Chapter 4 - Patrol Operations

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Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the Patrol Bureau of the Department to ensure intra-Department cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of West Valley City, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours per day seven days per week. Officers assigned to patrol will sign up for their shift and days off via a bid process. The Deputy Chief of the Patrol Operations Bureau will be responsible for the frequency of the bid, scheduling and assignments to service areas.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.

(b) Crime prevention activities such as residential inspections, business inspections, community presentations.

(c) Calls for service, both routine and emergency in nature.

(d) Investigation of both criminal and non-criminal acts.

(e) The apprehension of criminal offenders.

(f) Community Oriented Policing and problem solving activities such as citizen assists and individual citizen contacts of a positive nature.

(g) The sharing of information between the Patrol Bureau and other bureaus within the Department, as well as other outside governmental agencies.

(h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and problem solving strategies.

(i) Traffic direction and control.

400.1.2 TERRORISM

It is the goal of the West Valley City Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report. The supervisor should ensure that all terrorism related reports are forwarded to the Intelligence Unit Supervisor in a timely fashion.

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400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various bureaus of the West Valley City Police Department.

400.2.1 INFORMATION AND INTELLIGENCE UNIT

The Information and Intelligence Unit (IIU) will be the central unit for information exchange. Criminal information and intelligence reports can be submitted to the Intelligence Unit for distribution to all bureaus within the Department through daily and special bulletins.

400.2.2 INITIAL REPORTS

An initial report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.3 PATROL BRIEFING

Patrol supervisors, detective sergeants and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol Briefing as time permits.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting 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. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws when the activity blocks the entrance or egress of a facility or location, and when voluntary compliance with the law is not achieved.

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Unlawful or Improper Bias in Public Safety

401.1 PURPOSE AND SCOPE

This policy provides guidance to Department members that affirms the West Valley City Police Department's commitment to policing that is fair and objective (Utah Code 10-3-913; Utah Code 17-72-301; Utah Code 53-1-108).

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, and partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Improper Bias in Public Safety - 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 West Valley City Police Department is committed to providing law enforcement services to the community with due regard for the 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 unlawful or improper bias toward any individual or group.

401.3 IMPROPER BIAS IN POLICING PROHIBITED

Unlawful or improper bias in policing is strictly prohibited (Utah Code 53-6-210.5).

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 their duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of unlawful or improper bias in policing to a supervisor. Members of the Department should, when reasonable to do so, intervene to prevent any unlawful or improper biased actions by another member (Utah Code 53-6-210.5).

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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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.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints policy.

(a) Supervisors should discuss any issues with the involved officer and the officer's supervisor in a timely manner.

    (a) 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.

    (a) Supervisors should document these periodic reviews.

    (b) Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy (Utah Code 53-6-211).

(d) Supervisors shall take prompt and reasonable steps to address any retaliatory action taken against any member of this Department who discloses information concerning unlawful or improper bias in policing (Utah Code 53-6-210.5).

401.6 ADMINISTRATION

The Administrative Services Bureau shall review the Department's efforts to provide fair and objective policing, and shall submit an annual administrative review that includes activities with a potential for improper or unlawful bias, including traffic and field contacts, asset forfeiture efforts, complaints, and any corrective measures taken. The review shall indicate whether any policy, training, equipment, or disciplinary issues should be addressed. The annual administrative review should not contain any identifying information about any specific complaint, member of the public, or officer.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

401.7 TRAINING

(a) Training on fair and objective policing, and a review of this policy shall be conducted annually for all affected personnel, to include:

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1. Explicit and implicit biases.
2. Avoiding improper profiling.

(b) Initial training on unlawful or improper bias in policing shall be provided to all affected personnel as part of the In-House Academy, or new employee orientation, prior to assignment.

(c) Any sustained incidents of improper bias in policing shall be addressed with remedial training as appropriate, in addition to disciplinary action.

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Briefing

402.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the officer's assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Briefing; however officers may conduct Briefing for training purposes with supervisor approval.

402.2 PREPARATION OF MATERIALS

The supervisor conducting Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in their absence or for training purposes.

The Training Unit is responsible for preparing Daily Training Bulletins (DTBs) and distributing them to all sworn personnel.

402.3 BRIEFING

All bureaus and specialized units will conduct regular briefing to discuss, disseminate, and exchange information among Department members, work groups, and other organizations. A supervisor generally will conduct briefing. However, the supervisor may delegate this responsibility to a subordinate member in the supervisor's absence or for training purposes.

Briefing 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 [departmentalDirective]s and any recent policy changes.

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402.4 TRAINING

Briefing 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.

402.5 RETENTION OF BRIEFING TRAINING RECORDS

Briefing training materials and a curriculum or summary shall be forwarded to the Training Unit sergeant for inclusion in training records, as appropriate.

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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 West Valley City 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, the officer shall maintain the crime or disaster scene until he/she 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.

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

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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 EXECUTION OF HEALTH ORDERS

Any sworn member of the West Valley City Police Department may assist in enforcement of orders of restriction issued by the Department of Health and Human Services or local health authority for the purpose of preventing the spread of any contagious, infectious, or communicable disease (Utah Code 26B-7-304; Utah Code 26B-7-306).

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Ride-Along Program

404.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function firsthand. This policy provides the requirements, approval process and hours of operation for the Ride-Along Program.

404.1.1 ELIGIBILITY

The West Valley City Police Department Ride-Along Program is offered to residents, students and those employed within the City. Every attempt will be made to accommodate interested persons, however, any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15-years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the Department
- Denial by any supervisor

404.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 08:00 a.m. to 02:00 a.m. in four (4) hour maximum blocks. Exceptions to this schedule may be made as approved by the Chief of Police, Bureau Commander or Watch Commander.

404.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Administrative Sergeant or their designee. The participant will complete a Ride-Along Waiver Form. Information requested will include a valid ID or Utah driver's license, address and telephone number. If the participant is under 18-years of age, a parent/guardian must be present to complete the Ride-Along Waiver Form.

The Administrative Sergeant, or their designee, will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Watch Commander as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise of the denial.

404.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months unless an exception is approved by the Chief of Police, Section Commander or Patrol Section. Current police officer applicants may participate in two ride-along shifts during the hiring process.

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An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

404.2.2 SUITABLE ATTIRE
Any person approved to ride-along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, tee shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Watch Commander or field supervisor may refuse a ride along to anyone not properly dressed.

404.2.3 PEACE OFFICER RIDE-ALONGS
Off-duty members of the Department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Watch Commander. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

404.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK
All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a state records check through the Bureau of Criminal Investigation (BCI) prior to their approval as a ride-along with a law enforcement officer, provided that the ride-along is not an employee of the West Valley City Police Department.

404.2.5 IMMEDIATE FAMILY MEMBERS/VECC EMPLOYEES/CIVILIAN STAFF
Members of an officer's immediate family, VECC employees, and civilian staff may ride along with permission from the Watch Commander. The approving supervisor shall ensure that a waiver of liability is signed for each ride along. The waiver shall be maintained in a file by the Records Section. This category of ride along may ride once every quarter.

404.3 OFFICER'S RESPONSIBILITY
The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another police vehicle respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The Administrative Sergeant is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the Ride-Along Waiver Form shall be returned to the Administrative Sergeant with any comments which may be offered by the officer.

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

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(a) The ride-along will follow the directions of the officer.

(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects or handling any police equipment.

(c) The ride-along may terminate the ride at any time. If the ride-along interferes with the performance of the officer's duties, the officer may terminate the ride-along and return the observer to his/her home or to the station.

(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.

(e) Officers will not allow any ride-alongs to be present in any residence or situation that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

(f) Under no circumstance shall a civilian ride-along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.

(g) No weapons will be carried by a ride along participant, except for certified law enforcement officers.

404.5 WATCH COMMANDER'S RESPONSIBILITY

Watch Commanders shall insure that all the required elements of the ride along program are met and adhered to.

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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, and 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 West Valley City 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 collision, 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 Dispatch, appropriate supervisors, the appropriate fire department and hazardous response units.

(c) Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.

(d) Wear personal protective equipment (PPE), being cognizant that some hazardous material can be inhaled.

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(e) 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.

(f) 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:
    i. The type of material.
    ii. How to secure and contain the material.
    iii. Any other information to protect the safety of those present, the community and the environment.

(g) Provide first aid to injured parties if it can be done safely and without contamination.

(h) Make reasonable efforts to secure the scene to prevent access from unauthorized individuals and to protect and identify any evidence.

(i) 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.

(j) Establish a decontamination area when needed.

(k) Activate automated community notification systems, if applicable.

(l) Notify the Utah Department of Environmental Quality, Division of Waste Management and Radiation Control.

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 Watch Commander 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.

Injury or illness caused or believed to be caused from 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.

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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, PPE is available from supervisors. PPE not maintained by this Department may be available through the appropriate fire department or emergency response team.

405.6 TRAINING

At least every three years, personnel whose assignment may bring them into contact with hazardous materials in the field shall receive training on hazmat awareness and basic procedures to protect themselves and others from exposure.

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Hostage and Barricade Incidents

406.1 PURPOSE AND SCOPE

Hostage situations and barricaded suspects present unique problems for agencies. The protection of the public and law enforcement personnel is of the utmost importance. Proper planning and training will tend to reduce the risks involved with these incidents.

The police mission, when dealing with any hostage or barricaded subject, is to obtain the safe release of the hostage/s or other involved victims and to apprehend the suspect/s.

Negotiations may be utilized to effect the safe outcome of the situation. Negotiation tactics are held confidential to protect the strength of the police negotiating position.

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.

406.2 POLICY

It is the policy of the West Valley City 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.

406.4 FIRST RESPONDER RESPONSIBILITY

Until the Incident Commander has been designated, the first officer on the scene of an actual or potential hostage/barricade situation assumes that role. Upon the arrival of the supervisor and/or Watch Commander that role shall revert to the highest rank. All of the above should consider the following:

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(a) Determine if a hostage/barricaded subject situation actually exists. Notify the Field Supervisor and/or the Watch Commander and request sufficient police personnel to contain the potential situation.

(b) If possible, determine the location and number of suspects, hostages, or other involved persons. Determine the number and type of weapons involved, if any.

