When you turn on the ninth step, keep your front foot on the line and turn taking several small steps with the other foot (demonstrate) and take 9 heel-to-toe steps back down the line.
  6. Ensure you look at your feet, count each step out loud, keep your arms at your side, ensure you touch heel-to-toe and do not stop until you have completed the test.
  7. Do you understand the instructions?
  8. You may begin.
  9. If the suspect does not understand some part of the instructions, only the part in which the suspect does not understand should be repeated.
- 

**ONE-LEG-STAND INSTRUCTIONS**

1. Stand with your feet together and your arms at your side (demonstrate)
2. Maintain position until told otherwise.
3. When I tell you to, I want you to raise one leg, either one, approximately 6 inches off the ground, foot pointed out, both legs straight and look at the elevated foot. Count out loud in the following manner: 1001, 1002, 1003, 1004 and so on until told to stop
4. Do you understand the instructions?
5. You may begin the test.

SUBJECT NAME \_\_\_\_\_

INCIDENT # \_\_\_\_\_

**HORIZONTAL GAZE NYSTAGMUS TEST**

\* Check for equal tracking, pupil size and resting nystagmus

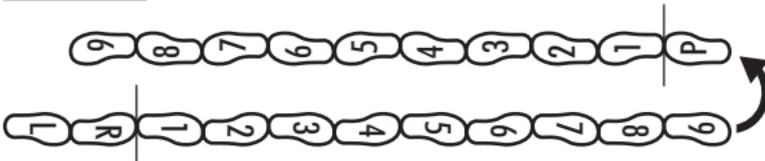
- \_\_\_\_\_ Lack of smooth pursuit: Left eye
- \_\_\_\_\_ Lack of smooth pursuit: Right eye
- \_\_\_\_\_ Distinct and sustained nystagmus at maximum deviation:  
Left eye
- \_\_\_\_\_ Distinct and sustained nystagmus at maximum deviation:  
Right eye
- \_\_\_\_\_ Onset of nystagmus prior to 45degrees: Left eye
- \_\_\_\_\_ Onset of nystagmus prior to 45 degrees: Right eye
- \_\_\_\_\_ Check for vertical gaze nystagmus

\_\_\_\_\_ **TOTAL CLUES OBSERVED (6 MAX)**

---

**WALK AND TURN TEST**

- \_\_\_\_\_ Can't keep balance during instructions
- \_\_\_\_\_ Starts too soon
- \_\_\_\_\_ Stops walking
- \_\_\_\_\_ Misses heel-to-toe
- \_\_\_\_\_ Steps off line
- \_\_\_\_\_ Uses arms for balance
- \_\_\_\_\_ Improper turn
- \_\_\_\_\_ Incorrect number of steps



\_\_\_\_\_ **TOTAL CLUES OBSERVED (8 MAX)**

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**ONE-LEG STAND TEST**

- \_\_\_\_\_ Sways while balancing
  - \_\_\_\_\_ Uses arms to balance
  - \_\_\_\_\_ Hopping
  - \_\_\_\_\_ Puts foot down
- \_\_\_\_\_ Foot Raised

\_\_\_\_\_ **TOTAL CLUES OBSERVED (4 MAX)**

---

DATE: \_\_\_\_\_

TIME: \_\_\_\_\_

**SCPD Oath of Office.pdf**

# Schoolcraft College

18600 Haggerty Road • Livonia, MI 48152-2696  
734-462-4400 • www.schoolcraft.edu

## LAW ENFORCEMENT OFFICERS' OATH

STATE OF MICHIGAN)

) ss \_\_\_\_\_

COUNTY OF WAYNE)

I, \_\_\_\_\_, do solemnly swear that I will observe and support the Constitution of the United States of America; the Constitution of the State of Michigan; all duly authorized local charters and ordinances; the Rules and Regulations of the Schoolcraft College Police Department; and that I will faithfully perform the duties of Police Officer to the best of my ability.

\_\_\_\_\_  
Signed

Subscribed and sworn before me this \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_  
Signature

Chief of Police (or designee)

Schoolcraft College

# Schoolcraft College Police Department Policy Manual

Policy Manual

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