

# Elko Police Department Manual

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# Elko Police Department

## Chapter 100 Introduction to the Manual

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### **110.000 The Manual**

#### **110.010 Issuing Authority**

This manual is an official publication of the Elko Police Department. It is issued with the authority of the Police Chief and contains the rules, regulations, and policies of this Department. The contents of this manual are established to direct all personnel in carrying out their duties and responsibilities. Violations of any of the rules, regulations, and policies contained in this manual shall be grounds for disciplinary action, which may include termination of employment. Violations of the policy or procedure manual shall be grounds for disciplinary action which may include termination of employment.

Should a conflict exist between the contents of this manual and employee contracts, the employee contract shall be the controlling document. In all cases of conflict between policy, procedure, and current law or case law, current law and/or case law shall prevail.

If any chapter, part, section or subsection of this manual should be held invalid by operation of law or any tribunal of competent jurisdiction, or if compliance with or enforcement of any chapter, part, section or subsection should be restrained by such tribunal, the remainder of this manual shall not be affected.

#### **110.015 Mechanics of the Manual**

This manual has been organized to assist employees in consulting its material easily and quickly. To find a general subject area, consult the Table of Contents at the front of the manual for the correct chapter and title. To find a specific subject, consult the Index at the back of the manual. The chapter page sequence number for the manual will appear on the bottom center of each page (example page 10 of chapter 500 would be indicated by the number 5-10). A creation date and revision date (if any) will appear at the end of each chapter.

#### **110.020 Division of the Manual**

The Department Manual is divided and identified by Chapters, Parts and Sections as follows:

1 -indicates Chapter 100

110 -indicates Chapter 100, Part 1

110.01-indicates Chapter 100, Part 1 Section 1

110.011-indicates Chapter 100, Part 1, Section 1, Subsection 1

110.0111-indicates Chapter 100, Part 1, Section 1, Subsection 1, Specific Section 1

# Elko Police Department

## Chapter 100 Introduction to the Manual

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### **110.025 Printing, Distributing and Changes**

The Office of the Police Chief will be responsible for the printing, distributing and effecting changes in this manual. No changes will be permitted without the expressed authority of the Police Chief. For this reason, all employees will regard the material in this manual as directives of the Police Chief.

### **110.030 Knowledge of the Manual**

It will be the responsibility of every employee to have knowledge of all the policies, procedures, rules and regulations contained in this manual.

In-service training and testing on sections of this manual may be done periodically. In addition, review of the sections of the manual dealing with the use of force will be done at each firearms qualification.

### **110.035 Distribution of the Manual**

All employees will be issued a Department Manual. The Department Manual may be distributed in written form, CD form, or electronically distributed. Written acknowledgment of receipt of the manual will be required and the receipt will be placed in the employee's personnel file. Additions or revisions that are of a significant alteration of a previous rule, regulation, or policy, or an entirely new rule, regulation, or policy, or highly technical in nature may be addressed by in-service training as well as issued in written form.

### **110.040 Security and Maintenance of the Manual**

Employees will keep their manuals secure. Any information which could hamper the Department's operations will be kept strictly confidential. Strict confidentiality is especially important with regard to information on emergency response to criminal activity. Loss of a manual or any of its parts will immediately be reported to the Office of the Police Chief through the chain of command.

### **110.045 Use of the Manual**

Employees will consult this manual if they have any questions as to their responsibilities. If upon consulting the manual, the employee's question is still not resolved, the shift supervisor or Lieutenant should be consulted.

### **110.060 Other Official Department Publications**

Besides this manual, employees are expected to familiarize themselves with other official Department publications. These include, but are not limited to; training bulletins, special orders, personnel orders, division orders, Range Master's S.O.P. Manual, Elko Central Dispatch S.O.P. Manual, and the Emergency Operations Manual.

### **110.065 Preliminary Provisions**

# Elko Police Department

## Chapter 100 Introduction to the Manual

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Construction of "Shall" and "Will" and "May" and "Should": "Shall" and "Will" are mandatory. "May" is permissive. "Should" is used where it is intended that, while a procedure is not mandatory, it should be followed.

### **110.070 Organizational Terms**

1. Elko Police Department, Department, Departmental: Shall mean the Elko Police Department operating as the law enforcement agency within the incorporated areas of the City of Elko.
2. Management Staff: Police Chief, Operations Lieutenant, Administrative Lieutenant, Administrative Assistant.
3. Supervisor: All supervisory personnel within the Department, both sworn and civilian.
4. Shift Supervisor: Is a sergeant, corporal, or designated Patrolman in charge of a shift.
5. Employee, Member, Personnel or Person: Shall mean any person employed by the Elko Police Department in a temporary, probationary or permanent status, whether sworn or civilian.
6. Officer: Shall mean any person employed by the Elko Police Department who is a sworn Nevada Peace Officer.
7. Division: Shall mean the divisions of the Department responsible for performing specific functions and directed by the Police Chief. The Elko Police Department is divided into three divisions, the Office of the Police Chief, Operations Division, and Administrative Division.
8. Unit: Shall mean a subdivision of a division. (i.e. the Patrol Unit is a subdivision of the Operations Division)
9. Component: Shall mean a subdivision of a division, unit or position that is established and staffed on a full-time or part-time basis to provide a specific function. (i.e. Case Management is a component of the Administrative Division)
10. Detail: Shall mean a temporary or periodic subdivision of a division and commanded by any rank, depending on size, nature and importance.
11. Shift: Shall mean a time division of the day for the purpose of personnel assignment or to identify an organizational part of the Department by the time of day they operate. They are referred to as night shift or day shift.
12. Beat: Shall mean the designated patrol area of the City of Elko, as established by the Department.
13. Section: Shall mean a designated section of the City established to track crime trends in a given area of the City.

# Elko Police Department

## Chapter 100 Introduction to the Manual

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14. Function: Shall mean a specific duty of a member of the Department which is not performed on a full-time basis.

### **120.000 Department Purpose and Mission**

#### **120.010 Mission Statement**

We strive to provide consistent enforcement of all laws in a fair, firm and professional manner to instill trust and build relationships with the community through problem solving to safeguard life and property.

#### **120.015 Motto**

Pride in Service:

Prevent, reduce, disrupt criminal activity  
Recruit, train and develop our employees  
Initiate timely and open communication  
Develop and implement solutions to our community's problems  
Efficiently use innovation and technology

  
Tyler Trouten  
Police Chief

Creation Date: October 8, 1993

Revision Date: May 1, 2011

Revision Date: October 1, 2013

Revision Date: March 25, 2020

# Elko Police Department

## Chapter 200 Department Organization

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### **210.000 Organizational Structure**

#### **210.010 Department Divisions**

The Elko Police Department organizational structure consists of the Office of the Police Chief, Operations Division and Administrative Support Division.

#### **210.015 The Office of Police Chief**

The Office of the Police Chief is comprised of the Police Chief, Operations-Commander, either a Captain or Lieutenant, Administrative Division, either a Captain or Lieutenant, Administrative Assistant, or personnel designated by the Police Chief or his designee. The Police Chief of the City of Elko is appointed by the City of Elko Council, and serves at the discretion of the City Council.

#### **210.018 Captain**

The Captain is to represent the department in the absence of the Police Chief for all functions in his/her absence.

The Captain must maintain working knowledge of the tasks associated with the Police Chief and serve as a liaison between the operations and administrative divisions.

#### **210.020 The Operations Division**

The Operations Division is commanded by a Lieutenant or Captain and includes; the Patrol Unit, SWAT Team, Reserves Commander, Disaster Response, Bomb Squad, K-9, Bike Patrol, School Resource Officers, Public Information Releases, and Animal Control.

1. The Patrol Unit is divided into four (4) base shifts; Shift A – 0700-1900, Shift B – 1900-0700 with both Shift A and Shift B on the same rotation, and Shift C – 0700-1900 and Shift D – 1900-0700 on the same rotation opposite of Shifts A and B. A patrol officer may be assigned to any shift for coverage purposes.

A Patrol Sergeant and Corporal are assigned to supervise each shift. In the absence of the Sergeant and the Patrol Corporal, a senior officer may be assigned as shift supervisor.

2. K9 Officers are assigned to the patrol unit and supervised in normal activities by their Shift Sergeant and Shift Corporal, but the K9 Commander reports to the Operations Lieutenant for the overall operation of the unit.
3. Bike Patrol Officers report directly to their Shift Sergeant and Shift Corporal when they are utilized.
4. Selected officers from the Elko Police Department are assigned additional duties within the Department as collateral duty assignments. These assignments include SWAT Team, Bomb Squad, Crisis Negotiations Team, Honor Guard and Police Reserves Commander, etc.



# Elko Police Department

## Chapter 200 Department Organization

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5. Disaster Response is a function under the Operations Division; however, the Police Chief or his designee is a permanent member of the Elko Emergency Management Board.
6. One or more officers from the Elko Police Department are assigned full-time as School Resource Officers.
7. The Animal Control Unit consists of one full-time Animal Control Officer.

### **210.030 Administrative Division**

The Administrative Division is commanded by a Lieutenant or Captain and includes; Records Management, Detective Unit, Training, Community Services, Crime Prevention, Facility Management, Fleet Management, Computer Management, Chaplains Program, Airport Security, Grants Management and Evidence.

1. Community Services is a component of the Support Services Division. Functions include Crime Prevention, and the Chaplains' Program.
2. Case Management is a component of the Administrative Division and includes the supervision of the Records Division clerks.

### **210.040 Police Chief and Span of Control**

The organizational span of control of the Police Chief is; the-Operations Commander, the Administrative Commander, and Administrative Assistant.

### **210.050 Organizational Chart**

The maintenance of the organizational chart is the responsibility of the Administrative Assistant This chart will be reviewed and updated annually. This chart is distributed to all Department personnel.

### **210.060 Responsibilities of the Office of the Police Chief**

The Police Chief is responsible for the overall effective and efficient management and operation of the Elko Police Department.

### **210.061 Responsibilities of the Operations Division**

The Operations Division of the Department is responsible for the management of the following units, components and functions:

1. The Patrol Unit which is responsible for the protection of life and property, prevention of crime and the apprehension of offenders through continuous, 24-hour patrol.

# Elko Police Department

## Chapter 200 Department Organization

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The Patrol Unit is responsible for the primary response to requests for service, initiates investigations of criminal acts, responds to accident scenes and enforces the laws, ordinances and statutes of the City of Elko and State of Nevada.

2. The Patrol Unit is also responsible for traffic law enforcement, issuing citations, crash investigation, and enforcement programs.
3. The SWAT Team/Crisis Negotiator/ Bomb Squad/K-9 Unit are volunteer functions of the Operations Division. Duties are assigned to selected officers who hold full-time positions within the Department. The SWAT team may be mobilized when emergencies arise requiring special weapons, equipment and training.
4. The Internal Affairs function of the Department is performed on an assigned basis by the Lieutenant/Captain. These investigations are assigned to Administrative, Operations Lieutenant or a first line supervisor who reports directly to the Police Chief when conducting such an investigation.
5. The Police Reserve Unit is under the Operations Division and its function is to assist the personnel of the Department, preserve the public peace, prevent crime, detect and arrest violators of the law, protect life and property, enforce the criminal laws of the State of Nevada and City of Elko. All reserve officers shall hold a Nevada Category IV or above POST certificate and will receive identical training in all use of force and force tools as that of full-time officers.
6. Disaster Response is a function of the Operations Division but is the responsibility of the entire Department. The responsibilities of the Department are explained in the City of Elko Emergency Operations Plan.
7. The Animal Control Unit of the Operations Division is responsible and empowered to enforce all provisions of city ordinance and laws of the State of Nevada relating to the care, treatment, control, regulations and impounding of animals.

### **210.062 Responsibilities of the Administrative Division**

The Administrative Division of the Department is responsible for the management of the following units, components and functions:

1. The Records Management Unit maintains records on all crime reports and accident reports generated by the Department, archiving or records, and public release of records. Records Management also issues and maintains records on all work cards obtained from the Department.
2. The Computer Management component of the Administrative Division is responsible for the maintenance of the Department's Records Managements System.

# Elko Police Department

## Chapter 200 Department Organization

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3. The Detective Unit will initiate investigations of certain crimes and will complete investigations of all crimes that come to the attention of the Detective Unit, including, but not limited to homicides, robberies, burglaries, serious larcenies, assaults, etc.

The Detective Unit is also responsible for work card compliance and background investigations in accordance with Chapter 9, of the Elko City Code.

4. One or more members of the Department will be assigned to the Elko Combined Narcotics Unit. The Department will give support and help to this task force when able or needed.
5. The Property Management component of the Administrative Division is responsible for storage, distribution, inventory and maintenance of Department owned property. This includes Department vehicles and the Department facility.
6. The Administrative Lieutenant is responsible for grant writing, administration, and oversight of all grants.
7. The Case Management Component of the Administrative Division is responsible for reviewing and controlling all crime reports, investigative assignments, outside agency requests for investigative action and reports requiring corrective notice.

### **230.000 Authority and Responsibility**

#### **230.010 Authority to Execute Functions**

The success of the Department requires that responsibility be accompanied by necessary authority.

Authority to execute the required activity of the Department is delegated by the Police Chief through the command structure to individual employees. At every level of the Department, employees will be given the authority to make decisions necessary for the effective execution of their responsibilities.

#### **230.015 Accountability for Delegated Authority**

The Police Chief is ultimately responsible for the performance of the Department. To assist the Police Chief in accomplishing the goals and objectives of the Department, employees are delegated authority to perform the duties of their assignment.

Each employee, by virtue of their position in the Department, will be held accountable for the overall performance and use, or failure to use, this delegated authority in accomplishing the responsibilities of their position. This will be measured through the performance evaluation process.

# Elko Police Department

## Chapter 200 Department Organization

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Tyler Trouten.  
Police Chief

Creation Date: February 3, 1993

Revision Date: May 1, 2011

Revision Date: October 1, 2013

Revision Date: March 25, 2020

# Elko Police Department

## Chapter 300 Direction and Supervision

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### **310.000 Direction**

#### **310.010 Police Chief**

The Police Chief shall have the authority and responsibility to the management, direction and control of the operation and administration of the Elko Police Department.

#### **310.015 "Acting" Police Chief**

The Police Chief may designate a subordinate officer as "Acting" Police Chief to perform the duties of Police Chief in his temporary absence from the Department or during a disability.

If such designation has not been made and the Police Chief is absent from the Department or unable to perform his duties or make such a designation, the Chain of Command, listed below, will serve as a guide as to who assumes the duties of the Police Chief.

In the event the Police Chief anticipates an absence for a period longer than thirty (30) days, his designee shall be ratified by the Elko City Council.

#### **310.016 Chain of Command**

The Chain of Command, in descending order in the Elko Police Department shall be:

1. Police Chief,
2. Captain,
3. Lieutenant
4. Detective Sergeant,
5. Patrol Sergeant,
6. Detective Corporal,
7. Corporal,
8. Police Officer.

This Chain of Command shall serve the Elko Police Department in its day-to-day operations and will be strictly followed.

#### **310.020 Supervisory Accountability**

Supervisors will be held accountable for the performance of the employees under their immediate supervision. Although supervisors may free themselves of the actual performance of a given task, a

# Elko Police Department

## Chapter 300 Direction and Supervision

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superior officer cannot rid himself or herself of the responsibility or accountability for the accomplishment of the task.

### **310.030 Obedience to Orders**

Employees are required to obey any lawful order of a supervisor, including any order relayed from a supervisor by an employee of the same or lesser rank.

The term "Lawful Order" shall be interpreted as an order in keeping with the performance of any duty prescribed by law, rule, procedure, or regulation of the Department, or for the preservation of order, efficiency or proper discipline.

### **310.031 Accountability to Supervision**

Each employee will be accountable to only one (1) supervisor at any given time but may be supervised by multiple supervisors.

Occasions may arise requiring a supervisor to issue an order to an employee outside the supervisor's immediate responsibility. Nothing in this section will prevent this. However, if an employee is asked to perform a task that would remove him/her from his normal duties for an extended period of time, that employee's immediate supervisor should be notified.

### **310.032 Organizational Command**

Each organizational division, unit or component of the Department is under the direct command of only one officer.

### **310.033 Command Protocol**

The officer assigned to a call will be in charge unless relieved by a supervisor.

A detective assigned to the crime will be in charge of the crime scene unless relieved by a supervisor. In all circumstances where a supervisor relieves the officer or detective at the scene, that supervisor will then assume control of the situation.

Command protocol in single operations involving personnel of different divisions, units or components normally will be determined by rank; but, a command officer's appearance on the scene does not automatically place him in charge of said scene unless he assumes control and announces that he is taking control.

### **310.035 Conflicting Orders**

Any employee who receives an order that conflicts with any previous order or instruction will advise the person who issued the second order of the conflict.

# Elko Police Department

## Chapter 300 Direction and Supervision

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Responsibility for countermanding the original order rests with the supervisor who issued the second order.

In the event that neither issuing supervisor can be readily advised, the employee will carry-out the recent order and advise a supervisor of the conflict as soon as practical.

### **310.040 Annual Department Meeting**

The Police Chief shall conduct at least one meeting of the entire Department every year.

The purpose of the annual Department meeting is to enhance communication and cooperation within the Department. The agenda for the meeting may include accomplishments made by the Department. In addition, outstanding performance by employees of the Elko Police Department may be acknowledged at this meeting. Minutes for the meeting will be taken by personnel designated by the Police Chief or his designee.

Notification of such meetings will be posted at least thirty (30) days prior to the scheduled date. Employees will be permitted the opportunity to submit suggestions for the agenda prior to the meeting.

### **310.045 Supervisors Meeting**

The Police Chief or his designee will conduct a monthly supervisor's meeting. General procedures for the supervisor's meeting are:

1. The Police Chief or his designee will preside over the meeting.
2. Attendance to the meeting is mandatory for all patrol supervisors, detective unit supervisor, and records unit supervisor.
3. Employees that are required to attend the meeting may only be excused from attending by the Police Chief or his designee.
4. Each employee in attendance will have an opportunity to bring up and discuss matters of interest to the Department.
5. Attire for all supervisory meetings will consist of the uniform of the day or business attire.

### **320.000 Written Directives**

#### **320.010 General Order**

An order issued by the Police Chief or his designee that is a permanent or temporary order concerned with policy, rules or procedures affecting the department.

# Elko Police Department

## Chapter 300 Direction and Supervision

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General Orders will be distributed to all employees. A separate paper listing the names of all employees will be provided and each employee will be required to sign and date upon receipt of the General Order. The Administrative Assistant will maintain the signed receipt of the General Order.

### **320.055 General Order Format**

If an order is a General Order establishing policy, it should be written in approved format establishing in this sequence:

1. Purpose of the order,
2. Statement of the policy denoting the administrations philosophy relating to the issue,
3. Definitions, (not every order will require definitions, however when used, avoid terms that would be specific to one group and define terms in such a way as to be understood by a new employee),
4. Procedure to be followed to perform the task, this includes but is not limited to;
  - a. Identifying who performs the task,
  - b. What tools, forms, etc. will be required to perform the task,
  - c. When the task is to be performed.
5. General orders related to a procedure change or a new procedure will be included into the procedure manual.

### **320.060 Insertion into the Manual**

When orders are printed for insertion into the Department Manual, their text may be condensed to only the necessary verbiage. All orders may not appear in the manual as the subject may not be policy or may be temporary in nature. The Department Manual will be updated after review. Updated inserts will be distributed to all employees.

### **320.065 Major Policy Changes**

Major policy or procedural changes initiated by the Police Chief shall be, as soon as practical, presented to the Elko City Council for ratification.



# Elko Police Department

## Chapter 300 Direction and Supervision

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Tyler Trouten  
Police Chief

Created: October 24, 1994

Revised: May 1, 2011

Revised: October 1, 2013

Revised: March 25, 2020

# Elko Police Department

## Chapter 400 Department Role and Authority

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### **410.000 Department Role**

#### **410.010 Department Goals and Objectives**

It is the policy of this Department to establish written goals and objectives to accomplish the Department mission. The goals and objectives are, at a minimum, annually updated to help ensure direction and unity of purpose, and to serve as a basis for measuring progress.

#### **410.015 Definitions**

Goals: A relatively broad statement of the end results that one intends to achieve.

Objective: A quantitative result that one intends to attain in order to achieve fulfillment of a goal.

#### **410.020 Oath of Office**

Each Department employee, prior to assuming sworn status, is required to take an oath of office to the Constitution of the United States, the Constitution of the State of Nevada and the Laws and Ordinances of the City of Elko, Nevada. This oath will be administered, by the Police Chief or his designee. A signed and notarized copy will be placed in the officer's personnel file.

### **420.000 Limits of Authority**

#### **420.010 Department Authority**

The Police Chief and officers of the Elko Police Department are established and commissioned by Nevada Revised Statutes, Chapter 169 and 171, and by the Charter of the City of Elko.

Nevada Revised Statue 169.125 established "...Peace Officers". Peace Officers are empowered by Nevada Revised Statutes 171.124, to make arrests for violations of public offenses. The authority of a Peace Officer extends to any place in the state.

Nevada Revised Statues 171.124, while providing Peace Officers with arrest powers, also provides for officer discretion in making the decision to arrest, i.e. "May make an arrest in obedience to a warrant delivered to him or may, without a warrant, arrest a person". This discretion is not available when statutory provisions or procedures call for a specific response to a specified incident, such as domestic battery.

#### **420.020 Use of Discretion**

Discretionary powers are vested in sworn officers by state statute (NRS 171.124), governing when an officer may make an arrest.

Understanding that not all infractions of the law must be dealt with by incarceration, an officer may, upon specified circumstances, use alternatives to incarceration.

# Elko Police Department

## Chapter 400 Department Role and Authority

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Discretion may be used in many areas, such as to arrest or release on minor violations, to cite a traffic violator, to settle minor disputes and in many other areas such as: selective enforcement, directed patrol and targeted violations.

Department personnel do not have discretion when given a lawful order or when dealing with compliance of rules and regulations or specific laws mandating certain actions by police.

### **420.025 Alternatives to Arrest**

It is the policy of the Elko Police Department to exercise alternatives to incarceration without subrogating justice and the safety of the public.

Officers of this Department are allowed the use of discretion within the guidelines of Department standards, statutory case law and other directives of the Police Chief.

Examples of approved Alternatives to incarceration are:

1. Verbal warning and release,
2. Referral to a local support agency,
3. Issuance of misdemeanor citations,
4. Complaint for prosecution consideration.



Tyler Trouten.  
Police Chief

Creation Date: February 16, 1993

Revision Date: May 1, 2011

Revision Date: October 1, 2013

Revision Date: March 25, 2020

# Elko Police Department

## Chapter 500 Use of Force

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### 510.000 Deadly Force

#### 510.010 Determining Appropriateness of Force

Officers will only use a level of force that is objectively reasonable to bring an incident or persons under control and to safely accomplish a lawful purpose. An officer's use of force must balance against the level of resistance exhibited by the subject. The level of force administered by an officer must be carefully controlled and should not be more than objectively reasonable to overcome the physical harm threatened. In a confrontation, an officer will continuously reassess their response and adjust any use of force accordingly based upon the level of resistance encountered. Failure to reassess each application of force can lead to a violation of law and/or policy. The intent is to gain control of a subject and then transition into a custody phase where an officer is able to focus on the subject's welfare. In choosing a force option, the nature and severity of the crime underlying the police and citizen interaction must be considered.

Factors which must be considered when choosing an appropriate use of force upon an individual include:

1. Whether the person is armed or unarmed, and the varying risks of the type of weapon they are armed with.
2. If a Peace Officer reasonably believes the person to be under the age of 13 or over the age of 70.
3. A reasonable belief that the person is physically frail, physically disabled, or mentally disabled.
4. A reasonable belief that the person is pregnant.
5. A reasonable belief that the person is suffering a mental or behavioral health issue, or experiencing a medical emergency.

All sworn officers shall utilized de-escalation techniques for any subject experiencing mental illness or a behavioral health crisis. When feasible, officers who are trained in (Crisis Intervention Teams [CIT], should respond to suicidal subject calls.

The United States Supreme Court's decision and interpretations of the Fourth Amendment of the United States Constitution state an officer shall only use such force as is "objectively reasonable" under all the circumstances. That standard that courts use to examine whether a use of force is constitutional was set forth in *Graham v. Connor* and expanded by subsequent court cases. The reasonableness of a particular use of force must be judged from the perspective of a judicious officer on the scene, rather than with 20/20 vision in hindsight. The consideration must account for the fact that officers are often forced to make split-second judgments in circumstances that are tense, uncertain, and rapidly evolving.

Objective factors that affect the reasonableness of the force include:

1. The severity of the crime.
2. Whether the subject poses an immediate threat to the safety of officers or others.
3. Whether the subject is actively resisting arrest or attempting to evade arrest by flight.
4. The influence of drugs/alcohol or the mental capacity of the subject.
5. The time available to an officer to make a decision.
6. The availability of officers or resources (including the number of officers present

# Elko Police Department

## Chapter 500 Use of Force

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- at the time) to de-escalate the situation.
- 7. The proximity or access of weapons to the subject.
- 8. The environmental factors and/or other exigent circumstances.

In all instances of use of force, all sworn officers must, if possible, identify himself or herself as a peace officer. This can be accomplished by verbal commands, visual identification including a clearly marked uniform and/or police vehicle, or any other reasonable means.

### **510.015 De-Escalation**

All sworn officers of the Elko Police Department shall use de-escalation techniques and alternatives to the use of force whenever possible or appropriate, and consistent with their training. Such de-escalation, without limitation, includes; advisements, warnings, verbal persuasion and other tactics.

When reasonable, officers should gather information about the incident, assess the risks, assemble resources and equipment, attempt to slow momentum, and communicate and coordinate a response. Officers should start to develop a tactical plan prior to arriving at the scene and, when applicable, utilize intervention techniques by coordinating approaches to person who are in crisis, are believed to be mentally ill, or have developmental disabilities. Where potential confrontations are anticipated, the deployment and use of less-lethal options should be evaluated.

In responding as a team, officers should manage the containment or isolation of the subject. In their interaction with a subject, officers will, when feasible, use advisements, warnings, verbal persuasion, and other tactics as alternatives to higher levels of force. The use of cover, building more distance, or withdrawal to a more tactically secure position should be considered as options to help create time to diffuse a situation. Officers will perform their work in a manner that avoids unduly jeopardizing their safety or the safety of others through poor tactical decisions.

At times, de-escalation may mean the timely and appropriate use of a lower force option to mitigate a later need to use greater force. Officers will make efforts to control a confrontation and not allow it to escalate.

### **510.020 Use of Deadly Force**

In all cases, officers are required to use objectively reasonable force under the circumstances known to the officer at the time they use force.

The courts have made clear that officers are not required to use lesser alternatives under the Fourth Amendment. Officers should, as circumstances allow, consider lesser uses alternatives of force.

### **510.025 Justification in the Use of Deadly Force**

An officer, acting within the scope of his/her employment, shall be justified in the use of deadly force under the following circumstances.

1. To defend the officer from what is reasonably believed to be an immediate threat of serious physical harm or death.

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## Chapter 500 Use of Force

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2. To defend another person from what is reasonably believed to be an immediate threat of serious physical harm or death.
3. To effect the capture or prevent the escape of an offender who has committed a felony involving the infliction or threat of serious bodily harm or the use of deadly force; or poses an imminent threat of serious bodily harm or death to one's self, other peace officers, or others.
4. Elko Police Department Officers shall not use deadly force against a person based on the danger that the person poses to himself or herself, if a reasonable peace officer would believe that the person does not pose an imminent threat of death or serious bodily harm to the peace officer or another person.

### 510.030 Definitions

**Constructive Force:** The amount of force that when applied, produces fear sufficient to convince a person to stop resisting or exercising free will.

**Deadly Force:** Any amount of force or weapon, which is likely to produce death or substantial bodily harm.

**Immediate Danger:** A threat harm or death that must be instantly met, which cannot be guarded against by calling for assistance of others, protection of law or threatened or impending injury that would put a reasonable and prudent person to their instant defense.

**Intervening Force:** A force that acts after another's negligent act or omission has occurred and that causes injury to another.

**Reasonable Belief:** Facts or circumstances the officer knows, or should know, that are such as to cause an objectively reasonable police officer to act or think in a similar way under similar circumstances.

#### **Resistance:**

Passive Resistance: A subject's verbal and/or physical refusal to comply with an officer's lawful direction causing the officer to use physical techniques to establish control.

Examples	-The subject refuses to move at the officer's direction. -The subject peacefully protests at a public location and refuses to move. -The subject refuses to take their hands out of their pockets or from their back.
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Active Resistance: A subject's use of physically evasive movements directed towards the officer such as bracing, tensing, pushing, or pulling to prevent the officer from establishing control over the subject.

Examples	-The subject physically anchors himself to a person or object to prevent
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themselves from being removed.

- The subject braces or pulls away from the officer when the officer grips the subject's arm.
- The subject attempts to run when the officer touches or attempts to grab the subject's arm or shoulder.

**Aggressive Resistance:** A subject's attaching movements toward an officer that may cause injury but are not likely to cause death or substantial bodily harm to the officer or others.

- |          |   |
|----------|---|
| Examples | <ul style="list-style-type: none"><li>-The subject balls up their fists and approaches the officer.</li><li>-The subject pushes the officer back as the officer tries to take the subject into custody.</li><li>-The subject grabs any part of the officer's body.</li><li>-The subject attempts to or actually strikes the officer or another.</li></ul> |
|----------|---|

**Substantial Bodily Harm:** Bodily injury that creates substantial risk of death, or causes serious permanent disfigurement or results in long-term loss or impairment of the functioning of any bodily member or organ.

### 510.040 Use of Deadly Force Incident

When an officer fires his/her weapon or takes other action that results in or is alleged to have resulted in serious physical injury or death to an another person, the following procedure will go into effect:

1. The officer(s) will, as soon as possible, contact or cause to be contacted his/her immediate supervisor and report the incident. This is subsequent to fulfilling any immediate demands the situation requires. Such demands may consist of, but are not limited to, pursuing suspects, rendering first aid, seeking medical aid, or securing evidence.
2. Upon arrival of the supervisor, he/she will take charge of the incident scene until relieved of that duty. This includes attending to the involved officer, identifying, detaining and isolating witnesses.
3. The supervisor will have management staff and the detective unit supervisor notified.
4. Upon arrival of a detective, the involved officer's supervisor will explain and do a "walk through" of the incident with the detective. The involved officer is not to discuss the incident with other officers at the scene who are not directly involved in the investigation. The supervisor will admonish the officer that based upon the need to take immediate action, the officer must answer the following questions, and that they may not have the right to wait for legal or union representation prior to answering these limited questions:

- are you injured?
- are you aware of anyone who was injured, what is his or her location?

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- in what direction did you fire your weapon(s)?
- are there any suspects at large, and if so what is their description and last known direction of travel?
- how long ago did the suspect(s) flee?
- for what crimes are any suspects wanted?
- what weapons did any suspects have?
- is there any evidence you are aware of that needs to be preserved?
- where is that evidence located?
- did you observe any witnesses?
- where are those witnesses and/or what is their description?

5. After the involved officer(s) answer the questions, the supervisor will advise them not to discuss the incident with anyone, including other supervisor's or staff until they speak with their legal representative.
6. The detective in charge will have the involved officer taken to the hospital or other laboratory to submit to a legal blood draw.
7. The involved officer will then be escorted back to the police station where his/her weapon will be placed into evidence. Any evidentiary items, such as the officer uniform, duty gear, etc. will also be seized as evidence. A log of all items seized will be made so the department can provide replacements. Photographs of any injuries to the officer, the officer in the uniform, and/or damage to their uniform and equipment will be taken. Any reports of medical treatment or evaluation will be noted for inclusion in the report. The involved officer will be issued a replacement weapon. At the station, the involved officer's supervisor will complete a detailed report of the incident, which includes the officer's statements and the Use of Force Report Form.
8. The Detective Unit supervisor will be in charge of the investigation but may call upon the assistance and experience of any personnel within the Department or from another agency.

### **510.045 Review of Use of Deadly Force Incident**

An Internal Investigation shall be immediately started. This investigation will be conducted by an officer of Lieutenant rank or higher. It shall not be completed until after the criminal investigation is completed and provided to this agency.

The criminal investigation should be conducted by an outside agency. Upon completion, it shall be forwarded to the Elko County District Attorney's Office for review and charging decision.

### **510.046 Review by the Police Chief**

The Police Chief will review the facts of the incident and the findings of the criminal and internal investigations.



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If it is determined by the Police Chief that an incident involving the use of deadly force was not within Department policy and disciplinary action is warranted, then the Police Chief may take appropriate action.

### **510.047 Review by the District Attorney**

The Police Chief or his designee shall forward to the District Attorney's office for review any information and/or reports connected with the use of deadly force.

In cases where there has been a violation of Department policy or procedure, the Police Chief or his designee shall forward to the City Attorney any information and/or reports connected with the use of deadly force incident.

All statements received under "Garrity" during an investigation will not be released without a disclosure order.

### **510.050 Relief from Field Duty**

In the event of use of deadly force, that officer(s) will be relieved of duty by the Police Chief without loss of pay or benefits, pending the results of an investigation and review.

The Police Chief may, at his discretion, place the involved officer(s) on Administrative Reassignment pending the investigation and review.

Such relief from duty will not be considered a suspension or disciplinary action taken against the officer, but rather an administrative course of action for the purpose of relieving the officer from further performance of field duties while undergoing the extreme emotional stress of having used deadly force, and permitting the Department time to conduct an objective investigation into the matter.

The involved officer shall be afforded the services of a professional psychologist and/or psychiatrist while the incident is under investigation and review. In addition, a "Fitness for Duty" report will be required from a professional psychologist and/or psychiatrist before the involved officer returns to full duty.

### **510.055 Off-Duty Use of Deadly Force**

Off-duty officers using deadly force while exercising their police powers shall be subject to all the provisions of this chapter and assigned to on-duty status.

### **520.000 Non-Deadly Force**

#### **520.010 Use of Non-Deadly Force**

When the use of force is needed, officers should assess an incident to determine; based on training and experience, which actions will best de-escalate the situation and bring it under control in a safe and

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prudent manner. Officers are permitted to use Department authorized non-deadly force techniques (including physical force) and equipment for resolution of a situation.

### **520.020 Chemical Agents**

Only organically based, non-lethal respiratory inflammatory agents, such as "OC" are authorized to be carried by members of the Department. Officer's may carry "OC" in a Mark III or Mark IV size on their duty belt, and use other sizes as needed. Officers must be certified in "OC" prior to carrying or using it.

Chemical agents are an optional carry. Officers may opt to carry a Taser in lieu of Chemical agents.

Whenever such an agent is used on a person by an officer of this Department, first-aid decontamination will be administered to that person or affected bystanders as soon as possible, if conditions permit.

An annual re-certification course in "OC" will be required of each officer who carries or uses it.

Further specification can be found in section 650.030(8)

### **520.030 Police Baton**

Both the straight and side handle batons are authorized for use by certified officers to restrain, control, or subdue persons who are physically combative and must be subdued to prevent injury to themselves, other citizens, or officers. The baton will be deployed with only the amount of force necessary to overcome resistance.

No officer of this Department shall carry the baton until he/she has successfully completed the basic twelve (12) hour certification course. An annual re-certification course will also be required.

If any person is rendered unconscious, or is visibly injured, or claims injury as a result of the use of the baton by an officer, that person shall be given medical treatment prior to transportation to a detention facility.

Further specification of the baton can be found in section 650.030(9)

### **520.040 TASER Policy**

The TASER is a less-lethal tool that is an optional carry for all patrol officers. Officers may opt to carry Oleoresin Capsicum (OC) in lieu of a TASER. Officer shall carry either a TASER or OC as a less lethal use of force option. Officers may carry both OC and a TASER.

Before carrying or deploying a TASER, the officer must be trained and certified by attending a TASER course as approved by the Elko Police Department Chief or his designee.

Officers shall recertify annually in the use of the TASER.

The TASER should be worn on the support side in an approved TASER holster. The TASER may be worn on the approved Elko Police Department load bearing vest carrier or on a SWAT vest carrier as applicable.

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The TASER may be used when officers are confronted with an active resistive subject(s) or a violent subject(s) who poses an immediate threat to the officer or the public.

If feasible, an administrative warning should be given prior to deployment of the TASER.

Most TASER related injuries are due to the subject falling. Officers should be aware of potential risk factors. If an officer needs to deploy a TASER, care should be taken to avoid serious injury to the subject.

**Special Deployment Considerations** - The use of the TASER should generally be avoided in the following situations unless the totality of the circumstances indicate that other available options reasonably appear ineffective, impractical or would present a greater danger to the officer, the subject or others and the officer reasonably believes that the need to control the individual outweighs the risk of using the TASER:

- 1) Pregnant females
- 2) Elderly individuals or obvious juveniles
- 3) Individuals who are handcuffed or otherwise restrained
- 4) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to flammable material
- 5) Individuals whose position or activity may result in collateral injury (falls from height, operating a vehicle, etc.).

The application of the TASER in the Drive Stun Mode (direct contact without the darts) relies primarily on pain compliance and requires close proximity to the subject. Additional caution should be exercised when using the TASER to apply a Drive Stun. The application of a Drive Stun should be limited to brief applications in which pain compliance would reasonably appear necessary to achieve control. The TASER shall not be used to torture, elicit statements or punish an individual.

When a TASER has been deployed, the subject shall be evaluated by medical personnel prior to transport or as soon as practical.

When any of the following situations occur, medical attention is required and shall be provided to the subject as soon as practical:

- 1) A subject is struck in a sensitive area, such as the head, eyes, breast or genitals
- 2) An officer is unable to remove the TASER probes in accordance with their training.
- 3) The subject does not appear to have recovered after a short period of time.
- 4) Subjects in a vulnerable class or whom the officer learns have pre-existing health conditions that elevate their risk from the TASER deployment.
- 5) Any subject who requests medical attention.

When a TASER is deployed, the officer shall complete an Elko Police Department Use of Force Report, which in addition to the basic information on the form, shall include the following:

- 1) The serial number of the TASER and TASER cartridge.
- 2) The circumstances that led to the officers deployment of the TASER
- 3) The type of resistance from the subject.
- 4) Whether or not the Administrative Warning was given and if not, why.
- 5) The number of times the TASER was cycled.
- 6) The location where the darts struck the subject.

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- 7) The names of witnesses, including other officers who were present.
- 8) Whether or not the TASER was effective.
- 9) Medical attention provided and by whom.
- 10) Any other pertinent information that would articulate the incident.

If possible, officers should photograph the area where the probes struck the suspect and any injuries sustained during the use of the TASER.

Officers should collect the fired TASER cartridge and probes for evidentiary purposes.

The officer should ensure that the TASER is downloaded after it has been deployed. Any recorded data, such as deployment information, will be provided to entities authorized to receive such information upon request.

### **530.000 Use of Force Control Options**

#### **530.010 Use of Force**

Control options refer to tools used by an officer in order to control a situation, from minimal force to maximum force (i.e., verbal force, physical control holds, personal weaponry, inflammatory agents, police vehicles, firearms, etc.). The Department's use of force continuum is presented as follows: (see chart at end of chapter)

- |          |   |
|----------|---|
| Option 1 | Officer's presence and verbal commands. To persuade, by use of verbal dialogue. Can be accomplished by advice, warnings, or persuasion.                           |
| Option 2 | Soft hands. To gain compliance by escort and physical maneuvering.  |
| Option 3 | Taser and Chemical Agent.   |
| Option 4 | Hard hands. Strikes using personal weapons and other self-defensive techniques, to include distractionary strikes and force used to take a subject to the ground. |
| Option 5 | Impact tools/less-lethal munitions. Use of expandable baton, or side handle baton or weapon launched less-lethal munitions., K9 bites.                            |
| Option 6 | Deadly force tools. To stop a potentially deadly act by the use of deadly force with a firearm, baton, vehicle or by any other objective means.                   |

#### **530.011 Option 1 Officer Presence/Verbal Commands**

Often times, the mere presence of a uniformed officer on scene is sufficient to restore peace. In dealing with people, each officer must attempt to make his contact one which inspires respect and generates cooperation and approval of the public. A citizen's encounter with police can be a frightening, emotional experience and under these circumstances, the risk of misunderstanding is great.

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The manner and form in which an officer speaks to an individual(s) can be an effective means of exerting verbal force in order to control the situation. Verbal force may be in the form of warnings, advice, persuasion, volume and tone control, and may, in and of itself, be progressive in nature, depending upon the circumstances. All are effective means of utilizing reasonable and necessary verbal force.

### **530.012 Option 2 Soft Hands**

The majority of arrests made by officers of this Department are made peacefully. The prisoner is handcuffed, searched, and transported. In these situations, there is neither resistance, nor the need to use force. On occasion, some form of physical maneuvering may be required to escort the individual from one location to another.

### **530.013 Option 3 Chemical Agents/Taser**

On occasion, police officers are faced with an uncooperative individual who is actively resisting containment and/or arrest. The individual is actively resisting being placed in custody and other alternatives would be, or have been, ineffective or inappropriate. Incidents of this nature require officers to use sufficient force to make the lawful arrest without unnecessarily aggravating the situation. The object of this option of force is to gain compliance and control while minimizing the risk of injury to the officer, the person being placed into custody, and innocent bystanders.

At this level an officer may use aerosol inflammatory agents or Taser. All officers must carry either a Taser or chemical agent. The Taser WILL ONLY be deployed on subject(s) who are actively aggressive towards the officer and/or citizen(s)

### **530.014 Option 4 Hard Hands**

Chokeholds are not permitted. Officers will not use an arm bar across the throat or any non-approved technique (see NRS 289.810 and NRS 193.350).

### **530.015 Option 5 Impact Weapons/Less-lethal munitions/K-9**

The baton and less-lethal munitions shall only be used in accordance with current Department training standards. Their use shall be restricted to quelling physical confrontations where other verbal or physical force options would be, or have been, ineffective or inappropriate.

The K-9 bite and hold is also considered an impact tool and can be used to control and apprehend an actively resistant subject.

Improvised tools may be used as an impact weapons when necessary and shall be used in accordance with standard protocols for authorized impact weapons.

### **530.016 Option 6 Deadly Force**

All officers are equipped with a firearm to defend themselves or others against deadly force. An officer uses this force when it is reasonably necessary to preserve his/her life or the life of another. When a

# Elko Police Department

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firearm or other form of deadly force is used, it must be with the realization that the death of a person may occur.

Officers are to be cognizant of the provisions of sections 510.020 & 510.025 of this manual when making the decision to apply deadly force. Deadly force may consist of the use of items, articles, instruments or equipment other than firearms which are designed, intended, and routinely utilized for other police purposes such as vehicles, batons, and flashlights, etc., or any other object at hand. Deliberate use of any such item, article, instrument, or equipment for any purpose other than that for which it was designed and intended to, in a potentially deadly manner (i.e. as a club), is prohibited except in cases where the use of deadly force is specifically authorized under the provisions of this chapter.

### **530.017 Improvised Techniques and Tactics**

Understanding that the use of force occurs in a dynamic and rapidly evolving environment, there can arise exigencies in which officers may have to resort to techniques and tactics which they are not trained in to preserve their lives or the lives of others. If an improvised technique or tactic is used, the officer will specifically articulate the need to do so and specifically articulate the improvised technique or tactic in the Use of Force Report.

### **530.020 Use of Force Report**

Every officer of this Department shall complete a Department Use of Force Report form (EPD form 1a/94) whenever force is attempted or used against a person at Option 3 or above. If a firearm is pointed at a subject, a Use of Force report will be generated by the officer. The Use of Force report will be forwarded after supervisor review to the Operation's Lieutenant for review by the Review Board.

### **530.025 Use of Force Report Annual Summary**

The Operations Commander is responsible for maintaining a file of all Use of Force Reports. In addition, the Operations Commander shall submit an annual report on use of force incidents to the Police Chief.

This summary will include:

1. All Use of Force Reports filed,
2. Number of suspects injured,
  - a. By degree of severity
  - b. Age of suspects
  - c. Race of suspects
  - d. Sex of suspects
3. Number of officers injured,
  - a. By degree of severity

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- b. Age of officers
- c. Race of officers
- d. Sex of officers

### **540.000 Use of Firearms**

#### **540.010 Authorized Firearms**

Firearms carried by officers of this Department as either primary duty weapons, second "backup" weapons, or off-duty weapons must be inspected and approved by the Police Chief or his designee.

Officers must qualify with these weapons before they can be carried.

All firearms carried by officers of this Department for duty, backup, or off-duty use will meet the standards and criteria of Chapter 2300 Range Master's Standard Operating Procedure in this manual.

#### **540.020 Firearms Proficiency and Qualification**

All sworn officers of the Department are required to obtain a qualifying score on a course approved by the Range Master and the Police Chief. Officers are to qualify with their duty weapon(s), off-duty weapon, secondary backup weapon, and any other Department firearm the officer is authorized to use.

Each sworn officer of this Department must qualify on a Department authorized course two (2) times each year. Officers are required to attend all firearms trainings unless absent on previously authorized vacation, on sick leave, under subpoena for court, or otherwise detained on critical department business.

Anytime an officer, reserve officer, or any other employee of this department is qualifying or practicing at the Elko Police Department firing range, they must wear proper eye and ear protection. The eye protection must be prescription glasses, sunglasses or safety glasses that meet or exceed ANSI Z87 impact standard or military impact standard MIL-STD-622. Ear protection must be the muff style that covers the entire ear. Ear plugs may be worn, but they must be covered by the muff style ear muffs. Officers must also wear their department issued ballistic vest while qualifying or practicing at the Elko Police Department firing range.

#### **540.030 Type of Qualification Course**

Because of the variety of firearms authorized by this Department, the Range Master, with approval of the Police Chief, will determine the exact nature of the qualification courses.

#### **540.035 When an Officer is Unable to Qualify**

If after three (3) attempts, on the day of qualification, an officer is unable to qualify with his/her duty weapon, that officer will immediately be placed on administrative duty and will report to the Operations Commander or the commander's designee for assignment. In addition, that officer will be assigned to the Range Master, or designee for extensive firearms training. If after three (3) additional attempts, that

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officer is still unable to qualify he/she may be suspended without pay, at the discretion of the Police Chief. The officer will not be allowed to return to duty until that officer is qualified and that fact is certified in writing by the Range Master to the Police Chief. Failure to qualify with the officer's duty firearm will lead to disciplinary action, which may include termination.

### **540.040 Authorized Firearms and Ammunition**

At the present time, duty side arms are not included in standard equipment issued to sworn officers of this Department. In order to ensure that officers who must carry personal firearms in the performance of their duties do not carry a firearm that is in poor quality or inherently dangerous, all firearms and ammunition must meet accepted criteria, be in satisfactory working condition and be approved by the Police Chief or his designee.

Firearms and ammunition specifications will conform to the standards in Chapter 2300 Range Master's Standard Operating Procedure.

### **540.045 Use of Deadly Force Training**

Officers of this Department will not be allowed to carry a firearm in any status until they have been issued and trained in the contents of the policies described in sections of 510.000 of this policy and procedure manual.

In addition, these sections will be reviewed each time an officer qualifies with a firearm.

### **540.050 Discharge of Firearms**

The policies of the Department regarding the discharge of a firearm within the scope of an officer's duty include:

1. Warning shots shall not be used as they pose a danger to officers and citizens.
2. If the use of deadly force becomes necessary, the officer should shoot to stop the assailant from completing a potentially deadly force act.
3. Officers will not discharge a firearm at or from a moving vehicle except when all other reasonable means have been exhausted and the use of deadly force has become necessary.
4. When officers are about to discharge their firearms, they should be cognizant of their field of fire and will not unnecessarily create a substantial risk or harm to innocent persons.
5. A firearm may be used to destroy an animal and is justified only to prevent substantial harm to the officer or others, or if the animal is so sick or injured that humanity requires its relief from further suffering.

### **540.055 Off-Duty Firearms**



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Any sworn officer of this Department may carry an approved firearm and ammunition off-duty, as long as the carrying of the firearm does not conflict with any other directive of this manual or violate any law, statute, or ordinance. Officers must qualify with any backup or off-duty weapon carried.

Any officer who chooses to carry an approved off-duty firearm shall carry it concealed and out of public view. The officer shall also carry a Department badge and identification card. Officers who carry off-duty are encouraged to carry an extra magazine and a form of wrist restraints.

Off-duty officers who anticipate consuming alcoholic beverages are advised not to carry a firearm (unless on authorized special assignment). Any officer found intoxicated and carrying a firearm shall be subject to disciplinary action. If the need for police services arises while an off-duty officer is consuming alcoholic beverages, the officer shall request an on-duty officer to respond.

### **550.000 Police Intervention**

#### **550.010 Duty to Intervene**

Members of the Elko Police Department have a duty to intervene if they observe or hear conduct by fellow department members that is unethical, clearly violates the law or violates department policy.

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

Any supervisor witnessing a department member using force that is clearly beyond that which is objectively reasonable under the circumstances shall immediately issue an order to cease to the department member(s) engaged in the unlawful conduct. .

If any person is injured and requires medical attention, members of this department shall render aid in accordance with their training and request medical assistance when necessary.

Any department member, who observes another department member use force that exceeds the degree of force permitted by law, shall promptly report these observations to a supervisor both verbally and in writing.

#### **550.020 Medical Attention**

Whenever an officer applies a use of force option upon a subjects that results in either observable signs or complaints of injury or difficulty in breathing, the officer will continuously monitor the subject and immediately summon medical attention. Officers will be mindful that persons who are in a prolonged physical encounter with officers may be at an increased risk of medical distress. Incidents involving these persons should be considered medical emergencies.

Officers will monitor for signs of life (e.g., pulse, respiration, and chest movement) and update responding medical personnel via dispatch with any changes in the subject's condition. When requesting medical attention, the officer will provide the nature of the injury, the subject's age and gender, and other circumstances that could be of potential medical risk to the subject (i.e., obesity, suspected drug use, extreme agitation, profuse sweating, labored breathing, complaint of chest pain, or involvement in a foot

# Elko Police Department

## Chapter 500 Use of Force

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pursuit). Officers should render medical aid within the scope of their departmental training and skill level while awaiting the next level of medical care.


Officers will not restrain subjects who are in custody and under control in a manner that compromises their ability to breath. Prone handcuffed subjects will be immediately placed in a recovery or seated position once safe to do so (i.e., the placement of the subject's body in a manner that does not restrict breathing or obstruct the airway, such as on their side or upright). While handcuffed subjects are seated, they will not be forcefully bent forwards at the waist, and pressure will not be applied to their back, neck, or head.

In some instances, the best course of action may be to transport the subject to the nearest medical facility. The nature of injury, response time of medical personnel, and the proximity of the medical facility should be considered.

Medical attention will be summoned for the following use of force applications, regardless of visible injury or complaint of injury:

1. Baton/Impact weapons – any strikes to the head, neck, chest, spine, kidneys, or groin area.
2. Canine – all bites.
3. Electronic control device (ECD) – probe strikes to the head, neck, chest, or groin area.
4. Oleoresin capicum (OC) spray – direct exposure to the facial area.
5. Use of Force with projectile weapons:
  - a. Less lethal shotgun – all strikes.
  - b. 40mm specialty impact weapon – all strikes.
6. Handgun/shotgun/rifle – all strikes.
7. Use of Force with a vehicle:
8. Chokeholds – all uses including inadvertent.

After prisoner transport, the arresting officer will notify detention personnel and/or facility medical staff if the subject has a visible injury, complains of injury, or has experienced any of the above force applications.

  
Tyler Trouten  
Police Chief

Created: February 16, 1993

Revised: May 1, 2011

Revised: October 1, 2013

Revised: April 6, 2020

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Revised: February 3, 2021

Revised: February 10, 2021

Revised: October 1, 2021

# Elko Police Department

## Chapter 600 Patrol Unit

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### **610.000 Organization & Administration**

#### **610.010 Patrol Policy**

It shall be the Policy that every patrol employee will provide the highest quality of service available to the community and its members.

This will be accomplished by the following:

1. Proactive patrol,
2. Criminal law enforcement,
3. Traffic enforcement and control,
4. Preliminary and some follow-up investigations,
5. Case and incident reporting,
6. Crash investigation,
7. Community Policing,
8. Parking enforcement,
9. Tactical operations,
10. Airport security and enforcement,
11. Answering calls for service.

#### **610.020 Patrol Procedure**

In the interest of safety and the rights of the citizens of the City of Elko, officers will adopt the following general performance objectives to guide their daily patrol activities:

1. To reduce personal injury and property damage accidents through the use of proactive and directed patrol and traffic law enforcement, to include parking enforcement.
2. To reduce the overall crime rate by increasing the effectiveness of both proactive patrol and the investigation process.
3. To reduce the effects of the impaired driver by concentrated law enforcement efforts and increased public awareness.

# Elko Police Department

## Chapter 600 Patrol Unit

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4. To increase and maintain contact, communication, and the support of the community we serve through participation in community events, personal contact with all citizens who report crimes unless they request otherwise, addressing concerns of citizens about crimes and quality of life issues, and by professional behavior in all citizen contacts.

### **610.030 Patrol Communication, Coordination and Cooperation**

The Patrol Unit will encourage and support the exchange of information with other units and components of the Department and other local agencies for the purpose of coordinating performance.

Information shall be communicated by the use of pass-on briefing sheets e-mailed to all supervisors and other local agencies, by attending the Supervisor's Meetings (section 310.045), by providing daily pass-on information to other units and components, and by having supervisors from other units and components review and provide input into the Patrol Unit directives.

### **610.040 Patrol Response**

The City of Elko will be provided with basic law enforcement services, which will be available on a 24-hour basis.

Members of the public shall be able to contact this Department at any time and receive prompt response to emergency situations.

The Department will provide patrol coverage at all times and therefore will make provisions for shift changes or otherwise provide the availability of an officer on a 24 hour a day basis.

### **610.050 Shift Assignments**

All officers in the Patrol Unit will be assigned to a particular shift for a period of not more than six (6) months, nor less than three (3) months, and such assignment shall be up for bid every four (4) months in accordance with the current police contract, with shifts being in effect approximately from January 1 to April 30, May 1 through August 31, and September 1 through December 31. The actual dates of shift rotations will be determined by the end of the nearest pay period.

Officers in the Patrol Unit will be allowed to bid for a shift assignment of their choice in accordance with the current police contract, shifts will be awarded based on seniority.

This does not preclude temporarily reassigning officers from one shift to another for the purpose of responding to special or emergency situations, or meeting minimum staffing needs.

Either a Sergeant or Corporal, or in the absence of either, a qualified senior officer will be supervisor over each shift.

### **610.060 Assigning Officers to Beats**

# Elko Police Department

## Chapter 600 Patrol Unit

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Shift supervisors will assign the officers on their shift to specific beats. A monthly beat schedule will be prepared by the shift supervisor or his designee in the scheduling program, allowing each officer an opportunity to work each designated beat within the city during that month. This rotation of beat assignments will help officers become familiar with all areas of the city and to become acquainted with persons, businesses, organizations and hazards throughout the community.

The shift supervisor may change beat assignment for all or segments of the shift due to; changes in staffing during the shift, volume of activity, familiarity with the area or continuing investigative work.

Beat assignments will be communicated to dispatch by the supervisor either by phone or email at the beginning of each shift.

### **610.070 Work Schedule for the Patrol Unit**

The work schedule for all Patrol Unit officers will be a rotation of five (5) days on duty and five (5) days off duty followed by two (2) days on duty and two (2) days off duty, or the reverse of five (5) days off duty, five (5) days on duty, two (2) days off duty, followed by two (2) days on duty.

### **610.080 Roll Call**

The off-going shift supervisor will brief the on-coming shift of information regarding the activity of the previous shift, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations. This will be accomplished by use of the pass-on briefing sheet distributed via e-mail to all supervisor. The pass-on sheet will also provide the beat assignments, vehicle, e-cite & printer and Taser each officer is utilizes during that shift.

The on-coming shift supervisor will notify their officers of schedules, assignments and changes in schedules and/or assignments. In addition, the on-coming shift supervisor will notify his officers of new directives or changes in directives, court subpoenas to be served, temporary restraining orders to be served and any other criminal/civil processes to be acted on.

Roll call briefing should also be utilized to provide short trainings as needed or directed. All such trainings will be documented by the shift supervisor and the list of attendees submitted to the Administrative Commander.