(c) Attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of trained personnel and/or trained hostage negotiation personnel. If contact is initiated by the suspect/s preliminary communications may be started to diffuse the situation. Officers should at all times act to protect the lives of the public, the victim/s, the officer/s, and the suspect/s.

(d) Report the confirmed situation to dispatch.

(e) Notification of appropriate persons within the agency, such as on duty supervisor/s, Watch Commander/s, Chief of Police, Deputy Chiefs of Police, tactical team leaders, negotiators, Public Information Officer and other personnel as appropriate.

(f) Establishment of inner and outer perimeters including a traffic perimeter to prevent any unauthorized persons from entering an unsafe area.

(g) Evacuation of bystanders, injured persons, residences, or business' from the inner perimeter to a centralized safe location as determined by a supervisor.

(h) Establishment of central command post and appropriate chain of command.

(i) Request for ambulance, rescue, fire and surveillance equipment as required.

(j) Authorization for news media access and implementation of Department policy regarding the news media.

(k) Provide specific and safe routes of travel for all responding units.

(l) Pursuit/surveillance vehicles and control of travel routes.

(m) If the suspect/s and hostage/s are mobile (either on foot or in a vehicle) monitor their movements until such time as they can be immobilized. Once immobilized, they should not be allowed to become mobile again unless this is authorized by a supervisor, Watch Commander, or other involved command officer.

406.4.1 SUPERVISOR RESPONSIBILITIES

The Field Supervisor, Watch Commander, or Incident Commander shall assume responsibility for:

(a) Directing and supervising the initial response, containment, and stabilization of the scene.

(b) Establishing a command post.

(c) Notification of appropriate personnel including Chief of Police, Deputy Chiefs of Police, SWAT team leaders, hostage negotiators, and the Public Information Officer.

(d) If the Public Information Officer is not available, designate a temporary information officer. This may be a supervisor or officer to act as a liaison between the media and the department. The PIO or temporary information officer shall make approved and appropriate news releases to the media to keep them informed of the situation.

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The PIO will cooperate with the media to the extent that the operation will not be jeopardized and reasonable safety will be observed.

(e) Consulting with CRT Commander and/or appropriate Deputy Chief to decide if a tactical withdrawal is warranted. In general, if the barricaded subject is only a threat to themselves, and there is no reason to believe that their actions pose a threat to anyone else, then a tactical withdrawal should be considered in lieu of generating a potential deadly force situation.

406.4.2 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. During 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 non-injured persons in the immediate threat area if it is reasonably safe to do so.

(f) Attempt or 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.

(i) Determine the need for and notify the appropriate persons within and outside the Department, such as the Section Lieutenant.

(j) Establish a command post.

406.4.3 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

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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 Crisis Team 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, Crisis Response Team).

(f) Provide responding emergency personnel with a safe arrival route to the location.

(g) Evacuate non-injured 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 or 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.

(l) Determine the need for and notify the appropriate persons within and outside the Department, such as the Section Lieutenant.

(m) Establish a command post.

406.5 CRISIS RESPONSE TEAM RESPONSIBILITIES

It will be the Incident Commander’s decision, with input from the Crisis Response Team (CRT) Commander and the Special Operations Deputy Chief, whether to deploy the CRT during a hostage or barricade situation. Once deployment is authorized, the CRT Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the CRT. The Incident Commander and the CRT Commander or the authorized designee shall maintain communications at all times.

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406.6 REPORTING

Unless otherwise relieved by a supervisor, the initial officer at the scene is responsible for completion of the initial report for the hostage/barricade incident. All officers involved in the hostage/barricaded subject situation shall complete required supplemental reports documenting their involvement and activity during the incident.

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Response to Bomb Calls

407.1 PURPOSE AND SCOPE

These guidelines have been prepared to assist officers in their initial response to incidents involving explosives, explosive devices or explosion/bombing incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety shall always be the primary consideration.

407.2 FOUND EXPLOSIVES / SUSPECT DEVICES

When investigating an incident involving a suspected explosive device, the following guidelines should be followed:

(a) Notify the bomb squad as quickly as possible.

(b) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging or even if it has been moved. The Department Bomb Squad should be summoned for assistance. A bomb technician will make a determination if additional bomb resources are needed.

(c) A minimum perimeter of 300 feet or distance as determined by the bomb technician should be established around the location of the device. An access point should be provided for support personnel.

(d) As much information as is available should be promptly relayed to the Watch Commander and bomb technician including:

1. The stated threat.
2. Exact comments.
3. Time of discovery.
4. Exact location of the device.
5. Full description (e.g., size, shape, markings, construction) of the device.

(e) The device should not be touched or moved except by qualified bomb squad personnel.

(f) Consideration should be given to alerting, evacuating or sheltering in place persons in any buildings near the device.

(g) A search of the area should be conducted for secondary devices or other objects that are either hazardous or foreign to the area and a perimeter should be established around any additional suspicious device(s) found.

Explosive or military ordnance of any type should be handled only by the Bomb Squad or military ordnance disposal team.

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407.3 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic incidents, a rapid response may help to minimize injury to victims, contamination of the scene by gathering crowds or additional damage by resulting fires or unstable structures. Whether the explosion was the result of an accident or a criminal act, the responding officers should consider the following actions:

- Assess the scope of the incident, including the number of victims and extent of injuries.
- Assume there may be additional explosives/devices if a criminal act.
- Notify the Bomb Squad.
- Assist with first aid (Fire Department has primary responsibility).
- Assist with evacuation of victims (Fire Department has primary responsibility).
- Identify and take appropriate precautions to mitigate scene hazards such as collapsed structures, blood borne pathogens, hazardous materials and secondary explosive devices.
- Request additional resources as needed.
- Identify witnesses.
- Preserve evidence.

407.3.1 NOTIFICATIONS

When an explosion has occurred, the following people shall be notified as soon as practicable if their assistance is needed:

(a) Fire department.

(b) Bomb squad.

(c) Chief of Police.

(d) Deputy Chief(s) of Police.

(e) Additional officers.

(f) Field supervisor.

(g) Watch Commander.

(h) Detectives.

(i) Forensic Science Services.

407.3.2 CROWD CONTROL

Only authorized personnel with a legitimate need shall be permitted access to the scene. Spectators and other unauthorized individuals shall be excluded to a safe distance as is reasonably practicable given the available resources and personnel.

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407.3.3 SCENE OF INCIDENT

As in any other crime scene, steps should immediately be taken to preserve the scene. The scene could extend over a long distance. Evidence may be imbedded in nearby structures or hanging in trees and bushes.

407.4 RECEIPT OF BOMB THREAT

This procedure should be followed should a bomb threat call be received at the police facility or by a member of the Department.

407.4.1 BOMB THREATS RECEIVED BY TELEPHONE

The following questions should be asked if a bomb threat is received at the Department:

- When is the bomb going to explode?
- Where is the bomb?
- What kind of bomb is it?
- What does it look like?
- Why did you place the bomb?
- Who are you? (to avoid possible termination of the call this should be the last question asked)

Attempt to keep the caller on the line as long as possible and obtain expanded answers to these five basic questions.

During this time, document the following:

- Time of the call.
- Exact words of the person as accurately as possible.
- Estimated age and gender of the caller.
- Speech patterns and/or accents.
- Background noises.

If the incoming call is received at the police facility on a recorded line, steps shall be taken to ensure that the recording is preserved in accordance with current department evidence procedures.

407.4.2 RESPONSIBILITIES

The employee handling the call shall ensure that the Watch Commander is immediately advised and fully informed of the details. The Watch Commander will then direct and assign officers as required for coordinating a general building search or evacuation as he/she deems appropriate.

407.5 BOMB THREAT RESPONSE

(a) A non-credible response to bomb threats at any location will be made without the use of lights or sirens. The on duty supervisor and/or watch commander will be notified by the communications center via phone. The assigned unit will be notified by the field

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supervisor or Watch Commander to meet near the location without information about the call being a bomb or bomb threat broadcast over the air. (This is done to reduce or eliminate any public panic that may be generated by the situation.)

(b) If required, incident command should be set up in the area of the call. All responding and support units should respond and report to the incident command for assignment, unless otherwise directed by the scene/incident commander.

(c) Any decision to evacuate will be made by the manager or person in charge of the premises, unless exceptional circumstances are involved. Any decision to evacuate any school, public or private, shall be made by the principal of the school or his/her designate. This person should notify the respective school district administration of the situation.

(d) If the need arises to evacuate a building, consider three options:

1. Total evacuation;
2. Shelter in place; or
3. A combination of the two.

If people are evacuated, they should take all personal belongings with them including bags, purses, backpacks, etc.

(e) A search of the location should be conducted. The recommended method for locating a suspected device is for the person most familiar with the location and an officer conduct a search with the approval of the scene/incident commander. If the area is large then several teams may be involved. The officer will not participate in the actual search, but will accompany the responsible person and advise on actions if a suspected device is located. The search should concentrate on anything unfamiliar or out of place and areas where a device could be placed, such as vents, lockers, dressing rooms, restrooms, etc.

(f) If a suspicious package, device, or actual explosive is located, IT SHOULD NOT BE MOVED OR HANDLED. The bomb technicians should be notified and respond. Upon their arrival, a determination of how to render safe or remove the device will be made by the bomb technician and the scene/incident commander. The bomb technician's responsibility is to render the device safe, not take over as the scene/ incident commander or initial officer.

(g) If a time for detonation was given by the suspect, searchers and all other personnel shall leave the area as soon as possible prior to the detonation time and not return sooner than one (1) hour after the detonation time has elapsed.

(h) An initial report shall be completed by the responding officer and supplemental reports shall be completed by all officers involved in the threat/ bomb incident. The Bomb Squad Commander shall be notified of the case number so that required F. B. I. reports can be filed.

(i) The West Valley City Fire Department does not need to respond to bomb threat calls unless the incident involves a large occupied building or school, or at the discretion of the scene/incident commander. If the Fire Department has responded to the incident.

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Its activities shall be coordinated with the scene/incident commander utilizing the Incident Command System protocols. If an explosive device detonates or a fire starts the on scene fire commander shall assume command of the rescue/suppression efforts and the police department shall assist as requested. Once these efforts have concluded, the scene/incident police commander shall assume control of the incident.

(j) If the situation is an actual bombing or terrorist incident, the incident may fall under Federal jurisdiction and the appropriate federal agencies shall be notified. (F.B.I., Department of Homeland Security, etc.)They may assume control of the location/ incident. The police department shall render any requested and appropriate support and assistance.

407.6 BOMB DETECTION K-9S

If explosive detection K-9's are not available from the West Valley City Police Department, a bomb dog and handler will be requested from the nearest available agency.

407.7 DEPARTMENT BOMB TECHNICIANS

If the West Valley City Police Department bomb technicians cannot be contacted or are unavailable, the scene/incident commander shall have dispatch contact either the Salt Lake City Police Department Bomb Squad or the Unified Fire Authority Bomb Squad for assistance. If the explosive is known to be military ordinance, an additional contact with the appropriate Military Explosive Ordinance Disposal unit should be requested through a bomb technician.

407.8 EVIDENCE

The only explosive materials allowed to be handled are:

- Common manufactured fireworks and firecrackers. (No large aerial fireworks). Homemade explosive materials, including fireworks, shall only be handled by certified bomb technicians. Fireworks or suspected firework of any kind shall be photographed and then submitted to the Bomb Squad for disposal and shall not at any time be submitted or stored inside any evidence locker.
- Small arms ammunition. Ammunition may be booked into evidence, but may not be booked in the same packaging as any clip/magazine and/or firearm itself. The only exception to packaging ammunition separately from any clip/magazine is if the ammunition needs to be processed for fingerprint evidence. If so, the ammunition should be left in the magazine to prevent evidence contamination. Once the forensics examiner fingerprints the ammunition, the ammunition and clip/magazine will be booked back into evidence in separate packaging.
- Manufactured, not homemade, sealed containers of black powder. Containers of black powder and/or the black powder itself shall not at any time be submitted or stored inside any evidence locker. The item shall be photographed and then turned over to the bomb technician for disposal.
- Components of devices that have been rendered safe by certified bomb technicians. Components of explosive devices that are not explosive materials in and of themselves, may be booked into evidence after being rendered safe by a certified bomb technician. Any component consisting of an explosive material will be

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photographed, if the bomb technician determines it is safe to do so, and then turned over to a bomb technician for disposal.

- Photographs should be taken, if possible, of components and devices that have to be destroyed by certified bomb technicians. These photos shall be booked into evidence and may be needed for investigation/prosecution.

407.9 DETERIORATING / OLD EXPLOSIVE MATERIALS

Dynamite and other explosives containing nitroglycerin and certain acids can, over time, deteriorate and become hypersensitive to movement, shock, or other hazards that result in an unexpected detonation.

Any deteriorating or old explosive or acid which can be a hazard to handle shall not be touched, moved, or transported by anyone other than a certified bomb technician. The bomb technician shall determine the method of disposal of these items.

Evidence technicians will notify the certified bomb technicians of any hazardous materials inadvertently booked into evidence.

407.10 TRAINING OF BOMB TECHNICIANS

Bomb technicians shall adhere to the F. B. I. Bomb Technician Training Standards, train on a regular basis, including re-certifications, and attend area bomb technician meetings in order to maintain their proficiency and certifications.

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Citation Releases

408.1 PURPOSE AND SCOPE

Utah Code 77-7-18 allows law enforcement agencies to use citation release procedures in lieu of arrest for misdemeanor offenses with certain exceptions.

408.2 STATUTORY REQUIREMENTS

Citation releases are authorized by Utah Code 77-7-18. Release by citation for misdemeanor offenses can be accomplished in two separate ways:

(a) A **field release** means that the violator is released in the field without being transported to a jail facility.

(b) A **jail release** means that a violator is released after being transported to the jail and booked.

408.2.1 DISCRETION TO ARREST

While this Department recognizes the statutory power of peace officers to make arrests throughout the state, officers are encouraged to use sound discretion in the enforcement of the law. On-duty arrests will not generally be made outside the jurisdiction of the Department, except in cases of hot and/or fresh pursuit, while following up on crimes committed within the City or while assisting another agency. On-duty officers who discover criminal activity outside the jurisdiction of the City should, when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

Off-duty officers observing criminal activity should generally take enforcement action only when it reasonably appears that imminent risk to life or property exists and the reasonable opportunity does not exist to contact the law enforcement agency with primary jurisdiction. In such situations the involved officer shall clearly identify him/herself as a police officer.

Officers are authorized to use verbal or written warnings to resolve minor traffic and criminal violations when appropriate.

408.3 DEPARTMENT PROCEDURE

The following procedures will be followed to comply with Utah Code 77-7-18.

408.3.1 FIELD CITATIONS

In most misdemeanor cases an arrestee 18 years or older may be released on citation provided the individual can be satisfactorily identified, there is no outstanding arrest warrant for the individual and none of the criteria described in the section below, entitled "Disqualifying Circumstances" are present.

Officers may also release subjects who were taken into custody on a private person's arrest for a misdemeanor offense, whenever appropriate. A legible right index fingerprint should be obtained to facilitate a criminal history entry by the Bureau of Criminal Identification (BCI).

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408.3.2 JAIL RELEASE

In certain cases, it may be impractical to release a person arrested for misdemeanor offenses in the field. The person arrested may instead be released after booking at the jail. Any post-booking jail release shall be conducted by the Salt Lake County Sheriff's Office personnel and conform to that agency's rules, regulations and procedures.

408.3.3 DISQUALIFYING CIRCUMSTANCES

A person arrested for a misdemeanor may be released on a Notice to Appear Form unless one of the following situations is present:

(a) The person arrested is so intoxicated that he/she could be a danger to himself/herself or to others. Release may occur as soon as this condition no longer exists.

(b) The person arrested requires medical examination or medical care or is otherwise unable to care for his/her own safety.

1. An arrestee shall not be released from custody for the sole purpose of allowing that person to obtain medical care with the intention of immediately re-arresting the same individual upon discharge from the hospital.

(c) There are one or more outstanding sex crime or violent offense arrest warrants for the person.

(d) The person could not provide satisfactory evidence of personal identification.

(e) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested (Utah Code 77-7-2(3)(b)).

(f) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested (Utah Code 77-7-2(3)(c)).

(g) The person arrested demands to be taken before a magistrate.

(h) The magistrate with jurisdiction has issued a standing written order mandating a custodial arrest for a person who has refused to sign a Notice to Appear Form.

(i) There is reason to believe that the person would not appear at the time and place specified in the Notice to Appear Form. The basis for this determination shall be specifically stated (Utah Code 77-7-2(3)(a)). The person's refusal to sign the citation, in and of itself, does not meet this requirement.

408.3.4 INSTRUCTIONS TO CITED PERSON

The citing officer shall, at the time he/she asks the defendant to sign the Notice to Appear Form, call attention to the time and place for appearance and take any other steps the officer deems necessary to ensure that the defendant understands his/her written promise to appear.

The officer shall also advise the defendant that his/her signature is not an admission of guilt.

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408.4 RELEASE BY A MAGISTRATE ON MISDEMEANOR WARRANTS

Utah Rules of Criminal Procedure Rule 6(c) allows the release on a summons, by a magistrate, of a person designated in a warrant of arrest when:

(a) It appears to the magistrate that the accused will appear on a summons.

(b) There is no substantial danger of a breach of the peace.

(c) There is no substantial danger of injury to persons or property.

(d) There is no substantial danger to the community.

Release under this section shall be done in accordance with the provisions of this section.

408.5 JUVENILE CITATIONS

Completion of criminal citations for juveniles is generally not appropriate with the following exceptions:

- Misdemeanor traffic violations of Utah Code Title 41.
- If the person cited is under 18-years of age, and if any of the charges allege a violation of Utah Code, Title 41, the court shall promptly mail a copy of the citation or a notice of the citation to the address as shown on the citation, to the attention of the parent or guardian of the defendant (Utah Code 77-7-21(1)(d)).
- Violations of the West Valley City Municipal Code.

All other misdemeanor violations for juveniles shall be documented with a case number and the case should be referred to the Investigation Section for further action, including diversion.

408.6 REQUESTING CASE NUMBERS

Cases involving a criminal citation release shall include a case number. Traffic infractions and City or County code violations can be documented on the reverse side of the Records copy of the citation. Most Utah Code sections will require a case number to document the incident properly in a report. This section does not preclude an officer from requesting a case number if the officer feels that the situation should be documented more thoroughly in a case report.

408.7 RELEASE

A suspected offender may be released on issuance of a citation as follows:

(a) When the person is arrested for a misdemeanor or infraction charge (Utah Code 77-7-18).

(b) When a warrant has been issued by a magistrate who has included in the order that the person be released on a summons (U. R. Crim. P. Rule 6).

408.8 PROHIBITIONS

The release of a suspected offender on a citation is not permitted if prohibited by local court rule.

See the Domestic Violence Policy for release restrictions related to those investigations.

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408.9 CONSIDERATIONS

In determining whether to cite and release 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.

408.10 STATE PRIVILEGES

408.10.1 LEGISLATIVE PRIVILEGE

Members of the Legislature shall not be subject to civil arrest during each general and special session of the Legislature or for 15 days immediately preceding and following each session, except for any felony, treason, or breach of the peace. Legislators may be issued a citation and a summons to appear at a date outside of the time of legislative privilege (Utah Constitution Article VI § 8).

408.10.2 VOTER PRIVILEGE

A person who attends an election or who is traveling to and from a voting location shall not be subject to civil arrest on an election day, except for an act of treason, a felony, or a breach of the peace (Utah Constitution Article IV § 3).

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Immunity from Arrest

409.1 PURPOSE AND SCOPE

Certain classes of persons during certain times generally receive immunity from arrest. This policy is a guideline in respect to persons who may be immune from arrest.

409.2 STATE LEGISLATORS

Fifteen days prior to the start of the current legislative session, during the term of the current legislative session, and fifteen days after the end of the current legislative session, members of the State Legislature shall be privileged from custodial arrest except for treason, a felony, or a breach of the peace (Utah Constitution Article VI, 8).