If the roll call is delayed for some or all officers on the shift, the on-coming shift supervisor will contact each officer and conduct an informal roll call.

Officers will be attentive during roll call briefings and trainings, making notes as necessary, recognizing that they are responsible for the information provided.

Officers will be familiar with notices on the bulletin board and current information on various pass-on information as well as checking their mailboxes and email as part of the roll call process.

### **610.081 Roll Call Inspection**

# Elko Police Department

## Chapter 600 Patrol Unit

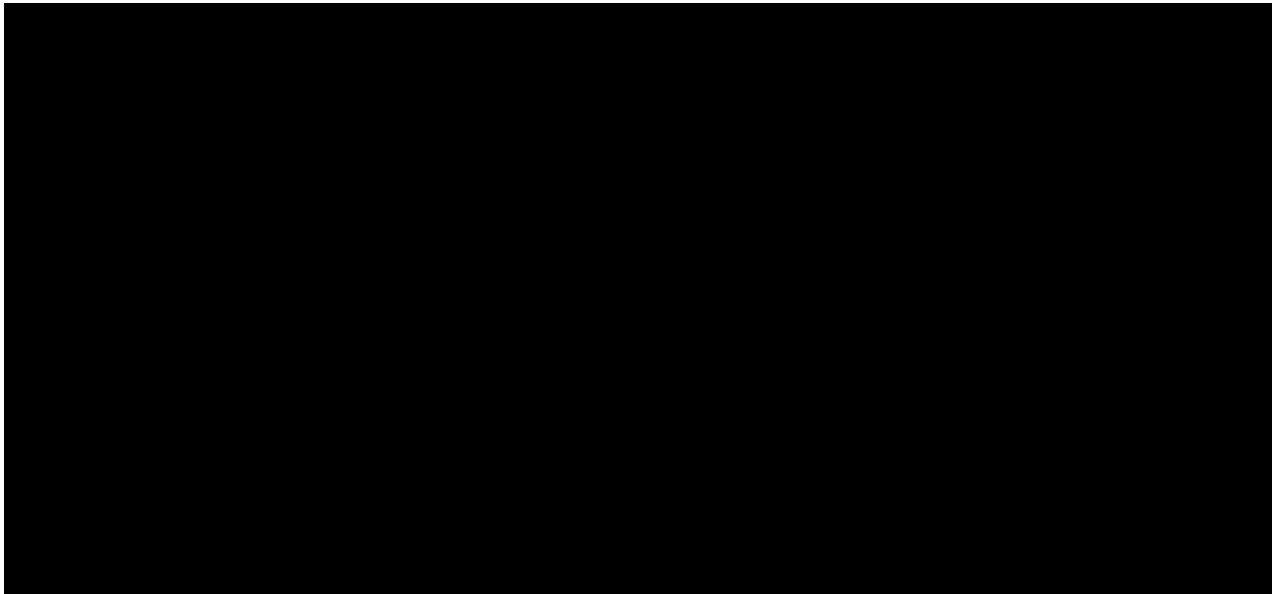
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The shift supervisor will evaluate their officers' readiness to assume patrol at each roll call. This may include a personnel inspection of uniform, weapon, and/or vehicle.

### **610.090 Radio Identification Numbers**

A number system is assigned to identify and permit communication with officers of the Elko Police Department over the police radio system.

### **610.095 Numeric Designation**



### **610.100 Radio Communication with Other Agencies**

With the exception of the Nevada Highway Patrol, Elko Central Dispatch provides all law enforcement and support agencies' radio communication in Elko County.

When it becomes necessary for an officer of the Elko Police Department to communicate with another user agency, the officer may do so by requesting a Patch be established between the ~~two~~ agencies through dispatch.

When communicating with other agencies, officers will maintain courtesy and professionalism on the radio. Members of other user agencies will be referred to by their radio call numbers and not by name. A list of all user agencies call numbers can be obtained from Elko Central Dispatch. It is recommended that when communicating with a member of another user agency, that plain talk be used as opposed to the Ten-Code.

All radio communication will be in accordance with Elko Central Dispatch and User Agencies Standard Operating Procedure.

### **610.110 Incident Response**

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A single police unit will generally be dispatched to handle routine calls for service. However, the nature of some calls may require additional units be dispatched for the purpose of safety as well as more effective handling of a situation. Any additional units dispatched on a call are expected to clear the scene as soon as it has been determined that their presence is no longer needed to deal with the situation. Unless necessitated by safety mandates, patrol officers will avoid all units responding to calls, leaving the other areas of the city uncovered.

### **610.111 Two Officer Response**

The following are examples of situations requiring response from at least two officers:

1. An assault on an officer (officer needs assistance),
2. On-scene arrest for a felony or violent misdemeanor,
3. Resistance to arrest,
4. Use of force,
5. Crime in progress,
6. Fleeing suspect,
7. Open door,
8. Disturbance involving intoxicated or disorderly persons.
9. Prowler and alarm calls,
10. Robbery or burglary in progress,
11. Fights or domestic disputes,
12. Calls involving mental subjects,
13. Sexual assaults, homicide or suicide calls,
14. Any calls where the nature of the call is unknown.

Additional officers may be dispatched to a call when a supervisor, officer or dispatcher has reason to believe that additional officers are needed to handle the situation.

### **610.113 Shift Supervisor Response**

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A shift supervisor will be called to the scene to oversee operations for all felonies, crimes in progress, crimes that involve injuries, vehicle accidents with serious injuries, or any time the supervisor's presence is requested by a complainant or officer on the scene.

### **610.120 Notification List Matrix**

A Notification List matrix indicating which managers and supervisors are to be notified for specific events is located in the dispatch center. In addition, this information is retrievable through the Special Response Informational System of Computer Aided Dispatch.

The shift supervisor, should as soon as needed or feasibly notify management staff of all critical or unusual occurrences or events in accordance with the Notification List.

### **610.130 Foot Patrols**

As staffing numbers and weather conditions permit, an officer may be assigned to foot patrol.

The officer on foot patrol is required to have a hand held radio with him at all times while on foot patrol and central dispatch will make security checks on the officer every thirty (30) minutes.

The shift supervisor may suspend foot patrols depending on staffing numbers, weather and activity during the shift.

### **610.140 Bicycle Patrol**

As staffing numbers permits, this Department may use high-visibility bicycle patrol for the effective patrolling of areas requiring mobility, fast response time, or close contact with the citizens of Elko.

The Bicycle Patrol consists of specially trained, outfitted, and equipped volunteer officers riding bicycles. They are tasked with patrolling the downtown corridor and other congested areas where vehicle or foot patrol would be ineffective or inefficient.

## **620.000 Operations**

### **620.010 Investigation by Patrol**

Patrol officers should conduct the preliminary investigation in most cases. The single most important determining factor in solving a crime is the information supplied by the victim and/or witnesses to the immediately responding patrol officer. Preliminary investigations begin when the officer arrives at the scene of an incident. The officer makes contact with the complainant or becomes aware that a crime has been or is being committed.

### **620.011 Patrol Investigations Include**

This preliminary investigation continues until such time as the postponement of the investigation or transfer of responsibility. The patrol investigations usually include some or all of the following:



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1. Providing for limited medical attention to injured persons,
2. Protecting the scene to prevent evidence from being lost or contaminated,
3. Determining whether a crime has been committed, and if so, the exact nature of the offense,
4. Determining the identity of the suspect or suspects and arresting them when appropriate,
5. Providing information to the dispatch center and other officers regarding descriptions, method and direction of travel and any other relevant information concerning suspects and/or suspect vehicles,
6. Identifying all witnesses,
7. Interviewing victims, witnesses and suspects to determine, in detail, the exact circumstances of the offense,
8. Arranging for evidence collection,
9. Taking written statements, when possible and appropriate, from victims, witnesses and suspects.
10. Accurately and completely recording all pertinent information.
11. In the event of a death or serious crime, the patrol officer should utilize the Crime Scene Recommendation list EPD740.045a/07.

#### **620.012 Contacting the Detective Unit**

In cases of homicide or other major crime scenes, the Detective Unit supervisor or his designee will be contacted to assume control of the investigation.

The patrol officer will continue to assist in the preliminary investigation of the crime as appropriate and is responsible for filing the initial report.

In cases of other serious, unusual or complex crimes, the shift supervisor shall decide when to contact a detective. This decision shall be made on a case-by-case basis as appropriate under the circumstances.

#### **620.020 Sexual Abuse/Sexual Assault of a Child Protocols**

In cases of sexually molested or abused children, the following protocol will be followed:

The preliminary investigation is limited to:

1. Determine appropriate investigative jurisdiction.

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2. If the victim is a child, determine if this child or any other child is currently at risk (for example: is the alleged suspect in the home, does the alleged suspect have access to the victim, etc.).
3. Determine who the suspect is and what type of relationship the suspect has with the victim.
4. Notify On-Call Detective.
5. Complete appropriate reports.

Whenever possible, the above information should be obtained from reporting parties, witnesses or other individuals rather than from the victim.

The officer when completing the narrative portion of the report will not, under any circumstances, refer to the child by name. The child will be referred to only by his/her initials or pseudonym. This same protocol will also be used for adult victims of sexual assault. (Per N.R.S. 200.3773)

At no time should the patrol officer interview the child, other than to gather general information or information needed for the "Handle with Care" program, (i.e. name, DOB, address, school, etc.)

#### **620.030 Follow-up Investigation by Patrol**

The patrol officer will routinely conduct follow-up investigations in order to increase their effectiveness, to enhance their role, and to provide the Detective Unit more time to concentrate on complex investigations.

#### **620.035 Investigations Referred to the Detective Unit**

Whenever possible, patrol officers will work to conclude cases in patrol, however, the following investigations will be referred to the Detective Unit for crime analysis and information, even if they have been concluded. These crimes include the following:

1. Cases where the offense appears to be one in a pattern or series,
2. Where investigation will be required in widely located areas outside this Department's jurisdiction,
3. The investigation would remove the patrol officer from his/her normal duties for a significant period of time,
4. Homicides; sexual assaults; robberies; batteries involving substantial bodily harm; burglaries of items with serial numbers, firearms, or specific identifiers; major thefts and arsons.

Additionally, the on-call detective will be notified as soon as practical for all homicides, attempted homicides, batteries involving substantial bodily harm, arson, child abuse crimes involving injury, child sexual abuse, sexual

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sexual abuse, sexual assaults, or any felony crime involving a crime scene being held. Shift supervisors may call the on-call detective for any other calls at their discretion.

The patrol supervisors, when reviewing reports, will determine if an officer can complete needed follow-up to conclude a case and will refer the case back to the officer for that investigation.

### **620.040 Field Interviews**

The use of field interviews is intended to provide documentation of people, which, due to circumstances of time, location, current crime statistics, etc., appear suspicious to an officer.

To guard against the misuse of field interviews and to minimize potentially adverse citizen reactions, the officer must have reasonable articulable suspicion for the field interview contact and not make random inquiries.

All field interviews will comply with requirements of a “Terry” stop unless they are consensual contacts. As listed in NRS 171.123 these stops cannot exceed 60 minutes, and must only be as long as necessary.

### **620.050 Informant Use by Patrol Officers**

Although officers in the Detective Unit generally make use of informants more frequently, patrol officers may also use informants, particularly in light of their investigative responsibilities.

An informant is a person who provides information to the law enforcement community. Patrol officers are likely to develop a number of informants through routine day-to-day activities. Generally, these informants are not paid, do not require or desire anonymity and therefore, do not come under special procedures requirements.

A confidential informant is a person who cannot or does not desire to have their identity known. Should a patrol officer develop a confidential informant or make use of a paid informant, coordination through the Detective Unit must be accomplished to satisfy requirements in accordance with section 720.000 of this manual.

### **620.060 Radio Communications**

This Department provides every officer two means of radio communication. Each patrol unit is equipped with a mobile radio, and each officer is issued a portable hand held radio. Radios are used for the purpose of communication with central dispatch for the purpose of exchanging information, requesting assistance, transmitting orders or instructions, and responding to calls for service.

Portable radios assigned to each officer include a charging unit, radio, handmic, and battery. The charging unit, radio, and battery maintenance responsibility rests with each officer assigned the equipment. Officers are issued the equipment and equipment can be maintained at home.

Operations are more efficient and officer safety is enhanced when central dispatch, supervisors and fellow officers know the status of officers, their locations, nature of the incident, and developments in their

# Elko Police Department

## Chapter 600 Patrol Unit

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investigation. Officers will communicate with central dispatch upon their arrival at the scene of an incident, when clearing the scene, when making vehicle/pedestrian stops, reporting incidents, and otherwise as appropriate.

MDT's are available in patrol vehicles for communications with dispatch and other officers in lieu of radio usage.

### **620.075 Policy for Cases of Domestic Violence**

It is the policy of this Department to take appropriate enforcement actions in domestic violence situations within the parameters as set forth in Chapter 171 of the Nevada Revised Statutes amended by the 2004 Legislature.

Domestic battery exists when a battery is committed upon one's spouse, former spouse, whom he/she has a child in common, whom he/she has guardianship over, his/her minor child or minor child of that person, or he/she is involved in a dating relationship.

### **620.080 Officer's Responsibilities When Responding to Domestic Violence Incidents.**

1. Determine if relationships of persons involved constitute domestic violence. (NRS 33.018)
2. Determines if the situation is a battery and who is the primary physical aggressor?
3. Determine if the incident occurred within the preceding twenty-four (24) hours.
4. Arrest, unless mitigating circumstances exist, the primary aggressor in accordance with NRS 171.137 on probable cause, whether or not a warrant has been issued.
5. In all cases of domestic battery, a written report will be prepared by the investigating officer to document the circumstances of the domestic violence incident.
  - a. Include in the report any mitigating circumstances which prevented an arrest.
  - b. Also include the reasons that one person was determined to be the primary aggressor in a mutual battery situation.
6. In all instances of Domestic Violence as defined by NRS 33.018 strictly involving intimate relationships, the DA-LE shall be completed, excepting relationships between a child and parent/guardian or non-intimate relationships, wherein the DA-LE shall not be completed.
  - a. The DA-LE (Danger Assessment – Law Enforcement) is a research based risk assessment instrument that measures risk of lethal or near-lethal assault between intimate partners.
  - b. The DA-LE shall be completed regardless of whether an arrest is made or charges for domestic violence are being submitted for prosecution.
    1. Higher scores on the DA-LE correspond with greater risk. A case is considered high-risk when 7 or more questions on the DA-LE are answered affirmatively.
    2. The DA-LE is not a replacement for professional judgment. Officers must use their professional judgment and consider the totality of the circumstances,

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including but not limited to the severity of the battery, previous DV incidents between the parties, and/or the level of fear of harm expressed by the victim.

3. When officers believe a victim is at an elevated risk of a lethal or near-lethal incident, even if the DA-LE indicates a low score or the victim declines to complete the DA-LE, officers can override the outcome of the DA-LE by completing the "Further Review" box and documenting the justifications in the space provided.

4. Officers shall complete the High-Risk Intervention Protocol when a victim scores as high-risk on the DA-LE or when the officer overrides the score. This protocol consists of:

- The officer shall inform the victim that their situation is extremely dangerous.

- The officer shall inform the victim that help is available, advise them of the Committee Against Domestic Violence (CADV) the services that they provide, and that law enforcement, prosecutors, and CADV work together to protect them.

- In addition to the requirements of EPD Policy 620.085, officers shall contact CADV and request an advocate respond to meet with the victim.

- If the victim denies services, a working phone number for the victim shall be obtained. The officer shall inform them of the role of the Domestic Violence Systems Advocate (DVSA), and that they will receive follow-up contact.

- All DA-LEs; complete, incomplete, or declined, will be attached to the case report. The shift supervisor shall review all DA-LE's to ensure that they are complete. Any circumstances preventing completion of the DA-LE or reasons for declination shall be documented in the report narrative.

#### **620.085 Domestic Violence Information Card**

Officers will explain the provisions of NRS 171.137 and advise victims of all reasonable means to prevent further incidents, including advising each person of the availability of shelter or other services in the community. Officers will advise each victim of the process to obtain Temporary Protective Orders.

Officers will provide the domestic violence victim with a written copy of information concerning domestic violence as provided by the Nevada Network against Domestic Battery. This is to include the 24-hour crisis line for the local domestic violence program.

Each investigating officer should print his/her name and call number on the Domestic Violence Information card prior to giving this card to the victim.

Domestic Violence Information cards are available in the report room of the Department and officers must carry a supply of them while on duty. The information cards are available in English and Spanish, and officers shall ensure that the victim receives a card in the language they are fluent in.

# Elko Police Department

## Chapter 600 Patrol Unit

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1. Domestic violence occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:

The provisions of this section do not apply to:

- (a) Siblings, except those siblings who are in a custodial or guardianship relationship with each other; or
- (b) Cousins, except those cousins who are in a custodial or guardianship relationship with each other.

3. As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

(Added to NRS by [1985, 2283](#); A [1995, 902](#); [1997, 1808](#); [2007, 82, 1275](#); [2017, 3179](#); [2019, 1805](#))

### **620.100 Service of Temporary Protective Orders (TPO's), Extended Protective Orders (EPO's) and Notice of Hearings Related to Domestic Violence.**

The County Clerk's Office will fax a copy of the order to the Records Unit. In the event the order cannot be faxed or is from another court, an officer will be assigned to pick up Orders or Notice of Hearings at the court, County Clerk's office, or, if after 5:00 p.m., at the Juvenile Detention Center. The officer will then deliver the orders to the Records Unit. After the Records Unit has logged the TPO, the shift supervisor will be notified that the order is ready for service. If after 5:00 p.m., the officer will deliver the Orders or Notice of Hearings to the Records Unit for processing the next business day.

If the Orders or Notice of Hearings were received by the Records Unit before 4:00 p.m., the Records Technician will process the Orders or Notice of Hearings. If the Order or Notice is received after 4:00pm, it will be processed the next business day.

Service and attempts of service of Orders and Notice of Hearings shall be done as soon as possible after having been received.

### **620.105 Protective Order Instructions for Law Enforcement**

A TPO or EPO will have attached instructions for Law Enforcement. Officers shall read these instructions carefully as they often have special procedures for the officer to follow upon service of the order.

### **620.108 When Protective Order is Served**

Officers will obtain identification of the person they are serving with notice of a Temporary Protective Order (TPO). As soon as the Order or Notice of Hearing is served, the officer serving it shall immediately notify Central Dispatch that the Order or Notice of Hearing was served, whom it was served on, the date and time of service, and the location of the service.

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TPO's for Domestic Violence can be served in person or over the telephone on the adverse party. In cases where a person to be served a TPO is located, and a physical copy of the TPO is not available, officers may provide verbal notice of the tenants of the TPO as obtained from dispatch. Notice of Hearings, however, do not have to be served in person and may be left with someone at the adverse party's residence. Orders for stalking, harassment, etc., issued by another court must be served in person.

In cases of TPO's, the adverse party will be served with one copy of the Order and one copy of the affidavit in support of the Order.

The Return of Service, which is attached to the Order or Notice of Hearing, will be completed in full by the serving officer and returned to case management. Upon receiving the Return of Service (indicating the Order was served), the Records Unit will log it in as "Served" and forward it to the Elko County Clerk's Office.

### **620.110 Adverse Party Entitled to One Visit**

If stated in the order, the adverse party receiving the TPO is entitled to one visit to the residence listed on the Order. However, this visitation must occur sometime between the hours of 7:00 a.m. and 7:00 p.m. and must be prearranged with law enforcement. The parties will have to take into account the availability of officers.

### **620.112 When Protective Order Cannot Be Served**

All attempts by the officer to serve the Order or Notice of Hearing will be recorded in full on the Police Record of Attempt to Serve. Service of Temporary Protective Orders are a priority, and officers will make attempts to execute such service prior to other self-initiated patrol activity.

If service cannot be accomplished during the assigned officer's shift, it will be reassigned by the on-coming shift supervisor to an on-coming officer.

### **620.120 Violations of Temporary Protective Orders**

When an officer is dispatched to a call in, which there is an alleged violation of a Protective Order in a domestic situation and the suspect has left, a crime report shall be taken.

The responding officer will take the report in the field, ensuring that witness statements are obtained whenever possible. The report will be forwarded to Case Management to ensure the report is complete and then it will be referred for prosecution.

When an officer is dispatched to a call in which there has been an alleged violation of a Protective Order and the alleged violator is present, the officer will:

1. Attempt to verify that the adverse party has been served with a copy of the order by contacting Central Dispatch,
2. If verified, arrest the subject for violation of the order per NRS 33.070 and 33.100,

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3. Complete a detailed report of the circumstances of the arrest including witness statements.

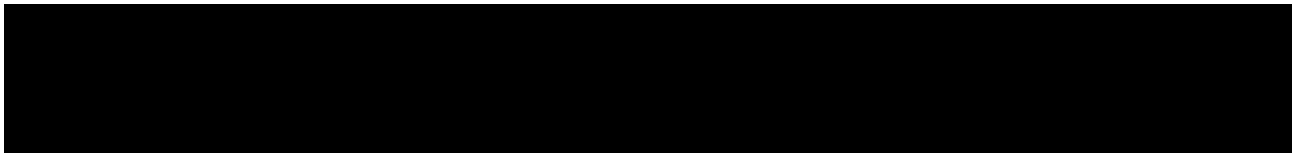
If verification cannot be made;

1. Advise the adverse party of the specific terms of the order,
2. Advise the subject that he/she now has notice and further violation will result in arrest,
3. Notify Central Dispatch of the service so an incident can be filled out with the date and time,
4. Complete the Return of Service for the order and forward it to the Records Unit.

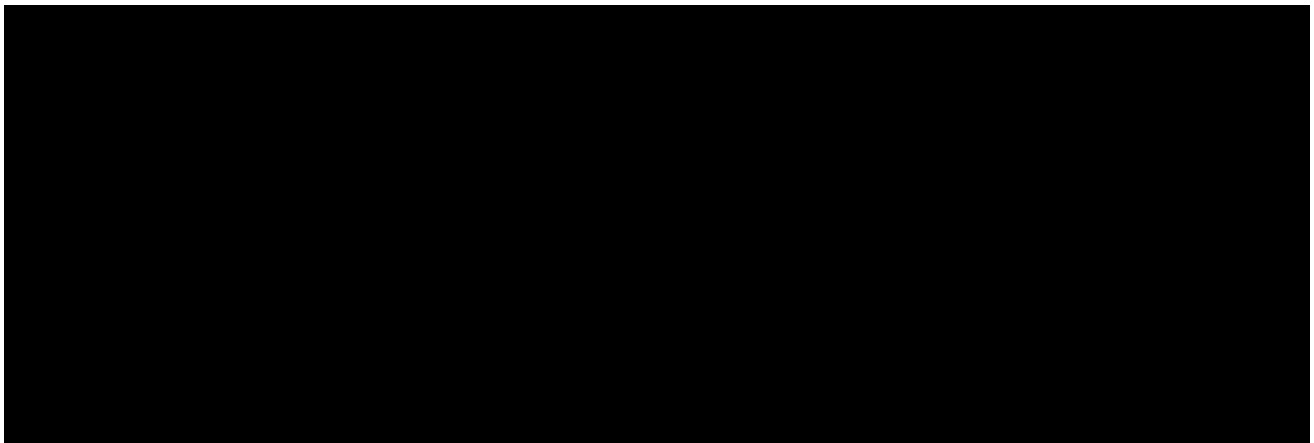
#### **630.000 Alarms**

This Department will respond to all alarms originating within its jurisdiction. A file of all known businesses and homes with alarms, along with responsible persons, will be maintained in the dispatch center. The information in the business file shall be kept confidential and should not be released to anyone outside the Department.

#### **630.010 Department Response to Alarms**



#### **630.020 Hold-Up Alarms**



#### **630.030 Bank Robbery Alarms**

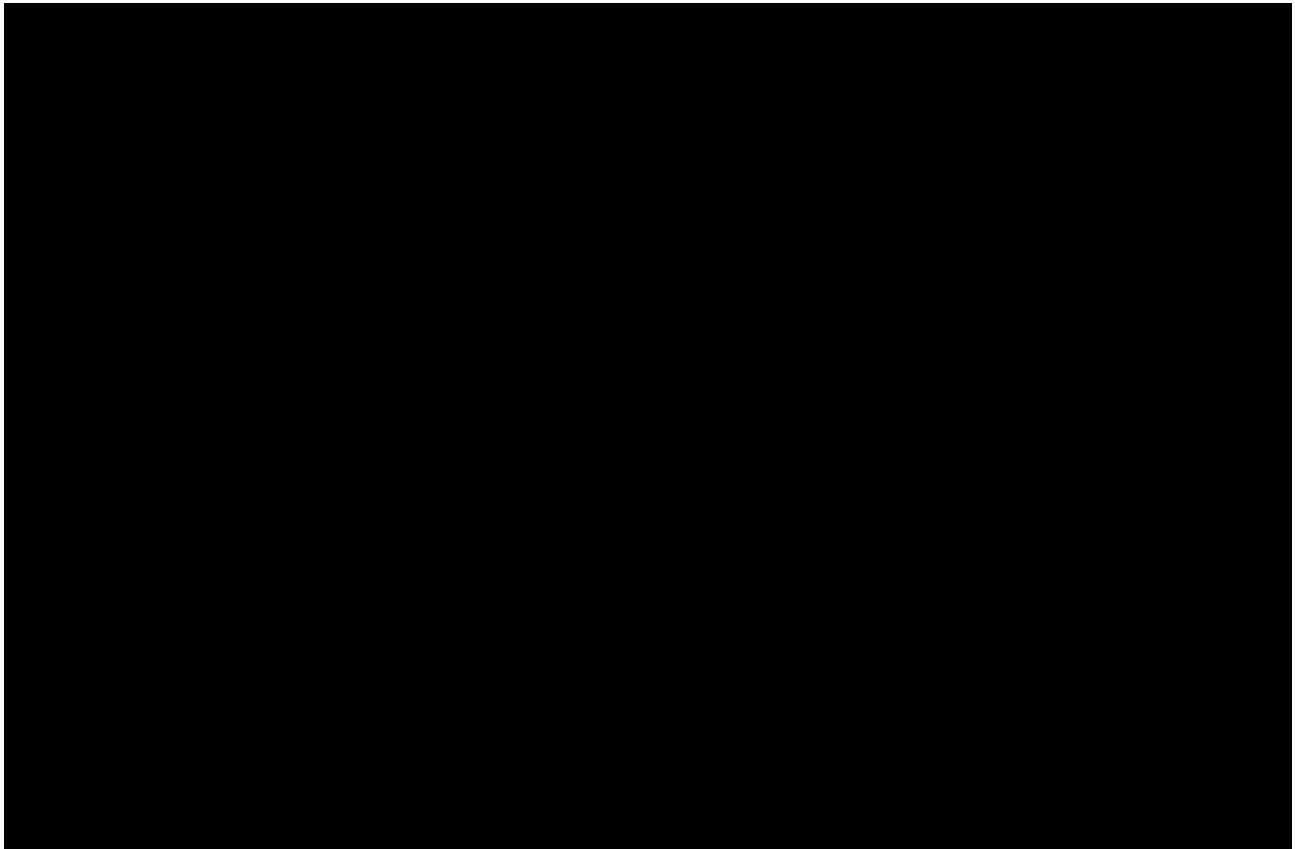


# Elko Police Department

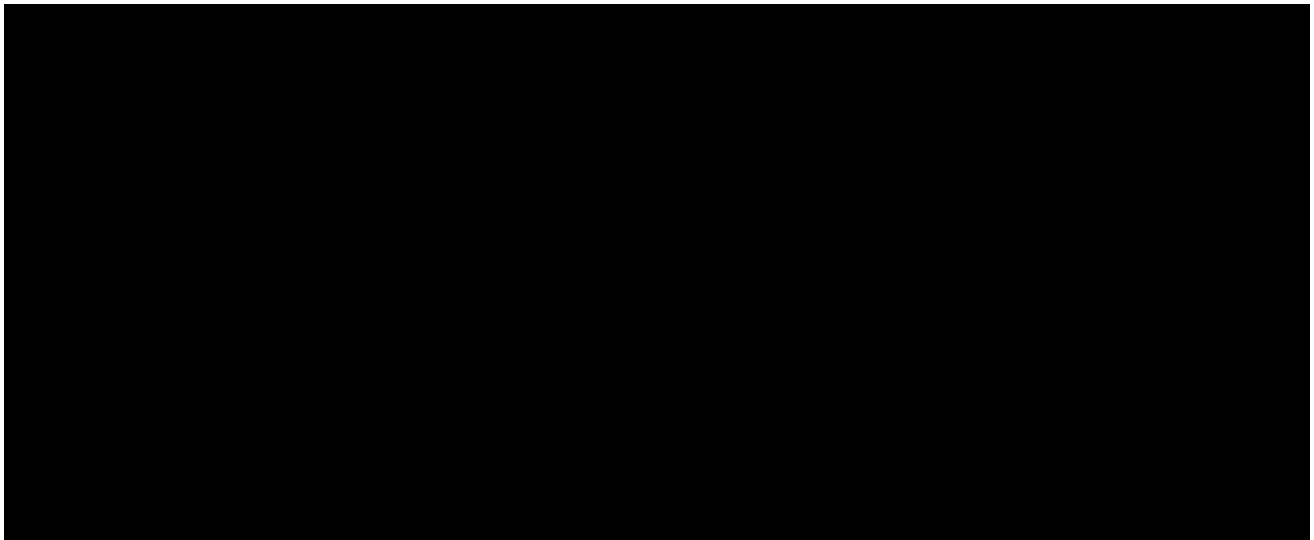
## Chapter 600 Patrol Unit

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### **630.031 Central Dispatch Responsibilities for Bank Alarms**

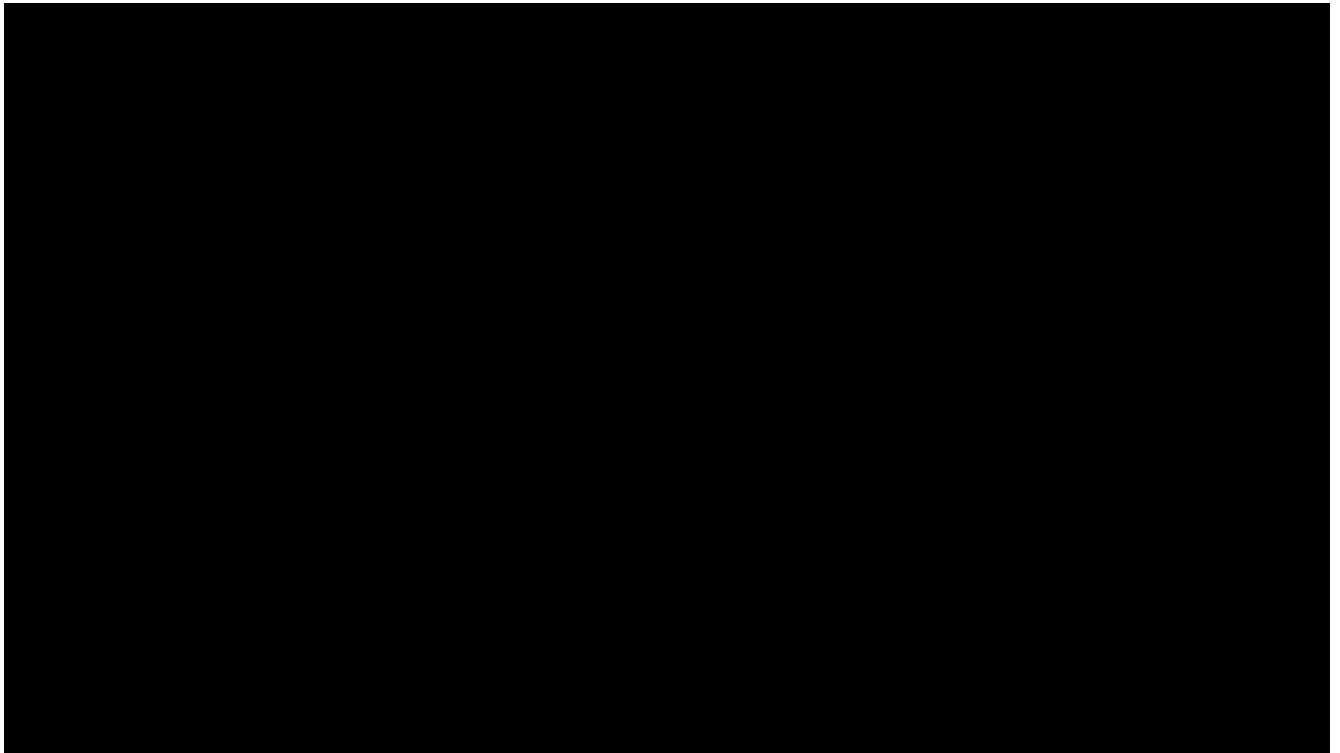


### **630.032 Patrol Officer's Responsibilities During Bank Alarms**

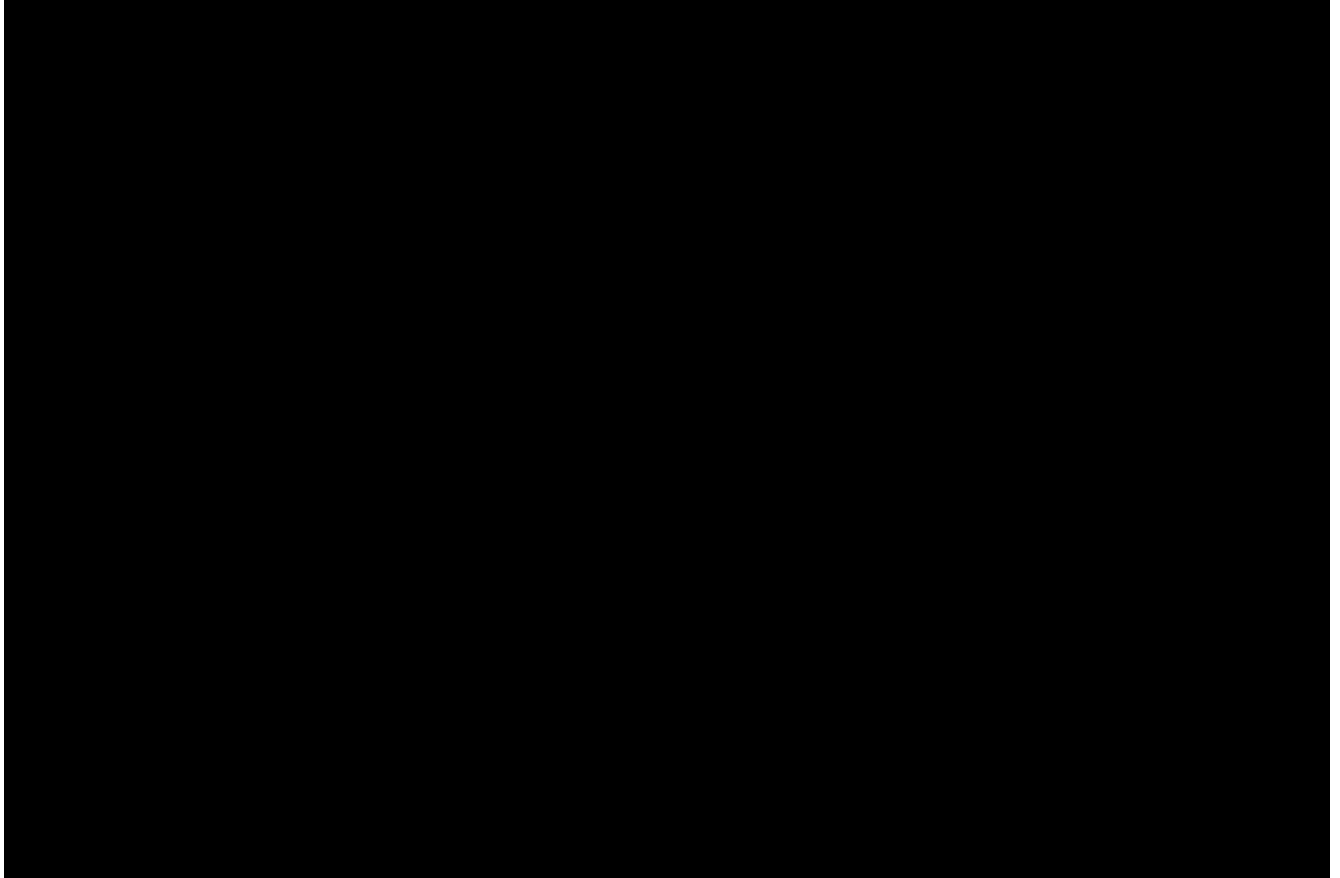


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**630.033 Detective Unit Responsibilities**



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### **630.040 False Alarms**

Section 5-10-4, of the Elko City Code allows for assessment of civil fees for the transmission of false alarms.

All patrol supervisors shall familiarize themselves with this chapter of the City Code. It shall be the patrol supervisor who shall determine when an alarm is classified as false.

All alarms are logged by Central Dispatch and designated as "false" in C.A.D. when instructed to by the supervisor.

Each year the Operations Commander shall review the number of false alarms in C.A.D. and advise the Police Chief in writing of any business, which had more than two (2) false alarms in the previous year.

The Police Chief shall make the determination as to what action is to be taken, which may be a letter of warning to the business in question, or a recommendation to the Board of Supervisors that a fee, as prescribed by City Code, be assessed.

### **630.045 Lifeline Alarms**

When Central Dispatch is notified by Northeastern Nevada Regional Hospital that a Lifeline alarm has been activated, indicating a possible medical emergency, an officer will be dispatched to that address.

In the event the hospital or alarm company is unable to contact a responsible person with a key to residence, the officer may enter the residence to check the welfare of the occupant. If the officer has reason to believe immediate entry is necessary to save a person's life, he may do so even if such entry has to be done by force. If this is the case, the officer should make every effort to do so causing the least amount of damage.

In cases where forced entry was necessary, the involved officer shall complete a written report giving the circumstances of the incident and a description of damage done.

### **640.000 Motor Vehicle Pursuits and Vehicle Response**

#### **640.010 Vehicle Pursuits Policy**

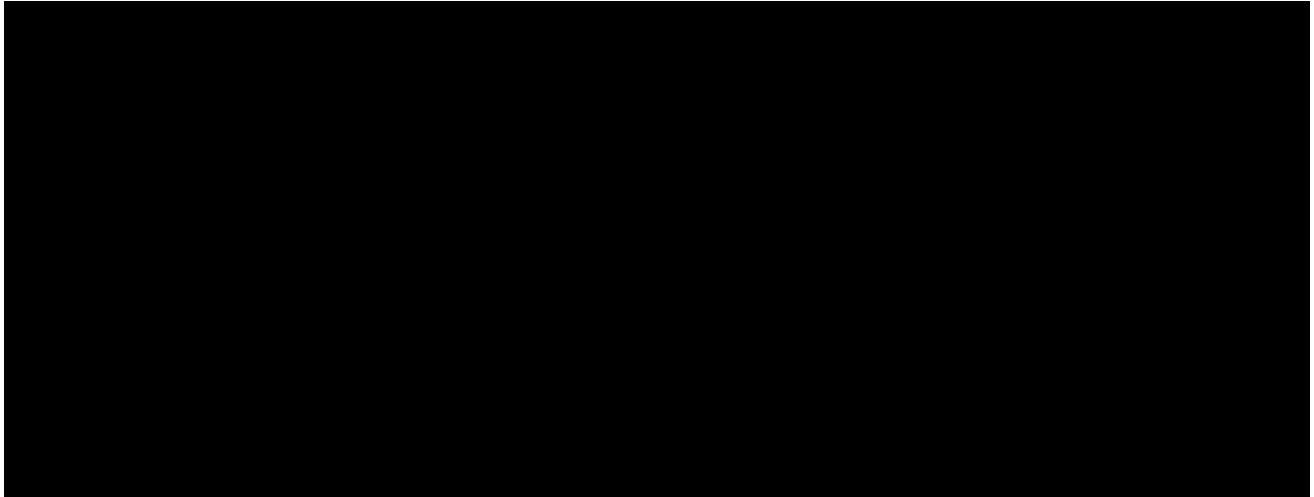
Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related collisions. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgement. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

# Elko Police Department

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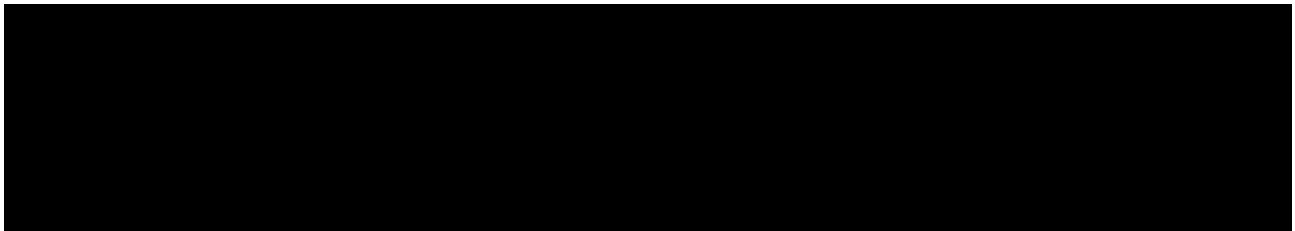
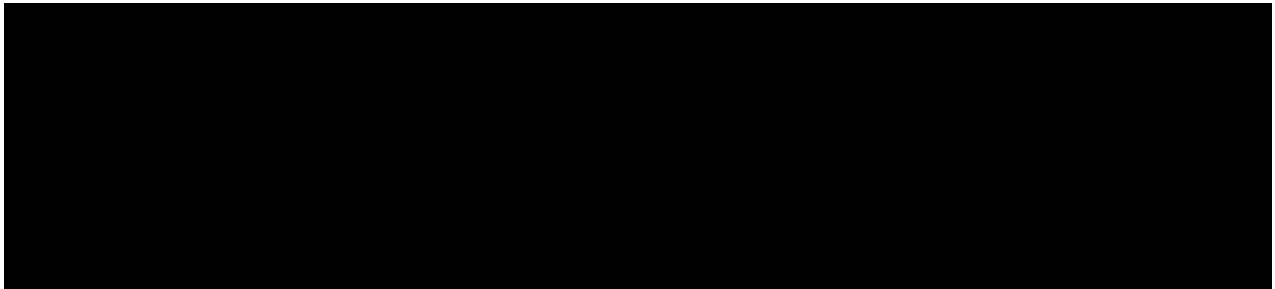
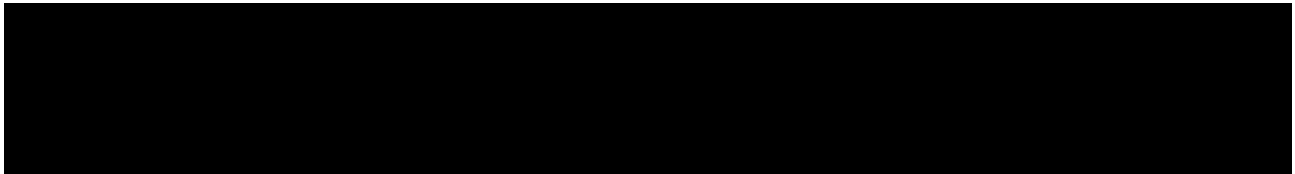
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### 640.015 Philosophy



### 640.020 Definitions

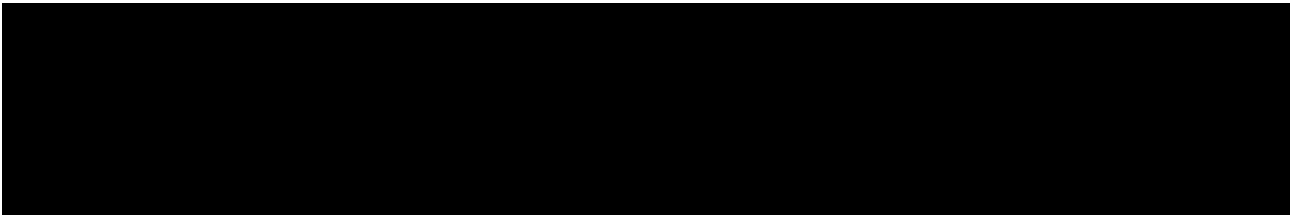
Vehicle Pursuit – An event involving one or more law enforcement officers attempting to apprehend a suspect who is attempting to avoid arrest while operating a motor vehicle by using high speed or other evasive tactics such as disregarding traffic warning signs, stop signs, red lights, driving off a roadway, turning suddenly, driving into oncoming traffic, or driving in a legal manner but willfully failing to yield to an officer's signal to stop.



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Marked Unit - a police vehicle equipped with exterior mounted emergency lights such as rooftop light bars, marked on the sides with the Department name, and reflective material.

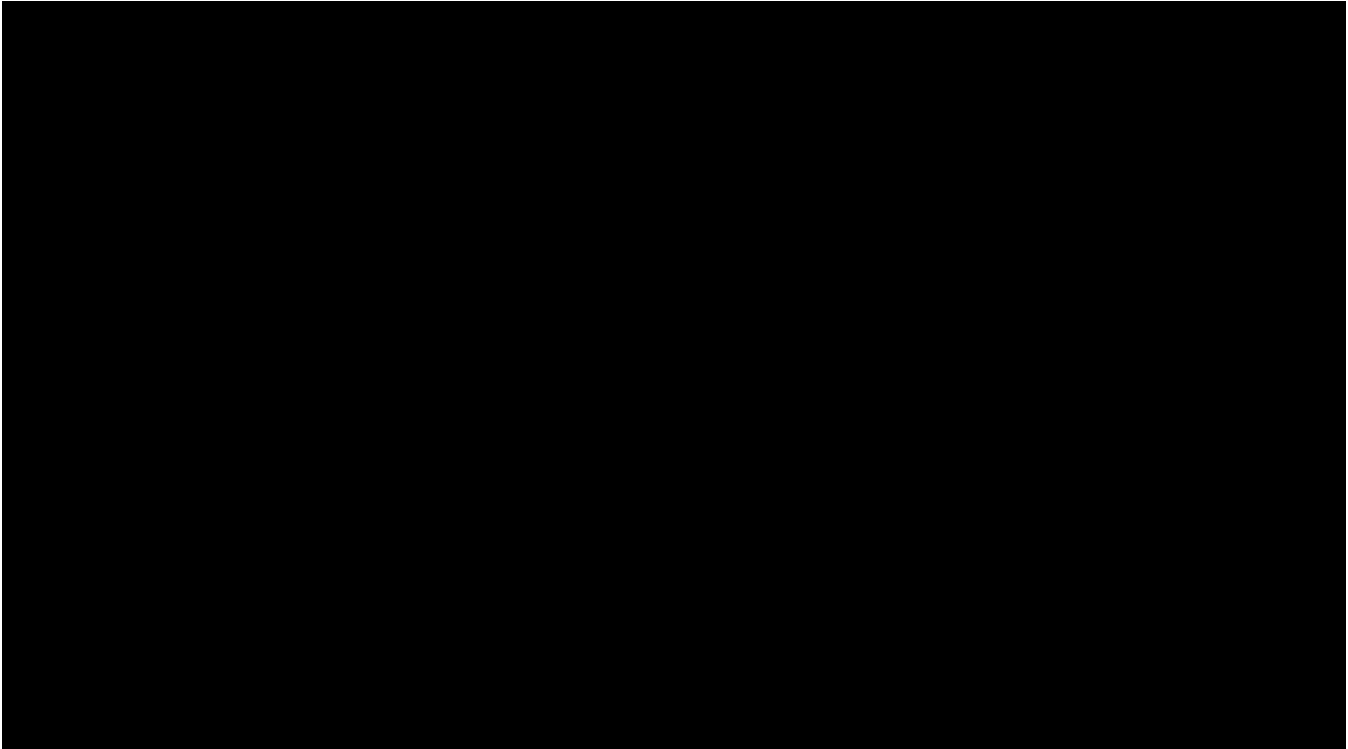
#### **640.025 Officer Responsibilities**

It shall be the policy of this department that a vehicle pursuit shall be conducted with at least one flashing red warning lamp visible from the front and a siren on an authorized emergency vehicle (NRS 484A.020, NRS 484A.480(3) and NRS 484D.400).

The following policy is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons using the highway.

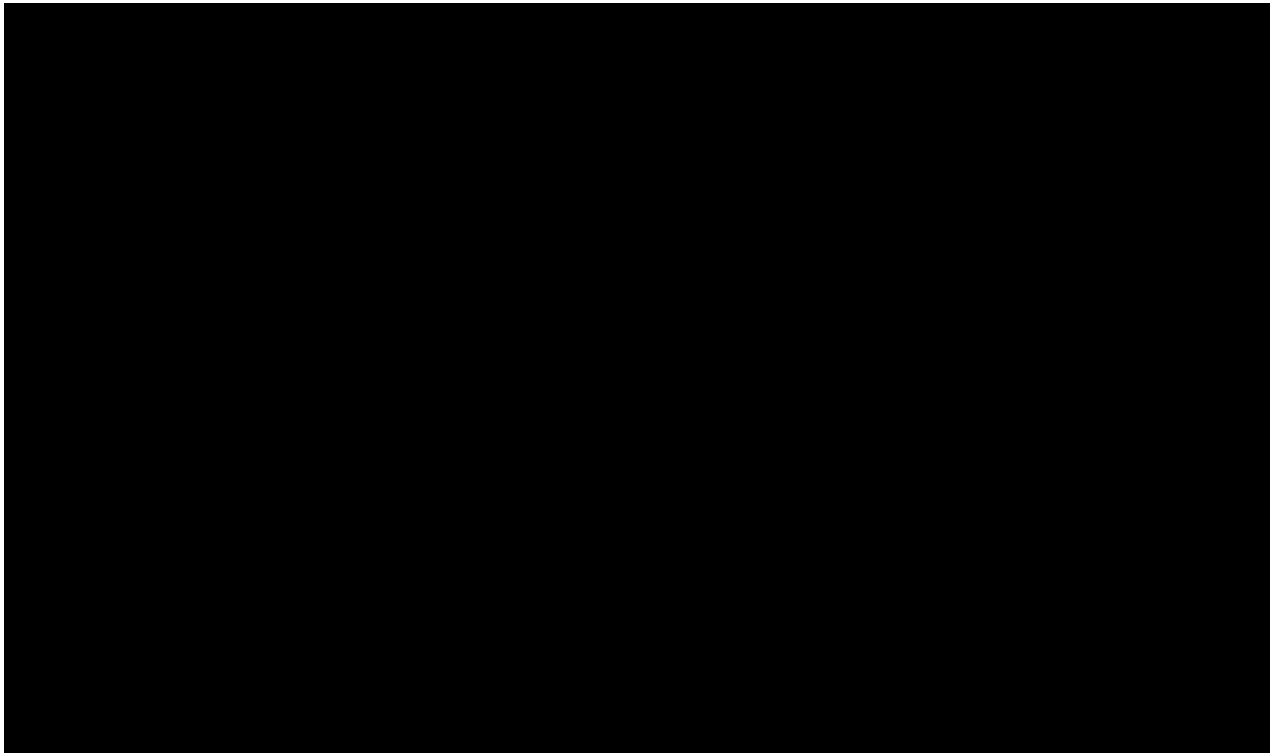
#### **640.0251 When to Initiate a Pursuit**

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle which has been given a signal to stop by a peace officer or member of a regulatory agency (NRS 484.1345, NRS 484A.550 and NRS 484.261).