409.3 MEMBERS OF CONGRESS

Members of Congress may not be detained for the issuance of a citation while they are in transit to or from the Congress of the United States.

If a member of Congress is stopped for a traffic infraction, he/she shall, upon presentation of valid credentials, be immediately released. The officer may then obtain a citation for the member of Congress covering the observed violation and make arrangements to serve the citation at a time when the member of Congress is not in transit to or from Congress, or on official business.

409.4 VOTERS ON ELECTION DAY

In all cases, except those of treason, a felony or felonies, or a breach of the peace, voters shall be privileged from arrest on the days of election, during their attendance at elections, and going to and retuning there from (Utah Constitution, Article IV, 3).

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Arrest or Detention of Foreign Nationals

410.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the West Valley City Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

410.2 POLICY

The West Valley City 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 of the Department comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the Department 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.

410.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

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(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.

(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 representatives 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:

(a) Diplomatic-level staff of missions to international organizations and recognized family members.

(b) Diplomatic agents and recognized family members.

(c) Members of administrative and technical staff of a diplomatic mission and recognized family members.

(d) Career consular officers, unless the person is the subject of a felony warrant.

(e) The following persons may generally be detained and arrested:

(a) International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.

(b) Support staff of missions to international organizations.

(c) Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.

(d) Honorary consular officers.

410.5 DOCUMENTATION

All contacts with persons claiming privileges and immunities afforded to foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to the U.S. Department of State (DOS).

410.5.1 DOCUMENTATION PROCEDURES

An officer who stops a person holding a driver's license issued by the DOS, or otherwise claiming privileges or immunities, for a moving traffic violation, or any of the following offenses while operating a vehicle, shall document all of the relevant information from the driver's license or identification card (Utah Code 41-6a-1901):

(a) Automobile homicide.

(b) Manslaughter.

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(c) Negligent homicide.

(d) Aggravated assault.

(e) Reckless endangerment.

The Records Section shall forward such information with a copy of the traffic citation, vehicle accident report, or written report of the incident, as applicable, to the Utah Department of Public Safety (DPS) within five working days (Utah Code 41-6a-1901).

410.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or	Enter	Issued	Subpoenaed	Prosecuted	Recognized
Diplomatic	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability
Member of	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career	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
Honorable	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note (a))	No immunity or inviolability

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Consulate	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))
Int'l Org	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts Yes otherwise (note (c))	No immunity or inviolability
Diplomatic-	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability
Support	Yes	Yes	Yes	Yes	No for official act Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

(a) This table presents 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 in 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.

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VIP Security Plan

411.1 PURPOSE AND SCOPE

To provide guidance for planning and coordinating the protection of VIPs.

411.2 POLICY

The Department may provide police protection for VIP's or other persons against whom a significant threat is perceived, a potential or known attendance of a significant number of people, or to assist other agencies in their assigned security missions while the visiting persons are in the city.

411.2.1 DEFINITION

A VIP is any person who, because of social, political, religious or other position may be a target of threats, intimidation, extortion, or physical harm to self, family, or traveling companions.

411.3 GENERAL GUIDELINES

When the Department receives information about a VIP being in West Valley City, the information will be forwarded to the SWAT commander. The SWAT commander or designee will be responsible for determining the Department's role, if any, and act as a point of contact for representatives of the visiting dignitary and other agencies that may be involved in the overall security or event.

The designated supervisor will coordinate and supervise all security measures. He/She should make inquiries to the VIP's security representatives regarding:

(a) Date and time of visit;

(b) Locations and where security is needed;

(c) Specific travel routes of any processions through the City.

If a VIP has his or her own security detail, the designated supervisor or designee will arrange for coordination between the Department's security detail and the outside security detail.

The designated supervisor shall prepare a written plan of the detail and submit it through the chain of command as soon as is practical prior to the event.

411.3.1 CONSIDERATIONS FOR PLAN DEVELOPMENT

When developing the plan, the assigned supervisor will consider the following areas:

(a) Equipment, weapon, vehicle, and personnel requirements

(b) Reconnaissance, scouting, and advance inspections

(c) Intelligence gathering and dissemination

(d) Mutual Aid Requests for personnel and/or equipment

(e) Coordination of emergency services operations and hospitals

(f) Communications among and within agencies

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(g) Clear identification methods of agency and inter-agency personnel

(h) Scheduling a briefing for assigned personnel

411.4 AFTER ACTION REVIEW / REPORTING

The SWAT commander or designated supervisor of the event will complete an after-action report which is to be forward to the Chief of Police and reviewed by Command Staff. The after-action report will include recommendations for future similar events.

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Bicycle Patrol Unit

412.1 PURPOSE AND SCOPE

The West Valley City Police Departmentuses patrol bicycles for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas. The quiet operation of the bicycles also can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

412.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. The use of the patrol bicycle will emphasize officers mobility and visibility to the community.

Bicycles may be deployed to any area at all hours 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 Community Services Unit supervisor or the Watch Commander.

412.3 TRAINING

Participants in the program must successfully complete the Utah POST 32-hour basic training course or a Department-approved bicycle-training course after acceptance into the program. 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 the following:

- Bicycle patrol strategies
- Bicycle safety and accident prevention
- Operational tactics using bicycles

Bicycle patrol officers will be required to qualify with their duty firearm while wearing bicycle safety equipment including the helmet and riding gloves.

412.4 UNIFORMS AND EQUIPMENT

Officers shall wear the Department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes Department-approved helmet, riding gloves, protective eyewear and approved footwear. Soft body armor/vest is required.

Optional equipment includes a radio head set and microphone. In colder weather a jacket may be worn. In colder weather a jacket may be worn; turtleneck shirts or sweaters are permitted when worn under the uniform shirt.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

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Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

412.5 CARE AND USE OF PATROL BICYCLES

(a) Officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, two batteries and a charger.

(b) Bicycles utilized for uniformed bicycle patrol shall be primarily black or white with a Police decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors, front lights and a siren/horn satisfying the requirements of Utah Code 41-6a-1114.

(c) Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls, including report writing, vehicle storage and citations.

(d) Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, tire tube, security lock, equipment information and use manuals. These items are to remain with/on the bicycle at all times.

(e) Each bicycle shall be equipped with a steady or flashing blue warning light that is visible from the front, sides or rear of the bicycle.

(f) Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to ensure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

(g) If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

(h) Each bicycle will have scheduled maintenance twice yearly to be performed by a Department-approved repair shop/technician.

(i) At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

(j) Electric patrol bicycle batteries shall be rotated on the assigned charger at the end of each tour of duty. During prolonged periods of non-use, each officer assigned an electric bicycle shall periodically rotate the batteries on the respective charges to increase battery life.

(k) Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the bicycle supervisor or in the event of an emergency.

(l) Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

(m) Bicycles shall be properly secured when not in the officer's immediate possession.

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412.6 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with the Utah Code under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment.

Officers are exempt from the rules of the road under the following conditions:

(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.

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Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the West Valley City Police Department relating to immigration and interacting with federal immigration officials.

413.2 POLICY

It is the policy of the West Valley City 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.

In keeping with this commitment, race, color, or national origin will not be considered under this policy except to the extent permitted by the constitutions of the United States and Utah (Utah Code 76-14-202).

413.3 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 of the Department shall treat all individuals equally and not in any way that would violate the United States or Utah constitutions.

413.4 DETENTIONS

(a) 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.

(b) 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.

(c) 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)).

(d) 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

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safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

(e) An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

413.4.1 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).

413.4.2 INVESTIGATING HUMAN TRAFFICKING OR SMUGGLING

When an officer conducts a lawful traffic stop and reasonably suspects that any person in the vehicle is violating Utah human trafficking or human smuggling laws, the officer shall investigate the suspected violations and inquire into the immigration status of the occupants of the vehicle. An officer may not delay or postpone addressing the original purpose of the stop merely to confirm a person's immigration status (Utah Code 76-14-202).

413.4.3 VERIFICATION OF IMMIGRATION STATUS

A person's citizenship or immigration status shall be verified whenever the person is lawfully arrested for a felony or misdemeanor offense and is unable to provide an identifying document as listed in Utah Code 76-14-203 and the officer is otherwise unable to verify the identity of the person. Verification of immigration status should take place at the time of the booking and not in the field (Utah Code 76-14-202).

413.5 ARREST NOTIFICATION TO FEDERAL IMMIGRATION OFFICIALS

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.

413.6 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.

413.7 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):

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(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.

413.7.1 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.

413.8 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)).

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 Investigations Section supervisor assigned to oversee the handling of any related case. The Investigations Section 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.

  (a) 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.

413.8.1 U NONIMMIGRANT STATUS GUIDELINES

U nonimmigrant status requests shall be processed and maintained in a manner consistent with Utah Code 77-38-503 and federal guidelines.

The Special Operations Bureau Commander should ensure certification requests conducted by this agency are processed within 90 days of request, unless the noncitizen is in removal proceedings, in which case the certification should be processed within 14 days of request (Utah Code 77-38-503).

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413.8.2 REPORTING REQUIREMENTS

Before June 30 of each year, the Chief of Police shall submit a report of the following information to the Commission on Criminal and Juvenile Justice (Utah Code 77-38-503):

(a) The number of victims that requested U nonimmigrant certifications from the agency.

(b) The number of U nonimmigrant certifications that were signed.

(c) The number of U nonimmigrant certifications that were denied.

413.9 TRAINING

The Training Unit sergeant should ensure that 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.

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Emergency Utility Service

414.1 PURPOSE AND SCOPE

The City public works department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Department. Requests for such service received by this department should be handled in the following manner.

414.1.1 BROKEN WATER LINES

The City's responsibility ends at the water meter; any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter, emergency personnel should be called as soon as practical by Dispatch.

414.1.2 ELECTRICAL LINES

City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The electric company or public works should be promptly notified, as appropriate.

414.1.3 RESERVOIRS, PUMPS, WELLS

Public works maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

414.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by Dispatch.

414.2 TRAFFIC SIGNAL MAINTENANCE

The City of West Valley City contracts with a private maintenance company to furnish maintenance for all traffic signals within the City, other than those maintained by the State of Utah.

414.2.1 OFFICER'S RESPONSIBILITY

Upon observing a damaged or malfunctioning signal, the officer will advise Dispatch of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.

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Field Training Officer (FTO) Program

415.1 PURPOSE AND SCOPE

The Field Training Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the West Valley City Police Department.

It is the policy of the Department to assign all new police officers to a structured program of field training that is designed to prepare the new officer to perform in a patrol assignment, and to possess all the skills needed to operate in a safe, productive and professional manner.

415.2 FIELD TRAINING OFFICER SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

415.2.1 SELECTION PROCESS

Field Training Officers (FTOs) will be selected based on the following requirements:

(a) Professional competence.

(b) Teaching abilities and a desire to train others.

(c) Demonstrated ability as a positive role model.

(d) Professional ethics.

(e) Positive organizational citizenship.

(f) Productive work ethic.

(g) Evaluation by supervisors.

415.2.2 TRAINING

An officer selected as a Field Training Officer (FTO) shall successfully complete a course of training outlined by the Training Unit, to include the in-house FTO Training Program and a nationally recognized FTO School when feasible. Annual training will be conducted by the Training Unit Sergeant and Field Training Coordinator.

415.3 FIELD TRAINING OFFICER PROGRAM COORDINATOR

The Field Training Officer (FTO) Program Coordinator will be selected by the Professional Standards & Training Section Lieutenant unless otherwise specified by the Chief of Police.

The responsibilities of the FTO Program Coordinator include the following:

(a) Maintain liaison responsibilities with POST Academy staff to monitor cadet performance.

(b) Assign Officers in Training (OITs) to FTOs.

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(c) Monitor each OIT's progress by reviewing Daily Observation Reports (DORs) and Supervisor's Weekly Reviews (SWRs).

1. Counsel OITs when serious or repetitive deficiencies are noted.
2. Forward recommendations and reports on OIT progress, retention, and termination to the Training Unit Sergeant.
3. Track, receive and maintain the SWRs.

(d) Monitor the performance of FTOs, as trainers, through evaluations prepared by OITs with input from each FTO's supervisor.

1. Counsel FTOs relative to training matters and teaching techniques.
2. Forward recommendations to the Training Unit Sergeant relative to FTO performance and retention.

(e) Continuously evaluate the FTO program to ensure compliance with the expectations and standards set by the Department.

(f) Maintain records of FTO performance and evaluation.

(g) Coordinate training for all FTOs and OITs, to include:

1. Develop and schedule periodic training for FTOs, including initial training of new FTOs.

(h) Maintain and update FTO program management software.

415.4 OFFICER IN TRAINING (OIT) DEFINED

Any entry level or lateral police officer, newly appointed to the West Valley City Police Department, who has successfully completed a POST-approved Basic Academy, or a rehired employee that has returned to employment with the Department after an absence of more than six months.

415.5 REQUIRED TRAINING

(a) Entry level officers shall be required to successfully complete the Field Training Program.

(b) The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience. The trainee will be evaluated by the Field Training Officers and the Training Unit.

(c) To the extent practical, entry level and lateral officersmay be assigned to a variety of Field Training Officers, shifts, and geographical areas during their Field Training Program.

(d) A rehired employee is generally required to participate in the Field Training Program for a two week period; however, this requirement may be waived or extended depending on the trainee's demonstrated performance and level of experience.

1. At a minimum, a rehired employee shall understand any changes to policy or to any procedures that have occurred during their absence from the Department.

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2. Rehired employees will be assigned to duty by their Bureau Chief with any training needs addressed under the direction of their immediate supervisors.

415.5.1 PROGRAM MANAGEMENT SOFTWARE

At the beginning of the FTO Program, each OIT will be issued login credentials for program management software that outlines the subject matter and/or skills necessary to properly function as an officer with the West Valley City Police Department.

(a) The OIT shall become knowledgeable of the subject matter as outlined.

(b) An OIT shall also become proficient at those skills set forth in the program management software.

415.5.2 REMEDIAL TRAINING

(a) OITs who fail to demonstrate proficiency in the subject matter or skills outlined in the program management software shall be provided remedial training.

1. The FTO will note significant or repetitive deficiencies in the OIT's Daily Observation Report(s) and will include what remedial training has been attempted to improve the OIT's performance.
2. The FTO will then notify the FTO Program Coordinator and his/her immediate supervisor of the deficiency.
3. The FTO Program Coordinator will review the OIT's training records and determine what, if any, additional means of training are necessary to attempt to reach proficiency.
4. If the FTO Program Coordinator determines that sufficient remedial training has been provided, yet the OIT remains unsuccessful, the FTO Program Coordinator will forward this information up the chain of command for direction regarding whether or not the OIT should remain in the Field Training Program.

415.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

415.6.1 FIELD TRAINING OFFICER RESPONSIBILITIES

The FTO will be responsible for the following:

(a) Daily completion of the Daily Observation Report (DOR) on the performance of his/her assigned Officer in Training (OIT), forwarded to the FTO Program Coordinator.

(b) Review of the DOR with the OIT each day.

(c) Sign off on all completed topics contained in the Field Training Checklist.

(d) Ensure all phase requirements are complete and approved prior to recommendation of phase advancement to the FTO Program Coordinator.

(e) FTOs will have limited supervisory responsibilities and will generally act in a training capacity as assigned by the FTO Coordinator. FTOs will ensure the completion of

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assigned OIT timecards as well as compliance at mandatory Department training courses.

(f) An FTO will wear the FTO patch ¼ inch below the Department patch on each sleeve.

(g) The FTO is under the direct supervision of his/her shift Sergeant with FTO Coordinator oversight and direction relative to OIT training matters.

(h) The FTO is responsible for developing the potential of each OIT through instruction, counseling, and practical application of the basic job skills needed to perform competently as a West Valley City police officer.

(i) The FTO is responsible for the complete, accurate, and prompt evaluation of each OIT in his/her charge. FTOs will document progress for each OIT and notify the FTO Coordinator and shift Sergeant of any significant or repetitive deficiencies in training or inability to meet program standards.

415.6.2 OFFICER IN TRAINING (OIT)

The OIT shall submit a confidential performance evaluation on each of their FTOs to the FTO Program Coordinator.

415.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's training files and/or program management software. Documentation will consist of the following:

(a) Daily Observation Reports (DORs).

(b) Sergeant's Weekly Reviews (SWRs).

(c) Watch Commander phase meeting with attached IDC.

(d) FTO Checklist.

(e) In-house academy documents and training activities.

(f) Any other written documents completed by the OIT, FTO(s), and supervisors regarding the performance of the OIT.

415.7.1 SUPERVISOR RESPONSIBILITIES

(a) The shift Sergeant will conduct weekly progress interviews with the FTOs and OITs they supervise.

1. During the progress interview, the shift Sergeant will ensure DORs and Field Training Checklist items are completed in accordance with phase timelines.

2. Deficiencies should be addressed with the FTO, in partnership with the FTO Coordinator.

(b) The shift Sergeant will complete a Supervisor Weekly Report (SWR) and forward it to the FTO Coordinator with copies to the FTO's chain of command.

(c) The SWR will include comments regarding the OIT's performance that the shift Sergeant is expected to personally observe on a weekly basis, along with a summary

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of the OIT's performance as described by the FTO and OIT during the weekly interview.

(d) The shift Watch Commander will conduct one meeting per phase with each OIT that reports to his/her shift.

1. The Watch Commander should focus the meeting on professional development of the OIT, experience in the FTO program, and goals and mission of the agency.
2. The Watch Commander will draft an IDC documenting the topics covered in the meeting and forward it to the FTO Coordinator.

(e) The FTO will make a recommendation to the shift Sergeant and FTO Coordinator when they feel that the OIT is ready to advance from one phase to the next.

1. The FTO Coordinator will review the OIT's program management software documentation and make a recommendation of advancement to the Training Unit Sergeant.
2. The Training Unit Sergeant will approve the movement of OITs from phase to phase.

(f) The Training Unit Sergeant will notify the Professional Standards & Training Section Lieutenant of any significant or repetitive OIT deficiencies.

1. The Professional Standards & Training Section Lieutenant will notify the Administrative Services Bureau Deputy Chief of deficiencies that result in phase regression or potential failure to successfully complete the program.

(g) The Professional Standards & Training Section Lieutenant will work in partnership with the FTO Coordinator and Training Unit Sergeant to ensure finalization is appropriate.

1. If affirmed, the Professional Standards & Training Section Lieutenant will notify the Patrol Operations Bureau Deputy Chief of OIT finalization.
2. The Patrol Operations Bureau Deputy Chief will assign the OIT to a full duty assignment.
3. If not affirmed, the Professional Standards & Training Section Lieutenant will make notification to the Administrative Services Bureau Deputy Chief.

(h) The Training Unit Sergeant will prepare a quarterly and annual report regarding the status of the FTO program and its participants, and forward it to the Professional Standards & Training Section Lieutenant.

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Aircraft Accidents

416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

416.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

416.2 POLICY

It is the policy of the West Valley City Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

416.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.

(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.

(c) Preserve ground scars and marks made by the aircraft.

(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.

(e) Maintain a record of persons who enter the accident site.

(f) Consider implementation of an Incident Command System (ICS).

416.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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416.5 NOTIFICATIONS

When an aircraft accident is reported to this Department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department

(b) Appropriate airport tower

(c) Emergency medical services (EMS)

416.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.

(b) Fire department, EMS or other assisting law enforcement agencies.

(c) Medical Examiner.

(d) Air Carrier/Operators investigative teams with NTSB approval.

(e) Appropriate branch of the military, when applicable.

(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

416.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.

(b) Pressure vessels, compressed gas bottles, accumulators and tires.

(c) Fluids, batteries, flares and igniters.

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(d) Evacuation chutes, ballistic parachute systems and composite materials.

416.8 DOCUMENTATION

All aircraft accidents occurring within the City of West Valley City shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of WVCPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

416.8.1 WRECKAGE

When reasonably safe, members should:

(a) Obtain the aircraft registration number (N number) and note the type of aircraft.

(b) Attempt to ascertain the number of casualties.

(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.

1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).

(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.

(e) Acquire copies of any recordings from security cameras that may have captured the incident.