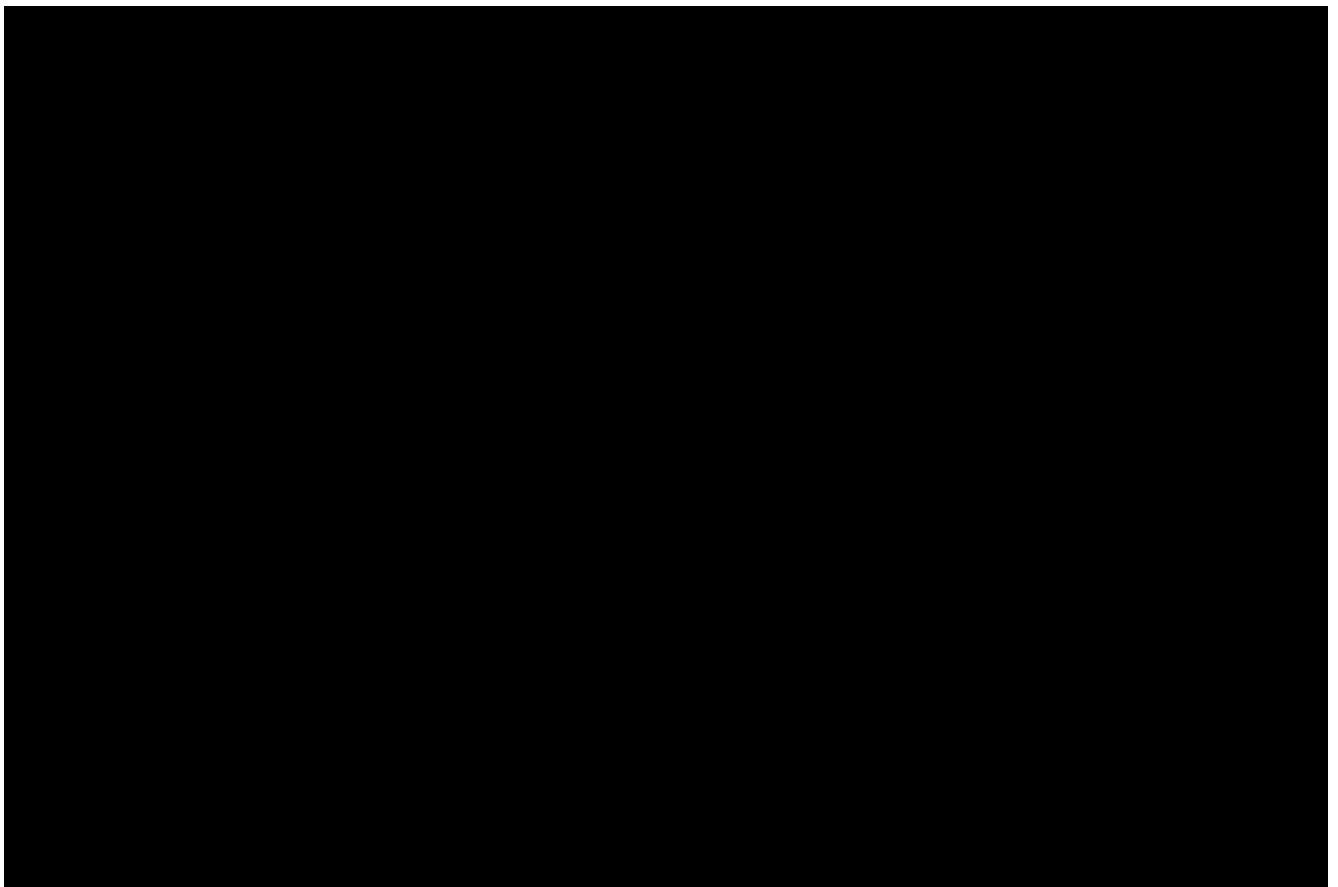


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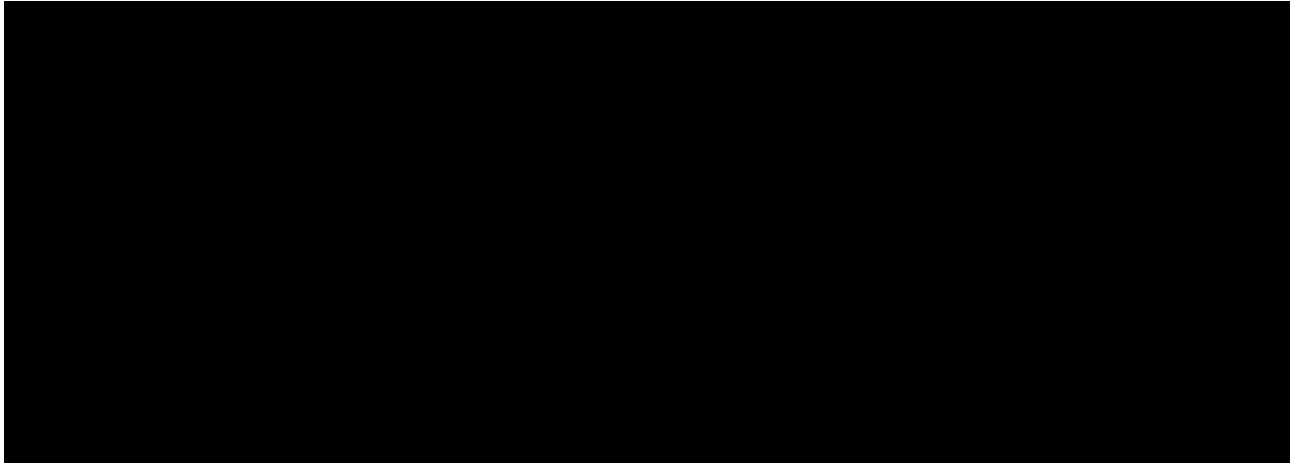


**640.0252 When to Terminate a Pursuit**

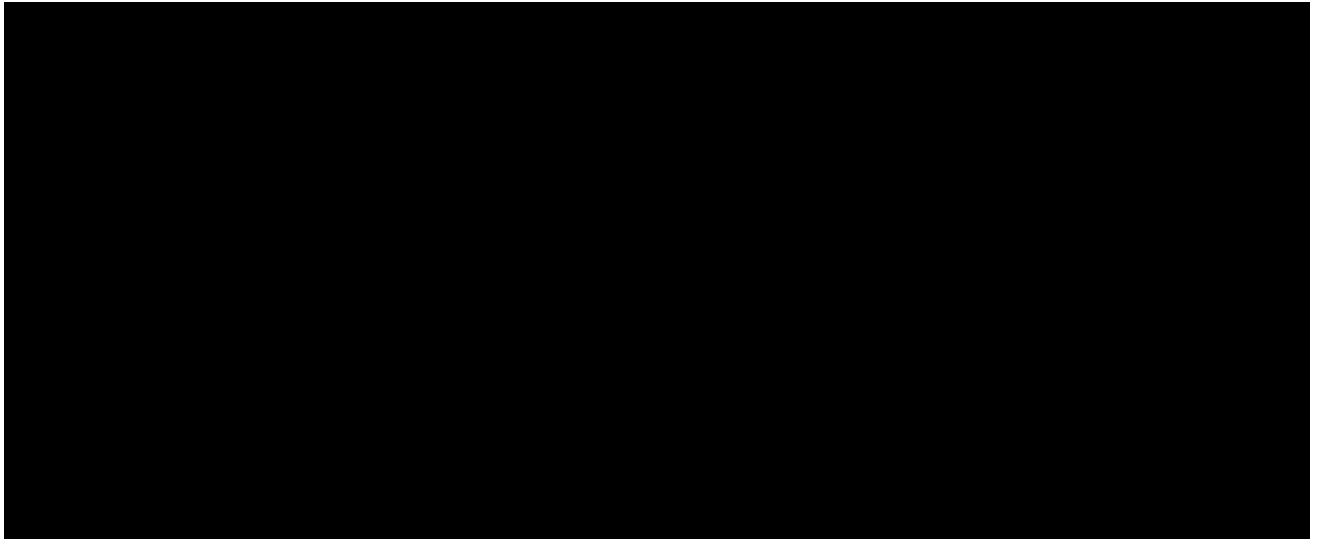


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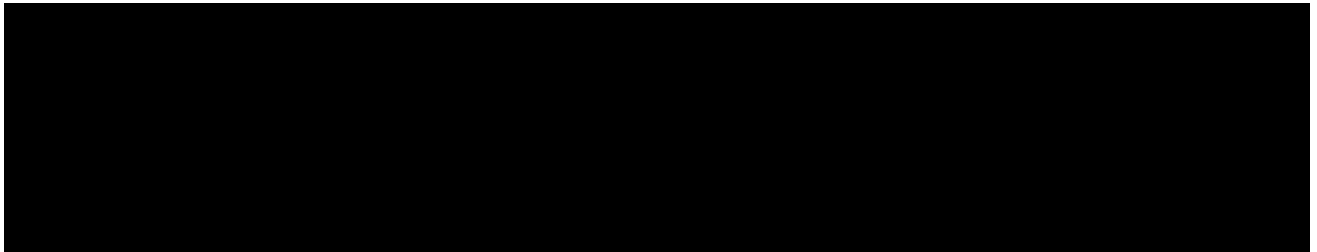
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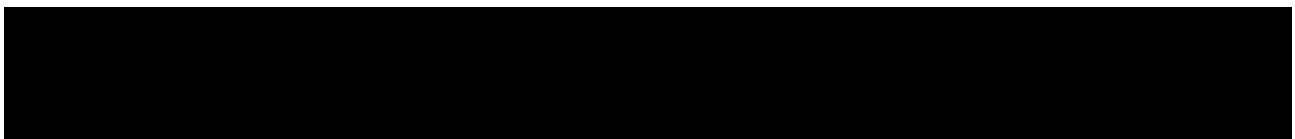
**640.0253 Speed Limits**



**640.030 Pursuit Units**



**640.0301 Vehicles Without Emergency Equipment**



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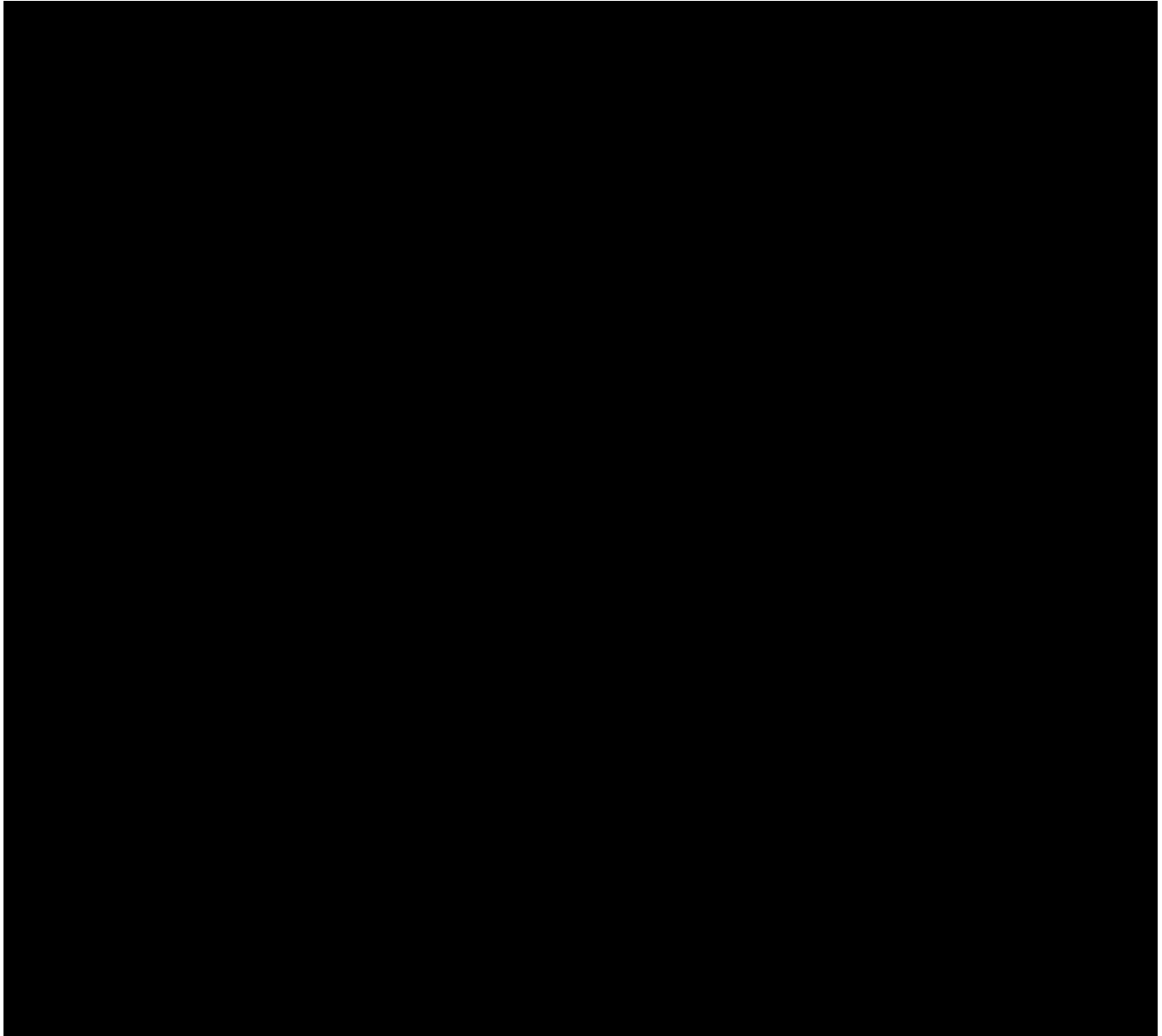
## Chapter 600 Patrol Unit

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### 640.0302 Unmarked Police Vehicles



### 640.0303 Primary Unit Responsibilities



### 640.0304 Secondary Unit(s) Responsibilities





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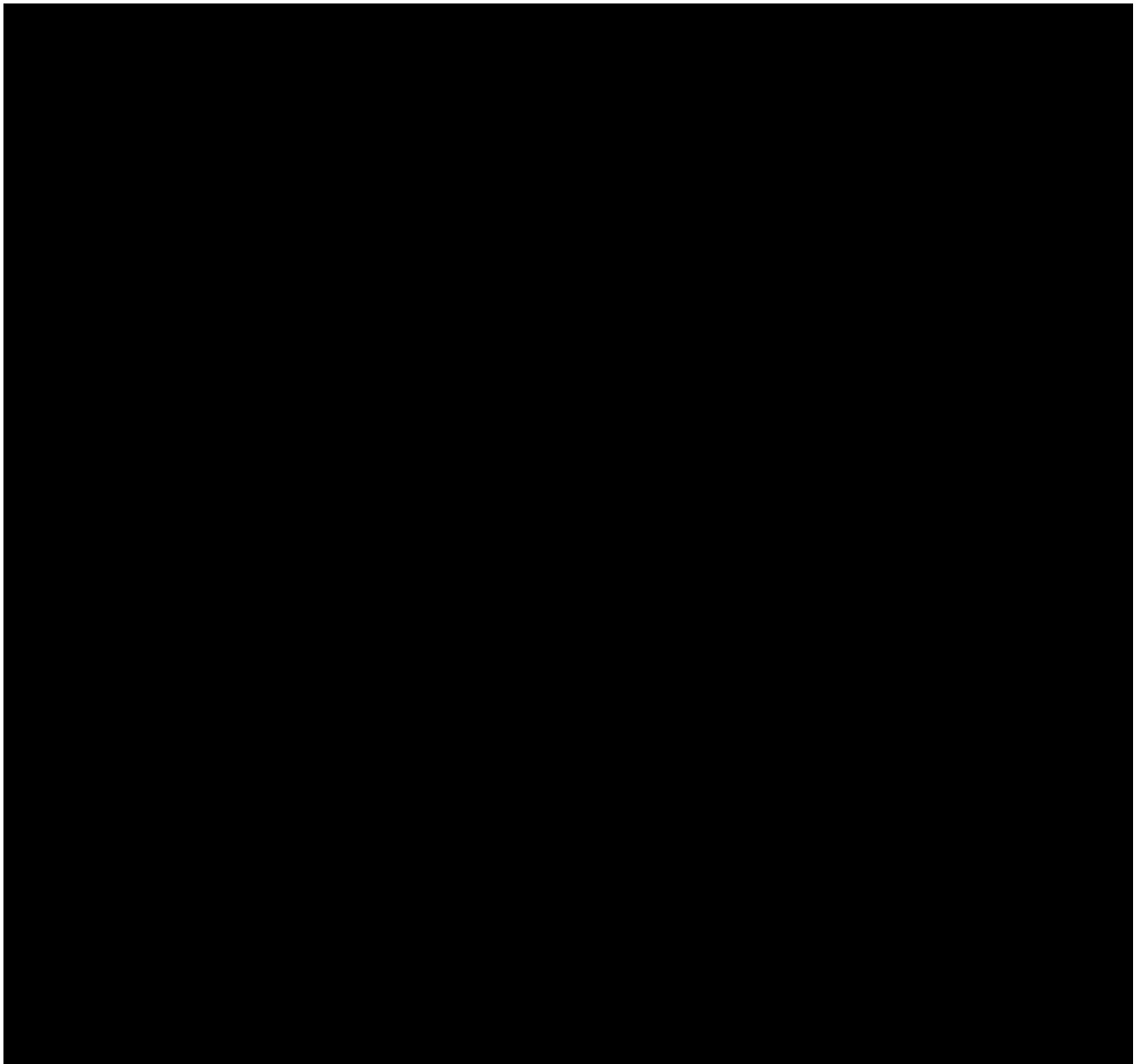
## Chapter 600 Patrol Unit

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### 640.0305 Pursuit Driving Tactics

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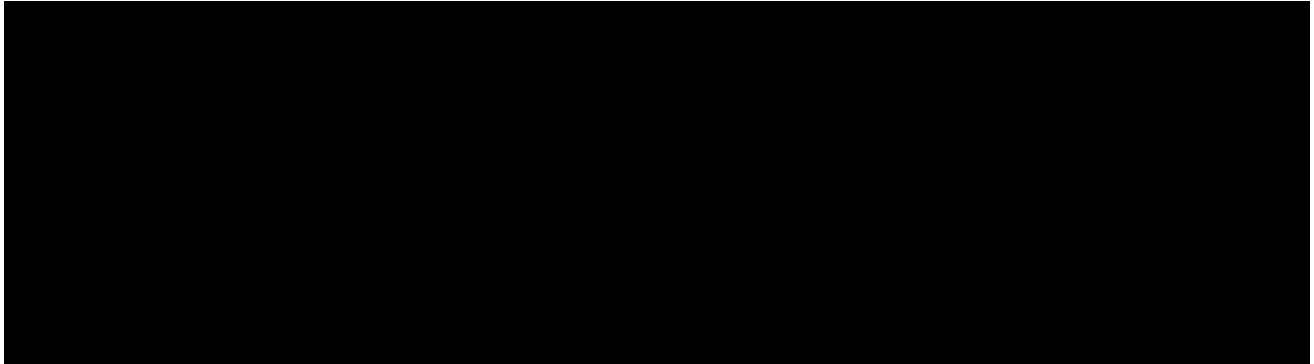


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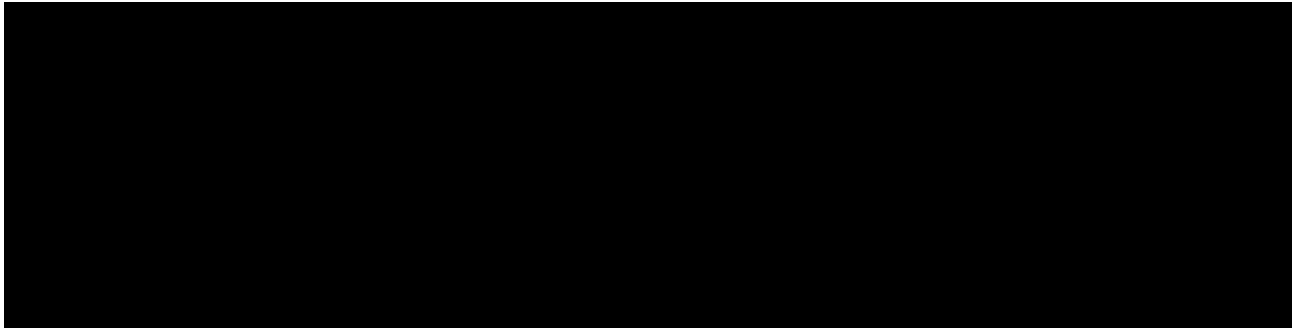
## Chapter 600 Patrol Unit

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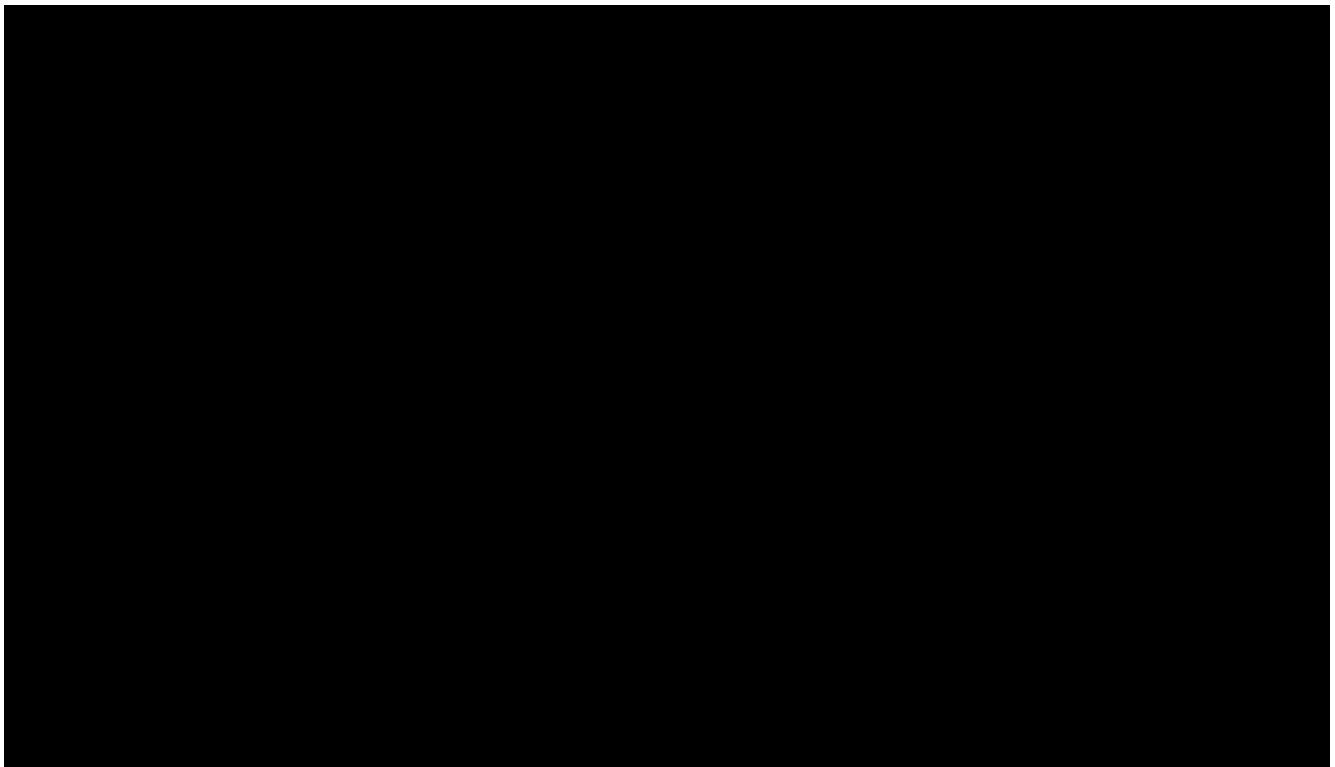
### **640.0306 Tactics/Procedures for Units Not Involved in the Pursuit**



### **640.0307 Pursuit Trailing**



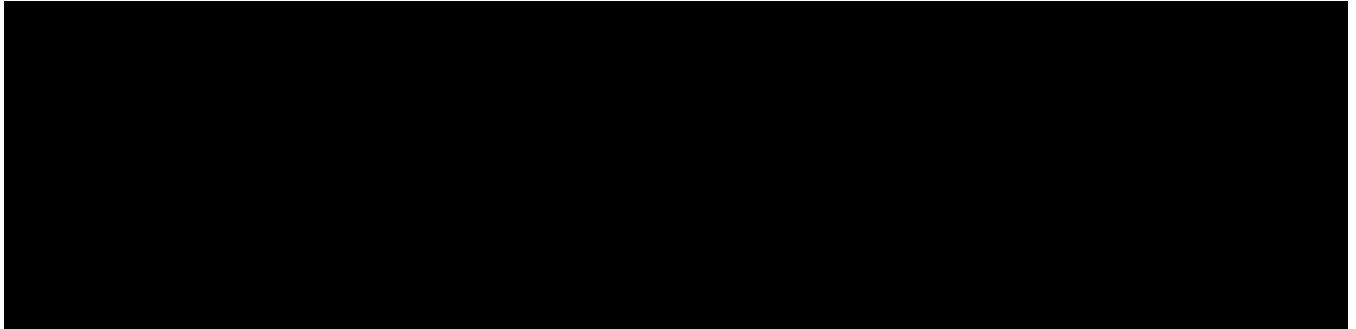
### **640.0308 Supervisory Control and Responsibility**



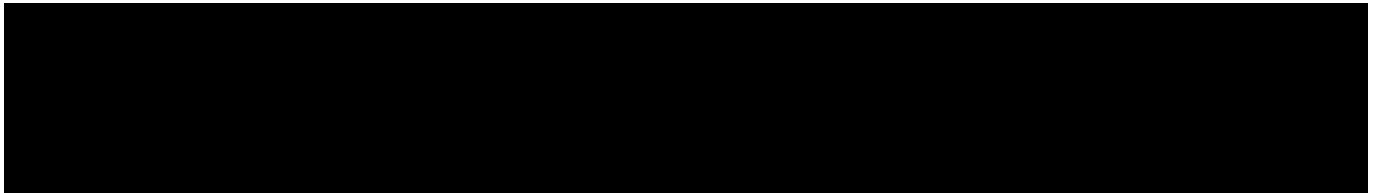
# Elko Police Department

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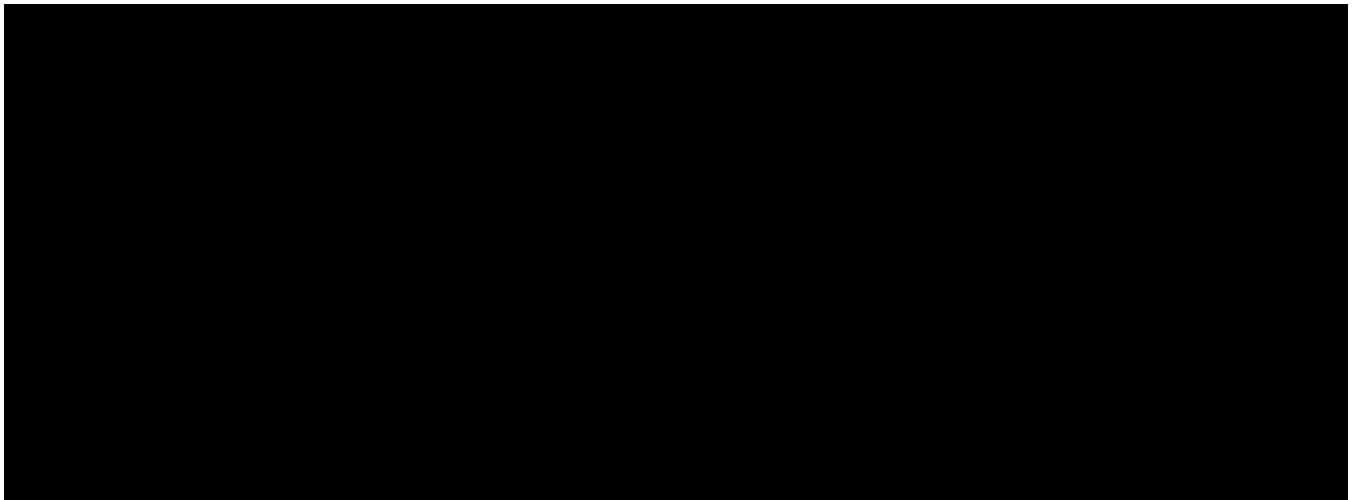
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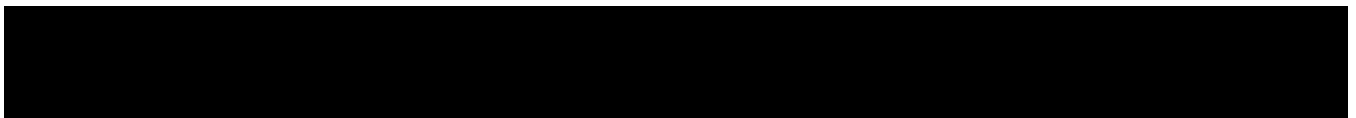
### **640.0309 Communications**



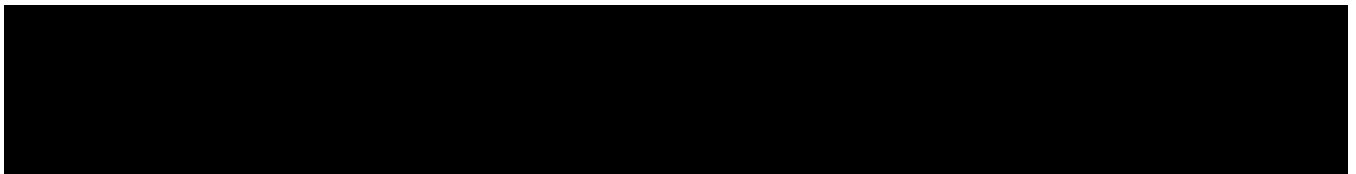
### **640.031 Central Dispatch Responsibilities**



### **640.0311 Loss of Pursued Vehicle**



### **640.035 Inter-Jurisdictional Considerations**



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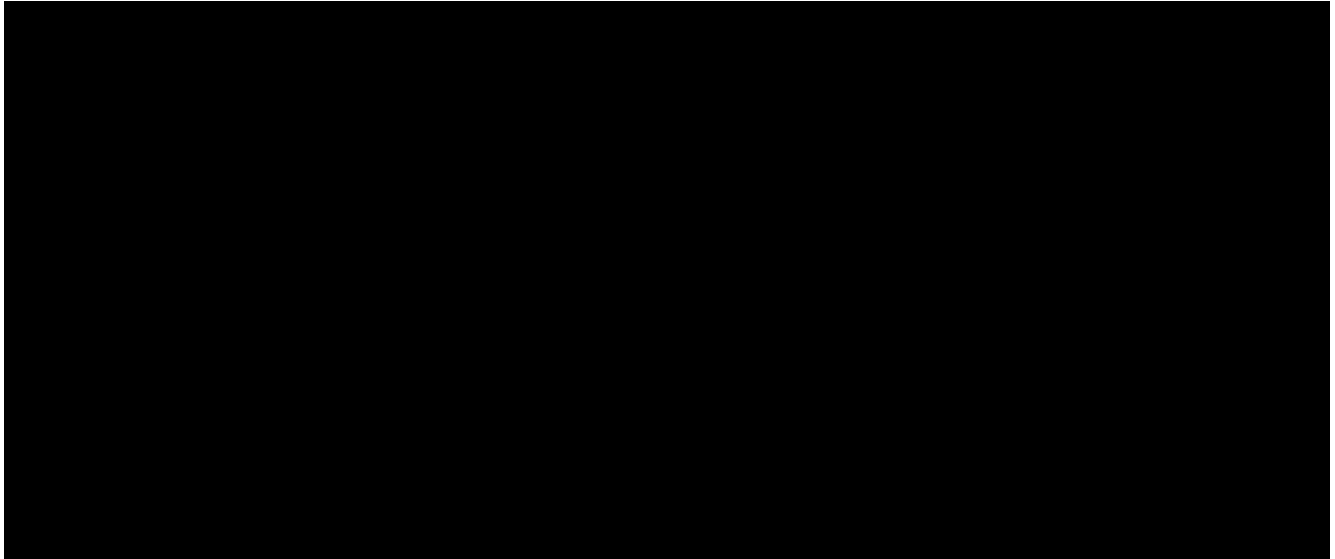
**640.0351 Assumption of Pursuit by Another Agency**

**640.0352 Pursuits Extending into this Jurisdiction**

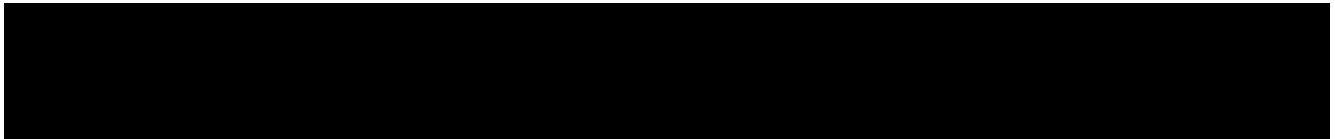
# Elko Police Department

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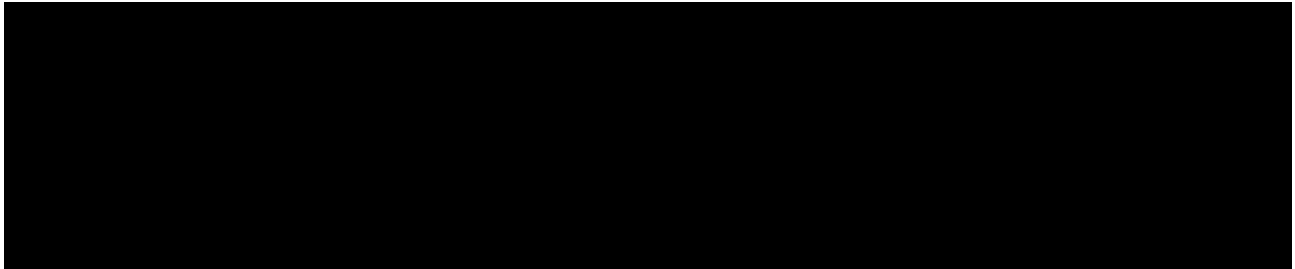
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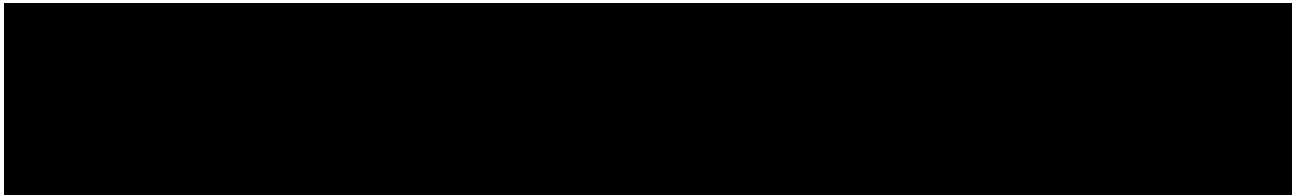
### **640.040 Pursuit Termination**



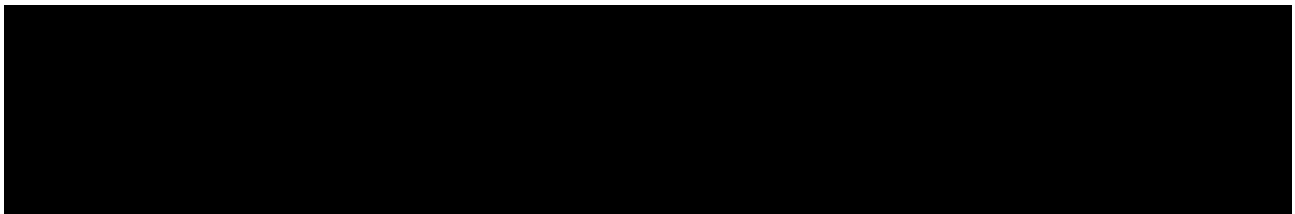
#### **640.0401 When Use Authorized**



#### **640.0402 Use of Firearms**

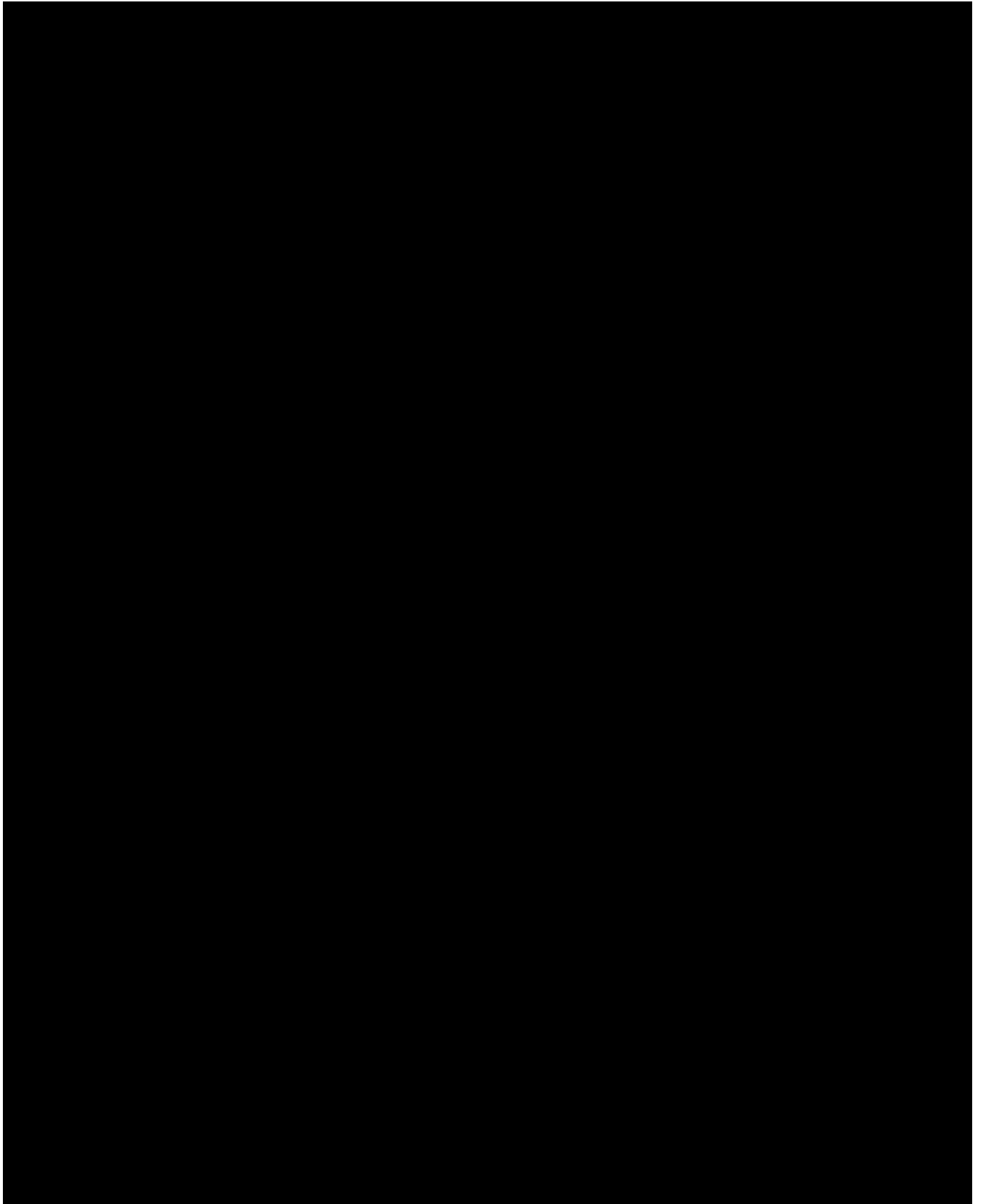


#### **640.0403 Intervention Standards**



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### **640.0404 Capture of Suspect(s)**



### **640.050 Reporting and Review Requirements**

All appropriate reports should be completed to comply with appropriate local and state regulations:

1. The primary officer shall complete appropriate crime/arrest reports.
2. The primary officer and supervisor shall complete a pursuit report.
3. After first obtaining available information, the on-duty supervisor shall promptly complete an interoffice memorandum, briefly summarizing the pursuit to the Police Chief. The memo should contain the following information:
  - a) Date and time of pursuit.

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- b) Length of pursuit.
  - c) Involved units and officers.
  - d) Initial reason for pursuit.
  - e) Starting and termination points.
  - f) Disposition (i.e. arrest, citation, or other release. Arrestee information should be provided if applicable.
  - g) Injuries and/or property damage.
  - h) Medical treatment.
  - i) Name of supervisor at scene.
  - j) A preliminary determination that the pursuit appears to be in compliance with this policy or additional review and/or follow-up is warranted.
- 4. After receiving copies of reports, logs, and other pertinent information the review board will conduct a post-pursuit review.
  - 5. Annually, the Operations Commander will prepare a documented review and analysis of Department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

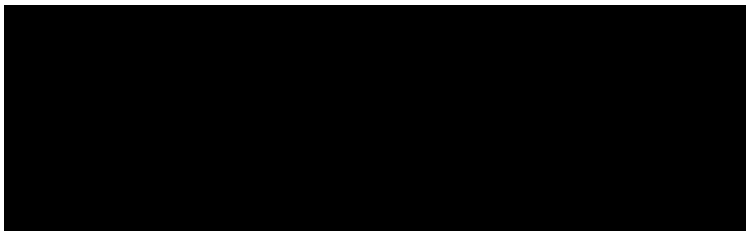
#### **640.100 Response to Routine, Urgent and Emergency Situations**

The following code designations are established to govern the response of police vehicles.

#### **640.101 Routine Vehicle Response**

These assignments are routine in nature but should be completed at the earliest convenience of the assigned unit. While proceeding to these calls, the assigned unit will strictly observe all traffic laws. Emergency lights and siren are not authorized. The assigned unit may conduct routine patrol practices, such as traffic enforcement, while in route and is subject to reassignment to a call of greater urgency.

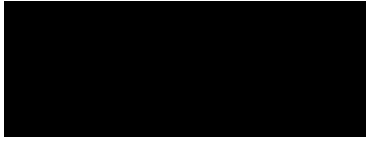
The following calls for service are examples of calls authorizing a routine response:





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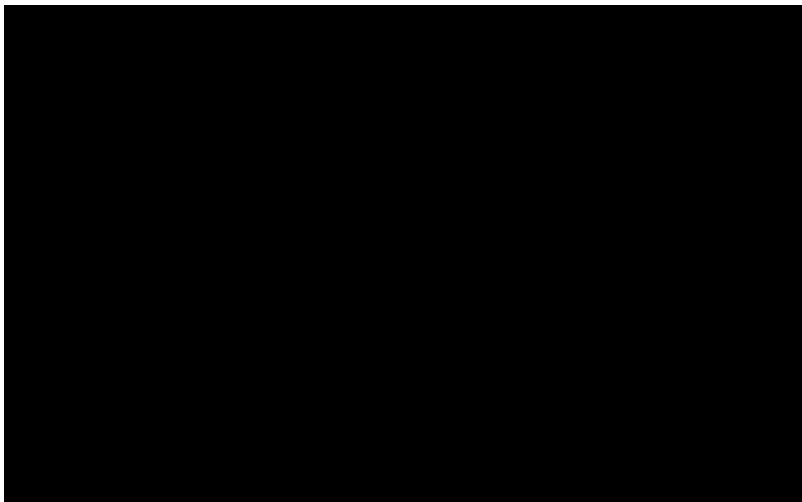
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### **640.102 Urgent Vehicle Response**

These assignments are urgent in nature and encompass the majority of the calls for service. The assigned unit will proceed, using the most expedient route, and strictly observe all traffic laws. No emergency lights or sirens are authorized to be used during these responses.

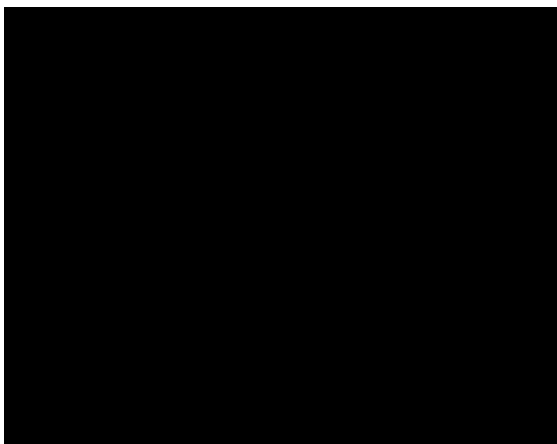
The following calls for service are examples of calls authorizing urgent response:



### **640.103 Emergency Code 3 Response**

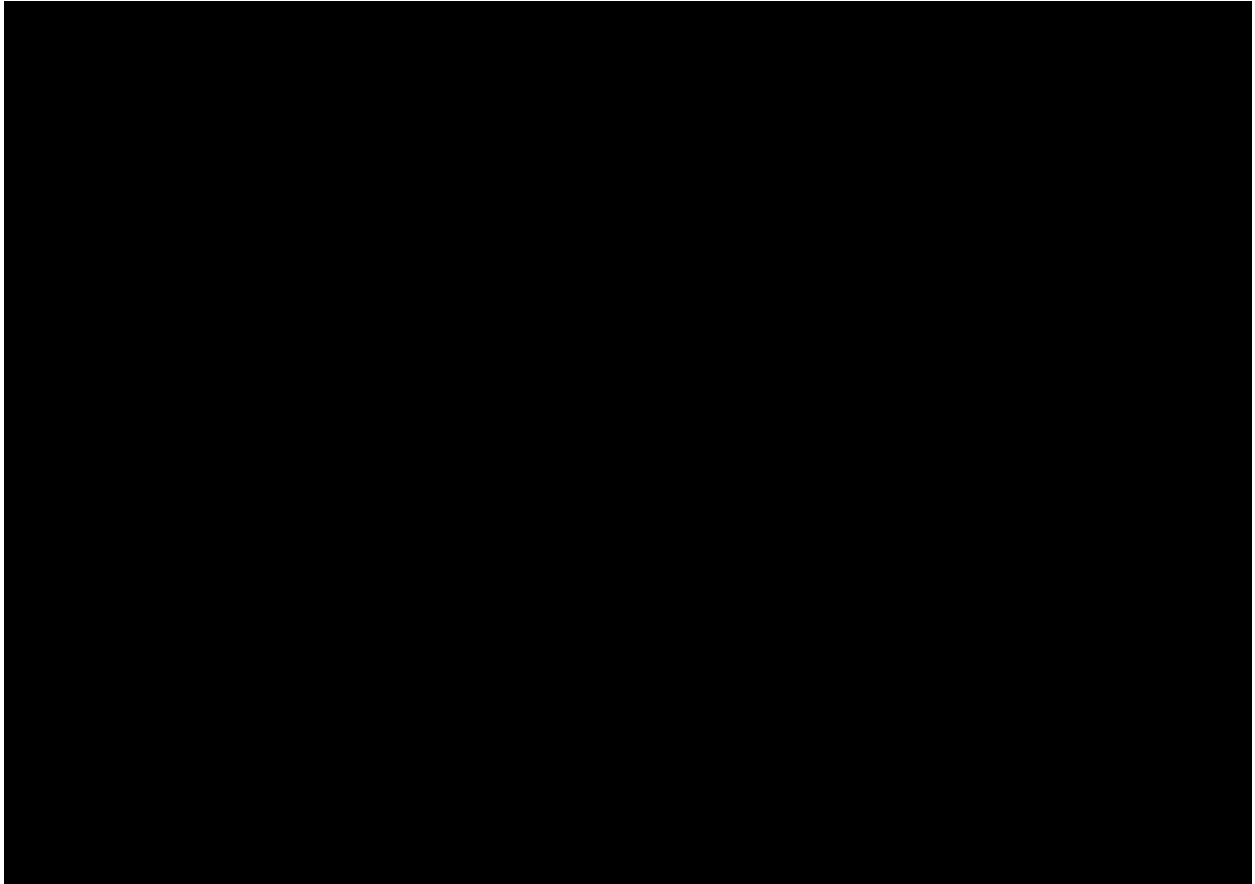
Emergency vehicle operations under Code 3 conditions are predicated on whether the loss of life, extent of injuries and loss of property or evidence will be reduced by rapid response.

Emergency Code 3 vehicle response is authorized, based on circumstances, for the following calls for service:



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While operating in a Code 3 status, emergency lights shall be on and siren shall be kept activated continuously, the siren shall not be activated only periodically or intermittently as officers proceed to the scene of the incident. [REDACTED]

[REDACTED]

All officers must use care and caution at intersections and other congested places to the extent that the lives of other people are not endangered. Officers should bear in mind that, on most emergency calls, there may be at least one other emergency medical vehicle proceeding to the same scene traveling at emergency speed and its route sometimes will be unknown.

### **640.104 Patrol Vehicles**

Vehicles used by the Elko Police Department for routine patrol will be conspicuously marked to include the agency's name and emergency phone number.

In addition, patrol vehicles will be equipped with overhead red and blue emergency lights (with the red and blue lights clearly visible from the front and rear of the vehicle), a siren, and a mobile radio transceiver, all of which will be in operational order.

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Patrol vehicles should also be equipped with an operational public address system, exterior spotlight(s), and alley lights.

### **640.105 Patrol Vehicle Equipment**

Each patrol vehicle will be equipped with equipment necessary to handle emergencies and preliminary investigations effectively.

Patrol vehicles will be stocked, at a minimum, with the following supplies and equipment:

1. One basic first-aid kit,
2. One blanket (disposable or donated),
3. Fire extinguisher,
4. Road flares (6),
5. Crime scene tape (one roll),
6. Measuring device (25ft roll or cloth tape),
7. Assorted brown and plastic bags and evidence tags,
8. One bottle hand sanitizer,
9. Shotgun secured with an electric lock.
10. Rifle secured with an electronic lock.

### **640.106 Patrol Vehicle inspection and Maintenance**

An officer requesting repairs on a Department vehicle will compose an e-mail to the Administrative Commander. And City Fleet mechanic, specifically documenting the issue. Officers will examine vehicles at least on the first day of a series of shifts for fluid levels, tire condition, siren and light functionality, and other mechanical operations. At the beginning of each shift, officers shall examine the rear passenger area to ensure that the seat belts are in working order, that there is no contraband, or other items in it.

Patrol officers will document either through the MDT or radio and the radar calibration status at the beginning of each shift. New damage to the vehicle will be reported to the supervisor and an email of the damage to the Administrative Commander.

### **640.110 Use of Occupant Safety Restraints**

Operators and front seat passengers in all Department vehicles shall use occupant-restraining devices.

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Rear seat passengers must be belted. Lack of seatbelt use in the backseat is the exception to the strict rule and reserved for some exigent circumstance that would make it more dangerous to the officer or the individual to utilize the safety restraint.

All prisoners will be securely restrained in the transporting vehicle with occupant safety restraining devices if seated in the front seat.

### **645.000 Foot Pursuits**

It is recognized and understood that the Elko Police Department is called upon to safely apprehend criminal suspects and this can necessitate chasing suspects on foot.

Chasing a fleeing suspect on foot represents an instinctive but inherently dangerous activity. Pursuing a suspect without a plan may result in deadly consequences. From the initiation of a foot pursuit, officers should continually assess the tactical situation, consider their options, and decide on a course of action to facilitate the suspect's apprehension. Our policy is to establish guidelines to assist officers in determining when to engage in foot pursuits in light of both the associated dangers and legalities.

#### **645.010 Definitions**

- Foot Pursuit: An incident where an officer chases (on foot) a person who is evading detention or arrest.
- Primary Officer: The officer who initiates the foot pursuit will be considered the primary officer until the foot pursuit is terminated.
- Secondary Officer: Any officer who is assisting the primary officer with the foot pursuit.

#### **645.020 Core Principles**

Officers and supervisors should weigh the need for immediate apprehension against the risk(s) created by a foot pursuit in light of the following:

- Officer and public safety should be the overriding consideration in determining whether a foot pursuit will be initiated or continued. It may be more prudent to suspend or terminate a pursuit rather than risk unnecessary injury to officers, suspects, or innocent bystanders.
- Officers should consider whether reasonable alternatives to a foot pursuit exist, such as the use of area containment protocols.
- Risk factors to be considered regarding foot pursuits include, but are not limited to, whether the officer is acting alone, if there is more than one suspect being pursued, and whether backup is available in a timely manner.
- A key component of any foot pursuit is continuous contact between involved officers, supervisors, and communications personnel.
- Many foot pursuits take place in isolated or unfamiliar surroundings.
- Foot pursuits may involve entering the premises of the suspect or of another.
- Due to the officer's attention being focused upon the fleeing suspect, it may be harder for other officers to locate the pursuing officer and render assistance to him or her in a timely manner.

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Accordingly, the officer's decision to pursue should take into consideration the degree of the risk to which they expose themselves and others.

### **645.030 Authorization of Pursuit**

A police officer has the authority, at all times, to attempt the stop of any person suspected of having committed any criminal offense, or whose behavior poses a threat to themselves or others. While the legal right to stop a person may exist, the decision to initiate a foot pursuit requires weighing an additional set of circumstances.

### **645.040 When to Pursue**

A police officer may pursue:

- When the officer reasonably believes that the suspect has committed a criminal offense or that criminal activity is afoot that would permit the officer to detain, arrest, or otherwise take custody of the suspect; Or
- When an officer reasonably believes that the fleeing subject poses an immediate threat to the safety of the public, other officers, or themselves, due to, for sake of example only, mental health reasons, alcohol/drug incapacitation, or other non-criminal situations.

### **645.050 Foot Pursuit Considerations**

Officers and supervisors should consider many factors before deciding to initiate a foot pursuit or (for supervisors) to allow a foot pursuit to continue once it is initiated, including the following:

1. The severity of the crime
2. Is the pursuit supported by policy and are the officers' actions within the established law?  
Specifically:
  - a. Does reasonable suspicion of a crime or offense exist to support a detention or does probable cause exist, beyond the failure to submit to the detention, for an arrest?
  - b. Is there a reasonable belief that the suspect poses an immediate threat to the safety of the public or law enforcement officers?
  - c. Does the pursuit violate any provisions of department policy, procedures, or training?
3. The number of officers available, including the availability and proximity of backup officers
4. Whether alternates to a foot pursuit are available, including:
  - a. Containment of the area
  - b. Canine search
  - c. Saturation of the area with patrol personnel, and/or
  - d. Apprehension at another time and place when the officer knows the identity of the subject or has other information that would likely allow for later apprehension.
5. What risk factors exist, such as whether:
  - a. The officer is acting alone
  - b. The area is unfamiliar to the officer
  - c. The area is hostile, such as a notorious drug trafficking location
  - d. Pursued suspects are known to be or are suspected of being armed

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6. The degree of risk created by pursuit for the officer(s), the community, and the suspect:
  - a. Nature of the area: residential, commercial, school zone, open highway, etc.
  - b. Conditions of the structures, such as abandoned or condemned buildings.
  - c. Population density and volume of pedestrian traffic.
  - d. Environmental factors such as inclement weather, snow or ice, darkness, or reduced visibility conditions.
  - e. Whether the officer is uniformed or in plain clothes.
7. Need for immediate apprehension
8. Likelihood of injury to officers or others, including the fleeing person.
9. Police officer characteristics:
  - a. Physical conditioning and abilities.
  - b. Familiarity with the area.
  - c. Communications.

### **645.060 Termination of Pursuit**

An officer will terminate a foot pursuit if:

- Instructed to do so by a supervisor.
- The danger to the public or pursuing officers outweighs the necessity for immediate apprehension of the suspect.
- The officer loses visual contact with the suspect or is unsure of their location or direction of travel.
- The officer loses possession of their firearm.
- There is a person injured during the foot pursuit and there are no police or medical personnel able to render assistance.
- Communication is lost between officers or with communications personnel.
- Officers are advised of any unanticipated condition, event or circumstance, which substantially increases the risk to public safety inherent in the pursuit.

When the pursuing officer terminates the pursuit, he or she will immediately notify communications or a supervisor of such and give his or her location at the time of termination.

### **645.070 Role of the Pursuing Officer**

The decision to initiate and/or continue a pursuit requires weighing the need to immediately apprehend the suspect against the degree of risk to which the officer and others are exposed as a result of the pursuit.

Once the pursuit has been initiated, the primary officer must immediately notify communications providing as much of the following information as is known:

- Reason for the pursuit.
- Any information as to suspect being dangerous/armed
- Direction of travel, area designation and/or location of roadway.
- If known, the identification of the suspect, or a description to include physical features, clothing, possible weapons and other identifying characteristics.

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- Number of fleeing suspects.
- Other information that may be helpful in terminating the pursuit or resolving the incident.

The primary officer will, as soon as possible, via direct or indirect communications, coordinate with secondary officers to establish a perimeter in the area which the suspect is believed to be to contain the suspect, using the following procedure:

### Primary Officer

1. Radios their location in the event that a suspect enters into a building, structure, confined space or otherwise isolated area.
2. Stands by on the outside of the building, structure, confined space or otherwise isolated area, awaiting the arrival of secondary units to establish an outer perimeter around the area.

### 645.080 Foot Pursuit Restrictions

Pursuits should not be conducted:

- Into buildings (vacant or occupied) structures, confined spaces, or into wooded areas or other isolated locations, without using backup officers and authorized by a supervisor.
- If the officer believes that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension.
- If the officer is disarmed or loses possession of their weapon(s).
- If the officer loses the ability to communicate with their supervisor or Communications for any reason.

Pursuits will not be conducted:

- Into premises for which a warrant would normally be required unless the officer's pursuit is immediate and continuous, and there is both probable cause and a serious crime (a felony criminal offense, any crime of violence, or any crime of reckless driving or of driving while intoxicated or under the influence of alcohol or of prohibited substances if such crime involves personal injury to another). **The fact that the suspect refuses to stop upon command does not itself justify a warrantless entry if the suspected crime underlying the command to stop was not itself serious.**
- Where:
  - a. Police entry would normally require a warrant, and
  - b. Officers set up a perimeter around such premises rather than immediately continue the pursuit, and
  - c. Where no other exigent circumstance is present. A warrant will be obtained before entry is made and/or the suspect is ordered to exit the premises.

### 645.090 Role of the Supervisor

Upon being notified or becoming aware of a foot pursuit, the supervisor shall decide as quickly as possible whether or not the foot pursuit should continue.

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The supervisor will order a foot pursuit terminated if at any time he or she concludes that the danger to the pursuing officers or the public outweighs the necessity for the immediate apprehension of the suspect.

### Other Supervisor Responsibilities:

- Ensuring that, for the duration of the foot pursuit, this policy and Dept. procedures are followed by all officers involved.
- Consider the use of specialized units such as K-9, or SWAT to bring about the apprehension of the suspect. Based on the situation, a supervisor will determine which specialized unit will be utilized.
- Responds to the scene of the foot pursuit if it results in an apprehension to ensure proper documentation of injuries to officers and suspects (if any).
- The following foot pursuits will be reviewed by the chain of command to ensure compliance with policy and procedures and identify any changes necessary to policy, procedures, or training. The review will be forwarded to the Administrative Lieutenant for further evaluation and identification of any trends or training issues.
  - a. Foot pursuits that results in injuries to officer(s) or suspect(s);
  - b. Foot pursuits that result in a use of force;
  - c. Foot pursuits that result in a perimeter being established whether the suspect is located or not.

### **645.100 Reinstating Foot Pursuits**

Reinstatement of any previously terminated foot pursuit will be undertaken consistent with the authorization criteria for originally initiating the pursuit.

### **650.000 Uniforms, Equipment and General Appearance**

#### **650.010 Uniforms**

It is the policy of this department to utilize distinct uniforms that are properly fitted and cared for to project a professional command appearance.

All sworn officers of this Department shall have at all times a serviceable uniform, complete with the appropriate number of service stripes and rank insignia, and the necessary equipment to perform uniformed field duty.

#### **650.011 Uniform Types**

- **Class A Uniform**



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This dress uniform includes trousers with 1/2 inch piping on the outside of each pant leg (650.020 #3), shiny shoes or boots (polished leather or corfam), long sleeved shirt with proper adornments, neck tie, Class A jacket (650.020 #14) and the dress hat (650.020 #9).

While wearing the Class A uniform, officers will not wear the regular duty belt. The Class A duty belt will consist of a basket-weave belt and holster only.

- **Class B Uniform**

This is a classic style patrol uniform consisting of the long or short sleeve shirt, with proper adornments, over the internal vest carrier, 1/2 inch striped uniform pant, basket weave duty gear, and polished boots. Undershirt shall be a black T-shirt. It is authorized for normal patrol function wear, special duties such as recruitment or public function, and District (and higher) courts. When worn for recruitment, public function or court, uniform will be worn with the black uniform necktie.

- **Class C Uniform**

This is the normal uniform shirt, ripstop uniform shirt, external Safariland "Oregon" Carrier over a traditional uniform shirt, cargo style uniform pant, and black boots. All personnel who elect to wear the Class C uniform, consisting of the Safariland "Oregon City" vest carrier and cargo style uniform pants may purchase either the Flying Cross Class C uniform option or the First Tactical V-2 Pro Performance uniform shirt with matching First Tactical cargo style uniform pants. This uniform is authorized for patrol. Officers shall wear uniform shirts and pants from the same manufacturer and made from the same fabric (See EPD 650.020, paragraph 2).