416.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

(a) The location of the witness at the time of his/her observation relative to the accident site.

(b) A detailed description of what was observed or heard.

(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.

(d) The names of all persons reporting the accident, even if not yet interviewed.

(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

416.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

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Aircraft Accidents

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

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Obtaining Air Support

417.1 PURPOSE AND SCOPE

The use of a law enforcement helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

417.2 REQUEST FOR HELICOPTER ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

417.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for a helicopter, the Watch Commander, or designee, will call the closest agency having helicopter support available. The Watch Commander will apprise that agency of the specific details of the incident prompting the request.

417.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law enforcement helicopters may be requested under any of the following conditions:

(a) When the helicopter is activated under existing mutual aid agreements.

(b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopters may reduce such hazard.

(c) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.

(d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.

(e) Vehicle pursuits.

While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for officers on the ground.

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Contacts and Temporary Detentions

418.1 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.

418.1.1 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)/Street Check - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes 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.

418.2 POLICY

The West Valley City 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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418.3 FIELD INTERVIEWS

Based on observation 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 (Utah Code 77-7-15).

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the West Valley City Police Department to strengthen community involvement, community awareness, and problem identification.

418.3.1 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 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.

418.4 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 context and circumstantial factors listed below.

418.4.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent.

418.4.2 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

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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.

418.4.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Intelligence Unit with either an associated FI card or CAD call number. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

418.4.4 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.

418.4.5 NOTICE REQUIREMENT FOR PHOTOS

Prior to taking a photograph, the officer shall notify the individual that their image may be used in conjunction with facial recognition technology, if applicable (Utah Code 77-23e-105). See the Facial Recognition Technology Use Policy for additional guidance.

418.5 PHOTO REVIEW POLICY

Any person who has been the subject of a field photograph or an FI by this agency during any contact other than an arrest may file a written request within 30 days of the contact requesting a review of the status of the photograph/FI. The request shall be directed to the office of the Chief of Police who will ensure that the status of the photograph or FI is properly reviewed according to this policy as described below. Upon a verbal request, the Department will send a request form to the requesting party along with a copy of this policy.

418.5.1 REVIEW PROCESS

Upon receipt of such a written request, the Chief of Police or designee will permit the individual to appear in person (any minor must be accompanied by their parent or legal guardian) for a review of the status of the photograph/FI.

(a) Such a meeting will generally be scheduled during regular business hours within 30 days of the receipt of the written request. An extension of the 30-day limit may be made either upon the mutual convenience of the parties or if, at the discretion of the Chief of Police, there appears to be an ongoing legitimate law enforcement interest which warrants a delay. If the delay could jeopardize an ongoing investigation, nothing in this policy shall require the Chief of Police to disclose the reason(s) for the delay.

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(b) A meeting for the review of the status of any non-arrest photograph/FI is not intended to be a formal hearing, but simply an informal opportunity for the individual to meet with the Chief of Police or designee to discuss the matter.

(c) After carefully considering the information available, the Chief of Police or designee will determine, generally within 30 days of the original meeting, whether the photograph/FI was obtained in accordance with existing law and any West Valley City Police Department policy and, even if properly obtained, whether there is any ongoing legitimate law enforcement interest in retaining the photograph/FI.

1. If the Chief of Police or designee determines that the photograph/FI was obtained in accordance with existing law and any Department policy and that there is an ongoing legitimate law enforcement interest in retaining the non-arrest photograph, the photograph/FI shall be retained according to this policy and applicable law.
2. If the Chief of Police or designee determines that the original legitimate law enforcement interest in retaining a non-arrest photograph no longer exists or that it was obtained in violation of existing law or any West Valley City Police Department policy, the original photograph will be destroyed or returned to the person photographed, if requested. All other associated reports or documents, however, will be retained according to any Department policy and applicable law.
3. If the Chief of Police or designee determines that the original legitimate law enforcement interest in retaining a non-arrest FI no longer exists or that the original FI was not obtained in accordance with established law or any West Valley City Police Department policy, the original FI may only be destroyed upon the execution of a full and complete waiver of liability by the individual (and guardian if a minor) arising out of that field contact.
4. If the Chief of Police or designee determines that any involved West Valley City Police Department personnel violated existing law or any Department policy, the Chief of Police or designee shall initiate a separate internal investigation which may result in additional training, discipline or other appropriate action for the involved employees.

(d) The person photographed/FI'd will be informed in writing within 30 days of the Chief of Police's determination of whether the photograph/FI will be retained. This does not entitle any person to any discovery or access to any law enforcement records not otherwise authorized by law.

418.6 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 (Utah Code 77-7-16). 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:

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(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.

(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.

418.7 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) Identify 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.

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 personnel.

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.

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Criminal Organizations

419.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the West Valley City Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

419.2 POLICY

The West Valley City Police Department recognizes that certain criminal activities, including but not limited to gang crimes, human trafficking, vice/prostitution, use or possession of explosive devices, threats to public officials/private citizens, terrorism and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this Department to collect and share relevant information while respecting the privacy and legal rights of the public.

419.3 CRIMINAL INTELLIGENCE SYSTEMS

No Department member may create, submit to, or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for Department use.

Any criminal intelligence system approved for Department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for Department use. The supervisor or the authorized designee should ensure the following:

(a) Members using any such system are appropriately selected and trained.

(b) Use of every criminal intelligence system is appropriately reviewed and audited.

(c) Any system security issues are reasonably addressed.

419.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI (field interview), photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this Department, such as open or public source documents or documents that are on file at another agency, the designated

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supervisor should ensure copies of those documents are retained by the Records Section. Any supporting documentation for an entry shall be retained by the Records Section in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Section are appropriately marked as intelligence information. The Records Section Director may not purge such documents without the approval of the designated supervisor.

419.4 TEMPORARY INFORMATION FILE

No member of the Department may create or keep files on individuals that are separate from the approved criminal intelligence system (CIS). However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the Department-approved CIS only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of CIS entries.

419.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

(a) Must only be included upon documented authorization of the responsible Department supervisor.

(b) Should not be originals that would ordinarily be retained by the Records Section or Evidence Unit, but should be copies of, or references to, retained documents, such as copies of reports, field interview (FI) forms, Dispatch records, or booking forms.

(c) Shall not include opinions. No person, organization, or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.

(d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

419.4.2 FILE REVIEW AND PURGING

The contents of the criminal intelligence system shall be maintained, reviewed and purged following the 28 CFR 23 standards as follows:

(a) The Information and Intelligence Unit (IIU) Sergeant or his/her designee shall be responsible for maintaining, reviewing and purging of the criminal intelligence records.

(b) Records should be reviewed once per year.

(c) If a record has not been updated within five (5) years, it shall be purged from the system.

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419.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

(a) Gang indicia associated with a person or residence.

(b) Information related to a drug-trafficking operation.

(c) Vandalism indicating an animus for a particular group.

(d) Information related to an illegal gambling operation.

(e) information related to terrorism or terroristic threats.

Department supervisors who utilize an authorized criminal intelligence system should work with the Intelligence Unit supervisor to train employees identify information that may be particularly relevant for inclusion.

419.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to Department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

419.7 CRIMINAL STREET GANGS

The Investigations Section supervisor should ensure that there are an appropriate number of Department members who can:

(a) Testify as experts on matters related to criminal street gangs and maintain an above average familiarity with identification of criminal street gangs, criminal street gang members, and patterns of criminal gang activity, as described in Utah Code 76-9-802 et seq. and Utah Code 53-25-601 et seq.

(b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.

(c) Train other members to identify gang indicia and investigate criminal street gang-related crimes (Utah Code 53-25-602).

419.8 TRAINING

The Training Unit sergeant should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

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(a) The protection of civil liberties.

(b) Participation in a multi-agency criminal intelligence system.

(c) Submission of information into a multi-agency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.

(d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.

(e) The review and purging of temporary information files.

419.9 ANNUAL REVIEW

The supervisor of the Intelligence Unit will be responsible for reviewing the policies, procedures and processes related to the collection, handling, dissemination, and storage of criminal intelligence records and data bases on an annual basis.

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Watch Commanders

420.1 PURPOSE AND SCOPE

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with Department policies, procedures, practices, functions and objectives. To accomplish this goal, a Lieutenant heads each watch.

420.2 DESIGNATION AS ACTING WATCH COMMANDER

When a Lieutenant is unavailable for duty as Watch Commander, in most instances the senior qualified sergeant shall be designated as acting Watch Commander. This policy does not preclude designating a less senior sergeant as an acting Watch Commander when operational needs require or training permits.

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Mobile Data Terminal (MDT) Use

421.1 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 appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between Department members and Dispatch.

421.2 POLICY

West Valley City 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.

421.3 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).

421.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use, Protected Information, and CJIS Access, Maintenance, and Security 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 Watch Commanders.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks, and 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 their 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.

421.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

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In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

421.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Watch Commander or other Department-established protocol, all calls for service assigned by a dispatcher 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 dispatcher.

(c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

421.5.1 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 when the vehicle is not in motion.

421.5.2 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 Department 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 Watch Commander 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 until they are also handling an emergency.

421.6 EQUIPMENT CONSIDERATIONS

421.6.1 MALFUNCTIONING MDT

Whenever possible, Department members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify Dispatch. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

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421.6.2 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 frequencies emitted by the MDT could cause some devices to detonate.

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Public Recording of Law Enforcement Activity

422.1 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.

422.2 POLICY

The West Valley City 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.

422.3 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.

(d) Recording the actions of an officer does not by itself constitute a crime of interference, willful resistance, disorderly conduct or obstruction of justice (Utah Code 76-8-305).

422.4 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.

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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 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.

422.5 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.

422.6 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

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be present while the copy is being made, if feasible. Another way to obtain the 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 and Evidence Policy.

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Foot Pursuits

423.1 PURPOSE AND SCOPE

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

423.2 POLICY

It is the policy of the department that officers, when deciding to initiate or continue a foot pursuit, must 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.

423.3 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 of 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 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.

(d) Thermal imaging or other sensing technology.

(e) Air support.

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(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.

423.4 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 suspect 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 Dispatch or with backup officers.