The Blauer uniform option is no longer authorized for new purchase or replacement. Personnel who currently own Blauer Class C uniform shirts and pants may continue to wear them until they are no longer serviceable.

- **Class D Uniform**

This uniform is meant for an officer to wear to training, working in the field such as detectives serving search warrants, processing crime scenes and such. This uniform will allow the officer to wear BDU tactical pants in khaki color. The shirt will be an authorized 5.11 long or short sleeved collared black tactical shirt with Elko Police Department and the first initial and last name of the officer embroidered upon it, or for training, a department approved long or short sleeve polo style shirt, with approved Elko Police Department logo on it and without first initial and last name on it.

While wearing this optional uniform, officers may wear a duty belt, ~~but~~ a concealable weapon or a weapon in an exposed holster, as long as their badge is displayed prominently.

- **Class E Uniform**

The Elko Police Department shall adopt a "Class E" uniform option for wear during training or other assignments at the discretion of the supervisor. The Class E uniform is not authorized for wear during normal patrol or detective duty.

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The Class E uniform shall consist of the First Tactical Performance Polo shirt in either long or short sleeve and tan or khaki cargo style pants. The authorized colors for the First Tactical Performance Polo shirt are Midnight Navy, Asphalt, Academy Blue, Wolf Grey or Black.

The First Tactical polo shirt shall have the approved Elko Police Department logo embroidered in white over the left breast. The logo consists of the word "Elko" in ½" letters with "Est." to the left of Elko and "1917" to the right of Elko. The words "Police Department" are centered under the word "Elko" in ¼" capitol letters. The approved Elko Police Department logo is depicted below:



The staff member's first initial and last name shall be embroidered in white ½" capitol letters over the right breast.

### **650.020 Uniform Specifications**

#### **Mandatory (M) All Officers Must Have Optional (O) Officers May Have**

1. Traditional Uniform Shirt (M): Long sleeves either LAPD Blue, *Flying Cross* shirt or LAPD Blue *Blauer* shirt, with shoulder epaulets and badge holder. It shall also have military-style creases and two breast pockets with button flaps. Uniform shirt will be of the same manufacturer and must be the same fabric as the pant, to provide uniformity and a sharp professional look. Authorized fabrics are: wool, polyester, poly/wool blend, poly/cotton blend, or poly/rayon blend. Canine officers may wear the Rip Stop material either from *Blauer* or *Flying Cross*.
2. Traditional Uniform Shirt (O): Short sleeves either LAPD Blue, *Flying Cross* shirt or LAPD Blue *Blauer* shirt, with shoulder epaulets and badge holder. It shall also have military-style creases and two breast pockets with button flaps. Uniform shirt will be of the same manufacturer and must be the same fabric as the pant, to provide uniformity and a sharp professional look. Authorized fabrics are: wool, polyester, poly/wool blend, poly/cotton blend, or poly/rayon blend.
3. Traditional Uniform Pant (M): Will be LAPD Blue, *Flying Cross* or LAPD Blue, *Blauer* pant with one half (1/2) inch slate gray piping along the outside seam of both trouser legs. Uniform pant will be of the same manufacturer and must be the same fabric as the shirt, to provide uniformity and a sharp professional look. Authorized fabrics are: wool, polyester, poly/wool blend, poly/cotton blend, or poly/rayon blend. Canine officers may wear the Rip Stop material either from *Blauer* or *Flying Cross*.
4. Uniform shirt Class C Uniform (O): May be the Traditional Uniform Shirt and material or may be Traditional Uniform style shirt made of ripstop material.
5. BDU or Cargo Pant (O): The *Flying Cross* or *First Tactical* brand "cargo" pants in the LAPD blue color may be worn with the Class C uniform only. Uniform pant will be of the same manufacturer and must be the same fabric as the shirt, to provide uniformity and a sharp professional look.

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They may be of the wool blend or the polyester/cotton blend or ripstop material, but of good quality. Canine officers may wear the Rip Stop material either from *First Tactical* or *Flying Cross*.

6. Uniform Shoe (O): Shoes that lace, black in color, with plain toe, made of leather or synthetic leather capable of a high gloss shine or man-made shiny material such as clarino (patent leather) or corfam. Black tennis or coaching type shoes will not be allowed with the class A, class B, or class C uniforms.
7. Uniform Boot (M): Boots that pull on or lace, black in color with plain toe. Lower portion of boot is to be made of leather or synthetic leather capable of a high gloss shine, with uppers made of leather, synthetic leather, nylon or nylon leather combination. In extreme weather conditions, officers may wear a Shoe-Pac type boot. This option is to be black in color and can have a rubber bottom.
8. Uniform Sock (M): Shall be black in color when wearing low quarter shoes.
9. Uniform Belt (M): Shall be black basket weave not less than one inch in width with plain chrome colored buckle or Velcro closure for patrolmen, and supervisors shall either wear brass colored buckle or Velcro closure.
10. Undershirt (M): Shall be a black T-shirt style, either long or short sleeve.
11. Uniform Tie (M) shall be black in color, clip on or break away design straight and is to be worn with the traditional uniform shirt and class-A uniform. A conservative tie clasp or tie tack may be worn with the tie.
12. Uniform Dress Hat (M): Shall be the LAPD style 1960 with blue band, navy blue cover with single center eyelet. The hat will be equipped with a thin silver strap for patrol officers and a gold chinstrap for corporals and above. This hat may be worn with the summer uniform, winter uniform or the class-A uniform. Hat will be worn with hat badge, silver or gold to match insignia and rank.
13. Uniform Ball Cap (O): Shall be black in color. The department ball cap is authorized to be worn with the utility jumpsuit, the response team uniform, summer uniform or winter uniform, but not with the Class A or Class B uniform.
14. Winter Cap (O): Shall be black in color and be a beanie, skull or watch cap style with no adornments.
15. Winter Jumpsuit: (O): Shall be the Bratwear winter weight jumpsuit with first initial and last name of the officer above the right breast pocket, and a soft badge or hard-faced velcro badge above the left pocket.
16. Uniform Class-A Dress Jacket (M): Shall be navy blue in color, waist length, with shoulder epaulets, badge holder, two breast pockets and button flaps. Silver or gold buttons as prescribed by rank. The jacket will have 1/2-inch slate gray piping encircling both sleeves three (3) inches up from the

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cuff. This jacket is worn only with the traditional uniform shirt and tie. Corporal and Sergeants will have two ½-inch bands of slate gray piping encircling both sleeves, Lieutenants and Captains will have three ½-inch bands of slate gray piping encircling both sleeves, and the Chief will have four ½ bands of slate gray piping encircling both sleeves. Class A Jacket is “Ike” Style with button front. Buttons will have “P” on them and will be silver in color for officers, brass in color for the ranks of Corporal, Sergeant, Lieutenant, Captain, and Chief.

17. Outer load bearing Vest Carrier (O): The Safailand (Oregon Style), outer vest carrier, dark navy Blue in color with black molle loops must have “POLICE” in “3” inch dark gray lettering on the back. The front will have department badge (appropriate for rank), “1” inch nametag (first initial last name) in dark gray lettering on the right side and “1” POLICE tag on the left side in dark gray lettering. The equipment pouches will be black; Cordura or similar material (PROTECH or High Speed Gear.) These carriers will only be worn with the class C uniform or during training. A suspender system may be worn optionally under the outer vest carrier and attached to the duty belt. Equipment attached to the outer vest carrier will only be equipment normally carried on the officer’s duty belt and all equipment will be subject to approval by the administration.
18. Detectives may wear an exterior vest carrier different from the patrol external carrier, but it shall have a “Police” patch on the front.

### **650.030 Equipment Specification**

1. Class A and Class B uniform duty gear shall be black basket weave, leather or synthetic material. Class C and Class D uniform duty gear shall be black Cordura type material. Snap(s) if visible and metal buckles will be silver for patrol officers, brass for Corporals and higher ranks. Hidden snap(s) on duty gear, Velcro, and open top carriers are permitted (magazine carriers must have locking mechanism). Duty gear carried on the Class C outer vest carrier will be PROTECH or High Speed Gear.
2. Uniform Duty Belt (M): Shall be black basket-weave design 2 1/2 inches in width with dual-hooked chrome metal buckle, Velcro-style without a buckle or black plastic locking design buckle.
3. Duty Holster (M): Shall be black basket weave design and will conform to the specifications in the Range Master's Standard Operating Procedure Manual. Cross draw holsters are prohibited.
4. Handcuffs and Handcuff Case (M): Handcuffs shall be the standard chain or hinged type, either black or stainless steel in color. The handcuff case(s) shall be black. An officer may carry up to two cuff cases or one double case. For officers, hidden snap, Velcro, or open top design; and brass snap(s), Velcro, hidden snap, or open top designs are also permitted for corporal or above.
5. Magazine Carrier (M): Shall be black double or triple compartment, each compartment capable of holding a magazine of no less than (7) cartridges and no more than twenty (20) cartridges. One AR-15 style magazine or similar holding no more than (30) rounds will be optional for carry on either the duty belt or outer vest carrier. Ammunition carriers must either have a snapping or Velcro style closure, or have a locking mechanism to secure the magazine in the carrier.

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6. Key Strap (O): Optional carry. Shall be black.
7. Keeper Straps (M): Shall be black.
8. Aerosol Inflammatory Agent and Case (O): Officers may carry an organically based inflammatory agent. If worn on the duty belt. The case must be black.
9. Batons (O): The baton may be a side-handled, straight stick, ASP, Monadnock, or Peacekeeper and may be worn on the duty belt or vest carrier in a suitable holder. Officers are to be certified to carry the baton of choice. The baton may not be altered in any manner from factory specifications. It may be constructed of aluminum, wood or plastic, black in color and is to be kept in good repair.
10. Taser (O): If worn, officers certified in the use of the Taser shall carry the Taser on the duty belt or vest carrier in suitable holster on the officer's support hand side.
11. Optional equipment carriers such as, Leatherman, flashlight, etc. that are attached to the duty belt will black and match the gear on the uniform; basket-weave for Class A and Class B uniforms, Cordura style material for Class C and Class D uniforms.

The above listed equipment may be worn on the duty belt or vest in any order desired by the officer with the exception of the duty holster (worn on strong side), Taser carrier (worn on reaction side) and ammunition carrier (worn on front).

#### **650.040 Specifications for Uniform Patches**

1. Uniform Patches (M) Will be of a design authorized by the Police Chief and will be worn on both sleeves of all uniform shirts, all jackets, coats, and utility jumpsuit.

Shoulder patches are to be worn (1) inch below the top seam of the sleeve centered on the shoulder strap of the shirt or shoulder seam of the jacket and jumpsuit.

2. Insignia of Rank (M) Sergeant and corporal cloth stripes will be three (3) inches in width and worn on the winter and summer shirts with the top center point of the chevron one-half (1/2) inch below the lower point of the shoulder patch. Sergeant and corporal stripes will be silver on black in color and shall also be worn on the uniform Class A jacket, coat, windbreaker, and utility jumpsuit to conform to the shirt specifications.
3. Service Stripes (M) Shall be silver on black in color and will be worn on the winter shirt and class-A jacket only. On the winter shirt the stripe shall be worn on the left sleeve one (1) inch above the seam of the cuff with the left edge of the stripe(s) along the crease of the sleeve. On the class-A jacket the service stripe(s) shall be worn on the left sleeve centered on the sleeve one-half (1/2) inch above the piping on the sleeve. Each stripe represents four (4) years of police service.

#### **650.050 Specifications for Metal Insignia**

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1. E.P.D. Collar Insignia (M): Shall be worn on the collar parallel to the leading edge of the collar. It shall be silver in color or gold for corporal and above. This insignia shall be style 300, 3/8 inch in size for the uniform shirt. E.P.D. collar insignia will only be worn on the Class A and Class B uniforms as described.

E.P.D. Insignia (M) for the Class A jacket shall be silver or gold as prescribed by rank. It shall be style 6, 1/2 inch in size and is worn on both lapels of the Class A jacket. Insignia shall be 1/8 inch below the top stitch row, and 1/8 inch inside of the side stitch row of the lapels.

2. Name Plate (M): Shall be silver or gold as prescribed by rank. The nameplate shall be worn centered 1/8 inch above the right pocket button flap of the Class B shirt and on the winter coat, and class-A jacket. Nameplate shall have officer's first initial and last name. Winter jumpsuit, Class C and Class D uniform shirts will be embroidered or Velcro patch. Class A nameplate will be 5/8 x 2 1/2 inches in size. Class B nameplate will be 1/2 x 2 1/2 inches in size.
3. Breast Badge (M): Shall be silver or gold as prescribed by rank and is of a style as prescribed by the Police Chief. It is to be worn on the outer garment. The cloth badge, silver or gold as prescribed by rank is authorized on the windbreaker, winter jumpsuit, bike patrol shirt, Class C uniform shirt and the SWAT uniform. It is optional on the winter coat. The soft Velcro badge, hard faced, will be worn on the "Bothel Style" Outer Vest Carrier and can be worn on the winter jumpsuit and SWAT uniform.
4. Hat Badge (M): Shall be silver or gold in color as prescribed by rank and is of a style as prescribed by the Police Chief. The hat badge is worn on the front of the Class A dress hat.
5. Lieutenant Bars (M): Shall be gold in color and worn on the collars of the Class A and Class B shirt. They shall be 1/4 x 3/4 inches for the shirt. Bars for the class-A jacket will be 3/8 x 1 inch and shall be worn on both shoulder epaulets of the jacket. Captain Bars (M): Shall be gold in color and worn on the collars of the Class A and Class B shirt. They shall be 1/4 x 3/4 inches for the uniform shirt, and 1 x 1 inch for the Class A jacket.
6. Police Chief Insignia (M): Shall be four (4) gold 5-point stars in a line to be on both collars of the winter and summer shirt and on both shoulder epaulets of the class-A jacket. Stars will be 1/2 x 2 inches in size for the uniform shirt, and 3/4 x 4 inches for the Class A jacket.

Citations bars may be worn on the Class A or Class B uniforms. A total of six (6) citation bars plus the American Flag Pin may be worn at any one time on the uniform. All citation bars will be 3/8" by 1 3/8", from Blackinton unless specified otherwise.

Citation bars are issued for the following awards:

Valor Medal – blue with "VALOR" bar with gold trim  
Merit Medal – red/white/blue bar with gold trim  
Lifesaving Medal – green/white bar with gold trim  
Police Medal – blue/white bar with gold trim  
Purple Heart Medal – purple/white bar with gold trim

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Specialty recognition bars will have silver (rhodium) or gold border commensurate with the officer's rank unless specified otherwise. All specialty recognition bars will be awarded at the first awards ceremony following qualification, beginning for year 2020. Officers who qualified for specialty recognition bars prior to 2020 are authorized to purchase and display bars. All specialty recognition bars will be slide style bars. Specialty recognition bars are issued for the following:

SWAT – Item #A8105-A

K-9 - #A11317

Crisis Negotiations – #A11996

Detectives – #A11362

Instructor – #A11177-H

FBI National Academy - FBI NAA supplier, blue/yellow/white/red/light blue with "FBI" and "NA"

Honor Guard – #A11177-J, all with silver (rhodium) border

School Resource Officer – #A12764

Medic – #A10886

Officer of the Year – #A12013

Army Veteran – #A12602

Air Force – #A12602-D

Navy – #A12602-A

Marine – #A12602-B

Coast Guard – #a12602 - C

Citation bars will worn with the American Flag Pin above all other bars. The wearing of more than two citation bars requires Slide Bars (Blackinton) in silver (rhodium) or gold commensurate with present rank. Including the American Flag Pin, citation bars may be worn in the following formations, 1 over 1, 1 over 2, 1 over 3, 1 over 2 over 2, or 1 over 3 over 3. Award citation bars will precede specialty citation bars in order, in instances if officers have more than six (6) total award and specialty citation bars, they may choose which six (6) to wear.

The department will issue the initial specialty commendation bars for the present rank of the officer for all items except "Instructor" pin, "FBI NA" pin or military veteran pins. The purchasing of the slide bar holders and changes in borders for advancement of ranks are up to the individual officer.

7. American Flag Pin, same size as Award Ribbons, will be worn on Class A and Class B shirts above ribbons. No American Flag Pins will be worn on the Class C or Class D uniforms. Pin will be trimmed in silver (rhodium) for ranks below Corporal, and gold for ranks Corporal and above.
8. The nationally recognized

### **650.055 Specialist Uniforms**

The Police Chief may authorize the use of special uniforms for use by officers performing specialized functions within the Elko Police Department.

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These special uniforms include:

1. Bicycle Patrol Uniform
2. SWAT Uniform
3. Bomb Disposal Uniform

### **650.056 Bicycle Patrol Uniform**

When an officer is assigned to work bike patrol, the bike patrol uniform will be worn.

The bike patrol uniform will consist of the shorts with a minimum 9" inseam. The color for the shorts will be "national navy." During inclement weather or under some other circumstances, an officer may wear full-length nylon bike pants. The color of these pants shall be as close to "national navy" as possible. If an officer wishes to wear a jacket while working bike patrol, the jacket can be a navy blue nylon type jacket.

The Navy blue reversible fleece jacket is also acceptable. This jacket will need to have the appropriate identification on it to identify the jacket as law enforcement.

The uniform shirt will be the white polo style shirt with shoulder patches, officer's name and appropriate badge embroidered into or a patch sewn onto the shirt. The word POLICE will be 3" bold black letters across the back of the shirt.

Shoes for the bike patrol uniform will be black or white tennis style shoes in good condition.

The socks for the bike patrol uniform will be black or white ankle high socks. Black socks will be worn with black shoes and white socks will be worn with white shoes.

Black nylon duty gear will be worn with this bike patrol uniform.

The officers working bike patrol will wear a black bicycle helmet.

No combination of this uniform shall be worn with any other uniform. This bike patrol uniform is only authorized for an officer who is working bike patrol.

### **650.060 Appearance**

All members of the Department are to maintain a high standard of personal grooming and appearance.

Uniform leather and duty gear, to include footwear, will be cleaned, shined and polished regularly and provide an overall professional appearance. The uniform shall be clean, pressed, tailored, and properly adorned at all times while on duty.



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The wearing of unnecessary jewelry is discouraged. Officers may not wear any earrings while on duty. Employees of the Elko Police Department are not allowed to wear any earring(s) that when removed creates a noticeable deformity in the body, such as gauges or large piercings. No officer or employee will be allowed to wear any other piercing on the body that would be seen while a uniform or work attire is worn, such as eyebrow, lip or nose piercings.

Chains or other ornamental jewelry may not be worn on the outside of the uniform.

No tattoos or body art shall be permitted to be worn that are offensive. This may include sexist, racist, vulgar, anti-American, anti-social, gang related, or extremist group or organization related.

Employees shall not have tattoos above the collarbone.

Employees shall not have tattoos on their hands.

Employees shall not allow a tattoo to be visible while wearing the authorized uniform of the day, or business attire.

### **650.065 Hair Style Guidelines**

Except when acting under proper and specific orders from a supervisor, male and female employees on duty shall have their hair according to the following guidelines:

- Male employees -
  1. Hair must be clean, neat and combed and shall not be worn longer than the top of the shirt collar at the back of the neck, nor cover the ears when standing with the head in normal posture. The bulk of or length of the hair shall not interfere with the normal wearing of all standard headgear.
  2. Hair in front will be groomed so that it does not fall below the properly worn headgear or below the eyebrows.
  3. Hair styles, such as pleated, braided, ponytail, Mohawk, fauxhawk, or other eccentric styles are prohibited. The Police Chief has sole discretion to determine if a hairstyle is eccentric or prohibited.
  4. Wigs or hairpieces are permitted if they conform to the above standards for natural hair.
  5. The sideburns of male employees shall be neatly trimmed and tapered and shall not extend below the bottom of the ear or exceed one and one-quarter inches in width. They shall end with a clean-shaven horizontal line. Sideburns and mustaches shall not connect.
  6. Employees may wear a neatly trimmed mustache. The mustache shall not grow past the corner of the mouth and the mustache shall not be allowed to grow longer than one inch in length.

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Beards and goatees shall not be worn. Handlebar mustaches or other exotic facial hair styles shall not be worn.

7. Officers on special assignment may wear styles, beards and mustaches as prescribed by the Police Chief.
- Female employees-
1. Hair in front will be groomed so that it does not fall below the properly worn headgear or below the eyebrows.
  2. Ponytails may be worn but are strongly discouraged for officer safety reasons.

### **650.070 Officers Assigned to Non-Uniformed Assignments**

Officers working in civilian clothing shall wear clothing that conforms to traditional business standards. Fabric of civilian attire must be of a "dress" nature and look. Jackets, shirts, blouses, skirts, and pants must match or be of a presentable contrast of colors and materials.

Male officers working in civilian clothing should wear sport coats, blazers or traditional business suits and ties. Sport coats, blazers or traditional business suit and tie are required when appearing in court or for public appearances such as speaking engagements.

Detectives are allowed to wear alternative clothing when working in adverse conditions that would damage traditional business attire, such as collecting evidence in the field or processing crime scenes. The alternative clothing would consist of BDU style pants and a collared shirt that designates them as police.

### **650.075 Non-Uniformed Officer Equipment**

1. Officers working in civilian clothing shall be armed with a revolver or semi-automatic pistol, with one additional speed loader or magazine, handcuff and cuff key all of which meet Department specification.
2. Officers wearing civilian clothing for duty will continue to wear their primary weapon or a backup weapon that they have qualified with at all times. Primary weapons may be carried in a conventional waist or in a waist pouch. Cross-draw holsters are prohibited. Officers on duty in civilian clothing must carry their ID and badge (prominently displayed) with them at all times except on assignment where disclosure of ID and badge would be detrimental to the officer.
3. Hats and conservative jewelry may be worn.
4. Officers on special assignment may dress as required by the assignment as approved by the Police Chief.
5. Officers working in civilian clothing (detectives) shall comply with the same grooming standards as for uniformed patrol officers except when special duty requires otherwise.

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### **650.080 Uniform and Equipment Allowance**

An amount established in the applicable labor contract with the City will be provided to each sworn officer or uniformed civilian as provided in the labor contract.

### **650.090 Protective Vests**

Protective vests are provided for all sworn officers of this Department. Wearing of the vest while in uniform is required.

Protective vests used by officers on routine field duty are to be of the type worn under the uniform shirt or in the external uniform carrier.

Ballistic panels are to be constructed of layered Kevlar or equivalent material and should be certified to at least threat level 3A as established under the standards of NILECJ-STD-0101.1, Ballistic Resistance of Police Body Armor.

Plain Clothes officers will have their protective vests available to them in their vehicles while performing duties outside the police department.

### **660.000 Other Duties of the Patrol Unit**

#### **660.010 Notifying Next of Kin, Deceased, Seriously Injured or Seriously Ill**

Notification of next of kin of deceased seriously injured or seriously ill persons shall be carried out promptly and in a considerate manner. Notifications shall be made in person.

Whenever possible, assistance should be obtained from clergy or a relative or close friend. Requests for notification made by other agencies shall be confirmed, preferably by teletype.

These procedures shall apply for both accident and non-accident situations.

#### **660.015 Notifying Next of Kin, Departmental Employees**

In the event a Department member is killed or seriously injured in the performance of a police function, the Police Chief shall make notification of the member's next of kin in person. In the absence of the Police Chief, the next level of management staff designated in charge of the Department at the time will make the notification.

The Office of Police Chief shall maintain a list of all employees' next of kin and this list will be reviewed and updated annually by personnel designated by the Police Chief.

#### **660.020 Opening Locked Vehicle Doors**

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The Department will not unlock citizen's vehicles that have locked their keys in their vehicles. The only situations where the use of the "Slim Jim" to enter a locked vehicle will be permitted will be when small children are locked in the vehicle, in life threatening situations or when there is an animal in a life-threatening situation as approved by a supervisor.

In addition, a Slim Jim may be authorized when executing a search warrant, lawful arrest or other emergency circumstances.

Citizens are to be referred to local locksmiths to assist them in the opening of locked vehicle doors. The Department cannot recommend the use of any one locksmith, but can give citizens the names of all local locksmiths so that they may choose a locksmith of their own preference.

### **660.030 Citizens Ride Along Program**

Ride-alongs are defined as any person other than the sworn officer assigned to a working patrol vehicle.

It is also recognized that certain benefits may be derived from allowing some persons to be exposed to police activities. The primary consideration when permitting an observer in a working police vehicle must address the benefit to the community and Department, not the personal gratification of the person riding in the police vehicle.

Requests to ride and observe in a working police vehicle will be submitted, using the Citizens' Ride Along Waiver, to a Division Commander or, in their absence, the shift sergeant. No other authority may grant permission to ride along.

Citizen's that wish to participate in the ride along program must submit to a basic criminal history record check. Any felony convictions or other criminal convictions, demonstrating activity of poor moral character disqualifies the applicant.

Applicants applying for more than one ride along within a six-month period must demonstrate the need in person to the Police Chief or Division Commander.

### **660.035 Ride Along Waiver**

Non-sworn personnel must complete a Waiver (EPD Form 41b/93) prior to riding in a working police vehicle. This Waiver will be forwarded to the Records Unit.

Officers assigned to a ride along passenger should not participate in any vehicle pursuits either as primary or secondary vehicle. In addition, when dispatched to any call involving the use of firearms, the officer with the ride along passenger should if practical secure that passenger at a safe location before responding to that call. Central dispatch is to be notified of the ride alongs' location so arrangements can be made to retrieve the passenger.

### **665.000 Drug Interdiction Operating Policy & Procedure**

#### **665.010 Policy**

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Recognizing that that illegal use of controlled substances, including use of illegal drugs and prescription drug abuse, contributes negatively to the quality of life for our community and spurs much of the crime committed in this jurisdiction, it is the policy of the Elko Police Department to proactively seek out these offenders. Proactive measures include, but are not necessarily limited to, participation in the county-wide Elko Combined Narcotics Task Force, full investigation on traffic and pedestrian stops for other violations, service of warrants, obtaining information from the public, and use of other such information to locate and apprehend the offenders.

### **665.030 Procedure**

1. Within the scope of drug interdiction, a high level of contact with the motoring public is essential, as the most vulnerable time for those involved in drug crime is when they are in transit. This is achieved by traffic enforcement with the key element being the traffic stop. Officers of the Elko Police Department shall make every effort to operate within the guidelines of the most current case law, department policy, Nevada Revised Statutes, best practices, and the Constitution of the United States of America when conducting traffic enforcement stops and/or drug interdiction investigations.
2. During a traffic enforcement stop an officer may become aware of factors which lead to a drug interdiction investigation. Those factors may include but are not limited to: Prior knowledge of the subjects occupying the vehicle, knowledge of the subjects' criminal history, the vehicle leaving a high drug crime area, indicators of a drug crime (based on that officer's training and/or experience) that are observed by the officer, or the sight or smell of controlled substances within the vehicle, or the presence of drug paraphernalia in sight within the vehicle.
3. If the Officer believes there to be controlled substances within a vehicle the Officer should attempt to obtain consent to search the vehicle from the driver or owner of the vehicle. When circumstances allow, officers should attempt to obtain either written or recorded consent. Officers of the Elko Police Department shall never knowingly intimidate, coerce, or force any person to consent to a search of their property or person.
4. If consent is denied and/or the Officer uses a Police Canine for the purposes of a drug sniff, the Officer shall have a basis for that sniff based upon reasonable articulable suspicion. The reasonable articulable suspicion should include any and all factors observed by the Officer during the investigation and any previously held knowledge of the Officer.

A canine sniff may be performed on any vehicle, absent reasonable articulable suspicion, so long as it does not prolong the duration of the stop. The ultimate decision to conduct the sniff will lie with the Police Canine Officer and must be in accordance with current case law.

5. It is the responsibility of Elko Police Officers to be knowledgeable in current case law and policy regarding searches as it applies to the specific circumstances of the stop. This is especially important when it comes to probable cause searches or sealing the vehicle for the application of a search warrant based on the officer's investigation.

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6. When searches yield the presence of controlled substances, drug paraphernalia, or money that is shown to be connected to controlled substances, the Officer should seize those items. However, specific circumstances and officer discretion should dictate the enforcement action taken by the officer, if any. Officers should be aware that many transporters of controlled substances are also users of those substances, and may have been operating a vehicle under the influence of such substances.
7. In cases where large amounts of money are found during a stop the following factors should be considered.
  - A. Are there illegal drugs present, and is the amount of money present over the statutory limits as defined by NRS 453.301 (\$300.00) or NRS 207.195 (5,000.00).
  - B. If the totality of the investigation reveals drug sales are occurring to the level of probable cause, all money likely to be the proceeds of that criminal activity can be seized for forfeiture, regardless of the amount, pursuant to NRS 179.121.
  - C. If all persons present deny ownership of money present, and sign the Elko Police Department form, Disclaimer of Ownership of Currency, and such denial is made voluntarily, knowingly, and without coercion all money likely to be the proceeds of that criminal activity can be seized for forfeiture, regardless of the amount, pursuant to NRS 179.121. The Elko Police Department understands that travelling with currency is not illegal and will make no attempts to deprive any individual of currency that is clearly legitimate.
8. To aid in possible further investigations Officer's should attempt to gather intelligence from the vehicle's occupants and items in the vehicle such as: map quest directions, mobile phones, computers, and other electronic devices. Officers should follow department policy in securing electronic devices for a search warrant to aid in the investigation and for investigations the intelligence might lead to for this agency or other agencies.
9. Officer's shall not take, assist with, pose for, or otherwise cause to occur, any so called trophy photos. Photos should be taken of evidence of any crime as necessary. Evidentiary photos should only be made using a department phone.
10. When an arrest is made for large quantities of controlled substances, the Elko Combined Narcotics Unit will be notified. Elko Combined Narcotics Unit will also be notified if a controlled substances case is particularly complex or unusual.

#### **670.000 Dealing with Juvenile Offenders**

##### **670.010 Reasonable Alternatives to Arrest**

When dealing with juvenile offenders, officers should differentiate between juveniles who have had little or no previous contact with the Juvenile Justice System and juveniles who have demonstrated violent or

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habitual criminal activity. When dealing with the first category of juveniles, law enforcement officers should always use the least coercive among reasonable alternatives, consistent with serving public safety, order, and individual liberty.

Law enforcement officers may deal with juvenile offenders in one of the following ways:

1. Warning and release to a parent or guardian at the scene,
2. Issuance of a citation and release, or issuance of citation to parent or guardian at the scene,
3. In extreme circumstances, Taking the juvenile home and informing the parents of the reasons for his/her being picked up,
4. Referral to Juvenile Court, which will require completion of a Notice of Juvenile Violation and other appropriate reports.

### **670.030 Referral to Formal Proceedings**

Department referral of alleged juvenile offenders to the juvenile justice system should be restricted to those cases involving serious criminal conduct or repeated criminal violations. In general, delinquent acts requiring referral to the juvenile justice system should include but are not limited to:

1. All delinquent acts that, if committed by an adult, would be felonies,
2. All delinquent acts involving weapons,
3. All delinquent acts committed by juveniles on probation or parole or by those with a case pending,
4. All delinquent acts involving aggravated assaults,
5. All repeated delinquent acts, within the preceding 12-month period.

Officers dealing with juveniles who have committed violent or habitual criminal activity have limited discretion regarding alternative sanctions.

### **670.035 Other Referrals to Formal Proceedings**

Other cases that may require referral to the juvenile justice system include:

1. When a juvenile has been referred to a diversion program, but refused to participate,
2. When it has been determined that parental supervision is not effective,
3. When arrested for shoplifting and referral is requested by the victim.

### **670.040 Juvenile Traffic Citations**

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Procedures for issuing written citations to juveniles shall be governed by the same procedures used for adults, with the following exceptions:

No court date shall be listed on the citation; in the place of appearance date the officer shall write "To be notified".

Bail amount shall be listed on the citation.

### **670.045 Notice of Juvenile Violation**

In lieu of taking a juvenile into custody, an officer may refer a juvenile to the juvenile justice system and still release them to their parent(s), guardian, or other responsible adult. To do so, the officer will complete the Notice of Juvenile Violation form supplied by the Juvenile Court. The form must be completed and signed by the arresting officer, and either parent, guardian, or responsible adult and juvenile prior to release.

The completed form and all reports and statements relating to the incident shall be forwarded to the Elko County Juvenile Probation Office.

### **670.050 Run-Away and Missing Juveniles**

Officers receiving a complaint of a missing child shall, without unnecessary delay, advise Elko Central Dispatch of the following information:

1. Name, date of birth, sex, race, height, weight, eye and hair color of the child, clothing description,
2. The date and location of the last known contact with the child.

Central dispatch shall immediately enter the child into the National Crime Information Center as required under Title 37-National Child Search Assistance Act of 1990.

The officer receiving the report of a missing child shall institute appropriate search and investigative procedures. Such procedures may include but are not limited to; request for assistance from other agencies, Detectives, SWAT Team call-out, and notification of management staff.

The FBI requires after a missing juvenile has been active in NCIC for more than 60 days, medical and dental records must be requested for supplemental entry. A letter must be sent to the parent/guardian of the missing juvenile requesting such information. The letter will then be placed in the investigative/jacket file.

### **670.060 Status Offenses**

Juveniles alleged to have engaged in non-criminal misbehavior, shall be released to a parent, guardian, or other responsible adult if at all practical, rather than placing the juvenile in custody.



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A juvenile alleged to have been harmed or be in danger of harm may be taken into custody, as provided by NRS 432.390.

### **670.075 Juvenile Custodial Interrogations**

The procedures for the custodial interrogation of juvenile shall include the following:

1. The juvenile shall be advised of his/her constitutional rights,
2. The custodial interrogation shall not exceed three (3) hours and shall not be conducted by any more than two (2) officers. During the interrogation, the juvenile will be provided breaks for refreshment and to use the restroom,

### **680.000 Missing Persons**

#### **680.010 Department Policy**

It shall be the policy of the Elko Police Department to render as much assistance as possible in locating missing persons reported to this Department.

#### **680.015 Standards and Provisions**

The Elko Police Department does not recognize the commonly practiced police procedure of initiating missing person's reports only after the victim has been missing a described length of time.

After conducting basic inquiries in an attempt to locate an individual, if that individual cannot be located, a report will be initiated immediately in all cases.

#### **680.020 Exigent Circumstances Involving Missing Persons**

Officers investigating a missing person (adult or juvenile) will determine whether or not foul play or exigent circumstances exist.

Exigent circumstances will include the following:

1. Juveniles under 8 years of age missing anytime.
  - a. When a child under the age of 8 years is reported missing, Central Dispatch will provide all available descriptive information on the child to the responding officer.
  - b. An attempt will be made to locate the child while in route to the scene. When a complete description is received from the complainant, officers will have it broadcast.
2. Juveniles, 8-12 years of age, who have not returned home from school or are missing an unusual length of time (refer to section 670.050 for additional information of missing juveniles).
3. Missing persons with physical or mental disabilities, regardless of age or length of time missing.

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### **680.021 When Foul Play or Exigent Circumstances Are Indicated**

When there are indications that foul play may be involved or exigent circumstances exist, a shift supervisor will immediately be notified.

1. The responding shift supervisor will coordinate the search and will notify the on-call detective and management staff. (Section 610.120). In addition, the supervisor will make a determination if a call-out of the SWAT Team will be required.
2. The search will begin at the victim's residence and premises (in vehicles, closets, under beds, etc.)
3. When the victim is found as a result of an immediate search and no foul play or criminal act is involved, no report is required.
4. When the investigation or search becomes lengthy or involved, the Detective Unit supervisor will be notified and a detective(s) directed to respond to assist or assume responsibility for the investigation.
5. A report will be taken and the information required to enter the victim into NCIC will be given to Central Dispatch as soon as possible. Separate reports will be done for multiple victims, even if all victims are family members missing from the same location.
6. Officers will complete the necessary reports prior to the end of the workday.

### **680.022 When Foul Play and Exigent Circumstances Are Not Indicated**

When foul play is not suspected and exigent circumstances do not exist, the report may be taken at the station, at the victim's address, or over the telephone. Examples in this category include:

1. Juveniles 12 years or older missing any length of time when foul play is not suspected and the victim is a known runaway.
2. Missing juveniles, thought to be in the custody of one parent, under circumstances indicating the juvenile is being kept from the other parent without judicial approval.
  - a. The juvenile's whereabouts must be unknown:
  - b. Custody must not have been awarded to either parent.
3. Wards of the court which leave foster homes or shelters without permission.
4. Adults missing with no foul play expected.
5. Reports will be completed and the victim(s) entered into NCIC prior to the completion of the officer's shift. There will be no exceptions to this requirement.

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NOTE: In cases of juvenile victims, all the provisions of section 670.050 of this manual will apply.

### **680.025 Photographs of Victims**

Photographs will be obtained, if possible. Photographs will be attached to the investigative report.

### **680.030 Information Provided to the Reporting Party**

Officers will inform the reporting party that all necessary investigations will be undertaken.

1. The reporting party will be provided with a completed copy of the report from the Records Unit. Officers will instruct the reporting party to contact the Department immediately when the missing person returns home or is found.
2. Officers will inform reporting parties that missing persons 18 years of age or older cannot be forced to return home, nor can their whereabouts be disclosed against their wishes.
3. Adult missing persons, who are located and request that their whereabouts not be disclosed, will be told that officers will make specific notations as to where the missing person was located in the follow-up report and will place the notation "DO NOT RELEASE TO PUBLIC" at the top of the report.

### **680.035 When a Missing Adult or Juvenile is found**

When a missing adult or juvenile is found, officers will complete a supplemental report as soon as practical and shall notify Central Dispatch so that the victim can be removed from NCIC.

### **680.036 Located Runaway Juveniles**

Runaway juveniles located by the Elko Police Department which are reported locally or from other jurisdictions will be:

1. Held at the location found until a legal guardian is able to respond to take custody; or,
2. Transported to the location of the guardian and released, if feasible; or,
3. If a guardian cannot be located or contacted, a runaway juvenile will be transported to the Elko County Juvenile Detention Center.

The officer will complete all appropriate reports. On juveniles reported locally, a supplemental report will be completed. On juveniles from other jurisdictions a new case number will be drawn.

### **680.040 Missing Adult Believed to be in Elko**

When a resident of another city is missing and believed to be in Elko under circumstances not amounting to foul play, the complainant will be advised to make a report with the police in the locality from which

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the person is missing. The complainant should request that a copy of the report be sent to the Elko Police Department, Detective Unit. If foul play, or exigent circumstances are suspected, or immediate follow-up is indicated, a supervisor will determine if an Elko Police Department Report should be completed.

### **690.000 Arrests**

#### **690.010 Introduction**

The arrest is the most critical stage of law enforcement. The officer must make a successful apprehension, while protecting him and innocent persons in the area. In addition, he must act reasonably so as to protect the legal rights of the person arrested. The criminal law sets up rights, procedures, and requirements to accomplish all of these objectives.

All arrests will be within the parameters set forth in Chapter 171 of the Nevada Revised Statutes. All officers should have knowledge of the provisions of this Chapter.

#### **690.015 Arrests Without Warrants**

An officer may make an arrest without a warrant for:

1. Felony crimes, gross misdemeanor crimes, and misdemeanors which have been committed in the officer's presence.
2. Felonies and gross misdemeanors not committed in the officer's presence when the officer has probable cause to believe that a crime has been committed and specific person(s) committed it.
3. The officer has probable cause to believe a specific person is attempting to commit a crime.
4. The officer has probable cause to believe that a specific juvenile has committed a delinquent act.
5. Traffic offenses delineated in NRS 484.791.
6. Domestic battery.
7. Violations of protective orders.

#### **690.020 Making a Warrantless Arrest**

When making an arrest of a person, the arresting officer shall:

1. Inform the suspect that he/she is under arrest and the charges or cause for the arrest,
2. Use only the amount of force necessary to make the arrest, overcome resistance, prevent escape, effect recapture, or protect himself from bodily harm,

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3. Restrain the arrestee by handcuffing the hands behind the back unless handicapped, obese or other physical reason for not doing so,
4. Give the arrestee the Miranda Warning at the time of arrest or as soon as possible after the arrest if interrogation is to follow. (See sections 740.015 and 740.081 of this manual for times when Miranda Warnings are not given),
5. Search the arrestee and the area under his/her immediate control for weapons and instruments or fruits of a crime,
6. Protect and safeguard the arrestee and his/her personal property,
7. Transport the arrestee or cause the arrestee to be transported to the detention facility,
8. Completes arrest and related reports within 24 hours of arrest.

#### **690.025 Rights of the Arrestee**

Arrested persons shall be afforded all Constitutional rights, proper medical attention of conditions indicated by medical alert identification or for conditions sustained during the arrest, or a language interpreter if required to communicate.

After advising the suspect of his/her Constitutional rights, officers will not:

1. Coerce involuntary confessions or admissions from suspects,
2. Deprive suspects of their counsel,
3. Delay in arraignment of any suspect,
4. Create pre-trial publicity to prejudice the public to create an unfair trial,
5. Fail to inform suspects of their rights prior to questioning.

#### **690.030 Issuing a Citation in Lieu of Incarceration**

Discretionary powers are vested in peace officers by state statute (NRS 171.124) governing when an officer may make an arrest.

Understanding that not all infractions of the law must be dealt with by incarceration, an officer may, upon specific requirements, issue a citation instead of incarcerating a suspect. All of the following must exist:

1. All elements must be present for making a misdemeanor arrest.
2. The suspect's identity must be positively established.

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3. To the officer's knowledge, the suspect must have no outstanding warrants or previous history of failing to appear on a citation or criminal charge.
4. There is no indication that the offense would continue or resume or a new violation committed if the suspect was cited and released.
5. There is no statutory requirement mandating an arrest.

### **690.035 Citizen's Arrest**

In the event of a citizen's arrest, the citizen's responsibility is to surrender the arrestee without delay to an officer.

The citizen shall be required to read and complete a Citizen's Misdemeanor Arrest Form.

This document will detail all the circumstances surrounding the arrest.

### **690.036 Officer's Responsibility During Citizen's Arrest**

The officer's responsibility is to review the circumstances surrounding the arrest and take custody of the arrestee.

The officer's responsibilities also include:

1. Obtain the completed Citizen's Arrest Form from the arresting citizen prior to transporting the arrestee. Ensure that the arresting citizen informs the suspect that they are under citizen's arrest and give the offense they are being arrested for.
2. Transport the arrestee or cause the arrestee to be transported to the detention facility where a Declaration of Probable Cause Form is to be completed.
3. Complete an arrest report. The report is to include the completed Citizen's Arrest Form.

### **690.040 Arrests for Traffic Violations**

Enforcement action, as related to traffic enforcement, can result in physical arrest, misdemeanor citation, civil infraction citation, or verbal warning. Enforcement action should seek to detect, apprehend and deter traffic law violators. Traffic law enforcement should attempt to bring about voluntary compliance by the public.

### **690.045 Traffic Arrest of Military Personnel**

Traffic violation arrests of military personnel will be handled in the manner as any other.

When military personnel are physically arrested, it is the responsibility of jail personnel to notify the nearest military installation for possible release to their custody, depending on the charge.

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### **690.050 Arrest of Foreign Nationals**

It is the policy of the Department to handle the arrest or detention of foreign nationals in strict conformity with the "United States Department of State Guidelines regarding Foreign Nationals Arrested or Detained in the United States"

A copy of this document is posted in the squad room and at the Elko County Jail.

### **690.055 Declaration of Probable Cause Statements**

Each time an officer makes an arrest without a warrant, or transports a person placed under citizen's arrest, the officer will complete a Declaration of Probable Cause form. The officer shall ensure that the probable cause statement specifically lists out the elements of each offense the person has been arrested for.

The probable cause statement is reviewed by the Justice of the Peace at the arrestee's first appearance.

The Declaration of Probable Cause is in addition to the appropriate reports or documents, which must be submitted to the appropriate prosecutor's office within three working days.

### **690.060 Confirmation of Local Warrants**

All original felony or misdemeanor warrants issued from the Elko Township Justice Court or the Fourth Judicial District Court are accessed 24 hours a day through the Elko County Sheriff's Office. Officers may confirm a warrant by contacting the Sheriff's Office through Central Dispatch.

All original misdemeanor warrants issued by the Elko Municipal Court are accessed and confirmed 24 hours a day through the Records Unit or Patrol Supervisor. Confirmation is made directly through Elko Central Dispatch.

Other agencies' warrants are accessed through the computerized NCJIS and NCIC terminal located in Central Dispatch.

### **690.065 Procedure When Warrants Received**

All items of legal process received by this Department will be criminal in nature. Upon receiving a warrant, whether a copy of the original from the Justice or District court, or original from the Municipal court, the Records Unit will enter the warrant and all pertinent information into the Records Management System.

### **690.070 Service of Arrest Warrants**

Only sworn officers of this Department will execute criminal warrants which are presented to them or which come to their knowledge.

### **690.075 Territorial Limits**

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A warrant may be executed or a summons may be served at any place within the jurisdiction of the State of Nevada. Misdemeanor traffic warrants issued by the Elko Municipal Court are transported Region 3 Humboldt County only.

### **690.080 Issuance of a Summons**

The district attorney may request a summons instead of a warrant. Refer to NRS 171.106, 171.112 and 171.122.

### **690.085 Release on Own Recognizance**

It is the policy of the Elko Police Department to adhere to all the provisions set forth in NRS 178.4851 when considering any individual for pretrial release.

Only the Police Chief or his designee may grant a Release on Own Recognizance (O/R).

An officer may make a recommendation to the Police Chief but may not discuss this option with the arrestee.

It is further recognized that the Elko County Sheriff and magistrate of jurisdiction may also grant an O/R.

### **690.088 Failure to Appear Warrants**

Priority shall be given to FTA warrants (failure to appear) for individuals who had previously been granted an O/R by any authority in this jurisdiction.

### **690.090 Search of Arrestee and Transporting Vehicle**

An officer transporting an arrestee to the county jail is legally responsible for the safety and custody of that person. An officer doing this transport should never assume that someone else has searched the arrestee. Every arrestee is to be searched for weapons or contraband prior to being placed in a police vehicle.

The arresting officer will ensure that the arrestee is never left unattended once in custody. The arrestee will be guarded at all times from the time of arrest until the arrestee is given into the care and custody of the jail personnel.

In addition, every vehicle that carries or transports an arrestee is to be examined prior to and after each transport to ensure that no contraband, evidence, or weapons are present.

As a matter of procedure every officer shall, prior to and after arrest or transport of a prisoner, search his/her police vehicle.

### **690.092 Vehicle Impounds and Releases**

#### **690.0922 Vehicle Impounds**



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Vehicle impounds occur when there is an arrest of the driver from the vehicle or when a vehicle has evidentiary value and must be processed during the course of an investigation.

When the driver of a vehicle is arrested and that driver is the registered owner of the vehicle, the driver may allow a passenger to take possession of the vehicle. If the driver is not the registered owner, the driver cannot give permission for another to take possession of the vehicle who is not the registered owner. The vehicle will be impounded. If the vehicle is legally parked and has no evidentiary value it may be secured and left at the scene, at the request of the registered owner and as approved by the shift supervisor. If the vehicle is impounded, an inventory of the vehicle will be completed and the next tow company will take possession of the vehicle. A copy of the impound inventory will be given to the tow truck driver.

When impounding a vehicle of evidentiary value, the vehicle will be secured with evidence tape and the officer will follow the vehicle or have another officer follow the vehicle to the police garage where it will be secured for processing. The officer will attach a copy of the impound sheet and notify the Detective Sergeant that there is a vehicle to be processed in the garage.

If a vehicle is involved in a crash and has no evidentiary value but is disabled, the next duty tow- will be called to remove the vehicle. No impound inventory is necessary unless the driver of the vehicle is not present when the tow occurs.

For other impounded vehicles, such as street storage, an impound inventory will be done and given to the tow truck driver.

### **690.0924 Vehicle Releases**

All vehicles not impounded for the purpose of evidence processing or warrant service will be towed by a duty tow company to a storage facility of their choice. Vehicles towed to the Elko Police Department that have been processed for evidence or warrant service. When finished, officer(s) will complete the impound inventory and/or warrant service. The vehicle will be released to the same duty tow company that originally towed the vehicle.

### **690.095 Officer Safety During Transport**

For safety reasons, the arrestee should be under observation at all times. Opportunities for escape or attack on the transporting officers should be reduced as much as possible. The arrestee should be made as comfortable as possible and yet secured to the maximum degree with appropriate restraining devices and activated seatbelt.

Officers will position themselves and arrestees in the police vehicle in such a manner as the arrestee can be seen by the officer.

### **690.100 Officers Not to Lose Sight of Arrestees**

Transporting officers shall not lose sight of arrestees while transporting them from the point of arrest to the booking point unless:

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1. The arrestee being transported is of the opposite sex and must use the restroom.
2. The arrestee being transported is of the opposite sex and is to be examined by a doctor.

If either of the above described situations occurs, all possible escape routes shall be secured prior to allowing the arrestee to be out of sight.

### **690.105 Transport of Arrestees of the Opposite Sex**

Officers shall not transport arrestees of the opposite sex without first calling in their vehicle mileage via radio. Officers shall call in ending mileage via radio immediately upon reaching their destination. Elko Central Dispatch shall respond to the beginning and ending mileage by recording the time of each.

### **690.110 Transporting a Handicapped Arrestee**

Physically handicapped arrestees may require special care and attention not only for their needs but also for the safety of the officer and the welfare of the public.

At times, because of their handicap, it may not be advisable to handcuff a handicapped arrestee. In such a case, the arrestee should be transported in the back seat of a screened vehicle and if possible with a second officer.

Only handicapped arrestees whose health would be at risk or the application of wrist restraints is physically impossible, will the application of restraints not be required. In those cases, where, in the transporting officer's judgment, restraints cannot be used, the officer's immediate supervisor will be advised of the circumstances.

### **690.115 Transporting Sick or Injured Arrestees**

Those arrestees who become sick or are injured prior to or incidental to their arrest may require immediate medical attention by the Fire Department or ambulance personnel prior to transportation to the county jail or hospital.

Any time an illness or injury is too severe for transportation in a police vehicle, an ambulance will be utilized.

Once the arrestee has been released from the officer's custody to the jail staff. Neither a supervisor nor an officer will return to the jail for the purpose of transporting any injured inmate to a medical facility. If the arrestee needs immediate medical attention after being released to the jail staff. The officer or supervisor can, at the request of the jail supervisor, request medical.

In the event that an arrestee is hospitalized, this Department will be responsible for the arrestee's security until he/she is released for booking.

### **690.120 Arrestees Who Refuse Medical Attention**

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Those ill or injured arrestees who request medical attention will be taken to the Northern Nevada Regional Hospital Emergency Room prior to booking. An ill or injured arrestee who refuses treatment either by ambulance personnel or personnel in the emergency room will be asked to sign a release. In the event an arrestee refuses to sign a release, that fact shall be documented in the officer's arrest report.

### **690.125 Restraint of Ill or Injured Arrestees**

Arrestees who are ill or injured will always be restrained unless such restraints cause the illness or injury to worsen.

### **690.130 Communications With/Between Arrestees**

Do not allow arrestees to converse among themselves or with anyone else and use caution in what you say so pertinent facts regarding the case will not be divulged. Turn down the radio if other officers are relaying information involving the arrestee. Arrestees should be transported separately whenever possible and kept apart when transported.

### **690.135 Communication With Medical Personnel**

Communication between an arrestee and medical personnel is permissible if:

1. It is necessary for providing information needed by medical personnel for diagnosing or treating a medical condition or injury.
2. It is necessary for providing information needed by medical personnel or facility for billing purposes.
3. It is necessary for medical personnel to obtain samples of body fluids and tissues needed for testing and/or evidence purposes, i.e. blood alcohol.

### **690.140 How to Handle an Escape During Transport**

In the event of an escape during transport, the custody officer will:

1. Attempt to immediately apprehend the escapee.
2. Notify Central Dispatch and give a complete description of the escapee, direction of travel, whether the escapee is armed and whether you are in pursuit.
3. Notify the shift supervisor as soon as possible and management staff.
4. At the conclusion of a search or upon apprehension of the escapee, an arrest report or investigation report will be completed.
5. Any further steps as directed by the shift supervisor or member of management staff.

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### **690.145 Escape to Other Jurisdictions**

If an escapee flees into another jurisdiction:

1. The jurisdiction will be notified and given a complete description of the escapee, direction of travel, whether the escapee is armed and whether an officer is in pursuit. If a plain-clothes officer is in pursuit, a description of the officer will be given.
2. The shift supervisor and/or a member of management staff will respond to the area of the escape and request or cancel the jurisdiction's assistance.
3. If assistance of the jurisdiction is requested, control of the situation will be released to the supervisor of that jurisdiction upon their arrival.

### **690.150 Procedure at the Jail**

Upon arrival at the jail with the arrestee, the officer(s) will secure their weapons in the weapons lockers.

Arrestees will remain in restraints until the booking process begins which will require the arrestee's signature and removal of property from his/her person.

At the jail, the officer shall complete a Declaration of Probable Cause statement, which will be left with the arrestee's documents at the jail.

The officer shall also obtain one copy of the arrestee's booking sheet to be included with the arrest report.

### **691.000 AVEL eCare iPads**

When an officer encounters a person in mental health crisis, they should make every effort to assist that person in meeting with a behavioral health provider. In cases where we do not have cause or an emergency medical issue that allows us to take them to the hospital, or where we are unable to work with that person to get them to voluntarily go to or meet with a local behavioral health provider, the AVEL eCare iPads may be used for cases of:

- individuals who are psychotic with suicidal or homicidal thoughts
- individuals making suicidal statements
- individuals who cannot take care of themselves due to mental health issues, not complying with their medical treatment/medication

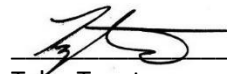
Officers will contact AVEL eCare via department cell phone to apprise them of the circumstances and that the mental health crisis fits the criteria. If AVEL eCare confirms that the mental health crisis is appropriate to be addressed by AVEL eCare, the iPad will be utilized. Officers will step aside but should not leave the immediate vicinity of the person. The officers's Body Worn Camera will remain on.

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At conclusion the officer will speak with AVEL eCare personnel, and comply with recommendations as far as possible. Should the evaluation require hospitalization, the officer will arrange transport or transport to NNRH as appropriate. The officer will receive from AVEL eCare a document via their email of the evaluation results. These results should be utilized in completing Legal 2000 paperwork when that is the recommendation. The emailed paperwork is not an Elko Police Department Record, and should be destroyed upon completion of the call. Emails for all calls should be deleted upon completion of the call.

Body Worn Camera footage will be uploaded and tagged as a Mental Health item, unless there is an overriding crime topic.

  
\_\_\_\_\_  
Tyler Trouten  
Police Chief

Creation Date: May 20, 1993

Revision Date: June 30, 2014

Revision Date: March 16, 2021

Revision Date: December 29, 2022

# Elko Police Department

## Chapter 700 Criminal Investigation

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### **710.000 Detective Unit**

#### **710.010 Detective Unit Function**

The function of the criminal investigation unit (Detective Unit) of this Department is to support and complement the efforts of the patrol officers and other components in protecting lives and property and in maintaining the peace in the community.

The Detective Unit function is significant to this Department due to the special knowledge, skills and abilities that are required to be demonstrated by the investigator.

Criminal investigations within the Department are conducted but not necessarily limited to the uniformed Patrol Unit, non-uniformed Detective Unit and the Records Unit.

#### **710.015 Detective Unit Component**

The Department shall have a criminal investigation component, which shall otherwise be known as the Detective Unit.

The Detective Unit operates within the Administration Division and is under command of a sergeant.

Detectives will be primarily concerned with felony cases, but will operate under the direction of the Administrative Lieutenant, Captain and the Chief of Police and may perform other tasks as assigned.

The Detective Unit consists of:

1. One Detective Sergeant,
2. one Detective Corporal
3. and four (4) Detectives.

Accountability and responsibility of all activities within the Detective Unit lies with the Detective Sergeant in charge of the unit.

#### **710.018 Detective On-Call Status**

Detectives are subject to call-out for serious crimes that occur after hours or on weekends and holidays.