(h) The suspect enters a building, structure, confined space, wooded or otherwise isolated area and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the pursuit and coordinate 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 pursuit, requiring immediate assistance and there are no other emergency personnel able to render assistance.

(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 personnel or the public if the suspect is not immediately apprehended.

(o) The officer’s ability to safely continue the pursuit is impaired by inclement weather, darkness, or other conditions.

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423.5 RESPONSIBILITIES IN FOOT PURSUITS

423.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. 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 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 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 communications with his/her location, the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect) and direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

423.5.2 ASSISTING OFFICER RESPONSIBILITIES

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

Any officer who is in a position to intercept a fleeing suspect, or who can assist the primary officer with the apprehension of the suspect, shall act reasonably and in accordance with all Department policies, based upon available information and his/her own observations.

423.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information necessary to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever

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possible; the supervisor does not, however, need to be physically present to exercise control over the 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 at any time he/she concludes that the danger to pursuing officers or the public outweighs the objective of immediate apprehension of the suspect.

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

423.5.4 DISPATCH RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

(a) Clearing the radio channel of non-emergency traffic.

(b) Coordinating pursuit communications of the involved officers.

(c) Broadcasting pursuit updates as well as other pertinent information as necessary.

(d) Ensuring that a field supervisor is notified of the foot pursuit.

(e) Notifying and coordinating with other involved or affected agencies as practicable.

(f) Notifying the Watch Commander as soon as practicable.

(g) Assigning an incident number and logging all pursuit activities.

423.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at 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.

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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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Homeless Persons

424.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The West Valley City Police Department recognizes that members of the homeless community are often in need of special protection and services. The West Valley City Police Department will address these needs in balance with the overall missions of this department. Therefore, officers will consider the following when serving the homeless community.

424.1.1 POLICY

It is the policy of the West Valley City Police Department to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

424.2 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a non-violent 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 to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

424.2.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

(a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.

(b) Document places the homeless person may frequent.

(c) Provide homeless victims with victim/witness resources when appropriate.

(d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.

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(e) Consider whether the person may be a dependent adult or elder and if so proceed in accordance with the Adult Abuse Policy.

(f) Arrange for transportation for investigation related matters, such as medical exams and court appearances.

(g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

424.3 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. 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 the individual's personal property. Otherwise, the personal property 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 the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

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 Department Homeless Liaison Officer. When practicable, requests by the public for clean-up operations of a homeless encampment should be referred to the Homeless Liaison Officer.

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 department Homeless Liaison Officer if such property appears to involve a trespass, blight to the community or is the subject of a complaint. It will be the responsibility of the Homeless Liaison Officer to address the matter in a timely fashion.

424.4 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention (see the policy regarding Response to Mentally Ill and Persons in Crisis).

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor.

424.5 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to

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notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

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First Amendment Assemblies

425.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

425.2 POLICY

The West Valley City 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.

425.3 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, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the content of 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.

Supervisors should continually observe Department members under their command to ensure that officers' interaction with participants and response to crowd dynamics is appropriate.

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425.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; 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 and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious, or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

425.4 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, the following:

- 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 Dispatch, 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.

425.4.1 CRIMINAL STREET GANGS

Officers should conduct gang-loitering enforcement in a manner consistent with Utah law and should not infringe on the right of individuals to engage in constitutionally protected collective advocacy activities (e.g., lawful picketing, demonstrations, religious or political assembly) (Utah Code 53-25-602).

425.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

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425.5.1 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:

- 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).

425.5.2 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 (e.g., helmets, shields).

(e) Deployment of specialized resources.

(f) Event communications and interoperability in a multijurisdictional event.

(g) Liaison with demonstration leaders and external agencies.

(h) Liaison with City 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.

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(p) Arrest protocol, including management of mass arrests.

(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.

425.5.3 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).

425.6 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, the Incident Commander 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.

425.7 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 Techniques, and Conducted Energy Device (Taser) 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

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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 conducted energy devices should be 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 Techniques 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.

425.8 ARRESTS

The West Valley City 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 Citation Releases Policy).

425.9 MEDIA RELATIONS

The Public Information Officer 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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425.10 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.

425.11 POST EVENT

The Incident Commander should designate a Department member to assemble full documentation of the event, to include the following:

(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, and Dispatch records/tapes.

(g) Media accounts (print and broadcast media).

425.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time, and description of the event.

(b) Actions taken and outcomes (e.g., injuries, property damage, arrests).

(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.

425.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

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Civil Disputes

426.1 PURPOSE AND SCOPE

This policy provides members of the West Valley City 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 Utah law.

426.2 POLICY

The West Valley City 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.

426.3 GENERAL CONSIDERATIONS

When appropriate, Department 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 not intended to be an exhaustive list, members should consider 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 reports 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 including valid consent.

(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.

426.4 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

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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 the following:

(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.

426.4.1 STANDBY REQUESTS

It will be the policy of the West Valley City Police Department to assist other agencies or citizens by standing by and keeping the peace while specified and mutually agreed upon property is removed from private property. It should be understood that in most instances, civil processes regarding property rights fall within the jurisdiction of the County Sheriff's Office. When requested by outside agencies or private citizens, Department members will, however, respond to calls of a stand-by assist nature with the intent of keeping the peace and enforcing the law.

(a) Officers assigned to stand-by assists must make every effort to prevent hostile interaction between potential adversaries in a property dispute.

(b) Initially, the officer must obtain a specific description of the property in question from the citizen or other officer prior to making the removal request.

(c) An officer CANNOT authorize entry or removal of private property from an unoccupied facility or building. The requesting citizen should be advised to pursue civil processes to recover the property.

(d) If the occupant of the facility or building contests removal of the property, the officer must advise the requesting citizen or other officer to pursue civil processes to recover the property. In no event shall the officer decide ownership or possession of the property. The officer is there merely to keep the peace.

(e) If the occupant or possessor agrees to the removal of the property, the officer must determine the occupant or possessor's identity and authority to consent. If the occupant or possessor's identity or authority is questionable, the officer will discontinue the removal process. If the officer is satisfied that the occupant or possessor has the authority to consent, the officer will allow and supervise the removal of the specified property.

(f) If the specified property is removed, the officer will complete a report identifying the parties involved, describe the specified property removed, and describe the circumstances.

(g) It may be difficult for the officer to accurately determine the true ownership of property. By allowing removal of property under these circumstances, the officer may facilitate theft or wrongful disposition for which the Department may be held liable. If there is

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any question about the legality of the removal or the true ownership of the property, the parties involved will be ordered to discontinue the removal process and obtain specific information and orders through the civil courts. Officers should be alert to ambiguous and potentially volatile confrontations that may be difficult to resolve.

426.5 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.

426.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be resolved by an individual seeking an order through the courts.

426.6.1 LONG-TERM GUEST ISSUES

For disputes related to a long-term guest, as defined by Utah Code 76-6-206.4, who has received notice to vacate a residence by an owner, tenant, or other person with apparent authority to act for the owner or tenant, officers must provide the guest with a reasonable time to collect personal belongings prior to escorting the individual from the residence. A long-term guest should not be escorted from the residence if a separate owner or tenant has granted the guest express permission to remain in the residence and the permission has not been revoked or rendered void (Utah Code 76-6-206.4).

426.6.2 REMOVAL OF TRESPASSER FROM REAL PROPERTY

If a property owner or property owner's authorized agent requests the immediate removal of a trespasser from real property located within the jurisdiction of the West Valley City Police Department, the Department will take reasonable steps to initiate action when appropriate in accordance with Utah Code 78B-6-817. If the trespasser is homeless or will be homeless following the removal, provisions of the Homeless Persons Policy should be followed to the extent practicable.

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Response to Mentally Ill and Persons in Crisis

427.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers are investigating and handling calls for persons in crisis or who are mentally ill, or suspected of being mentally ill, and when officers may place an individual under protective custody for a civil commitment.

427.2 POLICY

It is the policy of the West Valley City Police Department to provide guidelines for the recognition of persons suffering from mental illness as well as guidelines for how to deal with them most effectively.

427.3 DEFINITIONS

Definitions related to this policy include:

Mental Illness – A medical condition that disrupts a person's thinking, feeling, mood, ability to relate to others, and daily functioning that often results in diminished capacity for coping with the ordinary demands of life. Mental illness can affect persons of any age, race, religion, or income. A subject may suffer from mental illness if he/she displays an inability to think rationally, exercise adequate control over behavior or impulses (i.e. aggressive, suicidal, homicidal, sexual), and/or take reasonable care of his/her welfare with regard to basic provisions for clothing, food, shelter, or safety.

Application for civil commitment - "Pink Sheet", the process of placing a person suffering from a mental illness crisis, or narcotics-based psychosis, where the officer observes behavior or speech that leads the officer to believe the person is a danger to themselves or others. A probable cause standard must be met before a person may be taken to a mental health treatment center or hospital emergency room.

Crisis – Any situation in which a person's ability to cope is exceeded.

Crisis Intervention Team (CIT) – West Valley City Police Department personnel with specialized training to investigate and provide resources to people in crisis, who may be suffering from a defined mental illness and/or other calls of crisis not related to mental illness.

427.4 AUTHORITY

If an officer observes a person involved in conduct that gives the officer probable cause to believe that the person is mentally ill and because of that mental illness, there is a substantial likelihood of serious harm to that person or others, the officer may take that person into protective custody.

The officer shall arrange for a medical transport vehicle to transport the person to the designated facility of the appropriate local mental health authority, either on the basis of his/her own observation or on the basis of a mental health officer's observation reported to him/her by that mental health officer. The officer shall place the person in the custody of the local mental health authority and make application for commitment.

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427.4.1 VOLUNTARY EVALUATION

If Officers encounter an individual who may qualify for a civil commitment, they may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

(a) Offer a medical transport vehicle to transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a civil commitment.

(b) If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the civil commitment, if appropriate.

(c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

(d) Officers may conduct a courtesy transport for the citizen to a local mental health facility or emergency room for compliant persons wishing to voluntarily commit themselves.

427.4.2 COMMITMENT OF ADULTS

An officer should take an adult person into protective custody when that officer observes the individual involved in conduct that gives the officer probable cause to believe the following (Utah Code 26B-5-331):

(a) The person has a mental illness; and

(b) The mental illness and conduct of the person poses a substantial danger to that person or others.