A detective shall be available on a rotating basis to respond and act as the case agent, should the need for detective support arise. The on-call detective will begin their on-call status on Monday at 08:00 and remain in the on-call status until the following Monday at 08:00.

The detective sergeant will maintain an on-call detective schedule for afterhours call outs. Major incidents may require additional detectives be summoned after hours. Detectives should attempt to be available by telephone during off duty hours, when practical.

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### **710.020 Assigning Investigations**

Investigations will generally be assigned based on skills, knowledge and abilities of a detective relative to each specific case.

The Detective Sergeant, who does the assigning of cases received from Case Management or initiated within the unit, should also consider the officer's experience, character, and past performance.

This shall not prevent the assigned officer from seeking further assistance, but is intended to attempt to assign the most qualified person to each case.

### **710.022 Guidelines for Assignment of Follow-up to Detectives**

The following are general guidelines dictating assignment of follow-up to detectives:

1. Cases requiring extensive out of jurisdiction contact,
2. Cases where specific expertise is required such as death, sex abuse, and fraud investigations,
3. Cases, which require lengthy, uninterrupted investigative time,
4. Cases involving extensive crime scene processing capability, requiring the collection and preservation of physical evidence,
5. Cases requiring extensive time to be brought to a resolution,
6. Cases involving suspicious missing person,
7. Cases of serious sex crimes or serious child abuse investigations,
8. Cases involving vice, drugs, and/or organized crime.

### **710.025 Open, Suspended, Cleared by Arrest, Unfounded Cases and Exceptional Clearances**

1. Open Cases: Cases are classified as "OPEN" on the date they were reported to police and will be assigned for active investigation. These cases will require follow-up by detectives for the development of leads to suspects. They will be assigned for active investigation based on severity of the crime; documented suspects, significant chances of developing leads or immediate investigation, such as public opinion concerning particular circumstances.
2. Suspended Cases: Cases are classified as "SUSPENDED" when the case, as determined by Case Management or the Detective Unit, has no means for an effective investigation, or in cases where progress would be limited compared to the amount of investigation necessary to develop significant leads.

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3. Cleared by Arrest: A case is cleared by arrest, or solved for crime reporting purposes when at least one person is
  - a. Arrested,
  - b. Charged with the commission of the offense,
  - c. Turned over to the court for prosecution.

Although an agency makes no physical arrest, it can claim an offense is cleared by arrest when an offender is a person under 18 years of age and is cited in juvenile court or before other juvenile authorities.

4. Unfounded Cases: Occasionally, patrol or detectives will receive a complaint that is determined through investigation to be false or baseless. In other words, no crime occurred. These cases will be listed as unfounded in the case disposition.
5. Exceptional Clearance: An offense can be exceptionally cleared when it falls into one of the following categories:
  - a. Death of the offender,
  - b. Double Murder (two persons kill each other),
  - c. Deathbed confession,
  - d. Offender killed by police or citizen,
  - e. Confession by an offender already in custody,
  - f. Offender is being prosecuted by another agency,
  - g. Extradition denied,
  - h. Victim refuses to cooperate.

#### **710.030 Criteria to Suspend Investigation**

When an active case submitted to the Detective Unit becomes inactive, it may be suspended by the following process.

Once a week, the Detective Sergeant shall meet with the other investigators in the unit. At that time, current follow-up investigations will be evaluated using the continued application of solvability and degree-of-seriousness factors to the investigative workload.

Criteria to be considered includes, but is not limited to:



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1. Lack of leads or solvability factors,
2. Unavailability of investigative resources,
3. Insufficient degree of seriousness.

### **710.031 Factors Dictating Case Suspension**

Other factors dictating suspension of investigations include:

1. Investigative effort reveals the crime did not occur in this jurisdiction in which case, further investigative effort should be directed to the agency with jurisdiction,
2. Investigation reveals that no crime occurred or the crime reported was unfounded,
3. Investigation reveals that the alleged crime occurred past the statute of limitations,
4. Investigation reveals conflicting evidence, which cannot be resolved by further investigation effort; that is, probable cause cannot be established sufficiently for prosecution and conviction,
5. A suspect is developed but proof cannot be established to the probable cause level and stated suspect is unavailable, either through his whereabouts being unknown or he is avoiding contact. This case will be suspended pending location of the suspect,
6. On misdemeanor cases, the suspect has fled our jurisdiction out of state such that the chance of successful apprehension and prosecution is remote,
7. The case investigation is developed significantly to establish probable cause but the suspect cannot be located. The case may be suspended by referral to the prosecuting attorney for an arrest warrant decision,
8. The case is cleared by arrest with all investigative leads exhausted.

### **710.032 Case Status Report**

If, after evaluation, the decision is made to suspend an investigation, the assigned detective will complete a supplemental report.

The case status will contain the following information:

1. Case number and victim information,
2. Suspect information (if known),
3. Date the case was suspended/closed,

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4. Reason the case was suspended/closed,
5. Victim contacted with case status.

This information will be available to victims through the Elko Police Records Management System.

### **710.035 Case Files**

A copy of all investigative case files will be maintained by the individual investigator assigned to the case until the case is closed or suspended. All original documents will be forwarded to the Records Management Unit through Case Management.

An investigator within the Detective Unit who originates an investigation will prepare and forward to Case Management an initial report.

All case files maintained shall contain the following information:

1. Initial case report,
2. Records of statements,
3. Results of evidence examinations,
4. Case Recording Form,
5. Other reports or records needed for other investigative purpose.

### **710.038 Active Case File Security**

All investigative case reports, which are maintained within the Detective Unit that are closed or suspended, will be forwarded to the Records Management Unit for final disposition in accordance with state statute.

All copies of ongoing investigative reports will be maintained in the Detective Unit. Access to the detective case files will be on a need to know basis with the permission of the assigned detective, Sergeant in charge of the Unit or Chief of Police.

### **720.000 Confidential Informants**

#### **720.010 Informants Files**

The [REDACTED] will maintain a master file of informants. The file will be kept in a secured file cabinet in the [REDACTED]. The [REDACTED] will maintain records pertaining to the Elko Police Department Informant/Buy Fund.

The informant files will contain:

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1. CI number assigned to the informant,
2. Elko Police Department Arrest and Personal History report,
3. Cooperating Individual Agreement,
4. Cooperating Individual Payment Card,
5. Photograph and fingerprints,
6. Receipts for monies, signed by the informant,
7. Criminal history, if any,
8. Any correspondence relative to informant.

### **720.015 Maintenance and Security of Informant Files**

The [REDACTED] responsible for the maintenance of the informant files including the security of the file and code numbers (CI#).

The [REDACTED] will be kept in a locked file cabinet and are subject to inspection only by the [REDACTED]

### **720.020 Review of Informant Files**

Sworn personnel may, during the course of an investigation assignment, obtain an informant file for review only with the approval of the Detective Sergeant, Operations Lieutenant, Captain or the Chief of Police.

Any person reviewing an informant file shall fill out an informant file review sheet listing the reasons for the review and other pertinent information. These review sheets will be maintained upon completion with the informant file. Blank sheets are available in the Detective Unit.

The informant file will consist of a letter-sized folder with only the informant CI# visible on the label tab.

[REDACTED]

### **720.025 Requirements in Establishing an Informant**

When an officer wishes to establish an informant file, he/she will obtain the next open number available from the [REDACTED]. This number will be used in all reports concerning the informant in order to protect the informant's identity.

A [REDACTED] should be obtained prior to the actual use of the informant.

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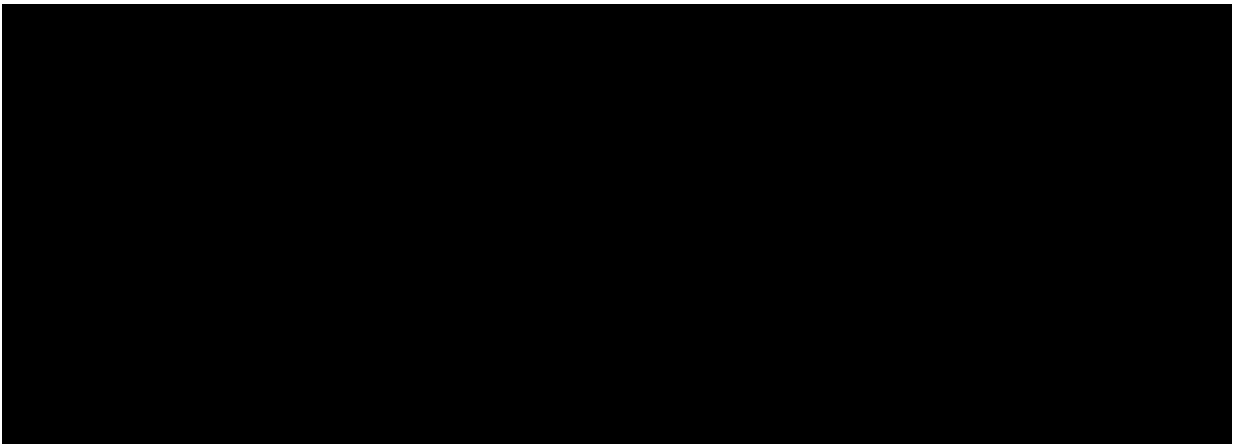
T [REDACTED]  
[REDACTED]  
[REDACTED]

While assisting other police agencies and utilizing their informants, an informant file for this department need not be initiated unless the informant is to be paid with department funds.

A report will be submitted to the informant file every thirty (30) days detailing cases worked and monies paid to the informant.

### **720.030 Determining the Informant Prior History**

A check will be made by the officer to determine the following information:



4. Is the informant a current or past informant for any other agency or the Elko Police Department? If it is determined that the informant is assisting another agency or Unit of our Department, that agency or Unit should be contacted to determine that no duplication of effort or compromising of an investigation will occur.
5. If the informant has previously assisted another agency or unit, contact with them will determine the feasibility of utilizing the informant.

### **720.031 Activation/Deactivation Reports**

Upon completion of the checks and the signing of the required paperwork, the officer shall complete an "activation" report detailing what checks have been done and expectations of the informant. This report will be submitted to the Captain and Chief of Police or his designee.

A report shall also be submitted to the informant file whenever an informant is "deactivated". The report will detail the circumstances of the deactivation and the informant's reliability.

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### **720.032 Juvenile Informants**

Juveniles shall not be used as paid informants without first obtaining written consent from a guardian. The use of these informants should be limited to those cases where safety can be ensured and the needs of the case make it imperative to use a juvenile informant.

### **720.035 Precautions When Dealing With Informants**

The following precautions shall be taken when dealing with informants:

1. Maintain accurate records,
2. Let another officer know you intend to meet with your informant and if possible have a second officer present,
3. The officer should pick the location of the meeting and it should be kept on a business level,

### **720.040 Elko Police Department Informant/Buy Fund**

The Elko Police Department will maintain an informant/buy fund to be administered by the Captain.

These funds are accessible through the Detective Unit.

Informant funds may be requested when the information gained will have a bearing on the investigation of a felony, a serious misdemeanor, multiple criminal cases, will result in the purchase of illicit materials or stolen property, or will result in the apprehension of a fugitive from this or another agency.

These funds may also be used to support operations of vice, drug, and organized crime control.

### **720.045 Accountability of Funds**

Financial records, statements and receipts will be maintained by the [REDACTED] and the account will be audited annually by a firm to be determined by the city. In addition the Chief of Police or his designee may audit the account at any time.

When there is a need to replenish the account, the Captain will make a written request to the Chief Financial Officer for the City.

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### **730.000 Case Management**

#### **730.010 Field Report Review by Supervisor**

All crime reports taken by officers of this Department, either by patrol or detectives, are reviewed by the Case Management Officer. Initial review however, will be by the patrol shift supervisor or in the case of reports initiated by detectives; the sergeant of the Detective Unit will make the initial review. During this initial review by the supervisor, case reports involving felonies or any arrests will be separated from the other reports and deposited in a place designated by the Case Management Officer.

The supervisor will electronically forward the report to the appropriate entity indicating his/her review.

#### **730.015 Case Management Review**

Case Management review of reports shall consist of the following steps:

1. Prioritization of all reports so that custodies and major incidents are read first,
2. Review the reports to see that all necessary biographical data is present and all pertinent information is complete,
3. Review property descriptions to assure completeness of description,
4. Review the report to assure all required additional documents are present. This is particularly important in Driving Under the Influence reports (DUI),
5. Review additional forms to assure they are properly and completely filled out,
6. Review the narrative to insure correct grammar, spelling, punctuation, clarity, and completeness, including the elements of the crime.
7. Crime elements: The corpus delicti must be present in every crime report submitted to insure that what is being reported has been clearly represented in the report,
8. Completeness including investigative content, facts of the offense, property itemization, physical completion of formats, and submission of all required attachments including supplements from assisting officers,
9. Clarity and organization,
10. Reasonably complete investigation,
11. Disposition of person, property and evidence,

After review, the Case Management Officer may make an assignment decision to one of the three case status categories; OPEN, SUSPENDED, CLOSED.

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In most cases a report assigned an OPEN Status will be referred back to the initial officer for follow-up. However, a number of follow-ups will be assigned to the Detective Unit.

### **730.020 Case Management Correction Notice**

In all cases requiring follow-up, either by the Patrol or Detective Unit, the assignment tab, activity tab and review tab should be completed in the Detail page of the Aegis Computer System. The tabs will contain the following information:

1. Case number
2. Officer / Detective assigned
3. Date assigned
4. Date reviewed,
5. Type of follow-up required
6. Status
7. Follow-up due date.
8. Review level

The case will be returned to Case Management when required information is obtained, follow-up investigation, and reports are completed or required corrections are made.

The Case Management Officer may SUSPEND cases. Cases suspended by Case Management will also be recorded in the Records Management System. This will give the Records Unit access to the case status upon request of the victim.

### **730.030 Officer's Report Correction**

The officer involved shall complete the correction on their next working day unless otherwise approved by the Case Management Officer. The Case Management Officer shall consult with the Captain before calling an officer in on a day off to make report corrections.

The corrected report is to be returned to the officer's shift supervisor who is required to review the corrections made and complete the review tab on the detail page in the Aegis System, indicating his approval of the corrections made. It will then be forwarded back to Case Management.

Officers shall not challenge the findings of Case Management directly. All disagreements shall be referred to the officer's immediate supervisor who may discuss the findings with the Case Management

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Officer. In all cases of disagreement, the decision of the Case Management Officer will be final, subject to review by the Captain.

### **730.035 Unusual Investigations**

It may not be feasible for Case Management to review the status of some cases due to the complex nature of the investigation. Such investigations may include but are not limited to homicide, serial incidents, task force endeavors, multi-agency investigations and covert "sting" operations. Case files pertaining to such investigations will be maintained by the Detective Unit and reviewed by the Captain or Administrative Lieutenant. Any decision concerning case suspension, investigative expansion or case clearance in these incidents will be made by the Chief of Police. At the conclusion of the investigation, the completed report will be submitted to Case Management for record maintenance and distribution.

### **730.040 Case Screening and Solvability**

The Department will use a case screening system based on solvability factors. These solvability factors shall be indicated on the preliminary investigative report filed by the officer.

The Detective Sergeant will screen cases based on the following criteria:

1. Seriousness of the offense,
2. Availability of investigative resources,
3. Solvability factors,
4. Other factors the Case Management Officer may be aware of or circumstances which would require a thorough investigation.

Based on the above, a decision will be made on whether a follow-up investigation will be made.

### **730.045 Assigning Follow-up Investigations**

The criteria used to assign cases for follow-up investigation are:

1. Documented experience of the department, based on,
  - a. Solvability factors
  - b. Nature of the offense
  - c. Degree of seriousness,
2. Documented experience of other law enforcement agencies,



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- a. As a result of the exchange of information between agencies, both locally as well as regionally and statewide.
- 3. Research conducted within the Department,
  - a. Continued similar problems within the reporting area,
  - b. Citizen complaints resulting in analysis of specific offenses and problems.
- 4. Research conducted in other law enforcement agencies.

### **730.050 Solvability Factors for Follow-up of Cases**

Solvability Factors are each assigned a weighted point value. Any felony crime with a combined solvability point value of five (5), out of a possible twenty-two (22) should be assigned for follow-up investigation. The following solvability factors and their point values are located on the Solvability Factors/MOs tab of the Aegis Computer System detail tab.

- |   |          |
|---|----------|
| 1. Reliable Witness:                                    | 3 points |
| 2. Suspect named:                                       | 5 points |
| 3. Suspect can be located:                              | 2 points |
| 4. Suspect can be identified:                           | 2 points |
| 5. Suspect described:                                   | 2 points |
| 6. Suspect previously seen:                             | 1 point  |
| 7. Suspect vehicle description:                         | 2 points |
| 8. Traceable stolen property:                           | 1 point  |
| 9. Significant modus operandi:                          | 1 point  |
| 10. Usable physical evidence:                           | 1 point  |
| 11. Limited opportunity for anyone, other than suspect: | 2 points |

### **730.055 Temporary Assignment of Patrol Officers to the Detective Unit**

A uniformed patrol officer may be temporarily assigned to the Detective Unit based primarily on adequate patrol staffing, the initial involvement in a case, and the officer's expressed interest and/or expertise in the case.

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Upon consulting with the Detective Sergeant, the Captain and the Administrative Lieutenant, a shift supervisor may assign a patrol officer to an extended investigation of a case.

Upon consulting with the shift supervisor, Operations Lieutenant and the Captain, the Detective Sergeant may assign a patrol officer to an extended investigation of a case.

### **730.060 Detective Unit Ranks**

Sworn positions in the Detective Unit are the same as those in the patrol Unit for rank titles and salary schedules.

### **740.000 Detective Unit Operations**

#### **740.010 Procedures Used in Criminal Investigations**

Investigations shall be aimed at developing information as soon as possible, including a complete report, which establishes the elements of a crime and the details of the incident and complete signed statements from the complainant, any witnesses, and any person(s) who may have information, which could provide leads to solving a crime.

#### **740.015 Interviews and Interrogations**

Interviews and interrogations will normally be conducted by a member of the Detective Unit, but in any case, will be conducted in strict compliance with law and with due regard for current legal opinion concerning the constitutional rights of the suspect(s).

Whenever possible, interviews and interrogations should be recorded, using a digital recording device. The audio and / or video from recordings should be used to assist personnel in the preparation of police reports. A digital copy of the recording should be properly entered into the Elko Police Department evidence system.

It is not necessary to advise a subject they are being recorded, unless the recording occurs during telephone contact. NRS 200.620 requires two party consent to record telephone conversations.

#### **740.025 Collection, Preservation and Use of Physical Evidence**

Collection, preservation and use of physical evidence may be searched for, collected and preserved when investigating any crime scene.

Prior to any search, unless there is consent or exigency; investigators will need to obtain a search warrant prior to conducting a search and collection of evidence at a crime scene located on private property for which, a living person has legal standing.

Criminal investigators will be mindful of physical evidence that is collected from a crime scene and insure that it is used in the development of the case.

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Evidence shall be properly documented for chain of custody, properly secured in the department's property room and shall be examined by competent, trained personnel, which may necessitate certain evidence being forwarded to the Washoe County Sheriff's Office, Forensic Science Division, who will examine the evidence and supply a written analysis to this Department.

### **740.030 Surveillance**

Surveillance may be used in the investigation of a crime when it is necessary to observe suspects in an unobtrusive manner. Surveillance may create additional information involving the investigated crime, gather additional intelligence information, or observe new crimes being committed.

### **740.035 Preliminary Investigations**

Specific procedures concerning preliminary investigations can have as many different procedures as there are different incidents. Most incidents do have common steps in their investigations. Listed below are broad steps to be accomplished in investigations. This is not an all-inclusive list but presents an overview of the content of a good preliminary investigation.

1. Initial response to an incident requires observation of all conditions, ongoing events and remarks made by anyone present at the crime scene.
2. The stabilizing and securing of a crime scene is vital to the protection of evidence and the public.
3. The locating of witnesses is essential so that information needed to effect an arrest is gathered as rapidly as possible to minimize the suspect's ability to flee from arrest.
4. The timely arrest of the criminal suspect should be effected as soon as possible after sufficient probable cause has been established.
5. A complete interview of the victim(s) and witness(s) is necessary for the full and accurate reporting and documenting of the incident under investigation.
6. All evidence will be collected by the responding officers or detectives, if called to the scene.
7. Arresting officers should always ensure that arrestees are afforded their civil rights, to include the Miranda Warning, prior to conducting an interrogation of the arrestee, unless a Detective is on scene.
8. A complete typed report will fully and accurately document the entire incident to conclude the preliminary investigation.

### **740.040 Follow-up Investigations**

While conducting follow-up investigations in criminal cases, certain steps should be followed to ensure the completion of each investigation. The following steps will be followed at a minimum:

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1. Review and analyze all preliminary reports.
2. Seek additional information from officers, citizens, and informants.
3. Conduct additional interviews and interrogations.
4. Review Department records.
5. Review laboratory examinations.
6. Conduct searches if needed.
7. Collect physical evidence.
8. Check suspect(s) criminal history.
9. Determine involvement of suspects in other crimes.
10. Identify and apprehend suspect(s).
11. Arrange for dissemination of information as appropriate.
12. Prepare case for court presentation.
13. Assist in prosecution.
14. Properly document all activity.

#### **740.045 Checklist to Aid in Criminal Investigations**

Preliminary investigation is a critical step in the overall criminal investigation process. Often the success or failure of the entire case hinges on the quality of this phase of the investigation. The following should be used as a checklist during the preliminary investigation:

1. Provide aid to the injured.
2. Protect the crime scene to ensure evidence is not lost or contaminated.  
Limit access to crime scene to essential staff only. Assign someone to keep a detailed written log of personnel entering and exiting the crime scene, including times.
3. Observe and report all conditions, events and remarks.
4. Determine if the offense has actually been committed and, if so, the exact nature of the offense.
5. Determine the identity of the suspect(s) and effect an arrest, if possible.

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6. Broadcast description, direction of flight and other relevant information concerning the wanted persons.
7. Collect or arrange for the collection of evidence in the crime scene.
8. Obtain statements from the victim(s), witness(s) and suspect(s).
9. Accurately and completely record all pertinent information in the police reports.

#### **740.046 Detective's Checklist**

More complicated investigation requires additional efforts, and checklists aid in ensuring that critical areas of the investigation are not overlooked.

Detectives will utilize the Crime Scene Checklists for the following investigations:

1. All Death Investigations,
2. Serious Assaults,
3. Sexual Assault Investigations.

#### **740.047 The Checklist in Death Investigations**

In all cases of death investigations or serious assault where death or permanent injury is likely, the crime scene checklist will be completed by the investigator and submitted with his report.

#### **740.048 The Checklist in Sexual Assault Investigations**

In all cases of sexual assault investigations, it is the responsibility of the investigator to obtain the completed sexual assault kit, either directly from the medical facility or from the initial officer. Chain of custody is to be maintained, all attached documents completed and the kit forwarded, properly packaged, to the Washoe County Sheriff's Office, Forensic Science Division in a timely manner.

Only trained investigators will conduct forensic interviews of a child victim.

#### **740.050 Second Contact**

Officers receiving a case for follow-up should re-contact all vital parties to that incident and inform them of his or her assignment to the case. This may assist in the investigation in that the officer may obtain additional leads which were overlooked, streamline officer and/or citizen communications, and build citizen confidence in knowing that the Department is concerned about their problem.

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### **740.051 Pseudonym for Sexual Assault Victims**

In all cases where there is the allegation of a sexual assault or child sexual abuse, the victim's name will be replaced by a pseudonym in the narrative portion of the report. The pseudonym will be used in all crime reports, pursuant to NRS 200.3771 and 200.3772.

### **740.055 Designating a Case Coordinator**

The Detective Sergeant shall assign a principal investigator to the follow-up investigation on each case that is received by that unit and meets the screening criteria.

This does not preclude the assignment of more than one person to an investigation, but is designed to place accountability for each case.

### **740.065 Detectives at Roll Calls**

Members of the Detective Unit will be encouraged to attend patrol change of shift meetings to enhance relationships between the units and to provide for the exchange of information.

### **740.070 Polygraph Examinations and Computer Voice Stress Analyzer (CVSA) Examinations In Criminal Investigations**

Polygraph examinations are provided to the Detective Unit of the Elko Police Department by the Nevada Division of Investigation (NDI).

CVSA examinations can be conducted in lieu of polygraph examinations by members of the Elko Police Department who are certified in the use of the CVSA equipment.

Only members of the Detective Unit or members of the management staff may schedule examinations with NDI. Examinations will be scheduled based on availability of the NDI examiner.

Utilizing the polygraph or CVSA can usually quickly establish the innocent and determine deception. However, investigators must remember that truth verification is a supplement to, not a substitute for, a good field investigation.

The final results of a truth verification examination will be based, in great measure, upon the thoroughness of the investigation prior to having the person take the examination. Therefore, the polygraph or CVSA should never be the first step in the investigative process since the examiner would not be able to conduct an effective interrogation.

The best time to use the polygraph or CVSA is when the investigation has narrowed down to one or several individuals who, after preliminary interrogation, still maintain their truthfulness and innocence.

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### **740.071 Qualifications of Examiners**

A certified examiner shall administer all polygraph and CVSA examinations conducted on behalf of the Elko Police Department and all examinations will be done in accordance with NRS 648.183 through NRS 648.199.

### **740.075 Elko Combined Narcotics Unit**

As a member of the Elko Combined Narcotics Unit, this Department shall ensure the Task Force addresses the following issues:

1. Identifying the purpose of the task force,
2. Defining authority and responsibilities,
3. Establishing accountability,
4. Identifying resources available,
5. Evaluating results and the continued necessity of the task force.

The above issues are established in the Inter-Agency Cooperative Agreement of the Elko Combined Narcotics Unit. Member agencies are; The Elko County Sheriff's Department, City of Elko Police Department, City of Carlin Police Department, West Wendover Police Department, and the Nevada Division of Investigation.

### **740.080 Constitutional Requirements**

In order to protect the constitutional rights of persons involved in criminal investigations, the following guidelines will be adhered to:

1. Investigators shall not coerce or obtain involuntary confessions from persons suspected of criminal involvement.
2. Prior to interrogating a suspect, whenever he is in custody or is otherwise deprived of his freedom, an officer must first advise the suspect of his/her constitutional rights as required by the U.S. Supreme Court decision of *Miranda vs. Arizona* (1966),

The definition of a custodial interrogation can be a confusing concept. Therefore whenever there is doubt about a custodial interrogation, the suspect should be advised of his constitutional rights.

3. Once a defendant has expressed a desire to exercise the right to counsel, he/she shall not be interrogated until the defendant has obtained counsel or a court appointed attorney or the defendant re-initiates contact with the investigator.

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### **740.081 When Miranda Warnings Are Not Necessary**

1. Questioning a person who was merely a witness to a crime or who may know something about a crime but is not a suspect.
2. Questioning a suspect who has not been deprived of their freedom in any significant way and realize they are free to leave or terminate the interview.
3. Questioning a motorist stopped for a routine traffic offense.
4. Asking questions reasonably motivated by concern for public safety.
5. When spontaneous, in custody, statements are made by suspect. However the suspect must be advised of his/her rights if the officer begins questioning.

### **740.085 Background Investigations**

The purpose of criminal background investigations is to identify known or suspected offenders. Because of this, these investigations will be conducted discreetly.

When conducting background investigations, the investigator should identify the purpose of the investigation which may be either of an investigative or intelligence nature. The investigative purpose focuses efforts to a specific person linked to a specific crime known or believed to have been committed. The intelligence investigations are general efforts focused on an offender or group of offenders concerning known or suspected illegal activity over a period of time.

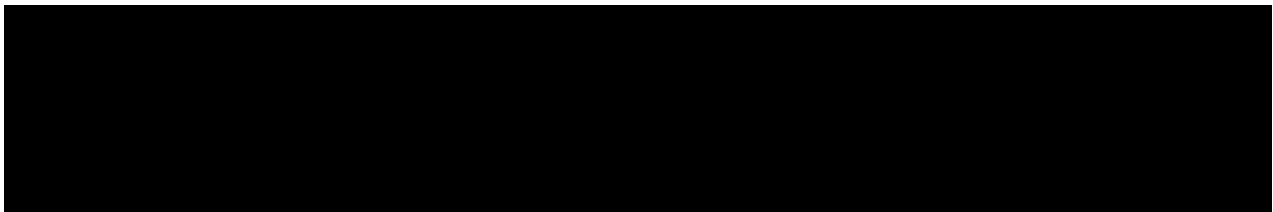
### **740.086 Sources of Information**

There are numerous sources for compiling background information. Some of the sources are financial institutions, utility companies, public records, employers, intelligence reports, criminal history and other law enforcement agencies.

### **740.087 Use of Intelligence**

The most common use of intelligence derived from background investigations will be for the purpose of identifying known or active offenders and applying the information to an investigation of their criminal activities.

### **740.088 Control of Intelligence**





# Elko Police Department

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### **740.090 Background Investigation for Privilege License**

Under Chapter 9, section 4-9-2, of the Elko City Code:

"PROSTITUTION NOT AN OFFENSE OR NUISANCE: The operation of a house of prostitution within the City of Elko in accordance with the provisions of this Chapter does not constitute a public nuisance or an offense to public decency."

Under the provisions of Chapter 9, section 4-9-7, the Chief of Police is required to conduct a background investigation on all persons applying for a license to operate a house of prostitution.

The Chief of Police shall designate a member of the Detective Unit to conduct such background investigations.

The applicant shall supply the City with completed application forms including a personal history record, release of information form (power of attorney), and an initial \$2,500.00 investigative fee. Based on the results of this investigation, the Chief of Police shall make a recommendation to the Board of Supervisors on the granting of such a license.

These background investigations will be conducted in accordance to section 740.085. However, results from these investigations will be retained in the office of the Chief of Police.

### **740.095 Prostitute Work Cards**

Consistent with section 4-9-13 of the Elko City Code, every prostitute shall be registered with the Chief of Police on forms provided by the Department referred to as "Work Cards".

No prostitute may be in a licensed house of prostitution without a work card. To ensure compliance with this ordinance, members of this Department are authorized to make unannounced inspections of the "Houses". Every such inspection shall be documented and a report forwarded to the Chief of Police.

All officers shall familiarize themselves with the rules and regulations established for the houses of prostitution.

### **740.100 Pawnbrokers and Secondhand Dealers**

The responsibilities of pawnbrokers and secondhand dealers are regulated by NRS Chapters 646 and 647. Officers in the Detective Unit will make every effort to inspect these establishments as often as possible.

With the exception of multiple gun sales, the pawn broker enters all sales into Leads Online. The assigned detective will check Leads Online for stolen property and other functions.

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### **750.000 Juvenile Operations**

#### **750.010 Detective Assigned to Juvenile Crimes Task Force**

One or more members of the Police Department shall be responsible for conducting investigations involving juvenile offenders, assisting field officers in juvenile cases and maintaining liaison with other agencies and organizations interested in juvenile matters.

#### **750.015 Duties of the Juvenile Crimes Task Force Detective**

The duties of the Detective assigned to juvenile investigations shall include:

1. Case follow-up on investigations where a juvenile(s) is suspected or has been arrested for a crime,
2. Coordinating or preparing court cases, in which a juvenile offender is involved,
3. Coordinate and prepare public presentations in regard to juvenile crime i.e. gang activity.

This component shall also act as liaison between the Department and other elements of the juvenile justice system to ensure that the Department policies and procedures are not inconsistent with policies and procedures of other juvenile justice system components in Elko County.

As necessary the detective assigned to the Juvenile Crimes Task Force will contact the appropriate juvenile justice agencies whenever new policies or procedures are developed to acquire their review and comments prior to the implementation.

#### **750.018 Shared Responsibility**

The juvenile operations and delinquency prevention efforts of the Department shall not be limited to activities of the Detective Unit/Juvenile Crimes Task Force Officer. All Department personnel share the responsibility for participating in and supporting the juvenile operations function.

#### **750.020 Removing a Juvenile in Danger**

In accordance with NRS 432B.390, a law enforcement officer may place a juvenile in protective custody without the consent of the person responsible for the juvenile's welfare if there is reasonable cause to believe that immediate action is necessary to protect the child from injury, abuse or neglect.

An officer taking such action shall coordinate these efforts with the Nevada Division of Child and Family Services.

#### **750.025 Interrogation of Juveniles**

Procedures for the interrogation of a juvenile shall include the following:

# Elko Police Department

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1. The juvenile shall be advised of his/her constitutional rights, preferably in the presence of a parent or guardian,
2. The officer should, if possible, confer with the parent of guardian prior to the interrogation concerning the reasons for the interrogation. This should be done out of the presence of the juvenile,
3. The interrogation shall not exceed three (3) hours and shall be conducted by no more than two (2) officers. During the interrogation, the juvenile will be provided breaks for refreshment and to use the restroom,
4. An officer shall explain department juvenile justice system procedures to the juvenile being interrogated.

### **750.030 School Liaison Program**

The detective assigned to Juvenile Crimes Task Force will be the liaison to the Elko County School District. This will provide a forum through which students, parents, faculty, and officers can become acquainted and earn mutual respect. As liaisons between the Department and the schools, the officers will:

1. Act as a resource with respect to delinquency prevention,
2. Provide guidance on ethical issues in a classroom setting,
3. Explain the law enforcement role in society.

### **750.035 Fingerprinting and Photographing Juveniles**

The fingerprinting or photographing of juveniles will be in accordance with the provisions of NRS 62H.010.

The taking of other physical evidence from juveniles, such as blood or urine, will be the same as the procedures for adults.

### **760.000 Search Warrants**

#### **760.010 Preparation of Search Warrants**

Any sworn officer of this Department may prepare a search warrant and affidavit in support of that warrant. However this responsibility primarily rests with the Detective Unit.

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### **760.015 Department Policy**

The Fourth Amendment of the Constitution of the United States regulates searches and seizures of persons and property. It is the policy of this Department that searches and seizures by Department officers are conducted in a reasonable manner to comply with the Constitution.

### **760.020 Definitions**

Non-consensual Entry is any entry into a building, home, or structure, except by permission of an authorized person. An entry may be non-consensual, whether or not physical damage is incurred in the property. Damage shall mean any damage, regardless of whether it could be estimated or repaired.

NOTE: The routine checking of an unlocked, abandoned, or condemned house or building shall not be considered non-consensual entry. Entry by invitation is not a non-consensual entry.

High-Risk Entry involves a search warrant (or without a search warrant under exigent circumstances) where there is a reasonable belief that a danger exists to the lives and safety of the officers involved, the occupants of the place to be searched, or the citizens in the vicinity.

Consent to Search involves persons authorized to give police permission to search an area for evidence of a crime. Such consent must be based of voluntary permission and without duress. The department's standard Consent to Search Form may be completed on all such searches.

### **760.025 Preparation Responsibility**

An investigating officer for a case involving a search warrant shall be responsible for the preparation of the search warrant, affidavit in support of the search warrant, the execution of the search warrant, the inventory of seized items, and the return of the search warrant.

Officers who lack technical experience may contact a member of management staff, the Detective Unit supervisor, or the district attorney's office for assistance.

### **760.030 Review and Approval Prior to Presentation to the Judge**

Search warrants and affidavits in support of the search warrant will be reviewed and approved by a supervisor prior to being presented to a judge for signing.

Management staff may also request further review by the district attorney's office.

### **760.031 Forum "Judge" Shopping**

If a judge refuses to grant a search warrant, the officer will not make any attempt to find another judge (Forum Shopping). The officer will immediately notify the supervisor who approved the search warrant and search warrant affidavit.

# Elko Police Department

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### **760.035 Search Warrants/Affidavits to Comply with NRS 179.045**

All search warrants and affidavits in support of search warrants must comply with NRS 179.045, be signed and sworn to in front of a judge, and contain:

1. The name and title of the applicant;
2. A statement that there is probable cause to believe that the specific items subject to seizure under the Nevada Revised Statutes may be found in or upon a specific designated or described place, person, or thing;
3. Allegations of fact supporting the statement, specifically setting forth the facts and circumstances establishing probable cause to believe that items are at the places, persons, or thing to be searched;
4. A request that the court issue a search warrant directing search for and seizure of the items in question.

### **760.040 Places to be thoroughly Described**

All residences, buildings, property, etc., to be searched or searched for must be distinctly described.

1. If the location to be searched is a single-family residence, the full and exact street address, along with some physical description of the residence, will be described in order that the location will not be confused with any other location. If there are any other buildings to be included in the warrant, such as free standing garages, storage shed, etc., they will be described as well.
2. If the residence cannot be located by a particular street address, then a description as to its location must be exacting enough to exclude any other place. In this case the legal description of the property may be necessary.
3. If the residence is an apartment, then the apartment house street address and apartment number, along with the appropriate description, will be described. If there is a separate storage area to be searched, this will be described as well.
4. If the location is a business, warehouse or other type of building, then an exact street address and description of the building, which will locate the place to be searched, to the exclusion of all other, is required.
5. If it is any other place or item to be searched, such as a desk, then a full description of the place or item to be searched, along with its location, will be described.

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### **760.041 Description of Vehicles**

If the property to be searched or searched for is a motor vehicle, a complete description of the vehicle's make, year, model, color, license number, legal and/or registered owner, location and VIN will be included.

### **760.042 Description of Property to be Searched For**

The investigating officer should know the full detailed description of the property sought, to include serial numbers, if possible. If the property is stolen, the time and place of theft, along with the identifying report numbers, will be included. If it is not stolen property, then it is necessary to show that the item is connected with the investigation being conducted.

### **760.045 Briefing Prior to Search Warrant Service**

Prior to the execution of any search warrant, the investigating officer will conduct a briefing with all members of the search team. The following factors shall be presented at the briefing:

1. A review of the site characteristics,
2. Descriptions of potential occupants and any associated dangers they pose,
3. Assignments and responsibilities for members of the search team,
4. Description of items sought at the search location and any indications of possible storage or hiding places at the location,
5. A review of the facts surrounding the case,
6. A check that members are properly equipped with necessary equipment, to include ballistics vests, police identification jackets, duty firearms, etc.,

If the entry is high-risk and the Elko Special Response Team (ESRT) is to be used, they and other uniformed officers that will be present during the entry phase shall also be present at the briefing.

### **760.050 Search Warrants Not Served**

Search warrants must be served without unnecessary delay. Search warrants are valid for ten (10) days from the time of issuance; however problems often occur if the service is delayed. Any warrant not executed within this time must be marked "Not Served" and returned without unnecessary delay to the Judge who signed it.

### **760.055 Duty to give Appropriate Notice**

Officers executing search warrants must, before entering the premises, give appropriate notice of their identity and purpose to the person(s) to be searched or the person(s) in apparent control of the

# Elko Police Department

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premises to be searched. If it is unclear whether anyone is present at the premises, officers must give the notice in a manner to be heard by anyone who is present. The exception to this would be a warrant issued with a “no knock” clause.

### **760.060 Hours of Service**

Search warrants must be served between 0700 and 1900 hours, unless a nighttime search warrant is authorized by the Judge.

### **760.065 Use of a Trick or Ruse**

A trick or ruse (to avoid danger and/or destruction of evidence) which causes the occupants to come to and open the door and/or exit the premises is lawful and reasonable as long as the officers announce their identity and purpose before entering, and, it does not endanger the occupants or create the impression that they are endangered.

### **760.066 Forceful Entries**

Officers may break and enter any premises when necessary for the execution of a warrant if they have previously announced their identity and purpose, and reasonably believe that:

1. Admittance is being denied or unreasonably delayed,
2. The premises is unoccupied,
3. There is probable cause to believe that giving further notice would endanger the life or safety of any persons.

### **760.067 Reports on Forceful Entries**

The officer determining the need for a forced entry is responsible for ensuring that all necessary reports are completed documenting:

1. The names of parties arrested, if any,
2. The offense/incident,
3. The location of the incident,
4. A complete list and description of damage(s), including dollar estimates, photographs,
5. A full statement of elements or justifications for the use of forced entry.

A copy of the investigative reports documenting forced entry will be forwarded to the Captain.

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No employee shall make any statements regarding liability for repairs due to forced entry. Any such determination for subsequent repairs shall be handled through the Office of the Chief of Police.

### **760.070 Restricting Movements of Persons at the Search Site**

Restrictions may be placed on the movement of any persons at the search site. This restriction is essential to prevent the interference with the search, and to safeguard the search team and other persons present. The restriction shall be limited to the time needed to assure safety and security. Persons not under arrest shall be permitted movement as soon as practical after no security interest is in jeopardy. The detention of any person will be in accordance with NRS 171.123, and limited to no more than sixty (60) minutes.

### **760.071 Pat-Down Searches of Persons at Search Site**

Any person(s) within the premises at the time of the search warrant execution, or any person that voluntarily enters the premises after the search has commenced, may be given a "pat-down" search, if there is reasonable suspicion to believe that such person(s) has a concealed weapon or in possession of a dangerous weapon.

Probable cause to arrest a person at the search site may arise during the execution of the search warrant. A full search incidental to that arrest will be conducted.

### **760.075 Location of Evidence**

Any evidence found by the search team will be left in position and the designated officer in charge of the impounding will be notified and will record the location and the name of the finding officer. Evidence will be photographed and/or diagrammed in its found position when deemed necessary for the investigation. The designated officer will be responsible for collecting all evidence so that the chain of custody is maintained.

### **760.080 Inventory of Items Seized**

The investigating officer will be responsible for preparing an inventory of items seized during the execution of the search warrant.

If the items were taken from a person, that person will be given a copy of the inventory.

If the items were taken from a premises, the person in control of the premises will be given a copy of the inventory. If no one is present, a copy of the inventory and a copy of the signed search warrant and search warrant affidavit will be left at the premises.

### **760.085 Conclusion of the Search**

Upon conclusion of the search the officer in charge will ensure that:



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1. A copy of the search warrant, search warrant affidavit and a copy of the inventory of property seized are left on the premises.
2. Photographs of any damages have been taken.
3. All evidence and confiscated property has been collected by the search team.
4. Reasonable efforts are made to properly secure the premises if no one is present or responsible.
5. All necessary reports are completed as soon as possible.

#### **760.090 Search Warrant Return**

The original signed search warrant, the investigating officer's copy of the affidavit in support of the search warrant and the inventory of items seized are to be returned to the judge who signed the search warrant within the allocated ten (10) days.

The allocated ten days is for service and return of the warrant. If it takes four days to serve a warrant, only six days will remain for return to the judge.

#### **770.000 Organized Crime/Intelligence**

##### **770.010 Collection of Information**

To gather information as it relates to vice, organized crime, and other criminal activities.

Information collected shall be limited to criminal conduct and relates to activities that present a threat to the community.

##### **770.015 Dissemination of Organized Crime/Intelligence Information**

It is the policy of this Department that organized crime and intelligence information developed through the Detective Unit activities may be provided, when appropriate, to the Patrol Unit to increase the effectiveness of their enforcement and deterrent efforts.

Information shall be exchanged, when appropriate, with federal, state, and other local agencies having similar responsibilities to enhance the preparedness of each agency.

##### **770.020 Documentation of Intelligence Information**

Complaints and/or information regarding organized crime and/or vice may be documented on a standard crime report and forwarded through normal channels for further investigation and/or prosecution.

If the information is deemed as raw intelligence with no crime report filed, it may be documented on the Department's Intelligence Submission form (EPD form 51a/93). The completed submission form shall

# Elko Police Department

## Chapter 700 Criminal Investigation

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be forwarded through the Lieutenant of **Administration** to the appropriate investigations unit who will maintain a file of the Intelligence Submission form.

Information to be included on the Intelligence Submission form shall be related to the detection or prevention of crime, organized criminal activity, vice, or potential crime areas.

### **770.025 Intelligence on Narcotic Activity**

Information on narcotic activity, not acted on by a crime report, shall be documented on the Nevada Division of Investigation Narcotic Activity Information Submission form (NDI form N. 0097).

The completed form shall be forwarded through the Administrative Lieutenant to the Detective Unit supervisor who will maintain a copy and forward the original to the Department's representative on the Elko Combined Narcotics Unit.

### **770.030 Intelligence Records**

The Detective Unit supervisor shall maintain a file of intelligence submission forms. This shall include intelligence received from informants.

The intelligence records shall be maintained in a double locked file cabinet in the Detective Unit supervisor's office.

These files may also contain intelligence as it relates to organized crime and vice activity conveyed to and received from other agencies.

### **770.035 Review of Intelligence Records**

The Detective Unit supervisor shall review all submissions as they are received.

Information identifying a police hazard will be forwarded to the Patrol Unit.

### **770.040 Specialized Equipment**

Specialized Equipment for the gathering of intelligence and for covert operations is maintained in the Detective Unit.

Use of this equipment will be under the direct supervision of the Detective Unit supervisor or his designee.

The Equipment may be loaned to neighboring agencies with the permission of the Chief of Police or his designee.

# Elko Police Department

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### **770.045 Organized Crime and Background Investigations**

The Detective Unit, under the direction of the Chief of Police, is also responsible for the background investigations for privilege licenses (see section 740.090). When conducting these investigations the officer shall be alert for any organized crime figures or associates and include such information in his report to the Chief of Police.

### **780.000 Hate Crimes**

#### **780.010 Department Policy**

It is the policy of this Department to quickly and thoroughly investigate all reported or observed crimes based on bias towards race, religion, ethnicity/national origin, or sexual orientation. These acts are extremely serious and the investigations shall receive priority attention.

#### **780.015 Department Guidelines**

A crime shall not be deemed to be a "hate crime" unless the perpetrator's criminal act is motivated by such prejudice. For example, an assault committed against a Jewish person is not a "hate crime" merely because the victim is Jewish. The evidence should consist of more than simply the race, religion, sexual preference, or other characteristic of the victim. The crucial point is that the "hate crime" reflects a judgment about a societal group, as opposed to an ordinary criminal act.

#### **780.020 Definitions**

1. Hate Crime: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, ethnicity/national origin, or sexual orientation of a group. NOTE: Even if the offender was mistaken in his/her perception that the victim was a member of the group he or she was acting against, the offense is still a hate crime because the offender was motivated, in whole or in part, by bias against the group.
2. Racial Bias: A pre-formed negative opinion or attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites, etc.)
3. Religious Bias: A pre-formed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g. Catholics, Protestants, Jews, atheists, etc.).
4. Ethnicity/National Origin Bias: A pre-formed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions (e.g., Arabs, Hispanics, etc.).

# Elko Police Department

## Chapter 700 Criminal Investigation

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5. Sexual Orientation Bias: A pre-formed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals, etc.).

### **780.025 Procedures**

#### Patrol Officers Responsibilities:

1. Responds to the scene and notifies the shift supervisor if the incident is a suspected hate crime.
2. Conducts the preliminary investigation of the incident and completes an incident report and other reports as appropriate.
3. Makes appropriate references in the report to indicate that the incident was a hate crime.

#### Shift Supervisor's Responsibilities:

1. Confirms the incident is a bias-motivated crime and requests a detective to respond to the scene, if necessary,
2. Requests a member of management staff to respond to the scene of the incident, if necessary,
3. Notifies the Chief of Police, in accordance with section 610.120, of incidents involving injury/death or significant damage,
4. Assures the victim(s) that the investigation is being actively pursued,
5. Reviews reports and forwards them to Case Management for follow-up assignment,

#### Detective Unit Responsibilities:

1. Responds to the scene and conducts investigation, when directed,
2. Initiates investigations when walk-in reports are received,

#### Management Staff Responsibilities

1. Management staff will review and approve Hate Crime prior to filing UCR report,

#### Records Unit Responsibilities:

1. Reports hate crimes to the Uniform Crime Reporting (UCR) System.

# Elko Police Department

## Chapter 700 Criminal Investigation

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### **790.000 Pre-employment Background Investigations**

It shall be the policy of the Elko Police Department to conduct pre-employment background investigations in line with NAC 289.110.

Background investigations shall be performed by members of the detective unit who have attended Elko Police Department approved training in conducting pre-employment law enforcement background investigations. Investigators shall conduct background investigations in line with the procedures from their EPD approved training.

Background investigations shall include inquiries and verifications of the following:

1. Criminal history and FBI fingerprint check,
2. DMV Inquiry in each state in which the applicant has resided,
3. Employment history,
4. Financial history,
5. Educational background,
6. Military service record check,
7. Residence history,
8. Drug screening,
9. Psychological screening,
10. Truth verification as defined in NRS 613.440.

Investigators shall make every effort to conduct in person inquiries with employers, neighbors; primary and secondary references etc. and provide them with the appropriate waivers to release information.

Background investigations shall be performed on all members of the department who work within the secure areas of the police station. This shall include police officers, reserve police officers, records staff, community service officers and janitorial staff.

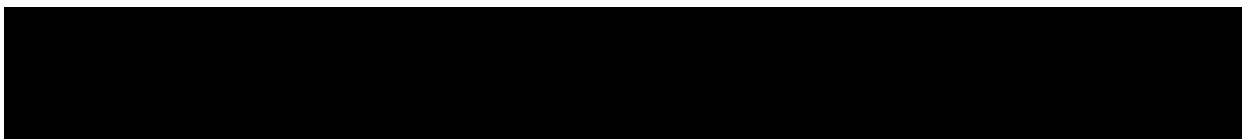
Upon completion of a background investigation, the assigned investigator shall submit a prepared report and all related documents to the detective sergeant for approval.

Any Elko Police Department Rejection Criteria shall be noted in the report. If rejection criteria are identified early in the background investigation process, the investigator may submit an abbreviated "Short Form" report in lieu of a complete background investigation.

# Elko Police Department

## Chapter 700 Criminal Investigation

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Ty Trouten  
Police Chief

Created: June 16, 1993

Revised: July 18, 2013

Revised: October 1, 2013

# Elko Police Department

## Chapter 800 Jurisdiction

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### **810.000 Agency Jurisdiction**

#### **810.010 Jurisdictional Boundaries**

The Elko Police Department has primary responsibility for enforcement of laws and the overall exercise of police authority to those areas within the corporate limits of the City of Elko.

A map of the corporate limits of the City of Elko is posted in the Central Dispatch Center and in the squad room. The Operations Lieutenant or his designee is responsible to keep this map current. Changes to the incorporated limits will be announced to all officers by memorandum immediately after a change has been made.

Each officer should familiarize themselves with the geographical boundaries of the City of Elko.

#### **810.015 Jurisdiction Outside the City Limits**

Elko Police Department personnel may exercise jurisdiction outside the incorporated limits of the City of Elko when;

1. Operating under the doctrine of "fresh pursuit", NRS 171,
2. Responding to a call for mutual aid from another political body,
3. When logical investigative leads or information available requires an officer to leave the incorporated limits of the City of Elko,
4. When all the elements of NRS 171.123 or 171.124 are present regarding a criminal offense.

#### **810.020 Concurrent Jurisdiction**

The Elko Police Department has primary responsibility and jurisdiction for law enforcement and public safety within the incorporated limits of the City of Elko. Primary response to calls for service and overall police service will be this agency's responsibility.

1. The Elko County Sheriff's Office has concurrent jurisdiction; however, the responsibility of primary police service is retained by the Elko Police Department.
2. The Nevada Highway Patrol (NHP) has concurrent jurisdiction on roadways within the City of Elko; however, their primary responsibility is state highways and interstate highways.
3. The Elko Police Department will retain primary jurisdiction involving concurrent jurisdiction with state and federal agencies. The Elko Police Department will, at a minimum, conduct a preliminary investigation and prepare a preliminary report concerning an incident. The presence of a state or federal agency does not relieve the Department from conducting a preliminary investigation. Issues of jurisdiction will be handled on a case-by-case basis after the preliminary investigation.

# Elko Police Department


## Chapter 800 Jurisdiction

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### 810.025 Inter-Agency Cooperation

Effective law enforcement is not a solitary effort but requires the cooperation and interaction of many agencies. The Elko Police Department supports this concept and will cooperate fully with other agencies in the discharge of these duties.

1. The Elko County Sheriff's Office has authority throughout the county, but primarily responds to calls for service outside the incorporated limits of the City of Elko. However nothing prohibits members of the Sheriff's Department or the Nevada Highway Patrol from taking action in situations that occur in their presence within the city limits or from conducting follow-up investigations of crimes that originally occurred in their respective jurisdictions.
2. The Nevada Highway Patrol has concurrent jurisdiction with the Elko Police Department in reference to traffic violations and incidents on all public roadways in the Department's jurisdiction. The Elko Police Department has jurisdiction for non-traffic crimes that are committed on roadways within the incorporated limits of the City of Elko.
3. Only the Federal Bureau of Investigation (FBI), which has jurisdiction on the Elko Band Colonies located within the Elko City limits, has authority to request our response to one of those colonies. If requested to respond to a colony by the FBI, the request must be sanctioned by a member of EPD Administration. If request is made to a street supervisor or officer, it must be sanctioned prior to response to the colony.
4. Radio communication between the Elko Police Department, Elko County Sheriff's Office, local F.B.I., B.I.A., and tribal police is possible. Officers of this Department are
5. Elko police officers taking enforcement action involving a violation of a city code shall make requests for prosecution to the city attorney's office. Officers taking enforcement action for violation of Nevada Revised Statutes shall make requests for prosecution to the Elko County District Attorney's office.



Ty Trouten  
Police Chief

Creation Date: May 12, 1994  
Revision Date: May 1, 2011  
Revision Date: October 1, 2013  
Revision Date: December 29, 2022



# Elko Police Department

## Chapter 900 Unusual Occurrences/Special Operations

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### **910.000 Emergency Operations**

#### **910.010 Planning Responsibilities**

The Captain is responsible to all emergency and unusual occurrence planning. The plans and procedures outlined in this chapter shall be reviewed and updated as necessary.

The Captain will serve as the Department's liaison to other agencies for emergency, disaster, and mutual aid planning and operations. The Chief of Police may authorize rehearsals of any of the plans in this chapter or in the Emergency Operations Manual.

#### **910.015 Coordination of Efforts**

The Chief of Police has the ultimate responsibility for planning and coordinating response procedures to disaster and/or any other emergency situations. The Chief of Police is a permanent member of the City's Emergency Management Board; which coordinates the efforts of the various departments within the city during emergency situations.

#### **910.020 Emergency Operations Manual**

Although some emergency situations are covered in this chapter, employees may reference the material in the Emergency Operations Plan for the City of Elko at any time to deal with unusual occurrences. These reference materials are the basis of our Department's emergency operations.

#### **910.030 Response Procedures to Disasters and/or Emergency Situations**

Procedures to be followed in disasters and/or emergency situations wherein the Elko Police Department has been designated has the Primary or Secondary city department in the Emergency Operations Plan for the City of Elko.

### **920.000 Special Operations**

#### **920.010 Special Operations Function**

The special operations functions of the Elko Police Department are handled in two ways.

1. Immediate Action - those operations that require immediate attention. These operations are coordinated by the shift supervisor although he may be relieved for this responsibility by an Incident Commander. These functions generally include;
  - a. Active Shooter situations,
  - b. Bank Robberies, etc.
2. Deliberate Action - those operations which can also be handled through incident command, shift commander, or a qualified person. These functions generally include

# Elko Police Department

## Chapter 900 Unusual Occurrences/Special Operations

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- a. Negotiation with hostage-takers and barricaded subjects,
- b. Bomb threats and bomb disposal,
- c. Coverage of disasters,
- d. Coverage of civil disorder.

### **920.015 Non-Emergency Special Operations**

Special operations that do not require immediate response may be delegated to a member of the management staff (Incident Commander), Detective Unit Supervisor, Shift Supervisor, or Response Team Commander. These types of operations may include the following;

- 1. Undercover surveillance/stakeouts,
- 2. Decoy operations,
- 3. High risk warrant service,
- 4. VIP protection,
- 5. Special events.

### **920.020 Emergency Response Team**

In the event of a situation requiring the utilization of special weapons and tactics team, that function will be the responsibility of the Elko Police Department Emergency Response Team.

The Response Team may be mobilized in response to a given situation by the shift supervisor or in his absence, the acting shift supervisor. In addition any member of the management staff may activate the Response Team to a given situation or unusual occurrence.

### **930.000 Crisis Negotiators**

#### **930.010 Crisis Negotiators**

Officers from the Department are designated by the Chief of Police as Crisis Negotiators The Chief of Police makes this designation after interviewing applicants wishing to volunteer for those positions.

The Chief will select one of the negotiators who will be designated to coordinate and plan training for the Hostage Negotiation Team. This negotiator will also be responsible for documentation of all training records.

# Elko Police Department

## Chapter 900 Unusual Occurrences/Special Operations

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### **940.000 Mutual Aid**

#### **940.010 Mutual Aid Agreements**

The Elko Police Department has written agreements of mutual aid with the Elko County Sheriff's Office, Carlin Police Department, and the Nevada Highway Patrol.

These agreements will provide for mutual aid in emergency situations.

Copies of these agreements will be kept on file at the city clerk's office and the office of the Chief of Police. Supervisors are required to be familiar with the mutual aid agreements.

#### **940.015 Providing Available Aid**

In the event that this agency is contacted by another agency requesting mutual aid, the Chief of Police or his designee will be immediately notified so the situation can be reviewed and determination made as to how many officers and what type of equipment will be sent to the requesting agency.

The safety and security of the City of Elko is this Department's first concern and only that manpower and equipment that can be spared without leaving the city unprotected will be sent.

No commitment of manpower or equipment is to be made without the expressed permission of the Chief of Police, or his designee.

This does not preclude the patrol supervisor from dispatching officers to back-up officers from other local agencies when requested or needed.

#### **940.020 Emergency Federal Law Enforcement Assistance**

In the event of an emergency which, in the opinion of the shift supervisor requires federal law enforcement assistance, that officer should contact the Chief of Police or his designee who is authorized to approve and formally request aid from the appropriate federal agency.

The Chief of Police or his designee shall determine the facts of the incident and thereby establish which federal agency has jurisdiction. Once this has been determined the Chief of Police or his designee will contact that federal agency and request their assistance.

This section does not prevent officers and detectives from contacting a federal agency for direction or assistance on a routine investigation.

### **950.000 Amber Alerts**

Amber alerts will be issues for missing and/or endangered children. Amber alerts will be issued through Elko Central Dispatch per procedures delineated in the procedures manual. Only the Chief of Police or other designated administrator may issue Amber Alerts.

# Elko Police Department

## Chapter 900 Unusual Occurrences/Special Operations

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Ty Trouten  
Police Chief

Creation Date: November 4, 1993

Revision Date: May 1, 2011

Revision Date: October 1, 2013

# Elko Police Department

## Chapter 1000 Community Relations

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### **1010.000 Commitment to the Community**

#### **1010.010 Responding to Community Needs**

The Elko Police Department is committed to establishing close ties with and responding to the needs of the community.

#### **1010.015 Community Relations Function**

Community relations are shared by all members of the Elko Police Department. Every member of the Department is therefore responsible for promoting good community relations to meet the goals of the Department and needs of the community.

#### **1010.020 Community Relations Objectives**

The objectives of the Elko Police Department as they relate to community relations are as follows:

1. The Chief of Police or his designee shall attempt to establish liaison with formal community organizations and other civic groups in order to gain support of law enforcement activities.
2. The policy of the Elko Police Department shall be to encourage members to become involved in community organizations, to work with community organizations in a cooperative manner in the interest of community relations, and in the interest of creating a safer community, to encourage community groups and organizations to call upon the Elko Police Department members to make presentations, and to invite community groups and organizations and all members of the community to become involved with this Department.
3. Elko Police Department members and particularly the Community Relations Officer will be encouraged to convey information transmitted from citizen's organizations to the Chief of Police.
4. The Administrative Lieutenant shall review all Department practices that might have a detrimental effect on good community relations. The Administrative Lieutenant will make recommendations to the Chief of Police regarding changes in these practices that tend to enhance the image of the Department, not detract from it. The Administrative Lieutenant will also be designated as the training coordinator. The training coordinator will identify training needs for Department employees through interviews with citizen representatives, consultation with those involved in internal investigations, and conferences with supervisors.
5. The Elko Police Department will attempt to establish community groups where such groups do not exist. (Such groups might include Neighborhood Crime Watch)

#### **1010.025 Responsibility for Community Relations**

The Community Services component of the Support Services Division is responsible for the community relation's function.

# Elko Police Department

## Chapter 1000 Community Relations

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### **1010.030 Sharing Community Relations Responsibility**

To insure success of the community relations program, each employee is to be considered an integral part of the program. This can be accomplished by the following means:

1. By being polite and courteous in every day contacts with the public,
2. By becoming involved in activities outside of the formal Department structure, any activity that bring credit to the Department is good activity,
3. By showing enthusiasm for the Department in "everyday" contacts,
4. By remembering always, that the public views the Department through its employee's actions constantly.

### **1020.000 Crime Prevention**

#### **1020.010 Crime Prevention Programs**

The Elko Police Department will be committed to the development and perpetuation of community crime prevention programs.

The philosophy of the Elko Police Department is to take a proactive approach to the prevention of crime and will familiarize its employees with the specific approach and techniques it has chosen to adopt.

#### **1020.020 Planning Crime Prevention Activities**

The Administrative Lieutenant shall be responsible for planning and coordinating crime prevention activities.

The Administrative Lieutenant shall work closely with the Detective Unit, Patrol Unit, and civilian employees to coordinate activities and resources.

The Administrative Lieutenant will also have or will develop a general knowledge of the crime prevention theory and practice.

### **1030.000 Crime Prevention Operations**

#### **1030.010 Priority Programs**

Crime prevention programs shall be prioritized and shall target specific types of crime and geographic area on an analysis of local crime data.

The Department may utilize crime prevention programs such as neighborhood watch, community presentations, vacation/house checks, or any other programs that will enable the department to prevent crime within the community.

# Elko Police Department

## Chapter 1000 Community Relations

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### **1040.000 Juvenile Delinquency**

#### **1040.010 Commitment to the Control of Juvenile Delinquency**

The Elko Police Department is committed to the development, implementation and perpetuation of programs, which are directed toward preventing and controlling juvenile delinquency. To this end, the Elko Police Department will design and implement programs intended to prevent and control delinquent and criminal behavior by youths. Such programs include, but are not limited to:

1. Designation of a detective within the Detective Unit to the Juvenile Task Force for the investigation of crimes involving juveniles, both as suspects and victims.
2. Providing guest lecturers to the Elko County School District through the Community Services component of the Elko Police Department,
3. Providing guidance to parents and/or guardians, through the Community Services component, to refer status offenses and behavioral problems of juveniles to a number of agencies that operate in the community, such as:
  - a. Nevada Division of Child and Family Services,
  - b. Elko Mental Health Center,
  - c. Charter Counseling Center of Northeastern Nevada.
  - d. Vitality Center-Teen Discovery.

#### **1040.015 The Juvenile Operations Function**

A designated detective(s) in the Detective Unit shall be responsible for conducting investigations involving juvenile offenders, assisting field officers in juvenile cases and maintaining liaison with other agencies interested in juvenile matters.

### **1050.000 Public Information**

#### **1050.010 Public Information Officer**

The responsibility for the public information function ultimately rests with the Chief of Police and, in his absence, the next ranking member of the management staff.

The Chief of Police may assign a member of the Department to act as a public information officer, who will be responsible for the release of information, such as at special events, unusual occurrences, and catastrophes.

In the Elko Police Department, the Case Management Officer is also responsible for the public information function. These responsibilities include:

# Elko Police Department

## Chapter 1000 Community Relations

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1. Assisting news personnel in covering routine news stories, and at the scenes of incidents,
2. Being available for on-call responses to the news media during high profile incidents,
3. Preparing and distributing Department News releases,
4. Arranging for and assisting at news conferences,
5. Coordinating and authorizing the release of information about victims, witnesses, and suspects,
6. Assisting in crisis situations within the agency,
7. Coordinating and authorizing the release of information concerning confidential Department investigations and operations.

### **1050.015 When Press Releases are to be made**

All newsworthy events shall be made known to the Chief of Police or his designee as soon as practicable. In the event a press release is necessary prior to normal business hours (M-F @ 8:00 A.M.), the Public Information Officer (PIO) should be contacted to write and give the press release. In the event the PIO is unavailable the patrol or detective supervisor may write a press release. In all cases the Chief of Police or his designee shall be advised of the text of the press release, either in person or telephonically prior to its release. The Chief of Police or his designee shall be the only authorized individuals to release information to the media.

For events that occur after routine working hours, the shift supervisor will prepare a press release, with all the pertinent data, and e-mail it to the Administrative Lieutenant prior to end of shift. Such events will include, but are not limited to:

1. Unusual or high profile arrests,
2. Traffic crashes involving death or injury.
3. Robberies or burglaries.

During on-scene incidents when timely release of information requires some statement prior to 8:00 A.M., the supervisor on duty shall notify the Chief or Administrative Lieutenant telephonically, of the details available. The appropriate administrator will then make a decision of how and when to release the information to the media, considering the nature of the incident, confidentiality and press guidelines.

Media inquiries as to the progress of an investigation or other business of the Police Department should be referred to the Chief of Police or his designee.



# Elko Police Department

## Chapter 1000 Community Relations

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### **1050.020 Press Release Guidelines**

The following are guidelines established by the Elko Police Department for reporting of information to the media:

1. It is appropriate to divulge the following information concerning a criminal defendant:
  - a. The defendant's name, age, residence, employment, marital status, and similar information,
  - b. The substance or text of a charge, such as complaints, indictment information, or where appropriate, the identity of the complaining party,
  - c. The identity of the investigating and arresting agency, and the length of the investigation,
  - d. The circumstances surrounding the arrest, including the time and place of the arrest, pursuit, resistance, use and possession of weapons, and a description of the items seized at the time of arrest.
2. The release of certain types of information by law enforcement personnel generally tends to create dangers of prejudice without serving a significant law enforcement or public function. Therefore, all personnel should be aware of the dangers in making public disclosures of the following:
  - a. Opinions about a defendant's character, or his/her guilt or innocence,
  - b. Admissions, confessions or the content of a statement or alibis attributed to a defendant,
  - c. References to the results of investigative procedures, such as polygraph examinations, fingerprints, or laboratory tests,
  - d. Statements concerning the credibility or anticipated testimony of a prospective witness,
  - e. Opinions concerning evidence or arguments of a case, whether or not it is anticipated that such evidence or argument will be used at trial.
3. Department personnel will not prevent the photographing of defendants when they are in a public place outside of the courtroom, but they shall not encourage pictures nor pose with the defendant.
4. Photographs of a suspect may be released by department personnel provided that a valid law enforcement function is served by doing so. It is proper to disclose such information as may be

# Elko Police Department

## Chapter 1000 Community Relations

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necessary to enlist public assistance in apprehending fugitives. Such disclosures may include photographs and prior arrests and convictions.

5. No identifying information, including photographs of any juvenile offender shall be disclosed to the public by any member of the Elko Police Department, except by authority of the District Court/Juvenile Court.
6. It is improper for any member of this Department to make available to the public any statement or information for the purpose of influencing the outcome of a criminal case.
7. Sensationalism should be avoided by all members of the Department when providing information to the public or the media.

### **1050.025 Press Releases for Ongoing Investigations**

In most instances, information may be accessed by the media through prepared news releases, copies of offense and crash reports, or through the Public Information/Case Management Officer.

The following information regarding ongoing investigations will not be made available to the media by anyone in the Department:

1. Prior criminal records or information relating to the character or reputation of a suspect,
2. Mug shots or other photographs of a suspect,
3. The existence of any confession or admission of guilt by the suspect, or the failure by the suspect to provide the same,
4. The results of any examination or tests conducted or the refusal by the suspect to submit to any examinations or tests,
5. The identity, testimony, or credibility of any prospective witness,
6. Any opinion of any Department personnel regarding the guilt or innocence of a suspect,
7. Any opinion of Department personnel regarding merits of the case or quality of evidence obtained,
8. Personal information identifying the victim,
9. Information identifying juveniles,
10. Information received from other law enforcement agencies without their permission to release that information.

# Elko Police Department

## Chapter 1000 Community Relations

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Any information released under this section shall be released only by or at the direction of the Chief of Police.

### **1050.030 Joint Release of Information**

Whenever the Police Department is involved with another law enforcement agency, any information released to the news media will be coordinated with the agency involved and approval for the release will be obtained or agreed upon.

### **1050.035 Response to Controversial Questions**

Personnel who are confronted by members of the media with questions or probes of a controversial nature or which might compromise an investigation or case will immediately refer the matter to the Chief of Police.

### **1050.040 Release of Informant Information**

No member of the Elko Police Department will divulge the identity of any person providing confidential information to law enforcement without the express permission of the Chief of Police and the officer handling said informant.

### **1050.045 Policy Information**

Statements to the media regarding policies of the Elko Police Department or the procedures relative to those policies will only be made by the Chief of Police or his designee.

### **1050.050 Personnel Information**

No member of the Elko Police Department will divulge the telephone number or address of any other member to the media or to any other person outside of the law enforcement community.

### **1050.055 Access to Incident Scenes**

Media personnel may be permitted to be at the scene of serious incidents or motor vehicle traffic crashes with the boundaries of such access controlled by the supervising officer at the scene. The officer in charge of the scene will set the limitations for all media personnel where photographs and interviews will be permitted without interfering with the investigation being conducted.

All major incidents where a command post is established, media access will be controlled by the Public Information Officer through the staging area.

When the Chief, Captain, Administrative Lieutenant, or Operations Lieutenant is present at the scene, but not designated as Incident Commander, all public information will be the responsibility of that administrator.

# Elko Police Department

## Chapter 1000 Community Relations

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### **1050.060 Courtesy to the Media**

All members of the Elko Police Department will treat all members of the media in a courteous and professional manner. Any requests for confidential information or access to restricted areas should be politely referred to the Chief of Police or his designee.

### **1050.065 Dissemination of Information by Telephone**

No information shall be divulged by any member of the Police Department telephonically to any person outside law enforcement or the media. Only in cases where the caller is properly identified or known to the member may information be provided.

In the event that the caller purports to be a representative of a law enforcement or bona fide news media agency, the employee accepting the call shall obtain a callback number for the requesting agency. The employee shall then obtain the number for the agency the caller stated he/she works for. One way to obtain the number is to use the Internet. The employee shall then call the agency and confirm the caller is employed there as he/she claimed. Once the status is confirmed, the employee may release the desired information.

This provision is not intended to prohibit members from divulging appropriate information to a suspect, witness, or victim during the normal course of an investigation, provided that the dissemination of that information serves a valid law enforcement purpose.

### **1050.070 Dissemination of Printed Information**

The Record's staff of the Elko Police Department may provide copies of reports to victims, the media, insurance companies, other law enforcement agencies, and attorneys within the following guidelines:

1. Copies of crash reports, exclusive of privacy act information, and other public information may be provided to the media or other persons.
2. Copies of crime reports shall be made available to the media, insurance companies, or victims of the specific crime report requested, but shall not include investigative detail or confidential information.
  - a. A fee consistent with the fee schedule shall likewise be assessed for all such copies provided, unless otherwise approved by the Chief of Police or his designee.
  - b. Crash reports are available through a web based reporting system.
3. Information other than described above, which is requested by an attorney representing a criminal defendant, may be provided to that attorney only with the express permission of the District Attorney or the Deputy District Attorney responsible for the prosecution of the case. If the information is requested by subpoena, the information will be provided per the subpoena.

# Elko Police Department

## Chapter 1000 Community Relations

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4. Any printed information other than public record which is requested by another bona fide law enforcement agency, may be provided to that agency, except that all such documents shall indicate that they are "Restricted Data" and that dissemination outside of law enforcement is prohibited.
5. No criminal reports will be released to listed suspects, arrestees, or defendants. Suspects, arrestees or defendants may petition for copies of reports through their legal representation.

### **1050.075 Dissemination of Teletype Information**

No copies of teletypes or information contained thereon shall be provided to any person outside law enforcement without the approval of the Chief of Police or his designee.

No driver's license information, automobile registration information, or other computerized history information shall be divulged to any person outside of law enforcement.

### **1050.080 Media Involvement in Press Policies**

The media will be encouraged to submit comments and recommendations concerning development of policies and procedures relating to the news media. By attempting to involve the media in developing these policies and procedures, the Department hopes to develop a good rapport and working relationship with the media.



Ty Trouten  
Police Chief

Creation Date: February 19, 1993

Revision Date: May 1, 2011

Revision Date: October 1, 2013

# Elko Police Department

## Chapter 1100 Traffic Enforcement

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### **1110.000 Organization**

#### **1110.010 Responsibility to Enforce Traffic Laws**

The responsibility for enforcing traffic laws within the jurisdictional boundaries of the City of Elko is shared by all uniformed officers.

#### **1110.015 Traffic Service Requests**

When an officer or member of this Department becomes aware of a traffic problem and/or hazard, by observation or citizen complaint, steps shall be taken to correct the problem.

Selective enforcement shall be undertaken in those areas where a problem has been reported and indicates that a pattern is developing for continued problems in that area.

#### **1110.020 Proactive Enforcement**

Proactive enforcement is an activity of the Patrol Unit.

Proactive enforcement includes the use of speed detection devices (radar) to enforce speed laws. Only personnel certified in the use of these devices may use them.

#### **1110.030 Marked Vehicles**

Traffic enforcement should only be undertaken in marked patrol vehicles, unless otherwise directed by the administration or if the traffic infraction poses a significant hazard to the safety of the community.

#### **1110.040 Personnel Deployment**

The Department will identify the predominant violations that are causing crashes. Officers shall be deployed to:

1. Observe traffic flow,
2. Identify improper driving behavior,
3. Identify any hazardous environmental conditions,
4. Identify and act upon emergency and other services needed.

It must be stressed that traffic enforcement activities that are performed by the Patrol Unit officer, are in conjunction with routine patrol responsibilities.

# Elko Police Department

## Chapter 1100 Traffic Enforcement

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### **1120.000 Traffic Enforcement Action**

#### **1120.010 Traffic Enforcement Policy**

All uniformed officers of the Department are responsible for maintaining a workable knowledge of the traffic regulations applicable to the roadways within the City of Elko. This knowledge must include all city ordinances and state statutes. Consistency is an essential element of any enforcement program. This policy is not intended to diminish the judgment of the officer involved in traffic enforcement but is intended to guide the officer in the complicated decision making processes necessary in traffic enforcement. This guide will enable several different officers taking enforcement action to do so in a fair and consistent manner.

#### **1120.060 Multiple Violations**

Drivers often commit multiple violations, both hazardous and non-hazardous. It is not necessarily prudent to arrest and/or cite for each violation. Officers should consider the factors below when determining the appropriateness of arresting and/or citing for multiple violations:

1. Hazard,
2. Prior violations of the same nature,
3. Driving experience,
4. Prior traffic incidents, crashes, etc.,
5. Failure to appear in court.

It may be sufficient to arrest or cite for some violations and effectively communicate verbal warning for the remainder.

#### **1120.070 Newly Enacted Laws and/or Ordinances**

When considering which enforcement action is appropriate, officers shall weight the violators understanding of the recent enactment of the statute, unless at the time of the enactment, the law specifies what action will be taken, or a policy or directive provides further guidelines for enforcement.

#### **1120.075 Making a Traffic Stop**

After the traffic violation is observed and the decision to stop the violator has been made, the officer should consider the following guidelines.

# Elko Police Department

## Chapter 1100 Traffic Enforcement

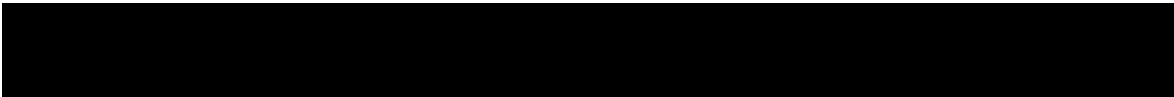
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### **1120.076 Before Activating Emergency Equipment**

1. The officer, when effecting a traffic stop, will page Central Dispatch and wait to be acknowledged. Upon being acknowledged give the location of the stop first, the license number and state second, then the description of the vehicle.
2. Choose a stopping location that is well lit, if at night, allowing enough room for the violator vehicle and patrol vehicle to stop out of the lane of travel and not interfere with other traffic and does not create a hazardous situation of either the violator or officer.

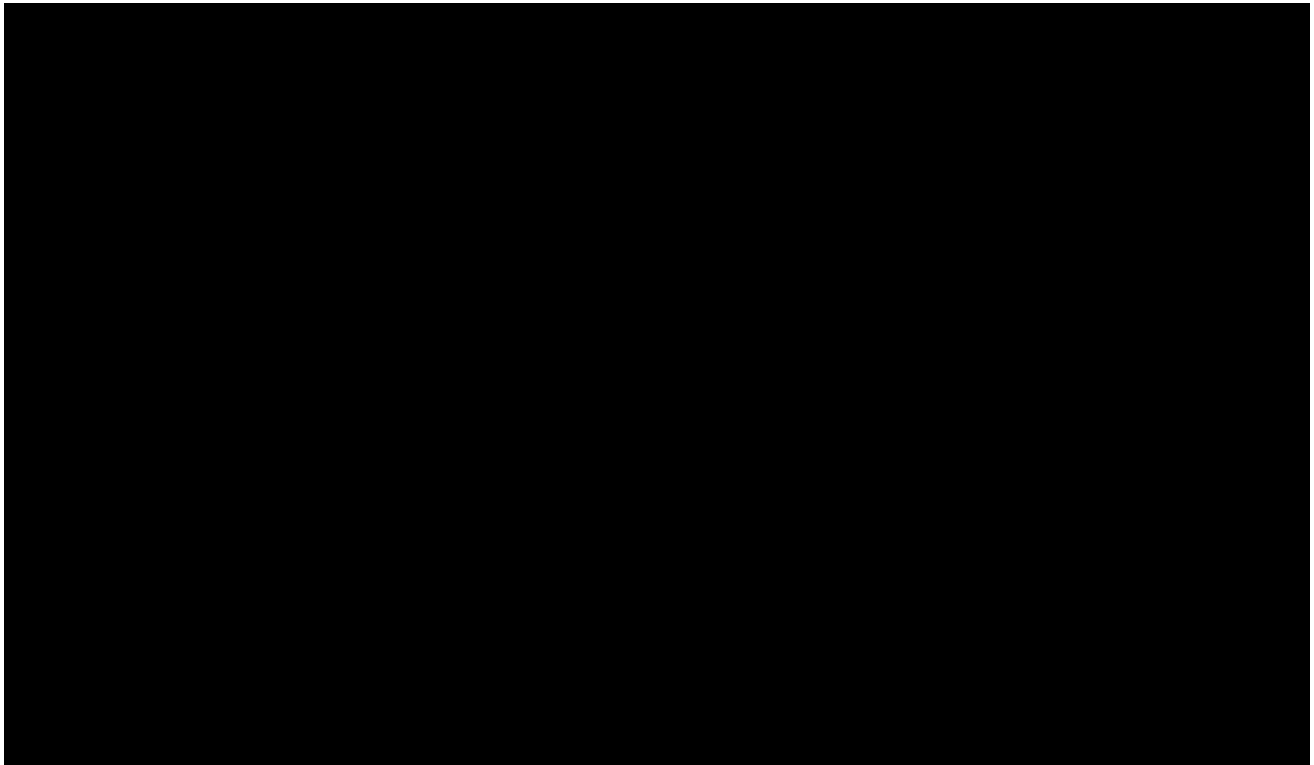
### **1120.077 After Activating Emergency Lights**

1. If the violator vehicle does not stop, it may be necessary to sound the siren briefly.



3. During hours of darkness the patrol vehicle's spotlight should be pointed in the rear window of the violator vehicle in a manner as to illuminate the interior of the violator vehicle and not interfere with the vision of other traffic using the roadway.
4. It is permissible for officers, upon making a traffic stop, to remove their seatbelt prior to stopping so as to assist the officer in quickly exiting their patrol car.

### **1120.078 When Approaching the Violator**



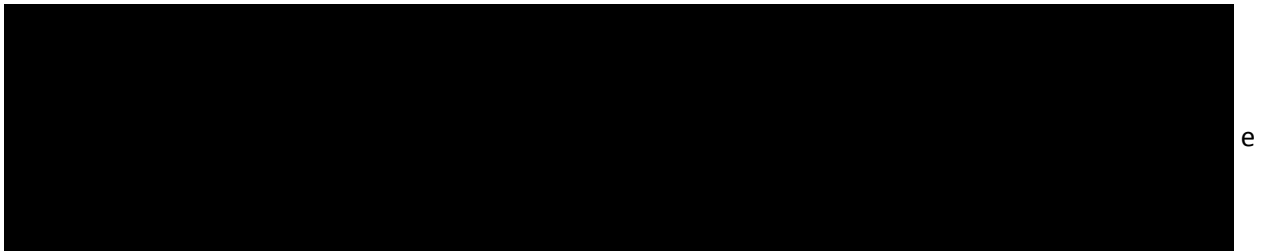


## Elko Police Department

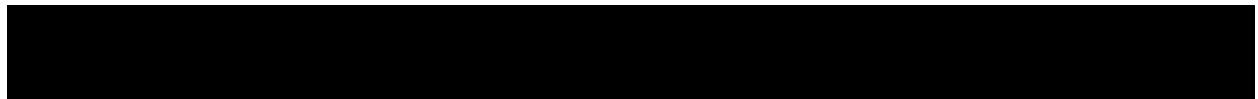
### Chapter 1100 Traffic Enforcement

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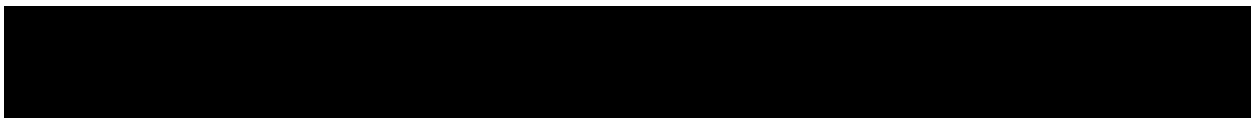
8. Ask the driver for his/her operator's license, vehicle registration and proof of insurance. Do not accept any document in any wallet, container, or holder. Accept the documents only after they have been removed from their holders.
9. When talking to the driver, maintain a professional image and be pleasant but firm. When dealing with members of the opposite sex, be careful not to say anything that could be considered inappropriate or discriminatory.
10. Advise the driver of the reason for the stop and also advise what type of action you intend to take.



13. In order to insure quick processing of the violator, have e-cite device and printer hand. Have Central Dispatch check the violator's driver's license and wanted status while you are completing the citation. In the event you will be with the violator longer than ten (10) minutes, Central Dispatch should be notified. Confirm with dispatch the status of the license plates.
14. Return to the vehicle with caution, following the same steps as you did during the initial approach.
15. Advise the driver of the enforcement action that you are taking. If you are issuing a citation, advise the driver of the required information.
16. Give the driver the appropriate copy of the citation and return the subject's driver's license, vehicle registration, proof of insurance and any other documents you may have.
17. Be alert for signs of emotional disturbance from the violator and take appropriate action.



19. Allow the violator to leave the scene of the stop before you, affording protection from the rear as the violator's vehicle enters traffic.



These steps in making traffic stops are guidelines and officers may vary in their approach depending on the circumstances of the stop.

# Elko Police Department

## Chapter 1100 Traffic Enforcement

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Nothing in this section prohibits an officer from approaching the violator vehicle from the passenger side if circumstances indicate to the officer that this would be a safer approach.

In addition, if circumstances indicate that the stop is high risk, but not a felony stop, the officer may not want to make an initial approach at all. Instead he may request, from behind the patrol vehicle's door, that the driver exit his/her vehicle and meet with him on the right side of the violator vehicle.

Felony traffic stops will be done using current Department procedures and techniques empathizing officer safety.

### **1130.000 Driver's License / Privilege**

#### **1130.010 Suspended or Revoked Driver's Licenses**

Officers who contact violators whose driver's license/privilege has been suspended or revoked must make every effort to investigate the status. Based on that investigation, a determination will be made to cite or arrest. The Nevada Department of Motor Vehicles cancels, suspends, or revokes a driver's license/privilege for various reasons. Generally speaking, the following explanations apply:

1. Cancellation usually involves a license/privilege termination due to a problem with the initial application, testing and/or payment process, requiring correction before reinstatement of the license.
2. Suspension is the removal of license/privilege due to a violation or hearing results. Suspensions are temporary for a definite period of time. Suspensions are often for failure to maintain insurance or pay child support.
3. Revocation almost always is the result of Driving Under the Influence (DUI). In this instance, the license privilege to drive is terminated. The license remains revoked only during the revocation period. Once the revocation expires, they are driving without a valid license.

#### **1130.015 Officer May take Enforcement Action**

Based on the officer's discretion, circumstances of the cancellation/suspension, driving record, and other pertinent facts (i.e., previous FTA's, etc.) the officer may;

1. Issue a field citation and release. This option is recommended when actual status of driving privilege cannot be confirmed.
2. Arrest and book the violator.

#### **1130.020 Active DUI Revocation Periods**

When encountering a subject with a DUI revocation still in effect, it is always appropriate to arrest and book the offender. Such revocations carry a mandatory court imposed minimum sentence of 30 days when convicted. Therefore, the arrest and posting of bail to ensure court appearance is necessary. Only

# Elko Police Department

## Chapter 1100 Traffic Enforcement

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if specific and unique circumstances clearly warrant an exception will officers not make an arrest in this situation.

### **1130.021 Expired Suspension Periods**

When the driver's license record indicates "SUSPENDED" and the withdrawal period has expired, the appropriate charge is "Driving without a Valid Driver's License". The person should be advised to contact the D.M.V. regarding the eligibility for reinstatement.

### **1130.022 Expired Revocation Periods**

When the driver's license record indicates "REVOKED" and the withdrawal period has expired, the charge is "Driving on a Suspended or Revoked Driver's License" or "Driving Without Valid Driver's License". The person should be advised to contact the D.M.V. for information concerning the requirements for reinstatement.

### **1130.023 Confiscation of Driver's License**

All driver's license showing cancelled, suspended, or revoked shall be confiscated and returned to the respective Department of Motor Vehicles.

### **1130.030 Driver's License Records Check**

A driver's license check should always be made on the driver when the officer can articulate any violation of traffic law and conducts a stop. The privilege to drive may have been suspended or revoked in this state even if the operator is in possession of a driver's license from another state. For example, a suspect may have an out-of-state driver's license, but shows an arrest for DUI in Nevada resulting in his Nevada privilege being revoked even though his out-of-state license is valid outside the state of Nevada.

### **1130.035 Disposition of Violator's Vehicle**

Officers will not allow unlicensed drivers or drivers with a non-valid driver's license to drive away in their vehicle after police contact. If an arrest is made, an officer may release the vehicle to a licensed driver who is present. If a citation is issued and the violator will be released, the operator may choose to release the vehicle to any licensed driver, or leave the vehicle legally parked, or have it towed.

### **1140.000 Other Enforcement Responsibilities**

#### **1140.010 Parking Enforcement**

Whenever an officer observes a vehicle parked in violation of city ordinance, the officer should take appropriate action consistent with guidelines established for traffic enforcement. The types of violations commonly found are included in but not limited to the following:

1. Parking in a posted "No Parking Zone",

# Elko Police Department

## Chapter 1100 Traffic Enforcement

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2. Parking in the travel portion of a roadway,
3. Parking in violation of distance restrictions regarding fire hydrants, driveways and intersections,
4. Semi-tractor trailer parked in residential areas,
5. Parking in disabled person's parking space without a disabled person's placard, sticker or license, or the unauthorized use of a disabled person's placard, sticker or license.

### **1140.015 Pedestrian/Bicycle Enforcement**

Pedestrians and bicycles are frequently involved in collisions with motor vehicles which can result in injury or death of the pedestrian or bicyclist.

Ordinances on pedestrian traffic and bicycle operation can be found in section 7-2-23 of the City Codes. Officers should be familiar with these sections. Officers may take enforcement action for violations of these ordinances which may include a citation or verbal warning.

### **1140.020 Off Highway Vehicles**

City Ordinance 841, Title 7, Chapter 6 allows for the operation of Off-Highway Vehicles (OHVs) on most roads within the City of Elko.

Enforcement of this law and applicable traffic laws will follow the same procedures as traffic enforcement.

These actions may include, but are not limited to the following:

1. Citation of unlicensed operator,
2. Citation for equipment or safety violations.

### **1140.025 Reporting Incompetent Drivers**

When an officer encounters an individual with suspected incompetence, physical or mental disability, disease or other condition which might prevent the person from exercising a reasonable and safe operation of a motor vehicle, the officer should:

1. Complete a driver's license re-examination form (DMV form DL 81-23) noting the reasons for the re-examination request,
2. Forward the completed form to the Records Unit.
3. The Records Unit will mail the completed form to: Department of Motor Vehicles, Driver's License Division, 555 Wright Way, Carson City, Nevada, 89711.

# Elko Police Department

## Chapter 1100 Traffic Enforcement

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### **1150.000 Enforcement Tactics and Speed Measuring Devices**

#### **1150.010 Enforcement Tactics**

The Elko Police Department will utilize varied and diversified programs, practices, and techniques in traffic law enforcement. Many variables must be considered when evaluating tactics to be used against a specific problem. It is the responsibility of the shift supervisor, at the discretion of the Operations Commander, to determine what tactics should be utilized. The tactics available include the use of the following:

#### **1150.015 Visible Traffic Control**

This should be done using marked police vehicles. The traffic patrol should be assigned by need. All patrol and traffic officers are responsible for maintaining a visible traffic patrol within their assigned beats. If warranted, visible traffic patrol may be assigned to a specific location, at specific times, regarding complaints and/or crashes involving specific violations.

#### **1150.020 Stationary Observation**

A patrol vehicle may be assigned to observe traffic at a particular location or in an area from a stationary position. Depending on the situation the observation may be made from a clearly visible location or an obscure position.

#### **1150.025 Unmarked Vehicles**

The use of unmarked vehicles in traffic law enforcement may be done in response to citizen's complaints of a problem area and where the need for concealment is identified. All unmarked vehicles used for traffic law enforcement or any other police purpose shall be equipped with red/blue emergency lights, siren, and police radio.

#### **1150.030 Speed Measuring Devices**

Only those speed-measuring devices that comply with state and federal regulations shall be utilized. This Department shall utilize a Doppler radar and/or calibrated speedometer only for speed determination.

#### **1150.031 Radar Operator Requirements**

The operator must know how to set up, test, and properly operate and read the radar device that is used. In order to accomplish this, all radar operators must be certified prior to utilization of the device. In order to become certified, an officer must satisfactorily complete the following:

1. Twenty-four (24) hours of classroom instruction, which shall include a pre-examination and a post examination,
2. One hundred (100) successful estimations of speed from a moving mode and one hundred (100) successful estimations of speed from a stationary mode, confirmed by the radar device,

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3. Must demonstrate to the instructor his ability to estimate speed (to within 5 miles per hour) five (5) consecutive times both in the moving and stationary mode.

### **1150.032 Radar Maintenance and Certification**

The radar instructor shall be responsible for the following:

1. Maintaining certification and maintenance records for each of the individual radar units,
2. Proper care, upkeep, and maintenance of the radar units,
3. Maintain current radar unit certification by authorized radar technician,
4. Coordinate training and re-certification courses with the training coordinator.

### **1160.000 Driving Under the Influence of Intoxicating Liquor and / or Drugs**

#### **1160.010 Department Policy**

Recognizing that the intoxicated individual who chooses to operate a motor vehicle represents a significant threat to the safety of others, it is the policy of this Department to strictly enforce violations when an intoxicated individual drives a motor vehicle.

#### **1160.015 DUI Counter Measures**

The Elko Police Department will support and encourage aggressive and consistent enforcement of all alcohol and drug related traffic offenses.

The Department will also support programs to reduce alcohol and drug related infractions. Such programs shall include but are not limited to:

1. The targeting of specific dates, times, and locations of suspected alcohol or drug related infractions or crashes and to provide increased proactive enforcement at those dates, times, and locations.
2. To provide officers with the necessary equipment and training to increase the detection and prosecution of suspected DUI's.
3. To increase public awareness through public service announcements, and seeking public support in detecting and reporting a suspected impaired driver.

#### **1160.020 DUI Arrest Procedure**

Officers should make every effort to locate, identify, apprehend, and arrest all drivers suspected of driving while under the influence of alcohol and/or drugs (DUI).

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Officers should be knowledgeable of the state statutes and city codes as they relate to DUI, NRS 484C, and City Code 7-2-23 B & C.

Once contact is made with the suspected violator, the officer will conduct an investigation. During the course of this investigation, the officer should consider some or all of the following procedures:

1. Make positive identification of the violator if possible through driver's license or identification card,
2. Make a request through Central Dispatch of any prior arrest/conviction for DUI,
3. Conduct appropriate field sobriety tests. This Department shall utilize the standardized tests as prescribed by the National Traffic Highway Safety Administration whenever possible,
4. Utilize a Preliminary Breath Test (PBT), if certified to do so,
5. Once the officer feels he has developed probable cause to believe that the suspect is under the influence of intoxicants, the suspect may be arrested,
6. The officer will read to the suspect the Implied Consent Warning. The Department approved Miranda Warning should be considered if the suspect will be questioned, other than the standard booking questions.
7. The officer may impound or cause to be impounded, the suspect's vehicle following Department procedure. However, if the vehicle has no evidentiary value and the vehicle is legally parked. The officer and/or supervisor has the discretion to secure the vehicle and leave it at the scene
8. All suspects will be booked in the Elko County jail where appropriate bail will be determined,
9. Any person who is charged with a DUI violation who is injured either by being involved in an crash or incident to the arrest will be given emergency medical aid,
10. Officer will complete all required documents related to the arrest including:
  - a. Probable Cause Declaration (to be left at the jail),
  - b. DLD-45 for breath/blood test results,
  - c. Consent for evidentiary testing.
  - d. Detailed report, including results of field sobriety tests, Horizontal Gaze Nystagmus test if done,
  - e. Impound inventory form,

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f. Notice of Right to Judicial Review should be explained to the violator to include, when possible, his/her signature indicating understanding,

g. The booking sheet and any other teletype information related to the driver.

### **1160.021 Search Warrant for Evidentiary Testing**

The officer will read the Implied Consent Admonishment and request consent for evidentiary testing. Should the suspect refuse to give consent, then a search warrant should be sought. To obtain a search warrant, the following process will be done:

1. Call dispatch and have them contact the on call judge. Dispatch will connect the officer and the judge.
2. Using the search warrant template, request a telephonic search warrant from the judge.
3. When the warrant is granted, execute the search warrant.
4. Complete the templates for the search warrant, the affidavit for the search warrant and the search warrant return. Either photocopy these documents or fill out a duplicate set of these forms.
5. Leave a copy of the search warrant and the return with the suspect after the blood testing is complete.
6. Obtain a CD recording of the telephonic search warrant from dispatch.
7. Make a copy of the documents you prepared as well as a copy of the CD from Dispatch.
8. Return the original documents and CD to Justice Court for transcription. Retain a copy of all of these documents and CD and include them with the report.

### **1170.000 Traffic Control**

#### **1170.010 Traffic Control and Direction**

Traffic control and direction is a function of the engineering department of the City of Elko and recommendations may be made by the Police Chief based on traffic analysis received from the patrol supervisors. The majority of direction and control will be unmanned, mechanical devices, signs, and signals.

Police officers shall be assigned to carry out identified traffic direction and control functions only at those times and places where law enforcement authority and/or human intervention is required to ensure safety and efficiency and until such time as the problem is resolved.



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### **1170.015 Manual Control of Traffic**

In the furtherance of public safety, it may be necessary for an officer to manually regulate the flow of traffic. Instances where an officer may be required to manually regulate traffic flow would be:

1. Traffic crash scenes;
2. Fire Scenes;
3. Hazardous situations on or near the roadway;
4. Special law enforcement operations;
5. Special events.

If an officer is manually directing traffic or working a crash scene on a state highway, they shall wear the issued highly reflective safety vest.

The purpose of manual traffic control is to ensure the safety of all motorists, pedestrians, and roadway users.

### **1170.020 Manual Traffic Control Procedures**

The circumstances warranting traffic control are diverse and differ widely from incident to incident. In order to provide the most effective traffic control services, the officer involved in manual traffic control should consider the following:

1. Examine and evaluate the scene and establish traffic control appropriate for the incident,
2. Officers will wear reflective vests while directing traffic,
3. If necessary, utilize fuses or flares, traffic cones, warning signs, barricades, and/or police vehicle with emergency equipment activated,
4. Officers should use clear and easily understood hand signals when directing traffic.

### **1170.025 Manual Control of a Traffic Signal**

If manual control of a traffic signal is necessary, the operation shall be done by an officer or city employee trained in its operation. The operation shall be done at the discretion and direction of an officer. Circumstances warranting manual traffic control could be crash scenes, congestion, motorcades, or other emergencies.

In the event of a malfunctioning traffic signal, the signal may have to be placed in the "flash" mode until adequate repair can be made. The engineering department should be contacted for any malfunctioning traffic signal within the city.

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In periods of peak traffic, an officer may be assigned to manual traffic control of the effected intersection.

### **1170.030 Traffic Control during Adverse Road and Weather Conditions**

When conditions of adverse weather occur causing hazardous driving and/or roadway conditions, the shift supervisor should evaluate the situation and arrange for the following if necessary:

1. Appropriate traffic control,
2. Alternate routes for traffic when necessary,
3. Adequate and appropriate warning devices,
4. Road sanding of hazardous areas if necessary,
5. Emergency road closures if and when necessary.

Such action on the part of the shift supervisor may also require the use of temporary traffic control devices such as barricades and flashing lights. The street department should be contacted to install such devices. The street department should also be contacted for sanding when an officer notes a particularly hazardous area of the roadway during winter.

### **1170.031 Notification of Local Media**

The shift supervisor may also consider contacting local radio stations for public service announcements concerning alternate routes and road closures during these conditions or utilize a NIXLE alert and Facebook message. If any alert is used, the supervisor must also issue a clearance alert for all formats used promptly upon the conclusion of the incident.

### **1170.035 Traffic Control at Fire Scenes**

It will be the responsibility of the Elko Police Department to provide traffic control for the Elko Fire Department during a fire, if such control is required.

Traffic control at fire scenes will be to provide protection of the charged fire hoses, keep bystanders at a safe distance, and to protect fire department personnel and equipment. Care should be taken to ensure that private vehicles, including volunteer firemen's vehicles, are not parked in a manner that could interfere with emergency operations or access of emergency vehicles.

If the fire is extensive or circumstances are present requiring traffic control for an extended period, the shift supervisor may consider the use of temporary control devices such as barricades and flashing lights to control access to affected areas.

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### **1170.040 Law Enforcement Escort Service**

The Elko Police Department will provide police escorts under certain limited circumstances. When such escorts are authorized, they will be conducted in accordance with all traffic laws, utilizing proper traffic and intersection control.

Department personnel may be assigned routine (non-emergency) escort duty for visiting dignitaries, public officials, funerals, and parades or other special events. Requests for escorts will be processed and approved in advance by the Operations Commander.

### **1170.041 Escorts during Medical Emergencies Prohibited**

Escorts of civilian vehicles during medical emergencies are extremely dangerous and hazardous, not only to the occupants of the civilian vehicle and to the officer involved, but also to the general public. Officers of this Department will not escort civilian vehicles under these conditions. In medical emergencies, the patient should be transported by ambulance whenever possible. In an extreme emergency the patient may be transported in a police vehicle.

### **1170.045 Roadblocks**

Any and all roadblocks established by this Department shall be in strict accordance of the provisions of NRS 484B.

### **1180.000 Supplementary Traffic Services**

#### **1180.010 General Assistance to Motorist**

The Elko Police Department will offer reasonable assistance at all times to motorists who appear to be in need of aid.

This will apply at all hours of the day, but particularly at nighttime hours when hazards are higher. This would also apply during the severe cold of winter and well as the high temperatures of summer.

#### **1180.015 Available Tow Services**

The Elko Police Department will only use towing companies that are licensed by the State of Nevada.

Central Dispatch shall maintain a log indicating which authorized tow service is next in the rotation.

#### **1180.016 Citizen's Request for Tow Service**

When a citizen makes a request for a tow service, the officer shall contact Central Dispatch and request the tow service, chosen by the citizen. The officer requesting the tow service shall inform Central Dispatch of the following:

1. Name of citizen requesting the tow,

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2. Location of the vehicle to be towed,
3. License number and state of issue of the vehicle to be towed,
4. Color and make of vehicle to be towed.
5. Condition of the vehicle to be towed.

### **1180.017 Police Requests for Tow Service**

An officer should request a tow service under the following circumstances:

1. The arrest of the driver,
2. The vehicle is abandoned,
3. The driver is incapacitated or injured,
4. The vehicle is a recovered stolen vehicle,
5. The vehicle is left in such a manner as to be a danger,
6. The vehicle is parked and towing is required to allow access of emergency vehicles.

If the vehicle is impounded as a result of driving infractions, driver's license infraction, or registration infractions, the vehicle can be impounded with "no holds" and towed to a tow yard. The officer will provide the tow company with a copy of the tow sheet. The original will be retained by the officer. The second copy may be given to the arrestee if possible.

If the vehicle is impounded is a result of a traffic stop or other matter that requires a search warrant be done on the car, the car should be sealed with evidence tape, towed to the Elko Police Department garage. The arresting officer (or his/her supervisor) is responsible for contacting NDI or the detective division to have the search warrant written. If NDI is involved, the vehicle may be towed to the NDI lot for their search warrant. If the vehicle is towed to the Elko Police Department or NDI, the officer will be responsible for the disposition of the tow bill, the tow bill will be attached to the impound sheet. If there are holds on the vehicle, it is the impounding officer's responsibility to notify the Records Division when the vehicle can be released.

After the execution of a search warrant on a seized vehicle, the officer will call the original tow company to take the car from the police department to the tow yard unless the vehicle is to be seized or has actual evidentiary value for prosecution.

If an officer knows that a vehicle has been used in the commission of a felony and has equity of over \$5000, the officer, with permission from his/her supervisor, may impound the vehicle and request the vehicle be seized for forfeiture. In that case, the vehicle will be towed to the Elko Police Department

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and the impound sheet will be marked "for forfeiture." Forfeiture paperwork will be completed by the case officer. The Police Chief and the District Attorney will be the final authority on whether a vehicle will be seized for forfeiture or not. If a vehicle is towed to the Elko Police Department for forfeiture, attach the tow sheet to the impound sheet and submit it to the Records Division via Case Management.

If the vehicle is a recovered stolen vehicle that needs to be processed, the vehicle needs to be towed to the Elko Police Department garage. The tow bill needs to be attached to the impound sheet. If the vehicle does not need to be processed, the vehicle can be towed to the tow yard and the registered owner will be contacted, as per policy, and advised of the location of the vehicle.

### **1180.018 Vehicle Impoundment Record**

In all cases of impounded vehicles, except crashes, the impounding officer shall complete a Vehicle Impoundment Record.

It is the requesting officer's responsibility to complete or cause to be completed a Vehicle Impoundment Record each time a vehicle is impounded for a police purpose, using the department approved vehicle impound form.

The Administrative commander will check on the continuing status of any vehicle which has a "Police Hold" on it. The Administrative Lieutenant will also send notice to the officer requesting the status on that vehicle. The officer requesting the "Police Hold" will be required to continue the investigation in a timely manner to insure that vehicles are not being held past the time absolutely necessary for completion of an investigation. It is the sole responsibility of the impounding officer to insure that the vehicle is released when it is no longer necessary to hold that vehicle.

The Records Unit will maintain a file of impounded vehicles.

### **1180.019 Inventory of Impounded Vehicles**

An inventory of contents will be performed on all vehicles impounded, by the department.

### **1180.020 Abandoned Vehicles**

When an officer has been made aware of a vehicle appearing to be abandoned he shall:

1. Mark the tire of the vehicle, note the date and time,
2. Attempt to contact the registered owner via Central Dispatch or by telephone and notify the registered owner that they have 24 hours to move the vehicle,
3. If after 24 hours, the vehicle has not been moved, the officer should issue a citation for Storage on a Public Street to the registered owner, if known. If the registered owner cannot be located, no citation will be issued.

The vehicle will be towed in accordance with department policy 1180.018.

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### **1180.025 Emergency Assistance to Motorist**

Officers of this Department will render all practical assistance to users of the roadway who are involved in emergency situations.

Officers will advise Central Dispatch upon discovering a vehicle fire. The location, type of vehicle, location of the fire, and cargo, if possible, will be given to the dispatcher so that appropriate response by the fire department can be made.

Upon discovery of a medical emergency, the officer will request an ambulance and fire department personnel. The officer will advise of the location of the emergency, type of emergency, and condition of the patient. Officers will render as much first aid assistance as possible.

If a motorist is stranded at a hazardous location or weather conditions present a hazard to the motorist, the officer at his discretion, may transport the motorist and occupants to the nearest convenient location where assistance may be obtained.

When transporting a person of the opposite sex, follow the radio procedure outlined in section 570.020. Officers are advised that under no circumstances are they to use a patrol vehicle to "jump start" a stranded vehicle.

### **1180.030 Actual or Potential Roadway Hazards**

When an officer becomes aware through observation, report by a citizen, or crash of an existing or potential hazard to motorist on the roadway, the officer shall be responsible for advising Central Dispatch of the location and nature of the hazard. The officer shall ensure that traffic control is established through appropriate means which may include:

1. Flares of fuses,
2. Traffic cones,
3. Patrol vehicle with emergency lights activated,
4. Manual traffic direction,
5. Temporary warning and/or traffic control signs.

If the hazard is in the form of debris and/or unlawfully parked vehicles, the officer shall arrange for their prompt removal. If the hazard is in the form of blocked, missing, damaged, or downed traffic control signs, the officer shall notify Central Dispatch and request the street department respond to repair the hazard. The extent of the hazard may require the officer to remain at the hazard until relieved by street department personnel.

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If the hazard or potential hazard is in the form of roadway defects or defects in highway safety features, the officer shall request Central Dispatch to notify the street department of the problem.

### **1190.000 Traffic Crash Investigation**

#### **1190.010 The Crash Investigation Function**

Crash investigation represents an important function of the Elko Police Department and is a service expected by the public. The public expects officers to conduct a fair and thorough investigation of crashes as well as to care for the injured, provide protection of the scene, and protect the rights and property of those involved.

A crash can be and often is an emotional experience to all parties involved. The purpose of this directive is to assist officers in understanding these emotions and conduct themselves and the investigation in an impartial and professional manner.

Traffic crashes are investigated to determine the cause of crashes so methods of prevention can be developed and to determine if evidence to support criminal prosecution exists. When it is determined that a driver is the proximate cause of the crash and is "At Fault", the investigating officer shall issue citations unless there is injuries that could result in death or substantial bodily harm.

#### **1190.015 First Officer on the Scene**

The major responsibility of a crash investigation rests with the first officer to respond. Even if the first officer is not the officer that completes the report, the responsibilities are the same. The following are responsibilities for officers responding to a crash scene:

1. Arrive safely at the scene. Respond in accordance with Department guidelines regarding the operation of an emergency vehicle,
2. Position the patrol vehicle in such a way that it is easily seen, easily accessible by the officer, provides protection of the crash scene, and aids the flow of traffic around the crash scene. Care should be taken to insure that the vehicle is not parked in a manner which could create an additional hazard,
3. Check for injured persons, fire hazards, and hazardous materials. If any are located, notify Central Dispatch and request response by the appropriate agencies. Officers shall provide practical emergency medical aid and/or fire suppression services until fire and/or medical personnel arrive. Injured persons should not be transported in Department vehicles unless authorized by the shift supervisor. In cases of hazardous material incidents, the officer will isolate the hazardous area, evacuate non-essential personnel and identify the involved vehicle, container placards, and, if possible, the hazardous product name and/or identification number. At no time is the officer to enter an area possibly contaminated by hazardous material without first being trained in the handling of hazardous material incidents and without proper protective clothing.

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4. The officer should take the necessary steps to protect the crash scene and establish a smooth flow of traffic around the crash. If assistance is necessary, the officer should notify Central Dispatch of the type of assistance needed, the amount of assistance, and appropriate response rate. If the officer chooses to use civilian personnel in traffic control, the officer should insure that those persons directing traffic have a basic understanding of traffic direction procedures before permitting a civilian to direct traffic.
5. The officer should determine if the crash is a hit and run. If it is a hit and run, the officer should notify Central Dispatch of the suspect vehicle description, if known, to include last known direction of travel, the degree and location of damage.
6. The officer should locate, identify, and interview witnesses and drivers.
7. Examine the crash scene carefully. Examine all evidence to include all roadway marks, damage to vehicles and record the location of pertinent evidence. Any evidence requiring collection, photographing, or measuring should be processed following Department guidelines.
8. Clear the scene. The roadway should be cleared as soon as practical. In the case of minor property damage, the roadway should be cleared as rapidly as possible to prevent congestion or further crashes.
9. If the officer feels that physical evidence and/or statements of witnesses and/or drivers support traffic violations and/or criminal violations, the officer should take appropriate enforcement steps consistent with Department guidelines and policy. In crashes involving serious bodily injury, death, or the likelihood of death, the officer should not take enforcement action until the completed investigation has been reviewed by the district attorney.
10. When the crash involves injuries and the injured person is transported to the hospital, the officer should contact the hospital to determine the condition of the injured person.
11. The officer should complete the reports and diagrams as required by Department policy and state law. In the event that more than one officer responds to a crash, it is the responsibility of the officer assigned the call by dispatch to complete the required reports unless assignment is changed by the shift supervisor. However, in the case of a serious crash, each officer involved in the investigation may be required to complete reports regarding his activity.
12. In the event that a subject is injured, incapacitated due to intoxication, or is under arrest or is otherwise unable to care for his/her property, the officer shall take appropriate steps consistent with Department guidelines to protect the property of the individual from theft, loss, or damage.

### **1190.020 Fatal Crashes**

If a crash involves the possibility or certainty of death to an individual, the shift supervisor should be notified immediately. The shift supervisor shall insure that management staff are notified in accordance with section 610.19, of this manual.



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After assisting the injured and preserving the scene, the first officer at the scene of a fatal crash should:

1. Notify Central Dispatch and request the shift supervisor,
2. Locate involved persons and obtain names, addresses, phone numbers, and brief statements including spontaneous statements. It is better to identify as many people as possible than try to get detailed statements from one or two people,
3. Preserve evidence. Mark or photograph trace evidence which can and/or will disappear,
4. Note weather and road conditions at the time of arrival,
5. Note location of people involved, who were in vehicles and where, who were out of vehicles and where, ask emergency personnel who they took out of what vehicle(s) through what doors or windows, if a seatbelt was removed, etc.,
6. Identify assisting personnel, first aid crews, other police officers, especially if they arrived first. Try to identify the very first person to arrive at the scene,
7. Stay at the scene until relieved,
8. Accompany driver(s) to the hospital if adequate assistance is at the scene. If probable cause exists, fill out the proper forms, obtain consent or a search warrant, and have blood samples taken from driver(s),
9. Take statements if available from the driver or drivers, passengers, and medical personnel.

### **1190.021 Fatal Crashes – Assisting Officers**

Each crash scene dictates the type of assistance needed to perform a proper investigation. Any officer who assists at the scene of a crash is an important member of the investigation team. Certain crashes may have more than one "investigating officer". Every officer must contribute to the investigation. If the first officer at the scene accompanies the driver to the hospital, other officers must take measurements, pictures, statements, and supervise clearing the scene. All officers, including supervisors, who assist in any capacity with the investigation, should write a detailed report of their own observations and/or involvement. Included should be any statement taken by that officer. Each report will become part of the case file for that particular crash.

### **1190.022 Follow-up on Fatal Crashes**

If after the "at scene data" has been collected and follow-up investigation is necessary, the following should occur:

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1. The case officer shall prepare a complete diagram of the crash scene to include the location of road marks, skid marks, debris, fluids, blood marks, traffic control devices, width of the street, and any other information necessary,
2. The shift supervisor may assign officers to specific functions. It will be that officer's responsibility to see that the tasks and appropriate reports are completed in a timely fashion. If the shift supervisor assigns follow-up duties, they shall notify the Case Management officer of the officer(s) assigned to the follow-up duties,
3. The Case Management officer may assign specific follow-up duties consistent with Department guidelines,
4. If the shift supervisor, or Prosecuting Attorney feels that expert technical assistance is necessary, such as a reconstruction specialist, this assistance may be obtained from the Nevada Highway Patrol.