The officer should transport the person to a temporary commitment facility designated by the local mental health authority (Utah Code 26B-5-331).

427.4.3 COMMITMENT OF CHILDREN

An officer should take a child into protective custody for purposes of a 72-hour civil commitment when that officer observes the child involved in conduct that gives the officer probable cause to believe each of the following (Utah Code 26B-5-403):

(a) The child has a mental illness (Utah Code 26B-5-403);

(b) The mental illness and conduct of the child poses a substantial danger to that child or others;

(c) The child will benefit from mental health care and treatment; and

(d) There is no appropriate less-restrictive alternative.

427.5 CRISIS INTERVENTION TEAM (CIT) PROCEDURES

(a) The Crisis Intervention Team (CIT) is comprised of officers within the Department who have received special training in crisis intervention involving the mentally ill.

(b) Whenever possible, a CIT officer will be dispatched to provide direction and be the primary contact during police response to incidents involving persons in crisis or who are believed to be mentally ill.

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(c) CIT officers shall:

1. Be trained to recognize whether a person is mentally ill or developmentally disabled.
2. Be trained in the area of less lethal weapons and de-escalation techniques.
3. Attend and successfully complete required training.

(d) Fire Department personnel do not conduct mental health evaluations. If the person requires a mental health evaluation, the officer should have the Mobile Crisis Outreach Team (MCOT) respond; or, if the person is a danger to themselves or others, and the person is not compliant, the officer will arrange transport with the Fire Department to an appropriate medical facility, in accordance with the Transportation policy, below.

427.6 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may be suffering from a mental illness crisis or qualify for civil or an involuntary commitment should consider, as time and circumstances reasonably permit:

(a) Available information that might assist in determining the cause and nature of the individual's actions or stated intention.

(b) Community or neighborhood mediation services.

(c) Conflict resolution and de-escalation techniques.

(d) Community or other resources available to assist in dealing 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 with mental health issues who are suspected of committing minor crimes or creating other public safety issues.

427.7 TRANSPORTATION

If a medical problem is observed requiring transport or if application for civil commitment is appropriate, the person shall be transported in a medical vehicle. If a medical transport vehicle is unavailable, officers may transport individuals who do not require direct medical observation during transport in a patrol vehicle if the person is compliant, or requesting voluntary commitment. If a medical transport vehicle is unavailable, officers may transport individuals who do not require direct medical observation during transport in a patrol vehicle. Officers shall obtain the approval of a supervisor prior to transporting an individual to a mental health facility in a patrol vehicle. Officers transporting individuals in a patrol vehicle shall secure the individual in accordance with the Handcuffing and Restraints Policy,

When transporting any individual for a courtesy transport, or a voluntary commitment, the transporting officer should have the Valley Emergency Communications Center (VECC) 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.

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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, Watch Commander approval is required before transport commences. Otherwise the officer will immediately follow the medical transport vehicle maintaining custody of the person being transported.

If MCOT or other mental health care response team responds to the scene and determines that application for civil commitment is appropriate, that agency shall conduct the commitment application and may determine the method of transport as per their policies and guidelines.

427.8 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 a civil commitment 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.

427.9 DOCUMENTATION

The officer should complete an application for commitment, provide it to the facility staff member assigned to the individual and retain a copy of the application for inclusion in the case report. If MCOT or another mental health resource agency is called to the scene for an evaluation of the person in crisis, the officer shall document in his/her report who responded and what actions were taken by that agency to include transportation of the subject if applicable.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

427.10 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken for a civil mental 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 civil commitment.

(c) Facilitate the individual's transfer to the jail facility.

(d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

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(e) Follow the applicable policy for detainee transportation.

In the supervisor's judgment, the individual may be arrested or booked and 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.

427.11 FIELD CONTACT, INTERVIEW AND INTERROGATION

Whenever a Department member contacts a person in the field or in an interview and/or interrogation setting the following should be considered:

(a) The subject's state of mind and ability to answer the officer's questions appropriately.

1. If an officer believes that the subject is suffering from a mental illness and that the illness has contributed to the circumstances surrounding the reason for contact, an effort will be made to have a CIT certified officer respond to the scene.
2. If the subject's state of mind is in question or they cannot answer questions appropriately, an interview should not be conducted.

(b) Officers should refrain from tactics meant to confuse the subject.

(c) In the case of an interview or interrogation, officers need to take care to ensure that the waiver of Miranda rights is knowing, intelligent, and voluntary.

427.12 FIREARMS AND OTHER WEAPONS

Whenever an individual has been taken into custody for a civil commitment, the handling officers should seek to determine if the individual owns, or has access to any firearm or any 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).

Officers are cautioned that a search warrant may be needed before seizing weapons or entering a residence or other place to search unless lawful, warrantless entry has already been made (e.g., exigent circumstances, valid consent).

The handling officer should further advise the individual of the procedure for the return of any firearm or other deadly weapon which has been taken into custody.

427.13 TRAINING

On an annual basis, the Department will provide documented entry-level and refresher training for all personnel on interacting with people who are experiencing mental illness or who have mental disabilities.

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Naloxone

428.1 PURPOSE AND SCOPE

To establish guidelines regarding the utilization of nasal Naloxone in order to reduce the number of fatalities which occur as a result of opiate overdose by the proper pre-hospital administration of nasal Naloxone (brand named NARCAN).

The West Valley City Police Department will train and equip select members to prepare for opiate overdose emergencies. The Department will keep and maintain a professional affiliation with a Medical Review Physician (referred as the MRP), for medical oversight for the use and emergency administration of Naloxone. The Medical Review Physician shall be licensed to practice medicine within the State of Utah. The Medical Review Physician, at his or her discretion may make recommendations to the policy.

428.1.1 DEFINITIONS

Opiate – An opiate is any controlled substance containing or compounded to be a derivative of morphine, morphine sulfate. The term opiate describes any of the narcotic opioid alkaloids found as natural products in the opium poppy plant, Papaver somniferum. Commonly encountered opiates in police service include heroin, morphine, oxycontin, percocet, and percodan.

Naloxone - Naloxone is an opioid antagonist drug. Naloxone is a drug used to counter the effects of opiate overdose, for example, a heroin or morphine overdose. Naloxone is specifically used to counteract life threatening depression of the central nervous system and respiratory system. It is marketed under various trademarks including NARCAN, Nalone, and Narcanti, and has sometimes been mistakenly called "naltrexate". It is not to be confused with naltrexone, an opioid receptor antagonist with qualitatively different effects, used for dependence treatment rather than emergency overdose treatment.

Medical Control Physician – The Medical Control Physician, herein after referred to as MCP, shall be a designated Medical Doctor who is licensed to practiced medicine in Utah. The West Valley City Police department shall maintain an affiliation with the MCP. The Chief of Police or his/her designee shall periodically consult with the MCP to review overall training, equipment, procedures, changes to applicable laws and regulations and/or the review of specific medical cases. At their discretion, the MCP may participate in training members of the West Valley City Police Department.

428.2 LEGAL PREMISES FOR IMPLEMENTATION

The Department shall approve training programs for select police officers and civilian employees in the use of Naloxone or other opioid antagonist approved by the Department that meet the following requirements:

(a) A Medical Review Physician has approved the specific training program; and

(a) The training program meets the minimum standards established by the Department. Also;

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UCA 26-55-104 (1) (a) which states in part “a person other than a health care facility or health care provider who acts in good faith to administer an opiate antagonist to another person whom the person believes to be suffering an opiate-related drug overdose event is not liable for any civil damages or acts or omissions made as a result of administering the opiate antagonist.” The statute imposes no limitation on who may possess and administer narcan [naloxone]. The statute further indicates that Narcan [naloxone] must be obtained with a prescription and administered in good faith [paraphrased].

UCA 26-55-104 (2) which states in part “a health care provider who is licensed to prescribe or dispense an opiate antagonist may, without a prescriber-patient relationship, prescribe or dispense an opiate antagonist without liability for any civil damages or acts or omissions made as a result of prescribing or dispensing an opiate antagonist in good faith, to:(b) a family member of, friend of, or other person who may be in a position to assist an individual who may be at increased risk of experiencing or who is likely to experience an opiate-related drug overdose event.”

UCA 58-31b-703 Opiate antagonist -- Exclusion from unprofessional or unlawful conduct states in part, “The provisions of this section and Title 26, Chapter 55, Emergency Administration of Opiate Antagonist Act, do not establish a duty or standard of care in the prescribing dispensing, or administration of an opiate antagonist.”

428.3 EQUIPMENT

Nasal Naloxone kits will be issued to select sworn and non-sworn members of the West Valley City Police Department. Kits should be available for use during on-duty hours. Injectable Naloxone kits will be issued to K9 officers for use on K9s.

428.3.1 REPLACEMENT DOSES

Additional doses of Naloxone will be stored and secured within the Training Section. After administering a dose, the employee will contact the Training Section for a replacement.

428.3.2 STORAGE OF NALOXONE

Naloxone may be damaged by extreme temperatures, both high and low. Due to this fact, consideration should be given to (i) storing the Naloxone in the interior of a patrol car when extreme temperatures exist, and (ii) removing the Naloxone from the patrol car and storing it inside the West Valley City Police Department offices after a shift is completed. Officers should carry the Naloxone kits on their person during their shift.

428.4 REPORTING

Any member of the Department who deploys Naloxone will ensure that they report the deployment in a police report. Members deploying Naloxone will also complete the Department’s Naloxone Administration Report Form and turn that form in with his/her police report.

428.5 NALOXONE COORDINATOR

The Training Section Lieutenant is designated as the Naloxone Coordinator, and shall be responsible for the following:

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(a) Ensuring the Naloxone is current and not expired.

(b) Proper and efficient deployment of Naloxone for West Valley City PD officers.

(c) Replacement of any Naloxone that is damaged, unusable, expired or deployed.

(d) Ensuring all personnel who will administer nasal Naloxone has received appropriate training in Naloxone administration.

(e) Ensuring that any deployment of Naloxone to a subject will have a corresponding police report documenting such deployment.

(f) Report to the medical review physician, which reports may be reviewed and debriefed monthly.

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