### **1190.025 Crash Report Forms**

The standard State of Nevada Crash Report form (NHP 5) and supplementary form (if necessary) shall be used when investigating all crashes occurring on the public roadways.

### **1190.030 Private Property Crashes**

There are no provisions in Nevada Revised Statutes for private property crashes with only property damage. This Department's response to private property crashes, property damage only, will be to provide each party involved with a Driver's Exchange of Information card for their insurance companies.

In addition, the Department will make available to the public, informational material on traffic laws, and traffic safety. This material will include the Department's policy on private property crashes and driver's exchange of information cards.

### **1190.031 Private Property Crash Resulting in Injury or Death**

If the incident on private property involves the injury or death of a person, investigating officers should complete a case report and NHP Form 5.

Officers are always reminded to check for outstanding warrants when contacting individuals, regardless of whether a report is completed or not.

### **1190.035 Crashes Involving Department Vehicles**

All crashes involving department owned vehicles, or with a driver who is a police department employee, require contacting an outside agency to conduct the crash investigation. Always photograph damage to involved vehicles.

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If the crash occurs outside the City of Elko, the proper authorities shall be contacted immediately to conduct a crash investigation and the involved officer shall request a copy of the report.

When a crash involves a Department vehicle, an outside agency, such as the Nevada Highway Patrol is to be called to investigate under the following circumstances:

1. The crash involves injuries,
2. A pedestrian is involved,
3. It appears the officer may be at fault,
4. There is extensive damage to either vehicle,
5. When a citation will be issued to either party involved;
6. The crash is the result of a pursuit.

The shift supervisor or his designee shall maintain a liaison with the investigating agency.

The Elko Police Department may investigate crashes involving Department vehicles only when the crash is minor.

In any crash involving a police vehicle or other city vehicle, the shift supervisor shall see that all necessary details are promptly taken care of and that a complete investigation is conducted and all information concerning the crash be forwarded to the Police Chief and City Manager through the chain of command.

Any Department employee involved in a traffic crash while operating a Department vehicle, if there are injuries involved, will be taken to NNRH for a blood/urinalysis test. If there are no injuries involved the officer will be administered a PBT by a department supervisor as outlined in the supervisor and police contract.

### **1190.040 Vehicle Crash Equipment**

Each patrol vehicle designated for crash investigation shall be equipped with a minimum of the following equipment:

1. One (1) 100-foot tape measure,
2. One (1) complete basic first aid kit,
3. Two (2) blankets in a suitable container,
4. A minimum of twelve (12) flares,

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5. One (1) fire extinguisher,
6. One (1) wrecking bar or extrication device,
7. One (1) sharp knife or belt cutter,
8. One (1) crash investigation kit containing a clip board, marking crayons, and a crash investigation template.

It shall be the responsibility of each officer to check the condition of this equipment prior to going on duty for each shift. If the officer finds damaged or missing equipment, the Administrative Commander will be notified so that it may be repaired or replaced.

  
Tyler Trouten  
Police Chief

Creation Date: September 30, 1993

Revision Date: January 14, 2009

Revision Date: April 9, 2020

# Elko Police Department

## Chapter 1200 Disciplinary Procedures

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### **1210.000 Code of Conduct**

#### **1210.010 Conduct of Officers**

A police officer is the most conspicuous representative of government, and to the majority of people, is a symbol of stability and authority upon whom they can rely. An officer's conduct is closely scrutinized. When actions are found to be excessive, unwarranted or unjustified, they are criticized far more severely than comparable behavior of persons in other professions.

Since the conduct of officers on or off duty, may reflect directly upon the Department, members must, at all times, conduct themselves in a manner which does not bring discredit to themselves or the Department.

Officers of the Department shall abide by the Code of Ethics published by the International Association of Chiefs of Police.

Officers and members of this Department are expected to conduct themselves within the guidelines set forth in this policy. Any violation of conduct or behavior will result in disciplinary action. A matrix delineating the violations and possible disciplinary actions will be included in the policy manual. This matrix will be used as a guide for consistent and fair discipline for all members of this Department.

#### **1210.015 Prohibited Behavior**

Prohibited behavior includes, but is not limited to:

1. Inattention to or carelessness in performing duty, lounging on duty, improper patrolling, sleeping, loafing, or giving the appearance of being asleep on duty,
2. Recreational reading, internet use, or smart phone use on duty, except on break or as needed for emergency purposes,
3. Conducting personal business on duty,
4. Associating with persons of immoral or questionable character, consorting with prostitutes or loitering about places frequented by such persons, associating with known felons currently known or suspected of being engaged in criminal activity, except to perform a police function,
5. Circulating or promoting any false reports that would tend to discredit the police department, City, or any member of the Department,
6. Failure to report for duty with full equipment or failure to respond or to investigate a call or complaint,
7. Criticize or ridicule the Department, it's policies, the City, it's polices, or any city employees by talking, writing, or expressing in any other manner where such expression is defamatory,

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obscene, unlawful, or which tends to impair the operation of the Department or City by interfering with its efficiency or effectiveness or the maintenance or morale or discipline.

8. Enter into or participate in a romantic or sexual relationship with anyone under the age of 18 years and/or that is enrolled in a high school curriculum.

### **1210.020 Use of Alcohol and Narcotics**

A member of the Department shall not drink any kind of intoxicating liquor when on duty except in the performance of duty. No member of the Department shall report for regular tour of duty or be on a regular tour of duty while under the influence of liquor or drugs, or be unfit for regular duty because of their use. The odor of alcohol on the breath will be presumptive evidence of violation of this regulation.

Any excessive use of alcohol while on or off duty, which brings or tends to bring discredit or disrepute to the Department, shall subject the member to disciplinary action.

Members, on duty, if found under the influence of liquor or drugs, shall be subject to immediate suspension.

### **1210.021 Use of Alcohol while in Uniform**

No member in uniform or on duty shall enter any store for the purpose of purchasing intoxicating liquor. Members in uniform or partial uniform are prohibited from consuming intoxicating liquor whether on or off duty.

Members shall not bring into, keep, or consume any intoxicating liquor in any official office or vehicle, except in performance of duty.

### **1210.022 Use of Controlled Substances**

Members of the Department shall not use narcotics or any controlled substances unless such narcotics or controlled substances are properly prescribed by a physician for an injury or illness.

This section in no way prohibits the use of "over the counter" medications.

Any medications, whether "over the counter" or prescribed by a physician, which have any effect to slow or inhibit cognitive abilities, ability to drive a vehicle, or otherwise diminish an employee's capabilities will be brought to the attention of the employee's supervisor. The supervisor will make a judgement as to whether the employee can remain at work in a full-duty position.

### **1210.025 Gratuities, Bribes, and/or Rewards**

Members shall not under any circumstances solicit any gifts, gratuity, loans, or fees where there is any direct or indirect connection between the solicitation and their employment with the Elko Police Department. Members shall not accept any gifts or items of monetary value, where there is any direct or

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indirect connection with the Elko Police Department, without permission from the Police Chief or his designee.

Members shall not solicit free admission to theaters and other places of amusement for themselves or others, nor solicit discounts from any businesses, nor accept free passes or discounts when acceptance bears directly upon their police employment.

Members shall not apply for, receive, nor share in any reward for services rendered in the line of duty except the lawful salary and any additional amounts as set forth by agreement.

Any member, who is approached with a bribe of any nature, must report the incident promptly to any supervisor, who will notify the Police Chief.

### **1210.026 Acting as Bailor**

Except for relatives, members shall not act as a bailor for any person in custody without the permission of the Police Chief or his designee and even in such cases, no fee, gratuity, or reward shall be solicited or accepted. Members shall not receive or accept money turned in as a fine or bail for persons charged or cited for violations or convictions.

### **1210.027 Seeking Personal Preferment through Outside Influence**

Except as provided for in the Nevada Revised Statutes, Chapter 288, employees are forbidden to solicit petitions, influence, or intervention of any person outside the Department for purposes of personal preferment, advantage, transfer, advancement, promotion, or change of duty, for themselves, or for any other employee.

### **1210.028 Soliciting or Accepting Donations**

Employees shall not use their official status to solicit or accept donations of any kind.

The administration are the only persons authorized to discuss donations with members of the community, and then only with the express permission of the Police Chief. Any Department employee who is approached by a prospective donor must report the offer to their immediate supervisor. It is the responsibility of the administration to ensure the authenticity of the offer prior to reporting it to the Police Chief.

The Police Chief will determine the impact of the donations on the Department and will determine whether to recommend acceptance.

### **1210.030 Indebtedness**

Members shall conduct their financial affairs in a responsible manner. Any fraudulent financial transaction or repeated garnishments, attachments, or execution of member's wages shall be grounds for dismissal.

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No member shall apply for voluntary bankruptcy without first notifying the Police Chief.

### **1210.035 Abuse of Authority**

Officers and employees of the Elko Police Department shall not abuse the use of their official position or identification.

Officers and employees shall not use their official position, official identification cards, or badges for personal or financial gain, or for obtaining privileges not otherwise available to them.

Officers and employees shall not use their official position, identification cards, or badges to avoid consequences of illegal acts.

### **1210.040 Security of Police Identification**

Officers and employees shall not lend to another person their identification card or badge, or any uniform or insignia of the department, or permit them to be photographed or reproduced without the permission of the Police Chief.

### **1210.045 Personal Publicity**

Officers shall not use or authorize the use of their name, photographs, or official titles which identify them as officers, in connection with testimonials, advertisements or on any social media without approval of the Police Chief. Officers and employees shall not seek personal publicity in the course of their employment.

### **1210.050 Department Equipment**

Members of the Department are individually charged with the responsibility for the proper use and care of Department equipment and property and are accountable for that property which is issued to them and may be held personally liable for any damage or loss of property or equipment resulting from their carelessness or negligence.

Members shall report, in writing, as soon as possible to their supervisor any damage to or loss of Department property. The supervisor shall then notify the Administrative Commander in writing through the interdepartmental process.

### **1210.055 Surrender of Department Equipment upon Separation**

Members are required to surrender all Department property issued to them and in their possession upon separation from the Department.

All equipment is to be maintained in a clean condition and in good working order, including office equipment and furniture.



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### **1210.060 Personal Photos, Pictures and Calendars**

Office personnel will use discretion and good taste in hanging pictures and/or calendars on the walls of the office they occupy. No items that can be construed as offensive in nature, or of a harassing nature will be allowed.

### **1210.065 Department Business Cards**

Members of the Department shall be issued business cards of a design approved by the Police Chief. These business cards shall be disseminated only for appropriate police related matters.

### **1210.070 Use of Department Telephones and Cellular Phones**

The Purpose of this policy is to insure the safety of officers by providing complete information through the most effective means available and providing for the efficient operation of the department.

Personal use of Department telephones will be limited to incidental use. Refer to City of Elko Telephone Use Policy.

This policy sets forth the department rules and regulations regarding the use of cellular phones while on duty as a member of this department.

Procedure for the use of cellular telephones while on duty.

1. Operating a Police Vehicle: Except when in an emergency where other means of communication have been severed or compromised, officers shall not operate a police vehicle while using a cellular phone. Unless faced with such an emergency, all calls shall be made from a stationary position.
2. Use of cellular phones while on a paid detail: Officers shall not use cellular phones while working paid details unless some emergency exists or it becomes necessary for an officer to briefly call home.
3. Usage: Officers shall limit their use of cellular phones such that their duties to this department are not compromised.
4. Police Communication: Except in an emergency or where it is necessary as a matter of a strategic plan to overcome the possibility that communications are overloaded, or where other official department communication methods are unavailable, officer shall not utilize a cellular phone in order to relay information about a police incident where such information might compromise the safety of all officers responding to the incident. The information should be communicated to all officers through the dispatcher or through laptop electronic messaging.

Car to car communications and supervisory assistance should be done via the police radio or MDT in order to enhance officer safety and to establish and maintain a taped record of the event.

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### **1210.075 Department Vehicles**

No Department vehicle shall be used in any manner that is not connected with police purposes and the performance of duty. No police vehicle is to be used for personal transportation. Except in emergency situations, employees should not use on duty officers for transportation to and from work, without the approval of the Police Chief.

Members shall operate all vehicles in a reasonable fashion with due regard at all times for the safety of other vehicles, pedestrians and bicyclists.

Citizens will not be transported in Department vehicles except when necessary to accomplish a police or official City purpose, or when service to the public requires such transportation.

### **1210.080 Dealings with the Public**

Officers and employees shall perform their duties quietly, avoiding harsh, violent, profane, or insolent language and always remain in control of their behavior regardless of the provocation to do otherwise. Officers shall not use profanity when dealing with the public or other officers or members of the police department.

Upon request, officers are required to supply their names or business card in a professional manner.

All members, while charged with the enforcement of the law, must remain completely impartial towards persons coming to the attention of the Department.

### **1210.081 Exhibiting Partiality**

Exhibiting partiality for or against a person because of race, creed, gender, or influence is considered a violation of the provisions of this chapter and may be a violation of federal and state law.

### **1210.082 Interfering With Lawful Private Business**

Employees shall not interfere in the lawful private business of any person.

### **1210.083 Response to Citizens Request**

Members shall respond to any citizen's reasonable request for assistance by obtaining all pertinent information in an official and courteous manner. The member shall then act upon the request consistent with established Department procedures.

### **1210.085 Citizen's Complaint Form**

A supervisor/officer shall never attempt to dissuade a citizen from lodging a complaint. Supervisors/officer may attempt to resolve a minor complaint without completing a complaint form. If the supervisor/officer cannot readily resolve the complaint, the supervisor/ officer shall have the citizen

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complete the Department's Citizen's Complaint Form (EPD form 26b/93). In the event the citizen refuses to complete the CCF form, the on duty supervisor or administrator will be summoned to hear the complaint.

All department complaints will be logged by the supervisor or administrator hearing the complaint. The complaint log is located in the "Police" drive in the complaint folder.

### **1210.090 Response to Call for Service**

While on duty, members of the Department shall respond without unnecessary delay to all calls for police assistance from citizens or other members. Emergency calls take precedence, however, all calls shall be answered as soon as practical, consistent with normal safety precautions and vehicle laws. Except under the most extraordinary circumstances or unless otherwise directed by competent authority, no member shall fail to answer any land-line or radio call directed to them. Failure to answer a call for police assistance promptly, without justification, is considered neglect of duty.

### **1210.095 Relationship with Other Employees**

Members and employees shall treat superior officers, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationship with one another. When on duty, and particularly in the presence of the public, officers shall be referred to by rank.

The relationship between male and female employees of the Department, while on duty, shall be businesslike. Conduct between such employees shall be professional and courteous.

### **1210.100 Off-Duty Employment**

Prior to engaging in any outside employment or business activity, a member or employee shall submit a request to the Police Chief requesting approval of such employment.

Department regulations regarding off-duty employment are:

1. Employment shall not render the officer unavailable during an emergency, or physically or mentally exhaust the officer such that their performance on duty will be affected.
2. Employment shall not, in any way, conflict with the objectives of the Department, impair the reputation of the Department, or abuse the Department's police powers.
3. The police uniform shall not be worn, nor police-issued equipment used unless on special assignment authorized by the Police Chief or his designee.
4. A member or employee, at the discretion of the Police Chief or his designee, may be called back to an on-duty status at any time irrespective of their off-duty employment.
5. Members shall not work off-duty in any position which requires a gaming or liquor work card.

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### **1210.110 Subversive Organizations**

No member or employee shall knowingly become a member or be connected with any subversive organization, except when necessary in the performance of a police duty and then only under the direction of the Police Chief.

### **1210.115 Requests for Public Speeches**

The Office of Police Chief shall be notified of all requests for public speeches, demonstrations, etc. This notification will include the name of the requesting party or organization, location, date, time, subject matter, and police personnel to be involved.

Under no circumstances will members or employees of the Elko Police Department agree to speak or appear in any demonstration before any organization outside of the City of Elko without the express permission of the Police Chief.

### **1210.120 Oral Interview Boards**

A member or employee receiving a request to participate in any type of personnel or oral interview board shall the Police Chief.

### **1210.125 Personnel Practices**

With the exception of probationary employees, no employee shall be reduced in pay or position, suspended, removed, or reprimanded except for just cause. Examples of just cause include, but are not necessarily limited to the following:

1. Arrest, indictment, and/or conviction of a felony, drunk driving or any crime involving moral turpitude,
2. Falsification, misstatement, exaggeration or concealment of material fact in connection with employment, promotion, and record, investigation, or other proper proceeding,
3. The use of intoxicants or illicit drugs while on duty or the use of illicit drugs while off duty, except in performing an approved police function,
4. Using coarse, loud, indecent, profane language, ethnic or racial slurs or insolent language in the presence of the general public or other members of the Department,
5. Unprofessional conduct subversive to proper order, discipline or morale of the Department,
6. Publicly criticizing or ridiculing any member of the Department in a defamatory manner,
7. Inciting, encouraging, or engaging in ticket boycotts, strikes or riots,

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8. Discourtesy to a citizen or member of the general public, disrespect or insolence toward a citizen,
9. Abuse or misuse of sick leave,
10. Failure to report or being absent from assigned duty without authorization from a supervisor,
11. Sleeping while on duty,
12. Neglect or inattention to duty,
13. Cowardice or failure to perform police duties in the face of danger,
14. Unauthorized access of, or the communicating of, confidential, restricted information to unauthorized personnel,
15. Interference with a traffic citation or criminal investigation, resulting in favoritism or personal gain,
16. Soliciting or accepting gratuities or a bribe in exchange for special favors, privileges, personal gain or on behalf of another,
17. Misappropriation, theft, or unauthorized use of City property,
18. Carelessness, abuse, or willful neglect of City property, resulting in property damage,
19. Poor driving record, involving preventable traffic accidents, an excessive number of traffic citations, or incidents of reckless driving,
20. Carelessness, neglect, or the unjustified use of a firearm,
21. Failure to qualify with Department approved firearm,
22. Failure to properly identify self as an Elko Police Officer upon request,
23. Failure to comply with a court subpoena,
24. Improper use of the NCIC/NCJIS computer terminal,
25. Violation of City ordinance, State, or Federal laws.
26. Insubordination or disrespect toward any supervisor,
27. Violation of policies and procedures of the Elko Police Department or verbal orders issued by a supervisor,

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28. Willful mistreatment of a prisoner or any person,
29. Falsification of reports or evidence, issuing a false report, or falsification during an internal or criminal investigation,
30. Leaving post before being properly relieved,
31. Being absent without leave,
32. Improper political activity,
33. Gambling while in uniform or on-duty,
34. Failure to observe precautions for personal safety, posted rules, signs, safety instructions, or to use protective clothing or equipment.
35. Failure to report a personal injury accident in the performance of job duties,
36. Failure or unnecessary delay in carrying out orders, work assignments, or instructions.
37. Disorderly conduct, fighting, threatening or attempting to inflict bodily injury to another, engaging in horseplay, resisting competent authority, or triggering false alarms.
38. Inability to get along with fellow employees so that work is hindered or does not meet required standards,
39. Any other act, omission, or commission contrary to good order and discipline of the Department.
40. Misuse of social media as described in 1210.045
41. Misuse of department cell phone
42. Repeated failure to meet performance objectives within the 80 percentile of the shift the officer is assigned. However, before discipline can be administered for this category, the supervisor shall outline performance objective improvement plans; the plans will be submitted to the administration.
43. Failure to follow direction related to general procedure.
44. Failure to complete daily tasks or assignments as ordered by the supervisor.
45. Failure to complete tasks or assignments in a timely manner as directed by a supervisor.

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### **1210.130 Smoking and Use of Smokeless Tobacco**

Employees shall not smoke when conducting business that involves meeting with the public, which includes public contact outside the police Department. Exceptions may be made on a consensual basis (i.e. suspect interviews).

Employees will be allowed to smoke in designated smoking areas when on lunch and coffee breaks.

The following areas have been designated as smoking areas; outside the east or west entrance doors.

Employees shall not use smokeless tobacco when conducting business that involves meeting with the public, which includes public contact outside the police department and shall be considerate to other members and employees of the department.

The vehicles owned and operated by the Elko Police Department are to be tobacco free. Smoking and/or use of smokeless tobacco in City vehicles is prohibited.

### **1220.000 Disciplinary System**

#### **1220.010 Systems Approach to Discipline**

Among the programs having impact on discipline in the Department are selection, training, direction, supervision, and accountability. Since these elements are interdependent, the Department's disciplinary posture is characterized by a systems approach wherein the positive as well as the punitive aspects of discipline are addressed.

#### **1220.015 Components of a Disciplinary System**

The following components of the disciplinary system identify the methods to be applied to employee conduct in the interest of discipline:

1. Rewards,
2. Training,
3. Counseling,
4. Punitive action.

All infractions of policies and procedures shall be handled as provided in this chapter.

#### **1220.016 Awards as a Function of Discipline**

As the Department has a disciplinary system, the Police Chief may also recognize and reward employees with letters of commendation for work that consistently demonstrates outstanding individual or group performance.

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This section is to establish a Departmental policy of awards for valor, merit, and other appropriate honors to employees of the Department who perform outstanding service. It is intended that the awards, by providing for recognition of various acts or meritorious accomplishments, will promote esprit de corps and contribute to improved levels of service. The purpose of a commendation is to provide recognition to personnel who demonstrate exceptional skill, courage, or dedication.

### **1220.017 Review Board**

The review board will be composed of one member of Administration, a Sergeant, a Corporal and two Officers. One member of the board should be trained as an instructor in the Use of Force. All board members shall serve for a minimum of one year, and not to exceed three years.

Any employee of the Elko Police Department or any citizen may submit a letter of recommendation for an award to an administrator. Any such letter shall contain the nominee's name and a summary of facts concerning the recommendation. The administration shall maintain the nominations throughout the year and present them to the review board for review and recommendation.

The review board shall fairly and thoroughly investigate all recommendations for Departmental awards. This review may be conducted by examining the documentation of evidence and the taking of testimony if warranted.

The Police Chief shall announce all citation bars, medals, certificates, and letters to those entitled. Letters and/or certificates shall cite meritorious acts and a copy of such letters and/or certificates shall be placed in and become part of the employee's personnel file.

### **1220.018 Recognized Awards**

It is the intent of the Department to reward and recognize outstanding service and/or outstanding acts of employees of the police department. Awards that might normally be presented to the department members may be presented to police officers from other jurisdictions who distinguish themselves to the same degree while aiding Elko Police Department personnel in the performance of their duties. Citizens may also be eligible to receive awards when distinguishing themselves while assisting the police Department.

Currently the Police Chief recognizes the following awards for issuance to department employees, other officers, and citizens:

1. Medal of Valor,
2. Medal of Merit,
3. Police Life Saving Medal,
4. Police Medal,



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5. Exemplary Performance Award,
6. Citizens Service Award,
7. Certificates of Appreciation,
8. Letters of Recognition,
9. Departmental Purple Heart,
10. Justice Heart,

### **1220.019 Medal of Valor**

The Medal of Valor is the highest award presented by the police department. This award should be recommended only in those exceptional cases where employees risk their lives to perform a hazardous duty. The act must be of such a nature that the employee's exposure to peril and subsequent conduct was clearly above the normal call of duty and which brings great credit upon the employee and the Department. Before a Medal of Valor is presented, there must be unanimous concurrence from the awards committee.

The Medal of Valor shall consist of the following:

1. A gold colored medal with attached blue neck ribbon with the words "Medal of Valor" engraved upon the medal,
2. A framed certificate describing the act and signed by the Police Chief,
3. An award bar to be worn on the Department uniform, in a manner prescribed by section 650.050(8) of this manual, and consisting of a blue metal bar with a yellow center with the word "Valor" engraved in the center.

### **1220.020 Medal of Merit**

The medal of merit is awarded to Department employees for performance of an act(s) in the line of duty wherein:

1. The employee endangers themselves to prevent a serious crime or effect the arrest of a dangerous felon,
2. The officer, through their extreme diligence and perseverance, solves an unusually difficult criminal investigation,
3. The employee, through diligence and perseverance clearly beyond that which is normally expected, completes unusually difficult tasks,

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4. The employee performs an act of exemplary service in support of the Department's goals and objectives.

Before the Medal of Merit is presented, two-thirds of the award committee must concur with the recommendation.

The Medal of Merit shall consist of the following:

1. A gold colored medal with the words "Medal of Merit" engraved upon it and a red, white, and blue chest ribbon attached to it,
2. A framed certificate describing the act and signed by the Police Chief,
3. An award bar to be worn on the Departmental uniform, in a manner prescribed in section 650.040(8) of this manual, and consists of a red, white, and blue bar.

#### **1220.021 Police Life Saving Medal**

The Police Life Saving Medal is awarded to Department employees who save the life of another human being. The action taken must be such that, had the officer not taken action, the individual would in all probability have died. Action taken could include but are not limited to water rescue, emergency first aide, or emergency evacuation of the incapacitated.

Before the Police Life Saving Medal is presented, a majority of the award committee must concur with the recommendation.

The Police Life Saving Medal shall consist of the following:

1. A gold colored metal with the words "Life Saving" engraved upon it and a red chest ribbon attached to it,
2. A Departmental commendation certificate that describes the act and signed by the Police Chief,
3. An award bar to be worn on the Departmental uniform, in a manner as prescribed in section 650.040(8) of this manual, and consisting of a red and white metal bar.

#### **1220.022 Police Medal**

The Police Medal is awarded to any Departmental employee who:

1. Investigates and solves a complex serious crime or crimes,
2. Consistently performs at an exemplary level for an extended period of time,
3. Performs an act of outstanding service in support of the Department's goals and objectives.

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Before the Police Medal is presented, a majority of the award committee must concur with the recommendation.

The Police Medal shall consist of the following elements:

1. A gold colored medal with the words "Police Medal" engraved upon it and a blue and white chest ribbon attached to it,
2. A Departmental commendation certificate describing the act and signed by the Police Chief,
3. An award bar to be worn on the Departmental uniform, in a manner as prescribed by section 650.040(8) of this manual, and shall consist of a blue and white metal bar.

### **1220.023 Exemplary Performance Award**

An Exemplary Performance Award may be awarded to any employee who distinguishes themselves in the performance of their duties. The act or acts must be of a nature which places it beyond the normal nature of police service and which brings credit upon the employee and Department.

Before an Exemplary Performance Award is presented, a majority of the awards committee must concur with the recommendation.

The Exemplary Performance Award shall consist of a departmental certificate with the words "Exemplary Performance Award" engraved upon it. The certificate shall also describe the act and shall be signed by the Police Chief.

### **1220.024 Citizen Service Medal**

The Citizen Service Medal may be awarded to any citizen who:

1. Performs an act that jeopardizes their own safety while assisting the police department in the performance of a hazardous task,
2. Performs an act of exemplary service in support of the Department's goals and objectives,
3. Performs an act that jeopardizes their own safety while attempting to save the life of another human being.

Before a Citizen Service Medal is presented, two-thirds of the awards committee must concur with the recommendation.

The Citizen Service Medal shall consist of the following:

1. A gold colored medal with the words Citizen Service Medal engraved upon it and a white, green, and red chest ribbon attached to it,

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2. A Departmental commendation certificate describing the act and signed by the Police Chief.

### **1220.025 Certificates of Appreciation**

A Certificate of Appreciation may be awarded to any citizen or police employee of another jurisdiction who assists the Elko Police Department in the performance of its duties.

Before a Certificate of Appreciation is presented, a majority of the awards committee must concur with the recommendation.

A Certificate of Appreciation shall consist of a Departmental commendation certificate describing the act and signed by the Police Chief.

### **1220.026 Letters of Recognition**

Letters of Recognition are not awards per se, and thus do not follow the normal criteria governing Department awards. Letters of Recognition may be submitted by a supervisor and may give recognition to the activities of an employee, group of employees, or citizen in a single event. Each letter of recognition shall be forwarded to the Police Chief for review and signature. If the recipient is a Department employee, the Letter of Recognition shall be included in their personnel file.

### **1220.027 Departmental Purple Heart**

The Departmental Purple Heart award is presented to departmental employees who are injured while performing a police function. Before the Departmental Purple Heart is presented, a majority of the awards committee must concur with the recommendation.

The Departmental Purple Heart shall consist of the following:

1. A gold colored metal with the words "purple heart" engraved upon it with a purple and white chest ribbon attached to it,
2. A Departmental commendation certificates that describes the act and signed by the Police Chief.

An award bar to be worn on the Departmental uniform, in a manner as prescribed in section 650.040(8) of this manual, and consisting of a purple and white metal bar.

### **1220.028 Justice Heart**

The Justice Heart is a statewide award given to police officers who are injured in the line of duty. The award is supplied and presented by the Nevada Conference of Police and Sheriff.

Recommendation for the Justice Heart is made by the Police Chief to the Executive Board of the Nevada Conference of Police and Sheriff.

The Justice Heart is of a design determined by the Nevada Conference of Police and Sheriff.

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### **1220.030 Training as Function of Discipline**

Training may be used in conjunction with other forms of discipline when it can be shown that an act of omission or error resulted from the Department's lack of training or the individual member's failure to assimilate certain information.

Training can be used to strengthen the member's knowledge, skills, and/or abilities. This training can be in the form of in-service or extra Departmental training.

The Department may demand a certain level of performance be demonstrated following completion of training and prior to making a final decision considering the ultimate outcome of disciplinary proceedings.

### **1220.035 Counseling as Function of Discipline**

Counseling as a component of the Department's disciplinary system may be employed by itself or in conjunction with one or more of the other components of the disciplinary system.

### **1220.040 Criteria for Using Counseling**

The following criteria for using counseling as a function of discipline must be satisfied:

Reasonable belief must exist that the employee has an existing problem or is experiencing difficulty understanding, adjusting to, or internalizing matters which are:

1. Job related (Pertaining to assigned tasks),
2. Personnel policies (Pertaining to Department policies),
3. Interpersonal (Involving relationships with co-workers),
4. Personal (Matters which are largely personal, but which are affecting the employee's work performance).

Evidence must be present indicating that the employee's problem is having a deteriorating effect on his/her work performance. There must be reason to believe that counseling may assist the employee in a supportive way or otherwise have a positive impact on his work performance.

### **1220.045 Procedures for Counseling**

The following procedures are established for using counseling as a function of discipline:

1. The employee or his immediate supervisor may initiate the counseling process,
2. The initial counseling effort shall be intended to find remedy or, if remedy cannot be found, to route the counseling process to one of the following, as appropriate:

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- a. Captain or Lieutenant
  - b. Police Chief,
  - c. City Personnel Director/HRC,
  - d. Outside counseling professional.
3. Counseling with an outside professional can only be referred by the Police Chief or his designee.
  4. The purpose and progress of the counseling experience shall be recorded and maintained by the counselor. The Police Chief shall be notified of any circumstances that may require immediate action.

### **1220.050 Function of Punitive Discipline**

The Department has developed and adopted a disciplinary matrix. This matrix delineates the violations of policy as well as the punitive action to be taken, dependent upon the severity of the violation and the recidivism. The matrix will not only address the punitive action recommended, but also the progressive punitive actions for second and third violations. While certain violations may warrant suspension or termination, others may warrant an oral reprimand for first offense, a written reprimand for second offense and a suspension, demotion or other punitive action for a third similar violation.

The purpose of the matrix is to provide for fair, consistent punitive actions and eliminate any potential for favoritism or bias.

The Police Chief is the final authority on all Department employee discipline.

All punitive discipline will be forwarded to the City's Human Resources department to be maintained in the employee's master personnel file.

### **1220.055 Punitive Actions**

Punitive actions constitute a component of the police department's disciplinary system. Punitive actions permitted by the office of Police Chief include:

1. Oral counseling,
2. Written reprimand,
3. Suspension with pay,
4. Suspension without pay,
5. Demotion,

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### 6. Termination.

#### **1220.056 Oral Counseling**

Oral counseling for actions contrary to the policies and procedures may be made by an employee of superior rank or authority. All oral counseling will be recorded by the supervisor of the employee on the Oral Disciplinary Action Form. These oral reprimands, as well as other types of discipline, are summarized during the annual performance evaluation.

Supervisors, through the Administration, shall notify the office of the Police Chief in writing when oral counseling has been issued. These notices shall be maintained in the employee's personnel file for a period of twelve months from the date of the incident, and then removed.

#### **1220.057 Written Reprimands**

Supervisors who deliver written reprimands will forward them through the administration to the office of the Police Chief for filing of the reprimand in the employee's personnel file.

These oral counseling and written reprimands may be reviewed by the Review Board or during an Internal Affairs investigation to check consistency of discipline.

Written reprimands will remain in the employees file for a period of three years, at which time they will be removed.

#### **1220.058 Police Authority When Suspended from Duty**

An employee suspended from duty shall have no Department authority, nor shall they engage in any police or duty functions. Any employee suspended from duty shall be liable for any violations of this manual except those which specifically apply to police functions while on duty. An employee suspended from duty shall not be permitted to wear the uniform of the Police Department nor be permitted to use or wear Police Department clothing, equipment or other items.

Any officer who has been placed on administrative leave, with pay must be available for phone contact or home visits by this administration Monday through Friday between the hours of 0800 and 1600. Should an officer wish to leave his/her residence during the aforementioned time frame, he/she must first contact an administrator or Police Chief to obtain permission, including the time he/she will leave and the time he/she will return, as well as their locations while they are gone.

Should an officer wish to leave town, he/she must apply for and receive permission via vacation, compensatory, sick time, FMLA or other authorized slip and approved by the Elko Police Department administration.

#### **1220.060 Emergency Suspensions**

Management staff and supervising officers have the authority to impose emergency suspensions, until the next business day, against a member or employee when it appears that such action is in the best

# Elko Police Department

## Chapter 1200 Disciplinary Procedures

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interest of the Department. A member or employee receiving an emergency suspension shall be required to report to the Police Chief the next business day at 9:00 a.m., unless otherwise directed by the supervisor. The officer imposing or recommending the suspension shall accompany the division commander when reporting to the Police Chief.

### **1220.065 Supervisory Role in Discipline**

The primary responsibility for monitoring and controlling the actions of members and employees rests with their immediate supervisor, who shall normally be the initiator of the disciplinary process and who should use their knowledge of supervision, their knowledge of the particular subordinate, their knowledge of the particular infraction, and the circumstances surrounding the infraction to recommend corrective actions.

### **1220.066 Supervisory Authority**

Supervisors or management staff who personally observe employees misconduct have the authority to exercise limited disciplinary action.

### **1220.067 Minor Misconduct**

If the misconduct is very minor, such as a minor mistake, departure from procedure, or the exercise of inappropriate judgment, the supervisor may take corrective action in the form of counseling. No confidential investigation need be made, but the supervisor will document the incident in his records for future reference as well as for documentation on annual evaluation forms.

### **1220.068 Serious Misconduct**

If the misconduct is serious and the supervisor believes that a reprimand is appropriate, a confidential investigation should be completed explaining the details of the situation and outlining the supervisor's decision to issue a reprimand, be it oral or written. The supervisor should use the Disciplinary Matrix when making his decision. The supervisor should also review, or cause to be reviewed, the officer's personnel file to determine if this is an isolated occurrence or if the officer has a repetitive history of similar violations.

The reprimand should be prepared and issued to the employee in the manner prescribed in 1220.057. The original written reprimand will be kept in the employee's personnel file and a copy will be issued to the employee.

Supervisors who are considering issuing a reprimand shall informally confer with their supervisor prior to the issuance of the reprimand to insure the appropriateness and consistency of their actions.

### **1220.069 Very Serious Misconduct**

If the misconduct is very serious and the supervisor believes that a suspension, demotion, or termination may be appropriate, a confidential investigation should be initiated by the administration or designee and, once completed, forwarded directly to the Police Chief.



# Elko Police Department

## Chapter 1200 Disciplinary Procedures

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Final disciplinary authority and responsibility rests with the Police Chief. Except for oral reprimands, and emergency suspension, all Department discipline must be taken and approved by the Police Chief.

If a supervisor believes it is necessary to relieve an officer from duty because of the conduct observed, or because the seriousness of the incident is so extreme that the officer is unfit for duty or other reasons articulated, the supervisor is then empowered to send that employee home for the duration of the shift. See the procedures in section 1220.060 under Emergency Suspensions.

### **1220.070 Termination Notice**

If an investigation of employee misconduct results in termination, the employee shall receive written notice which includes the following information:

1. Reason for termination (charges and specifications),
2. Effective date of termination,
3. Status of fringe and retirement benefits after termination,
4. Content of the employee's personnel file relative to the dismissal,
5. Notice of a pre-termination hearing with the Police Chief.

This section does not, under any circumstances, apply to entry-level probationary employees. Probationary employees may be released from service at any time without cause.

### **1220.075 Allegation Findings**

In instances where an internal investigation is necessary to determine the true facts of allegations against employees alleging misconduct, the investigator shall consider all relevant documents, testimony, and evidence in order to determine what actually happen.

The investigator shall prepare a summary report that provides a complete account of the situation. Gaps or conflicts in evidence and testimony shall be noted and the investigator shall not draw conclusions of fact from them.

All investigations will afford the officer their rights under NRS 289.

### **1220.076 Conclusion of Fact**

At the end of the report, the investigator shall state a conclusion of fact for each allegation of misconduct from among the following dispositions:

# Elko Police Department

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Exonerated The acts which provided the basis for the complaint or allegation did occur, but were justified, lawful, and proper. This finding may also be used when the acts complained of did occur and were not proper or justified, but resulted from a lack of policy or training.

Unfounded The investigation conclusively proved that the act complained of did not occur. This finding also applies when the employee named was not involved in the act or in acts which may have occurred.

Not Sustained The investigation failed to discover sufficient evidence to clearly prove or disprove the allegation made.

Sustained The investigation disclosed sufficient evidence to clearly prove the allegation made.

No Finding The investigation cannot proceed, because the complainant failed to disclose promised information to further the investigation, the complainant wishes to withdraw the complaint, or the complainant is no longer available for clarification. This finding may also be used when the information provided is not sufficient to determine the identity of the employee involved.

### **1220.080 Disciplinary Records**

Any documentation relating to the circumstances of an internal affairs investigation will not be placed in the concerned employee's personnel file.

Any disciplinary action, such as oral counseling, suspension, or written reprimand charges, and specifications will be entered into the concerned employee's personnel file.

Employees may review anything placed in their personnel file at any time upon submission of a written request to the office of Police Chief.

# Elko Police Department

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### **1220.085 Accepted Discipline**

The disciplinary recommendation will be forwarded up the chain of command to the Police Chief. The recommended will be forwarded through appropriate supervisors, these supervisors may attach comments on recommended discipline. Final determination of innocence or guilt and penalty appropriateness lies with the Police Chief.

### **1220.086 Appeal of Reprimand**

A reprimand can only be appealed up the chain of command to the Police Chief. The appeal process will begin in a timely manner at the issuing level after the reprimand has been issued. Command at each level of the appeal will be responsible to schedule their appeal meeting. Each level of command will attach letters of their findings and recommendations resulting from the appeal meeting. The final appeal meeting will be with the Police Chief and determination of innocence or guilt and penalty appropriateness lies with the Police Chief.

### **1220.087 Appeal Process for Suspension/Demotion/Dismissal**

If the disciplinary recommendation is not accepted by the accused employee, they may appeal up through the chain of command to the office of the Police Chief. The final appeal meeting and determination of innocence or guilt, along with the penalty appropriateness lies with the Police Chief.

If an employee wishes to file a grievance on a disciplinary matter, the employee must do so in accordance to the grievance procedure in the applicable and current labor agreement. Only discipline of record may be grieved. Discipline that is not of record may not be grieved. Discipline of record only occurs after the Police Chief has approved the requested disciplinary action.

Oral counseling and written reprimands cannot be appealed or grieved by any employee governed by the Elko Police Officers Protective Association agreement with the City. Oral counseling cannot be appealed or grieved by any employee governed by the International Union of Operating Engineers Local 3 agreement with the City.

### **1220.088 Disciplinary Hearings**

Before Department personnel receive a disciplinary suspension without pay, they must be provided the opportunity to receive a hearing before the Police Chief or in the absence of the Chief, the next level of management person designated in charge of the Department at that time. Such a hearing shall be informal and its purpose shall be for the employee to respond to the charges that have been brought against them. Whenever practical, the employee shall receive the written charges in advance of the hearing, but if not received by the employee prior to the hearing, they must be presented to the employee at the time of the hearing.

# Elko Police Department

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### **1220.089 Termination Hearings**

Before any Department member is terminated from their employment with the City, other than probationary employees, they must be provided the opportunity to receive a hearing before the Police Chief. Such a hearing shall be informal and its purpose shall be for the employee to respond to charges that have been brought against them. The employee will have received a written copy of the charges in advance of the hearing.

### **1220.090 Employee Right to Counsel**

An employee is to be advised of their right to have an attorney present at such hearing before the Police Chief.



Tyler Trouten  
Police Chief

Created Date: May 19, 1993

Revised Date: May 1, 2011

Revised Date: April 9, 2020

# Elko Police Department

## Chapter 1300 Internal Affairs

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### **1310.000 Administration**

#### **1310.010 Internal Affairs Function**

The Elko Police Department will maintain an internal affairs function for the purpose of creating a process to ensure the integrity of the Department.

The internal affairs function shall consist of the Police Chief and/or his designee in performing formal and informal internal investigations.

The goal of the internal affairs function is to ensure that the integrity of the Department is maintained through an internal system whereby objectivity, fairness, and justice are ensured by an impartial investigation and review.

#### **1310.015 Objectives of the Internal Affairs Function**

1. Public Protection: The public has a right to expect efficient, fair, impartial law enforcement, and the misconduct by Department employees will not be tolerated,
2. Employee Protection: Although being the focus of an internal investigation alleging some form of criminal or administrative misconduct is an unpleasant experience for the involved employee(s), the best possible protection for that person who has done nothing wrong is a fair and comprehensive investigation conducted in an appropriate and timely fashion that clearly establishes the employee's honesty and/or integrity,
3. Department Protection: The perception a community has of its police department's integrity is based primarily on how well the department honestly and fairly adjudicates allegations against its employees. A community's support increases and criticism decreases when there is public confidence in the department's ability to properly investigate and adjudicate professional misconduct,
4. Correction of Deficient Policies/Procedures: Occasionally, during the course of a personnel investigation, faulty or deficient Department policies or procedures are discovered. These can be improved or corrected.
5. Disciplinary Action: In all instances where allegations of misconduct are determined to be improper conduct, appropriate disciplinary action will be taken against the involved employee(s). This action may take the form of positive discipline, such as training, or negative discipline up to and including termination and/or criminal charges being filed.

#### **1310.020 Investigator's Responsibility**

When an officer is assigned an internal affairs investigation, that officer shall be responsible for;

1. Recording, registering, and controlling the investigation of complaints against officers,

# Elko Police Department

## Chapter 1300 Internal Affairs

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2. Supervising and controlling the investigation of alleged or suspected misconduct within the Department,
3. Maintaining the confidentiality of the internal affairs investigation and records.

### **1310.024 Review Board**

The review board will be composed of one member of Administration, a Sergeant, a Corporal and two Officers. One member of the board should be trained as an instructor in the Use of Force. All board members shall serve for a minimum of one year, and not to exceed three years.

The board will be chosen by the Police Chief or his designee.

The Review Board will be responsible for the review of department traffic accidents and use of force incidents.

### **1310.025 Formal Internal Affairs Investigations**

A formal investigation is conducted on serious allegations of misconduct. An officer is assigned to obtain formal, audio recorded interview statements from all witnesses and employee(s) involved.

An internal affairs investigation is determined to be formal based primarily on the seriousness and complexity of the allegation.

Examples of internal affairs investigations that may be determined as formal include, but are not limited to:

1. Allegations of violations of law,
2. Allegations of brutality,
3. Serious violations of Department policy and procedures.

### **1310.026 Formal Internal Affairs Investigation Procedure**

A division commander shall review all CCF submissions, Citizen Complaint Form (EPD form 26a/93), submitted by citizens.

In cases involving a member of the operations division, the Administrative Commander shall review the CCF form. In cases where an administrations division employee is involved, the Operations Commander shall review the CCF form. The complaint will then be forwarded to the Police Chief for assignment if as necessary.

The Administrative staff shall assign personnel to conduct a formal or informal investigation based on the nature and complexity of the allegation. If a line supervisor is the subject of the allegation, then a division commander shall be assigned to the investigation.

# Elko Police Department

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The CCF report and all supporting documents will be made available to the officer assigned the internal affairs investigation. The assigned officer will conduct a thorough investigation to include a review of the involved employee's internal affairs file for similar allegations. During the time an officer is assigned to such investigation, he/she reports directly to the Police Chief.

### **1310.027 Notification of the Police Chief of Serious Violation**

If, after all appropriate interviews are completed and necessary documents obtained, it appears to the assigned officer that criminal charges could possibly be lodged against an employee or that serious civil action against an employee could possibly be lodged, the Police Chief will be immediately notified.

When it appears that probable cause exists to substantiate a criminal charge, the Police Chief will be notified of the facts. The criminal case will be investigated by an outside agency and referred to the district attorney or city attorney as appropriate.

### **1310.028 Completed Investigation**

When the case is completed by the assigned officer, it will be forwarded to the appropriate division commander (1310.026) to be reviewed for completeness. The division commander may return the report to the assigned officer for further investigation if necessary or they may forward the investigation to the Police Chief. The Police Chief will take appropriate action based on the findings of the investigation. All completed investigations, formal, informal, and inquiries are maintained in a secure area by the Records Management Supervisor. At the end of the report, the investigator shall state a conclusion of fact for each allegation of misconduct from the dispositions found in section 1220.076, of this manual.

### **1310.035 Informal Internal Affairs Investigation**

An informal investigation is conducted unless there are serious allegations of misconduct. An assigned officer shall interview all persons concerned and will personally interview the employee(s) accused regarding the allegation(s).

An internal affairs investigation is determined to be informal based primarily on the nature and complexity of the allegation.

Examples of internal affairs investigations that may be classified as informal include, but are not limited to:

1. Slow or no response,
2. Failure to take proper police action,
3. Poor demeanor displayed by the Department employee,
4. Minor violations of Department policy and procedures.

# Elko Police Department

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### **1310.036 Repeat Violations**

In the event of alleged repeat violations or preliminary findings indicating a continuing course of conduct, a CCF report will be completed and, along with any support documentation, be forwarded to the division commander for corrective action. All documentation and records of action taken will be maintained in the involved employee's internal affairs file.

### **1310.045 Sexual Harassment**

Reported sexual harassment complaints against any employee of this Department shall be handled as a formal internal affairs investigation beginning with the receipt of the complaint.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature will constitute unlawful sexual harassment when:

1. Submission to sexual conduct is an explicit or implied term or condition of an individual's employment,
2. The submission to or rejection of sexual conduct by an individual is the basis for any employment decision affecting that individual,
3. Sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature have a purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

When an employee's immediate supervisor is to be the subject of such an investigation, the complaint will be forwarded to the division commander.

### **1310.050 Authority and Responsibility**

The Police Chief shall be directly responsible for the internal affairs function, but may direct another officer to conduct all or part of the actual investigation. The officer who conducts the investigation shall report the findings directly to the Police Chief.

### **1310.055 Employee Notification of Rights**

Affected employees will be notified of an internal affairs investigation unless such notification would jeopardize the investigation. Notification will be made at the earliest opportunity. Notification and any interrogation will be in accordance to NRS 289.060.

In addition, in accordance with NRS 289.080, an employee shall be notified of his/her right to the presence of an attorney and/or other representative of the employees choosing during any phase of the interrogation.



# Elko Police Department

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### **1320.000 Complaint Processing**

#### **1320.010 Investigation of Complaints**

The Elko Police Department will investigate all complaints, alleged or suspected, either signed or anonymous, that are made against the Department or its employees.

The complaints and disciplinary actions that are to be handled in accordance with the provisions of this chapter are alleged or suspected violations of statutes, ordinances, Department policy or procedure, by sworn or civilian members, including temporary employees of the Department.

#### **1320.015 Recording and Controlling Complaints**

All complaints against employees involving allegations of violations of law, alleged brutality, or serious allegations of misconduct will be recorded and reported to the Police Chief. Those incidents that are of a less serious nature can be reported to the Police Chief in a timely manner, which could normally be twenty-four (24) hours except for weekends.

#### **1320.020 Citizen Complaint Form (CCF)**

The CCF form (EPD form 26a/93) should be used to record all allegations of employee misconduct, questions concerning the breach of Department policies, procedures, or tactics that involve repeated violations or a continued course of conduct. It is the responsibility of the supervisor receiving the information to obtain all pertinent details from the complainant alleging the conduct to be improper.

#### **1320.025 Guidelines for Completing a CCF Form**

All shift supervisors are responsible for keeping copies of the CCF form on hand. These can be obtained from the Records Unit.

During normal working hours, a reporting party appearing in person at the Department or making contact by telephone will be referred to a supervisor or division commander, if available to complete the report.

If a supervisor or division commander is not present and cannot become available within a reasonable time, a patrol officer will complete the CCF form. The officer will then forward the CCF report to a division commander.

A CCF form reporting an allegation of employee misconduct may be made by a parent or legal guardian on behalf of a juvenile.

All complaints, written or verbal, will be investigated.

#### **1320.026 Anonymous or Incomplete CCF Reports**

# Elko Police Department

## Chapter 1300 Internal Affairs

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It is recognized that the above guidelines cannot be exactly adhered to at all times. When such circumstances arise, the employee made aware of the allegations will obtain what information he/she can for follow-up by a division commander or designee (i.e., the anonymous caller quickly hangs up the phone or the reporting party who has no time to wait for a supervisor). It may even be necessary, in a given case, for an employee to complete the entire form, if the reporting party refuses to wait or refuses to complete their section of the CCF report.

### **1320.027 Allegations Received by Civilian Employee**

If the allegation is first brought to the attention of a civilian employee, (records, dispatch, etc.) he/she will transfer the reporting party to a division commander if available, a supervisor, or an officer for completion of the CCF form.

### **1320.028 Notified by Police Chief Upon Completion of the Investigation**

The employee receiving the CCF form will advise and assure the reporting party that the circumstances surrounding the allegation(s) will be thoroughly investigated and that they will be notified by the Police Chief upon completion of the investigation.

### **1320.029 Employee Commendation Form (ECF)**

ECF forms or other commendation letters completed to commend an employee's action shall be forwarded through the chain of command to the Police Chief for notification to the employee and inclusion in their personnel file, and if warranted, consideration by the awards committee.

### **1320.040 Allegations of Employee Misconduct**

Allegations of employee misconduct will be recorded on the CCF form with specific information relative to an allegation of misconduct against any employee of this Department received from any source.

The information recorded will be that necessary to begin an investigation into the events surrounding the allegation.

The CCF form concerning alleged misconduct will be completed whether the allegation is received in person at the Department, by telephone, at some other location, or by some other means.

### **1320.041 Assignment of Investigations**

The completed CCF form will be forwarded to the division commander. The division commander will assign the internal affairs investigation to a sworn supervisor. In the cases where the allegation is against the Department, or a supervisor, then a member of the management staff or outside agency will be assigned the investigation.

Officers assigned to such investigations of employee misconduct will audio record, if possible, all interviews with reporting party, witnesses, and involved employees.

# Elko Police Department

## Chapter 1300 Internal Affairs

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### **1320.045 Security of Completed CCF Reports**

No CCF forms or supporting documents and reports will be sent through Case Management or the Records Unit. The receiving supervisor shall forward to the division commander the completed CCF form. After hours, the supervisor shall secure the reports in an envelope and place them in the division commander's mailbox.

### **1320.046 Assignment of Control Number**

Upon receiving the CCF report, the division commander shall review for content, clarity, and prioritization of the investigation or inquiry.

The division commander shall assign the CCF report an internal affairs control number, based on the severity of the complaint. This number shall be the next sequential number beginning with IA#001. The division commander may assign mid to low level complaints to a first line supervisor. High level complaints shall be investigated by the division commander or outside agency.

### **1320.047 Distribution of CCF Report**

The division commander will then make the following distribution of copies of the CCF report.

1. Original to the office of the Police Chief,
2. Copy to the officer assigned the investigation that will be responsible for the security of the case file while conducting the investigation,
3. Copy to the accused employee, along with any documentation received prior to the employee's interview, if requested by the employee.

### **1320.048 Internal Affairs Investigation Control Log**

The office of the Police Chief or designee will maintain a binder to be known as the "Internal Affairs Investigation Control Log". Spaces will be provided in the ledger for the control number; name, rank, and unit assignment of the alleged violator, date and hour of the receipt of the report, nature of the alleged violation, name-address-phone number of the reporting party, the date the investigation was completed, date and nature of the action by the Police Chief, and any other information determined to be appropriate. The office of the Police Chief will safeguard the internal affairs investigation control log and the I.A. case files.

### **1320.049 Internal Affairs Files**

The [REDACTED] is responsible for maintaining the I.A. files at the direction of the Police Chief. These files are maintained in a locked file cabinet with access restricted by the Police Chief. These files will be maintained for only three calendar years, after the resolution.

### **1320.060 Notifying Complainants Concerning Status of Complaints**

# Elko Police Department

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A letter approved and signed by the Police Chief will be sent to the reporting party informing them of the results of the Department investigation.

Completed inquiries will not ordinarily require a letter to the citizen from the Police Chief, except in such cases where the reporting party cannot be verbally satisfied.

### **1330.000 Operational Procedures**

#### **1330.010 Investigation of Employee Misconduct**

As a general policy, all informal investigations are handled by line supervisors. Any formal or informal complaints may be investigated by a line supervisor. The Police Chief or his designee has the discretion to handle any investigation.

The individual assigned, as the investigator will be one of the following persons:

1. Any first line supervisor, including the immediate supervisor of the accused employee,
2. Any member of the management staff,
3. A member of the Detective Unit if assigned by the Lieutenant/ Captain.
4. A member of an outside agency if deemed necessary by the Police Chief to avoid a conflict of interest.

#### **1330.015 Misconduct Not Alleged**

The officer assigned to an internal affairs investigation will commence his investigation on the basis of allegations contained in the CCF report. If, during the investigation of initial allegation(s), is disclosed that other misconduct not alleged might have taken place, a new internal affairs investigation number will drawn, and a new investigation will follow.

#### **1330.020 Police Chief to be Kept Informed of Developments**

The officer assigned an internal affairs investigation will be responsible for informing the Police Chief of continuing developments in the investigation to determine whether to:

1. Retain the accused in current assignment,
2. Assign the accused to other duties where there is close supervision and limited contact with the public or other officers,
3. Excuse the accused from duty or seek immediate suspension.

# Elko Police Department

## Chapter 1300 Internal Affairs

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### **1330.025 Internal Affairs Report**

The assigned officer shall prepare a comprehensive report, which shall include:

1. A copy of the CCF report,
2. Names of employee(s) involved,
3. Copies of related reports including prior contact with the reporting party,
4. Statements, recording media of interviews, informal investigations, letters from officers, citizens, and witnesses,
5. Correspondence, copies of any memos or formal letters relating to the investigation,
6. Concise, and complete synopsis of the allegation(s),
7. Chronological summary of the investigation.

### **1330.030 Completed Investigation**

Upon completion of the investigation, the case file will be forwarded to the Police Chief for final disposition. Before any disciplinary action is taken, the Police Chief may consult with the division commander(s).

The Police Chief, at his discretion, may, depending on the seriousness of the offense, defer disciplinary action pending resolution of any criminal charges.

### **1330.040 Polygraph Use in Internal Affairs Investigations**

A police officer that is the subject of an internal affairs investigation may be requested to submit to a polygraph examination only under the provisions of NRS 289.050 and NRS 289.070.

The questions asked in a polygraph examination will be narrow and specific in scope relating only to the internal affairs investigation.

When an employee is requested to submit to a polygraph examination, the information gained cannot be used against the employee in any subsequent criminal proceeding. However, under NRS 289.070: "Evidence of any refusal by a peace officer to submit to a polygraph examination required by this section (289.070) is not admissible if introduced by any governmental body or agency in this state at any subsequent hearing, trial, or other judicial or administrative proceeding."

# Elko Police Department

## Chapter 1300 Internal Affairs

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### **1330.045 Evidence Collection**

Evidence collection for investigations involving Elko Police Department employees will be conducted in accordance with the following guidelines:

1. When there are indications an employee is on duty under the influence of alcohol, they will be asked to submit testing of saliva, breath, urine, blood or any combination of these tests. Results will be accurately recorded. A blood or urine test may be required of any employee suspected of using any illegal drugs or controlled substance either on or off duty.
2. For the protection of the officer(s) and the police Department in investigations of shooting incidents, the officers who use their firearms will be required to submit to a blood and/or urine test to determine any use of alcohol or illegal drugs.
3. Employees may be required to submit to photographs or participate in a line-up if probable cause exists to believe they are involved in a criminal offense and the evidence is material to a particular offense being investigated.
4. Any financial disclosure on the part of officers of this Department will be in accordance with NRS 289.030.
5. Psychological/psychiatric examinations may be required of employees, the results of which, in terms of fitness for employment, shall be reported to the Police Chief.

### **1330.050 Time Limits**

To achieve a speedy resolution to internal affairs issues, an internal affairs investigation will generally be completed in a timely manner. A verbal status report will be given to the Police Chief at least every seven (7) days. Generally, the officer assigned the investigation will meet with the Police Chief weekly to review the progress of a pending case. In cases where extenuating circumstances exist, the time limit may be extended with the approval of the Police Chief/ or his designee.



Tyler Trouten  
Police Chief

Created Date: June 28, 1993  
Revised Date: January 14, 2009  
Revised Date: April 9, 2020

# Elko Police Department

## Chapter 1400 Performance Evaluation and Career Development

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### **1410.000 Performance Evaluation**

#### **1410.010 Performance Evaluation**

Employee performance evaluations are to be done for all employees. It is the responsibility of the employee and his/her supervisor to monitor when evaluations are needed.

All non-sworn employees are to be evaluated each month upon employment for the first six months. After six months of acceptable employment, the new employee will move from the status of "probationary employee" to permanent employee. The non-sworn employee will have an evaluation each year thereafter on the date he/she was moved from Probationary employee status.

All sworn officers will be evaluated annually on his/her hire date. Officers attending the P.O.S.T. Academy will be evaluated by the Academy during their training. After the Academy, officers will begin the F.T.O. program. An officer will be evaluated daily by the F.T.O. and will receive monthly evaluations from his/her supervisor throughout the F.T.O. program.

Once an officer had completed the F.T.O. program, he/she will receive monthly evaluations while on probation. Once probation is completed, annual evaluations shall be done on the anniversary date of the officer's hiring.

It is the responsibility of the sergeants to document the performance of their employees, both positive and negative performance. It is also the responsibility of the sergeant to counsel officers when needed and document that counseling.

Sergeants and Corporals are to consult when completing performance evaluations on officers that both have supervised during the current rotation.

#### **1430.030 Employee Review and Comments**

Employees shall be allowed to review the completed evaluation report and shall be given an opportunity for an interview with the rater.

The employee shall also be given the opportunity to make written comments about the performance evaluation on the Supervisor/Employee Evaluation review section of the evaluation forms.

#### **1430.035 Distribution of Completed Evaluation**

The completed evaluation report forms will be as distributed follows:

1. One copy is given to the rated employee during the evaluation conference,
2. One copy is retained by the rater with the Employee Development Plan section to the training coordinator,
3. One copy to the office of the Chief of Police to be maintained in the employee's personnel file.

# Elko Police Department

## Chapter 1400 Performance Evaluation and Career Development

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4. The original will be forwarded to Human Resources.



Ty Trouten  
Police Chief

Created: June 30, 1993  
Revised: January 14, 2009  
Revised Date: October 1, 2013



# Elko Police Department

## Chapter 1500 Property and Evidence

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### **1510.000 Standards and Provisions**

#### **1510.010 Department Policy**

It shall be the policy of the Elko Police Department to set standards concerning the handling of evidence and property which comes into the custody and control of any employee while acting in an official capacity. The evidence custodian has the authority to return items that are not properly prepared or packaged, as specified in the Department's procedure manual.

#### **1510.015 Definitions**

1. Biohazardous Material: Potentially infectious materials or items, which have been biologically contaminated with blood, saliva, tears, vomit, semen, urine, stool, or vaginal excretions.
2. Evidence: Any property that can be used to prove or disprove the commission of an offense, i.e., fruits of a crime, instrumentalities, etc., or any property not eligible for immediate release that may become evidence pending further investigation of a crime.
3. Property: Any item, including found items that come into the custody of the Police Department, from any source not related to the commission of an offense.
4. Transdermal: Any substance absorbed through the skin.
5. Safekeeping: Any property not defined as evidence that is to be held temporarily pending its return to the rightful owner.

#### **1510.020 Prohibited Acts**

Employees will not, under any circumstances, convert to their own use, loan, or give away, destroy without authorization, fabricate, or withhold any item of evidence or property coming into their possession in the course of their official duties

#### **1510.030 Holding of Items to be Impounded**

Employees will impound evidence and property, which must be retained, as soon as possible. Property should not be held by an officer past the end of the working day; at a minimum be placed in a temporary evidence locker.

#### **1510.031 Impound Locations**

Items to be impounded will not be kept in other than Department approved locations. Currently there are three locations for storage of impounded property; the vehicle storage garage, the outside impound yard and the evidence submittal lockers.

Vehicle Storage Garage- is for the storage of cars, truck, motorcycles and other large items that cannot withstand weather.

# Elko Police Department

## Chapter 1500 Property and Evidence

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Outside Impound Yard- is for storage of bicycles, lawnmowers, and other large items that can withstand the weather.

Evidence Submittal Lockers- are the lockers contiguous with the evidence vault. Evidence and property are to be placed in these lockers, along with the proper paperwork. The lock button will be depressed to secure the evidence in the locker.

### **1510.032 Temporary Lockers**

Policy: Any evidence or property seized, that is not immediately entered into the evidence system for permanent storage, should be placed in the temporary lockers for the purpose of maintaining security and chain of custody while allowing for further processing, analysis and research in order to determine the appropriate status of an item, prior to submittal to the evidence vault.

Procedure: Temporary lockers are [REDACTED]

Any items seized that are not immediately entered into the evidence system for permanent storage should be placed in the temporary lockers.

1. Place the evidence or property into a temporary storage locker, lock the door and retain the key. The officer must keep this key in his sole possession and control.
2. Completely fill out the index card on the face of the locker. Leave this card until the property has been removed from the locker. Once the property has been removed from the locker place the index card in the basket provided.
3. Evidence must be processed by end of impounding officer's current work rotation.

### Drying Room

1. Place evidence in the drying cabinet located in the drying room following the instructions available inside the area.
2. Lock the dryer and retain the key.
3. Complete the entry log located outside the door to the drying room.
4. After drying has completed, sanitize the area with the cleanser provided inside the room.
5. Replace the key.

### **1510.035 Evidence Custodian to Verify Correct Procedures**

Policy: The Evidence Custodian/Clerk will check all submitted items for proper packaging procedures, which may include opening or unsealing any item in order to ensure the security of the item and safe handling procedures. The evidence custodian has the authority to return items that are not properly prepared or packaged, as specified in the Department's procedure manual.

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Procedure: The Evidence Custodian will verify that correct procedures have been followed as to preparation and preservation of evidence. If unacceptable, the officer will be notified of the corrections to be made. The officer will have five working days to make corrections.

1. Officer notified by email (copied to supervisor and division Lieutenant) or through chain of command of error.
2. Evidence/property placed into temporary storage locker if needed.
3. Key given to officer or supervisor.
4. Correction must be made within five officer working days of notification.

### **1510.040 Chain of Custody**

Policy: The chain of custody must be maintained on all evidence/property.

All employees signing the chain of custody for evidence/property are responsible for its security, and will be held accountable for lost or misplaced articles.

Items in the custody of the evidence vault may be opened or unsealed by an evidence employee to verify the safe packaging of the item. This seal breach will be documented on department form epd-2015PE15 by the evidence custodian or designee and will be forwarded to all pertinent officers, investigators and prosecutors.

Procedure: Every time evidence changes hands, or is returned to the vault, the chain of custody will be signed by the accepting officer/employee.

#### Chain of Custody Form

1. Locate the next unused line on the chain of custody form
2. Sign the form in this location, write your computer number in the designated field and date.

#### Evidence Seal Security Form

1. Evidence Custodian/Clerk will complete this form after opening the seal prior to submission of property.
2. Prior to opening any sealed firearm, the evidence custodian/clerk will research the item by referencing the case or inquiry with the impounding officer to determine the reason for the firearm being sealed.

### **1510.045 Items Held for Safekeeping**

Policy: Items may be submitted to the evidence vault for safekeeping. To ensure accounting and protection of valuables as well as prohibit entry into the vault of hazardous items, an inventory shall be done on all property held for safekeeping. The number of items placed into the Evidence Vault for "safekeeping" will be held to a minimum.

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A Property Inventory will be filled out, explained, and signed by the owner of the property and the impounding officer. This includes subjects that are being booked into jail.

In unusual incidents where a subject is threatening to use a firearm or dangerous weapon, and there is no evidence of a crime, the weapon may be impounded as safekeeping. The weapon will only be released once the circumstances noted in the report have been met.

Safekeeping property will only be held for 90 days. If the owner has been arrested, the safekeeping property will be held until 90 days after release from jail.

### Procedure:

1. A Property Inventory shall be filled out and explained to the owner of the property. The receipt will be signed, and a copy will be left with the owner.
2. If the owner refuses to sign the receipt, the officer should note this in the owner signature field and leave a copy with the owner.
3. The original Property Inventory will be placed with the property when it is impounded.
4. A Contraband/Safekeeping/Found form or case report will be completed whenever property is impounded as safekeeping.
5. A reason for the safekeeping will be documented in the narrative of the report, along with specifics for release.
6. Property held as safekeeping will only be held for a 90-day period.
7. Dangerous weapons found in unusual incidents will be impounded as evidence, not safekeeping.
8. Procedures for entering property into the evidence system will be used for entering safekeeping property.

### **1510.050 Unusual Incidents**

If an employee encounters an incident where an individual is using, threatening to use, or (the officer reasonably believes) may use a firearm or other dangerous weapon, e.g., barricaded subject, attempted suicide, mentally disturbed person, or is enforcing a court order, a case number will be drawn and the weapon will be impounded as evidence.

1. Under **NO** circumstances will the weapon be impounded as safekeeping.
2. Weapons impounded under this section may only be released when the impounding officer is able to articulate the absence of the original fear or threat.

### **1520.000 Property Impound, Release, Disposal**

#### **1520.010 Releasing Property Prior to Impound**

Policy: When possible, employees will attempt to release all property coming into their custody to the rightful owner, rather than impound such property.

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Pursuant to NRS 52.385, when a peace officer takes custody of property, which constitutes evidence of a crime, that property may be released to the rightful owner after approval of the District Attorney. This section does not apply when the owner of such property is the person accused of the crime.

**NRS 52.385 Property evidencing crime: Return to person entitled to possession; admissibility of photographs in lieu of property; disposal of property not returned.**

All property releases, except vehicle impound releases, will be documented on a Property Release form. The Property Release form will be maintained with the permanent property record.

Procedure: When possible, employees will attempt to release all property coming into their custody to the rightful owner, rather than impound such property.

### Evidence:

1. A letter must be obtained from the prosecuting authority authorizing the release of property determined to be evidentiary in nature.
2. Photographs will be taken of the property to serve as evidence. Owners of such property should be included in photographs, when available. Photographs should be clear and depict all aspects of the property.
3. The authorization to release obtained from the prosecuting authority must be attached to the case report. This cannot be a verbal authorization.
4. The narrative of the case report should include the specifics of the release of property.
5. The Acknowledgment and Release for Transfer of Possession of Biohazardous or Potentially Infectious Property form will be used when releasing any property contaminated with biohazard and marked as such with a biohazard sticker or written upon the property packaging. This form will be used in addition to the Property Release form.

### Property

1. Employees coming into custody of property, excluding firearms, which does not constitute evidence may release such property to its rightful owner prior to impound, upon satisfactory proof of ownership. Photographs of the property with the owner are required to document the return.
2. The release of a firearm requires a specific procedural process.

### Firearms

1. A criminal history check must be performed prior to release of any firearm.
2. If the subject has been convicted of a felony, as defined by NRS, or has been convicted of domestic violence against a person under their immediate control (spouse, child, etc.), will not receive the weapon. If there is a question about the subject's criminal history, contact the Nevada Firearms Section for proper guidance.
3. If the subject has not been convicted of the above mentioned crimes, the firearm will be released.
4. The subject receiving the firearm must swear an oath in front of a Notary Public that they have not been convicted of the above mentioned crimes and are able to own a firearm.

### 1520.015 Property Not to Be Impounded

Policy: Certain items of property will not be impounded at the Department and/or will be released to the owner, when available or disposed.

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1. Perishable items
2. Property essential for daily operation of a business
3. Shoplifting items
4. Bombs, incendiary items
5. Fireworks
6. Caustic chemicals
7. Gasoline, oils, or other malodorous chemicals
8. Any item deemed to be dangerous in nature to the daily activity of the Department or personnel in the immediate vicinity.

Procedure: Certain items of property will not be impounded and will be released to the owner, when available.

1. Perishable items
  - a. Release to authorized person or owner.
  - b. Photographs of all items.
  - c. If owner or authorized person is unavailable for retrieval, items will be disposed, with at least one witness present.
  - d. Document in report narrative.
2. Property essential for daily business operation
  - a. Photograph all items
  - b. Include owner in photograph, if available.
  - c. Document all serial numbers and owner applied numbers, if available.
  - d. Advise owner that property needs to be retained and available for court proceedings if needed.
  - e. Document in report narrative.
3. Shoplifting items
  - a. Photograph all items
  - b. Advise owner that property needs to be retained and available for court proceedings if needed.
  - c. Document in report narrative.
4. Bombs, incendiary items
  - a. Contact the Department Bomb Squad for proper disposal and handling of these types of items.
5. Fireworks
  - a. Contact the Department Bomb Squad for proper disposal and handling of these types of items.
6. Caustic Chemicals
  - a. Contact the Elko Fire Department for proper disposal procedures.
7. Gasoline, oils, or other hazardous chemicals
  - a. Release to owner or authorized person.
  - b. Photograph all items.
  - c. If owner or authorized person is unavailable for retrieval contact Elko Fire Department for proper disposal procedures.
8. Dangerous item

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- a. Depending on the nature of the item, contact the proper authority to discover proper disposal procedures.

### 1520.020 Preparing Items For Impound

Policy: Prior to being impounded, all items will be carefully examined by the impounding employee to ensure that the items are properly identified, insure it contains no prohibited items, and processed following the evidence processing procedure.

Photographs, measurements, sketches, etc., must be taken when necessary. Photographs of crime scenes must have an image containing a Crime Scene identification placard. All items are to be prepared in accordance with Department procedures.

To minimize accidents and workplace exposures, the submitting officer and witnesses shall wear Personal Protective Equipment (PPE) when handling evidence and when working in the evidence areas. This shall include wearing protective gloves, eye protection and any other PPE as needed.

Unique aspects of packaging specific types of property are covered in the Department's Procedure Manual.

Drugs, drug paraphernalia, firearms, open blade knives and currency will be packaged separately from all other evidence.

Procedure:

If an individual item of evidence is particularly important to a case, it should be packaged and identified separately from all other evidence.

1. Officer Identification Marks –
  - a. Property will **NOT** be defaced or mutilated in any manner. Identification markings should not be placed directly on any item, unless markings are temporary and non-damaging.
  - b. Engraving, gummed labels, correction fluid, evidence tape, etc., will **NOT** be placed on any visible wood or metal surface, firearms, documents, credit cards, or other items which may be damaged by such actions.
2. Bags, boxes, tubes and other packaging materials -
  - a. Use the appropriate package for each item.
  - b. Limit the number of items packaged together.
  - c. Any item of value should be packaged separately from all other evidence.
  - d. Documents should be packaged in a manila envelope.
  - e. Zip-type bags shall be sealed with evidence tape over the zipper of the bag.
3. Bar code Labels –
  - a. All property will be identified with a bar code label.
4. Evidence Tape –
  - a. Evidence bags will be secured by using packing tape. **No staples** shall be used on any packaging. Employees are reminded that evidence tape is NOT to be used to secure evidence bags but is used to seal an opening and demonstrate that tampering has not occurred. Evidence tape shall not cover or conceal the bar code on packages.

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- b. The tape must be initialed by the collecting officer at an angle and should cross all taped seams so that part of the writing is off the tape and on the package.
- c. The date of sealing shall be placed on the package in the same manner.
- 5. Oversized items –
  - a. Oversized items may be impounded in a large container if the container is sealed with evidence tape. Multiple items placed in such a container shall be itemized on an inventory sheet.
- 6. Unpackaged Items –
  - a. Items too large or awkward to be placed in a container will be identified by attaching a Property/Evidence Tag (toe tag).
  - b. Without damaging the item place a piece of evidence tape over any opening (e.g., suitcase).
- 7. Bottles, jars and tubes –
  - a. All must be capped tightly.
  - b. The evidence tape must extend across the lid and down both sides.
  - c. The evidence tape must be initialed and dated as described in #3.
- 8. Special Handling Items.

Firearms, drugs, sharp edges, ammunition, pyrotechnics, volatile substances, drug paraphernalia and biohazard evidence policy and procedure found in section 1550.00 of this manual.
- 9. Liquids – Liquids placed in the evidence vault in glass/plastic containers will be packaged with an absorbent cloth.
- 10. Glass – any glass container will be protected with bubble wrap.
- 11. Currency –
  - a. Currency will be impounded separately from all other property. This includes wallets with currency inside.
  - b. All currency should be counted using a department count sheet.
  - c. The employee impounding the currency will count the money with a witness present. Once the count is done, both the employee and the witness shall sign the count sheet.
  - d. The count sheet will be submitted with the currency when entered into the evidence vault.
  - e. Currency should be submitted in an envelope.
  - f. A verification count will be completed by evidence employees. This count will be witnessed. The submitted count sheet will be initialed by the two employees advising the count was verified.
  - g. If the verified count does not match the initial count, the submitting officer and his/her supervisor will be notified.
    - If correction is needed this will be completed by the officer and a supplemental report will be completed in the case report.
    - If an investigation is needed the Administrative Commander will be notified.
- 12. Refrigerated items –
  - a. Items needing refrigeration shall be submitted using the impound refrigerator [REDACTED]
  - b. Place the packaged item in the refrigerator. Secure the lock located on the refrigerator.
  - c. Package the same as other evidence.
- 13. Property inside another container –
  - a. All items inside a container must be inventoried before impound.
  - b. A list of the contents will be submitted with the container on a Department inventory sheet.
  - c. This includes contents of purses, backpacks, luggage, etc.



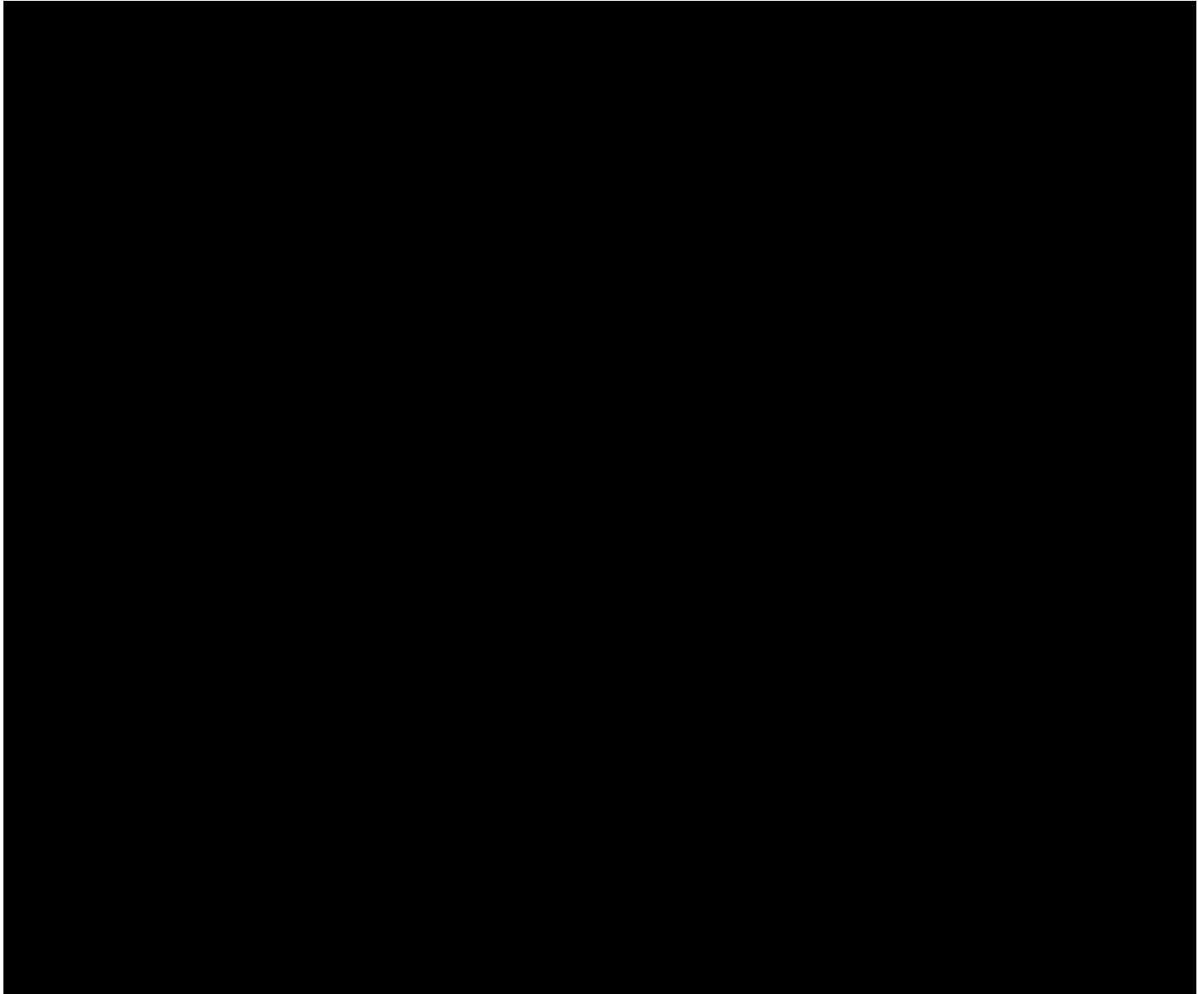
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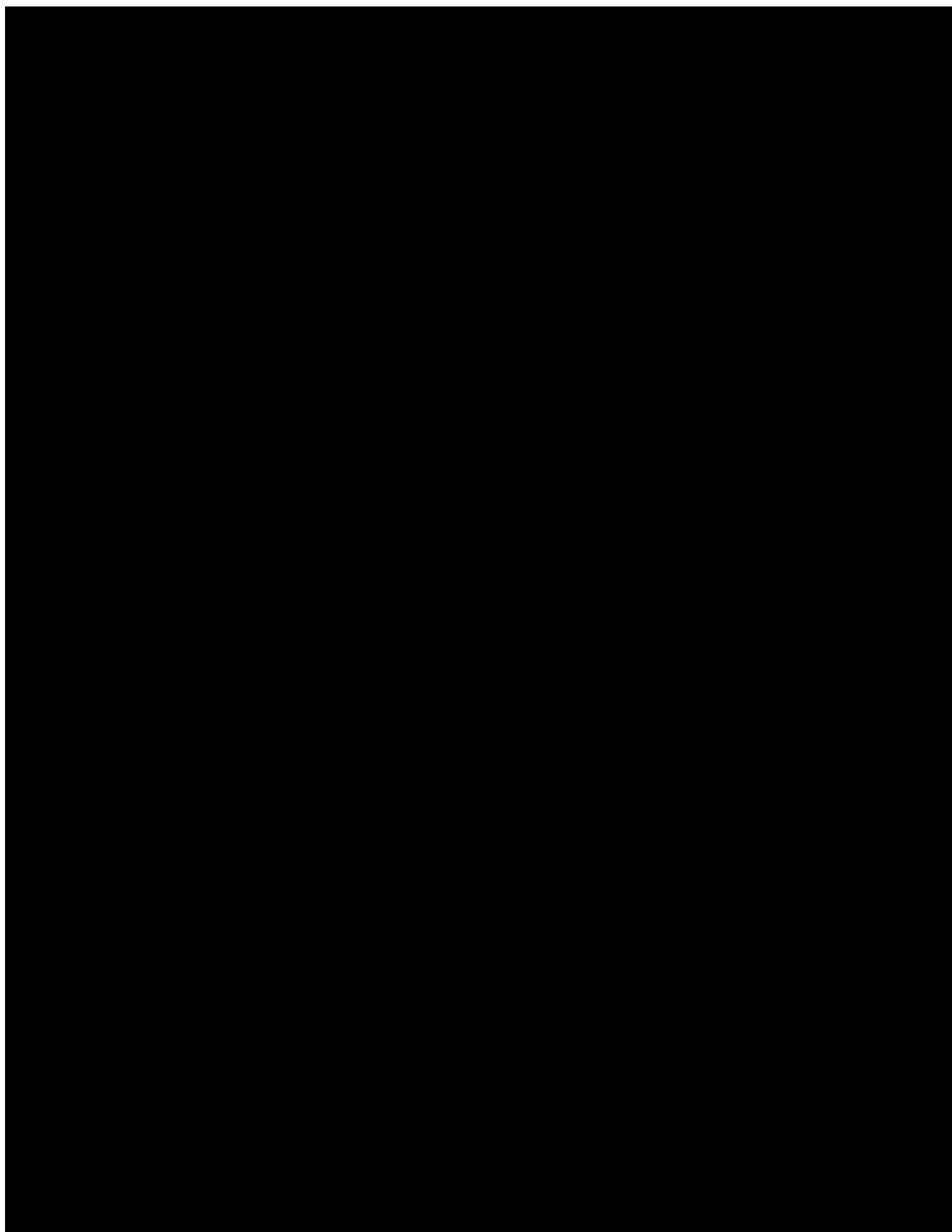
14. Photographic evidence –
  - a. All digital photographs should be stored in Evidence.com, unless extenuating circumstances exist.
  - b. Printed photographs from an outside source will be packaged as other evidence and submitted using the same procedures.
15. Digital Evidence –
  - a. Digital evidence contained on a data CD or other media from an outside source will be entered into the evidence vault using general evidence procedures. Video and Audio files should be stored in Evidence.com, unless extenuating circumstances exist.
16. The heat sealer is to be used only for sealing the heavy MIL plastic sleeves, and shall not be used to seal any zip-lock type plastic bags

#### Property Barcode Procedure



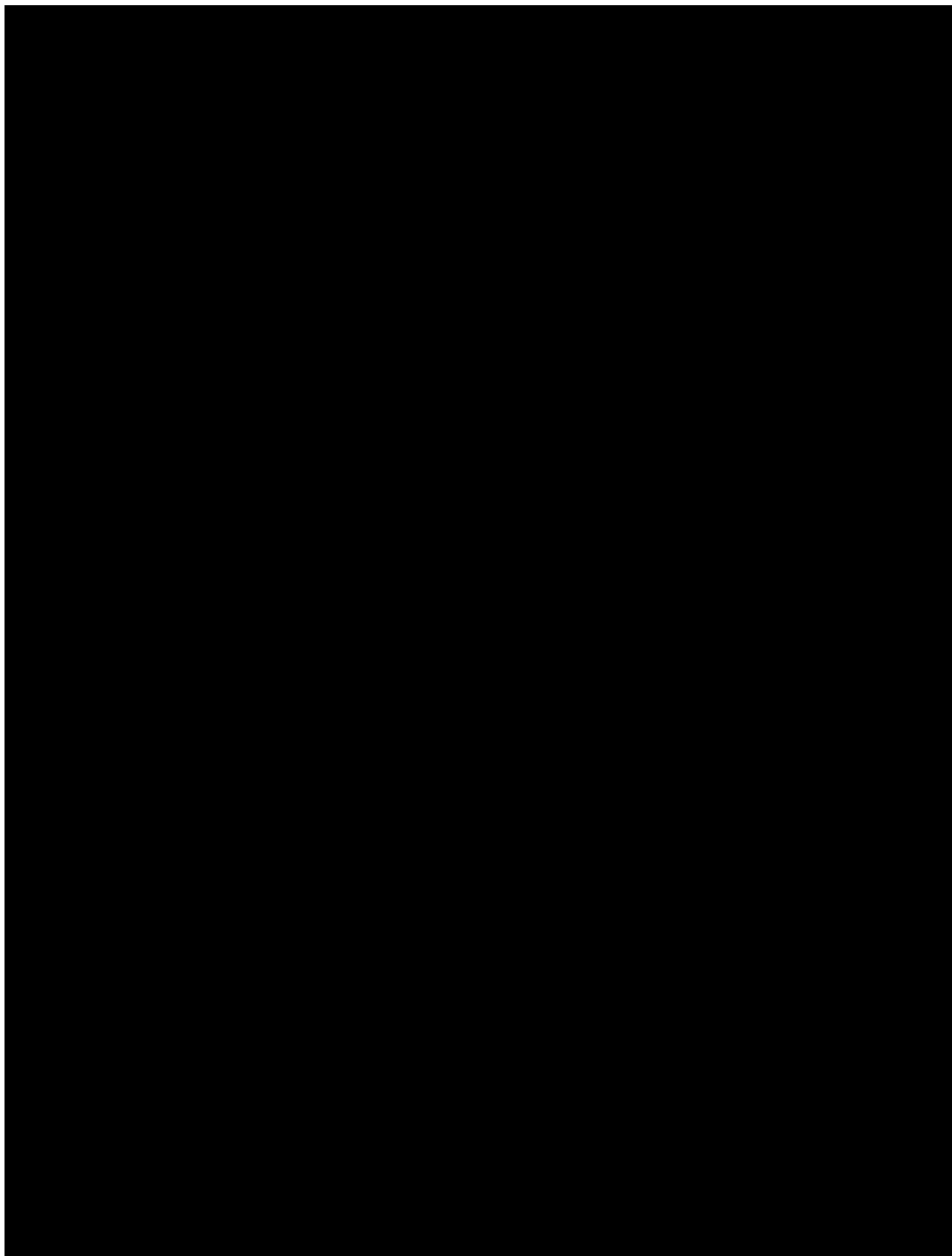
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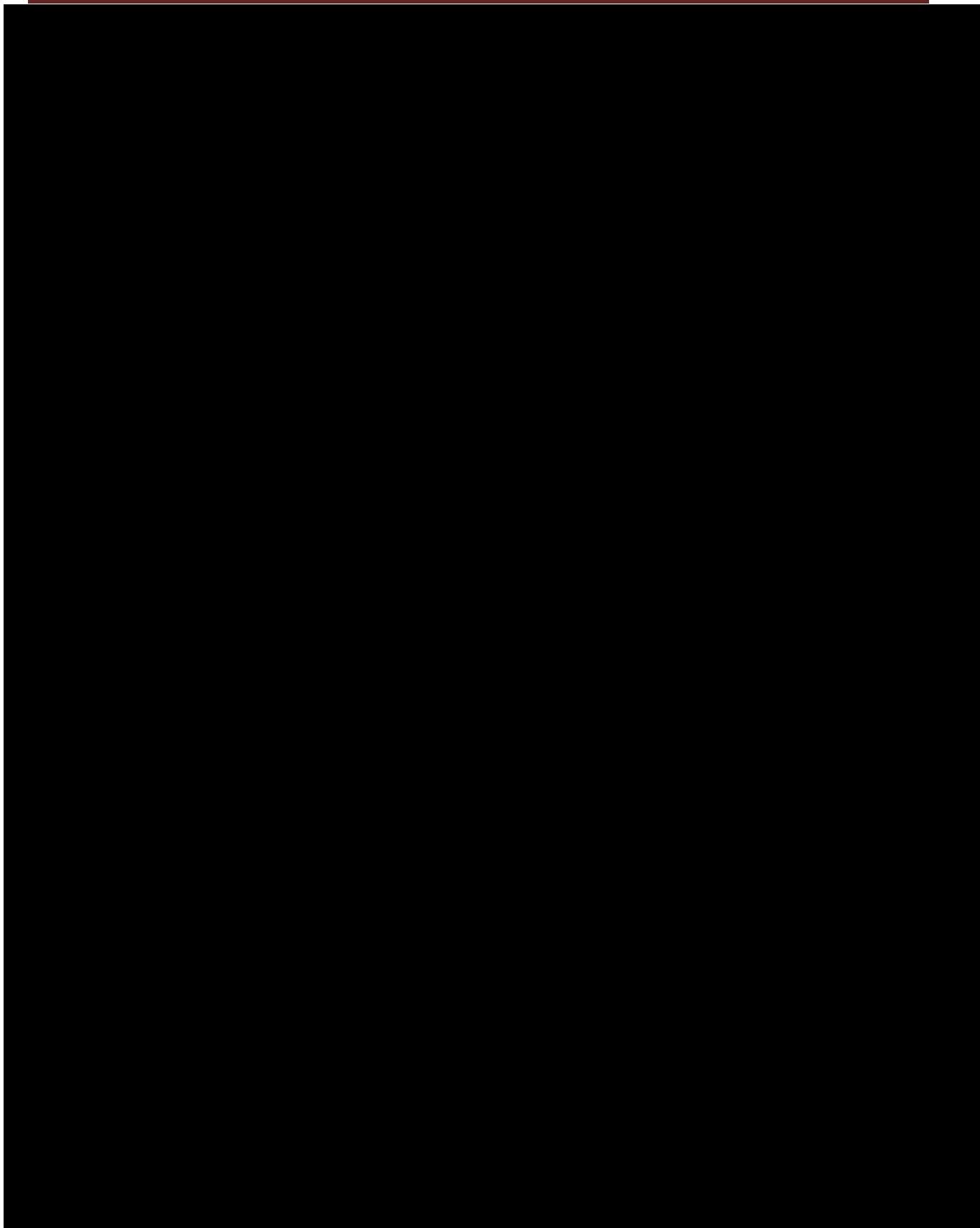
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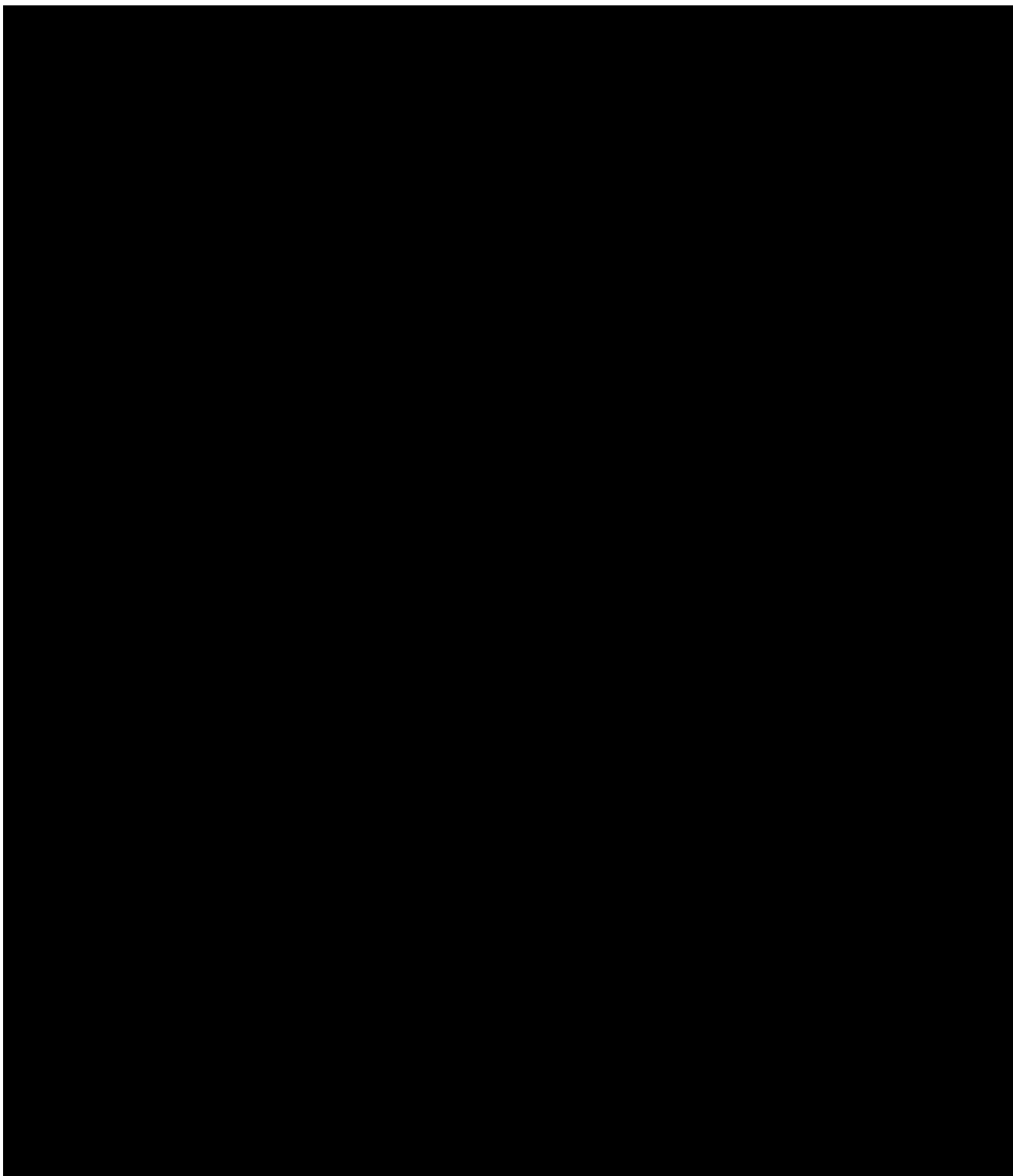
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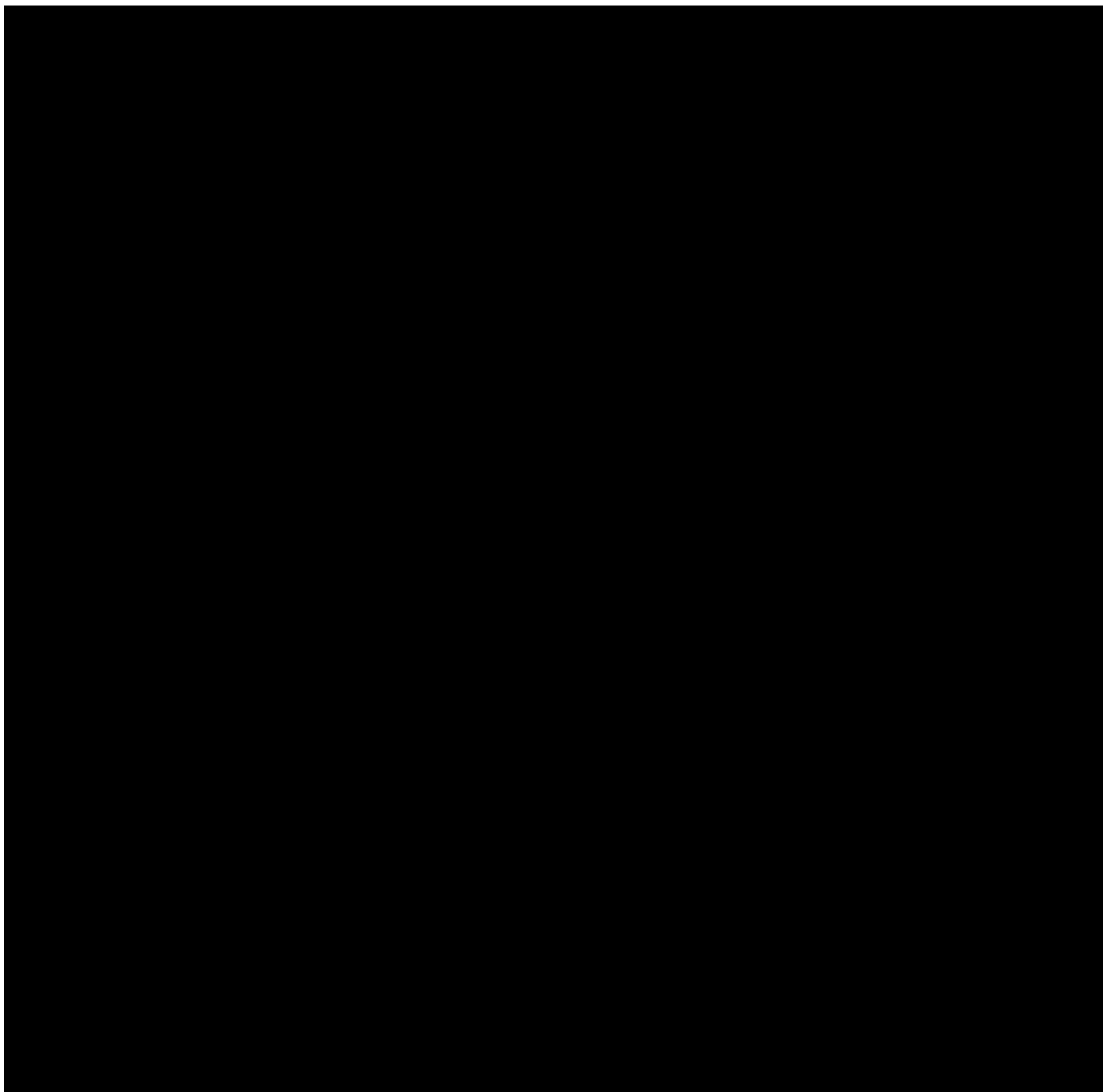
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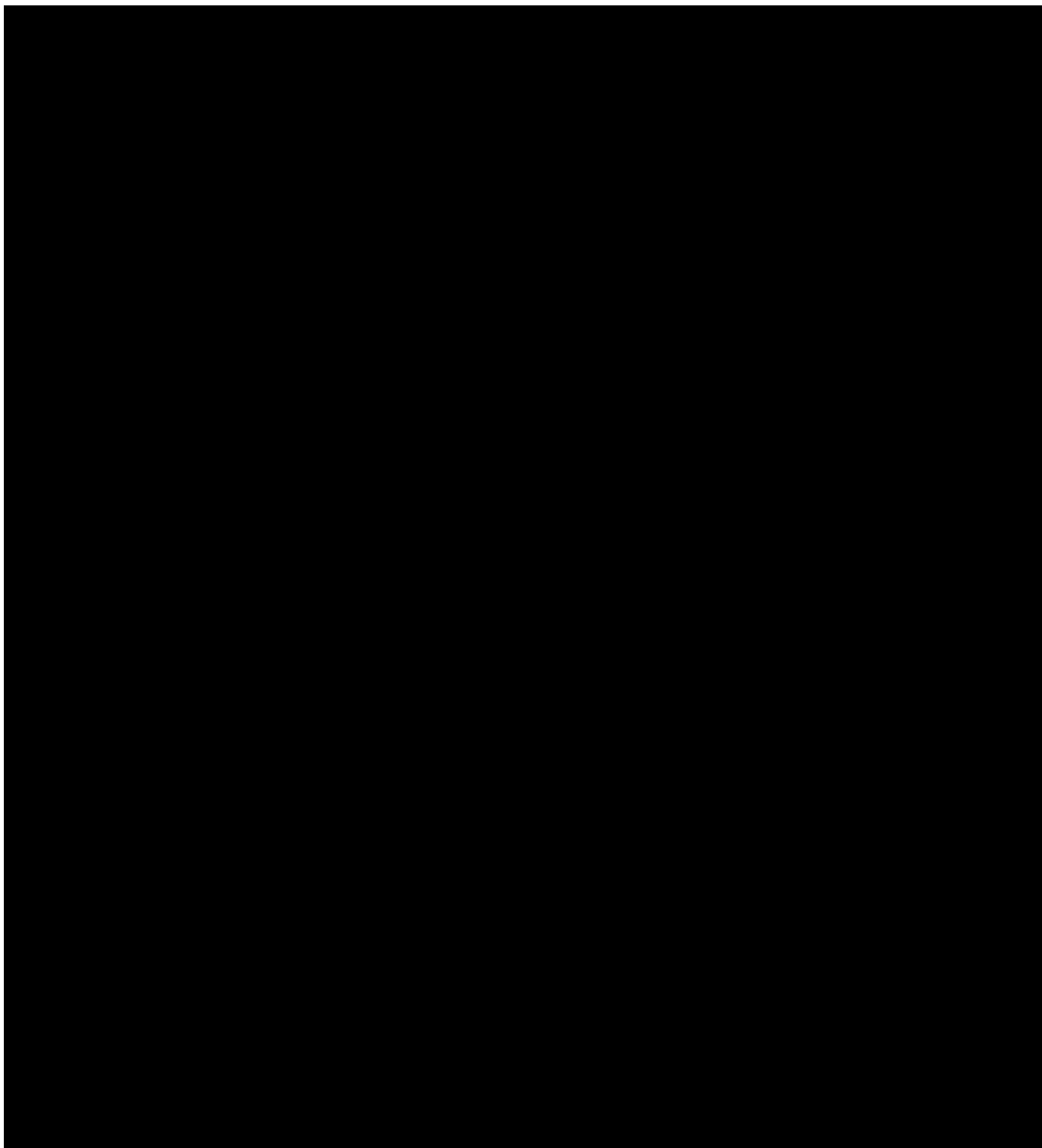
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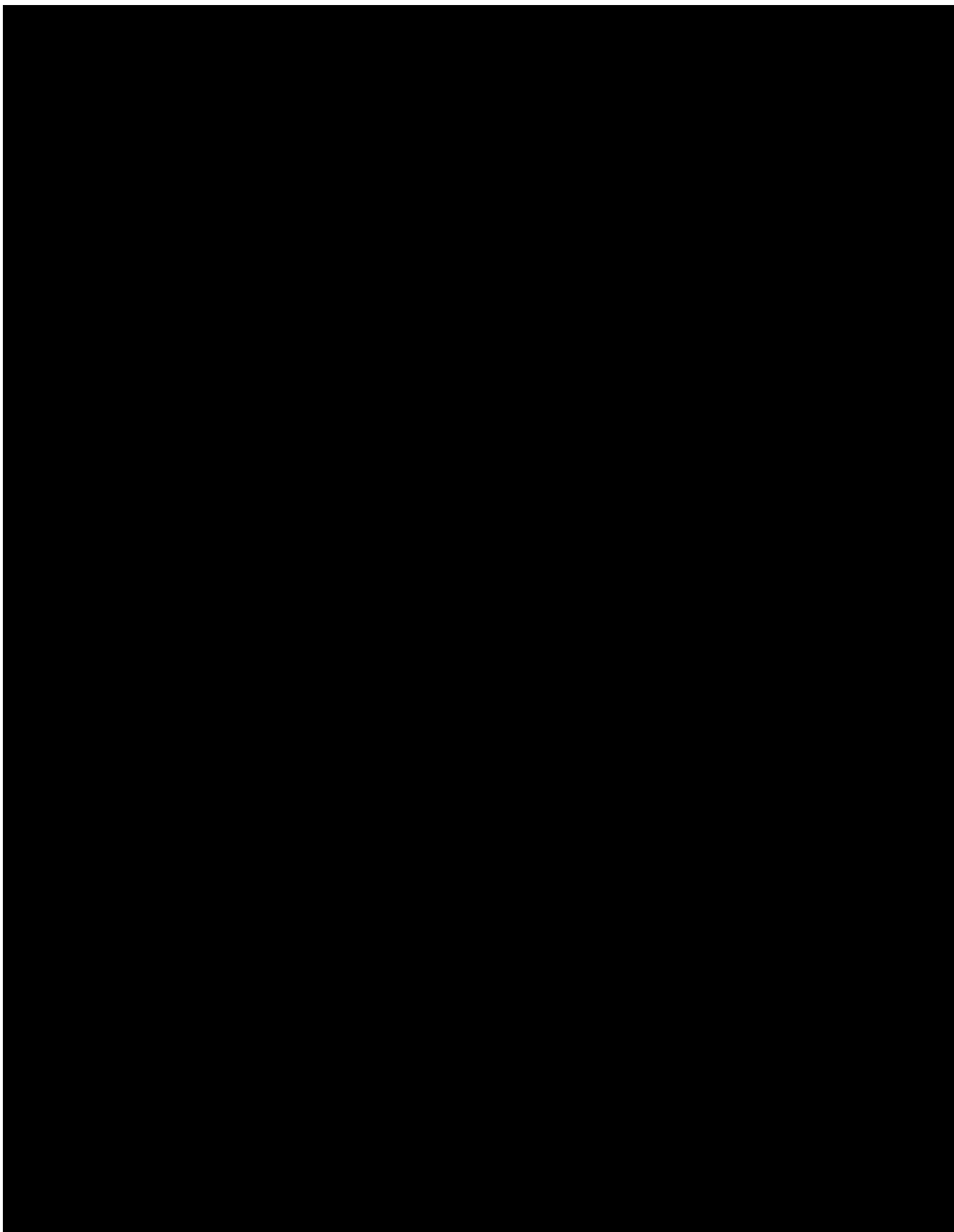
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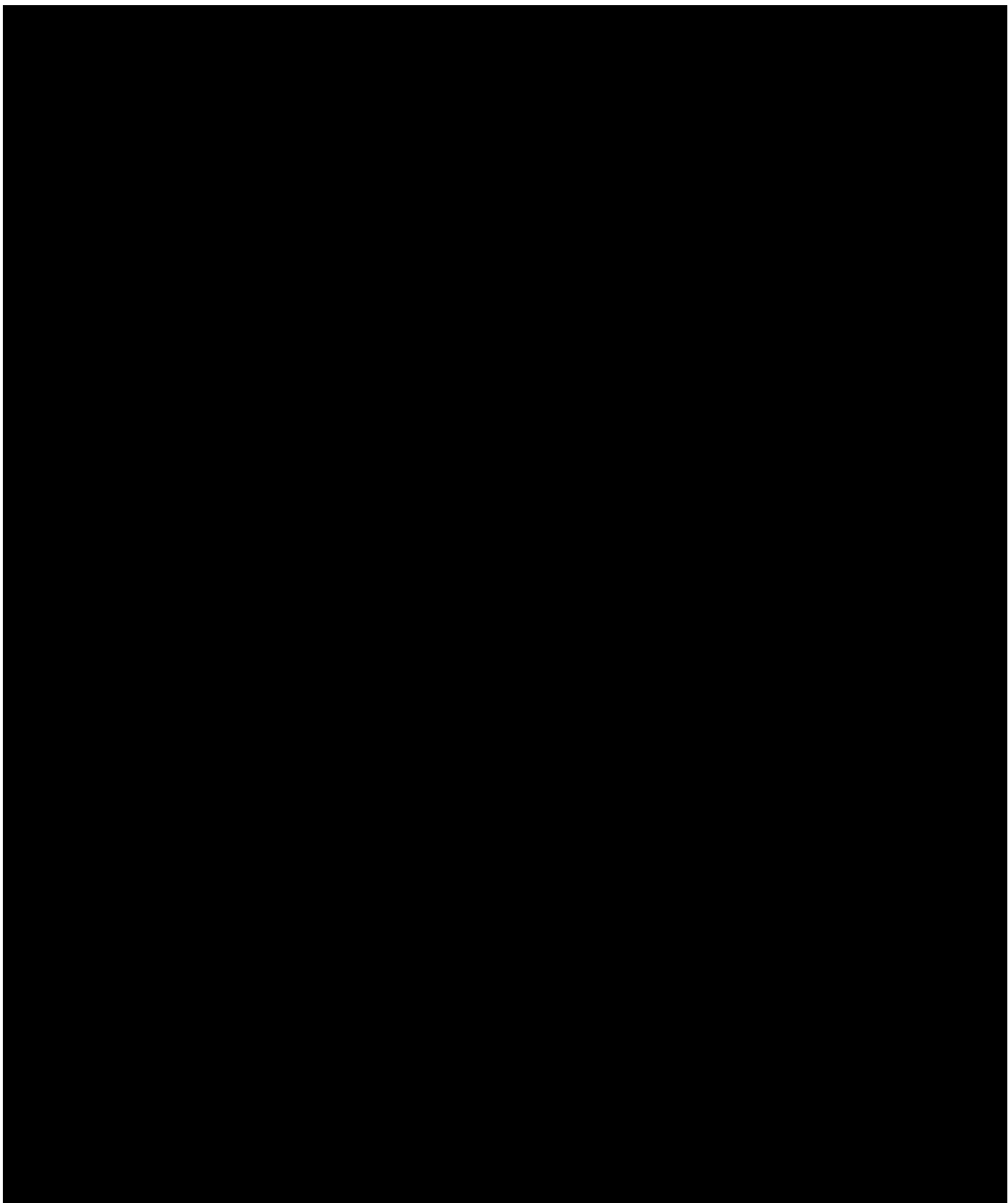
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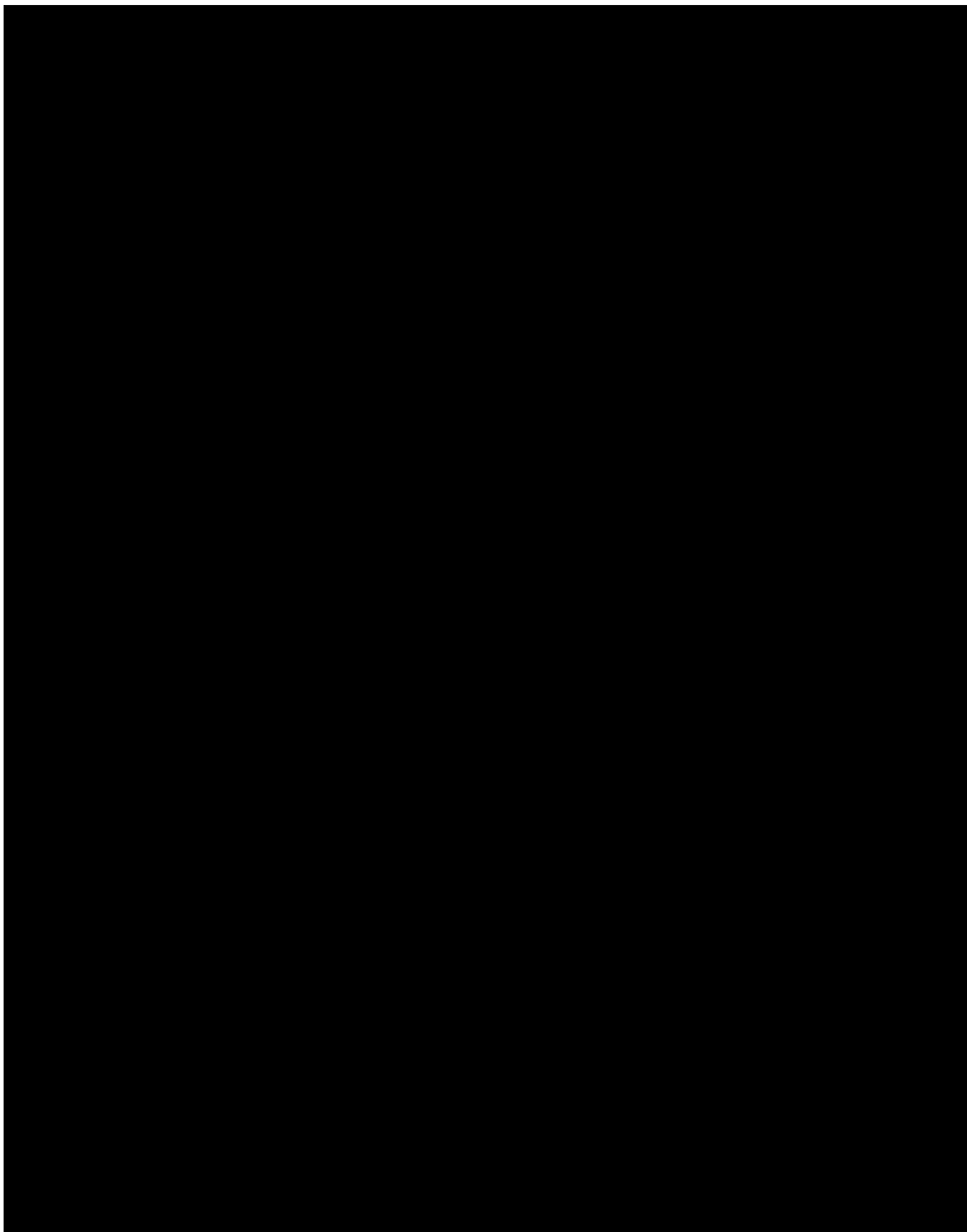
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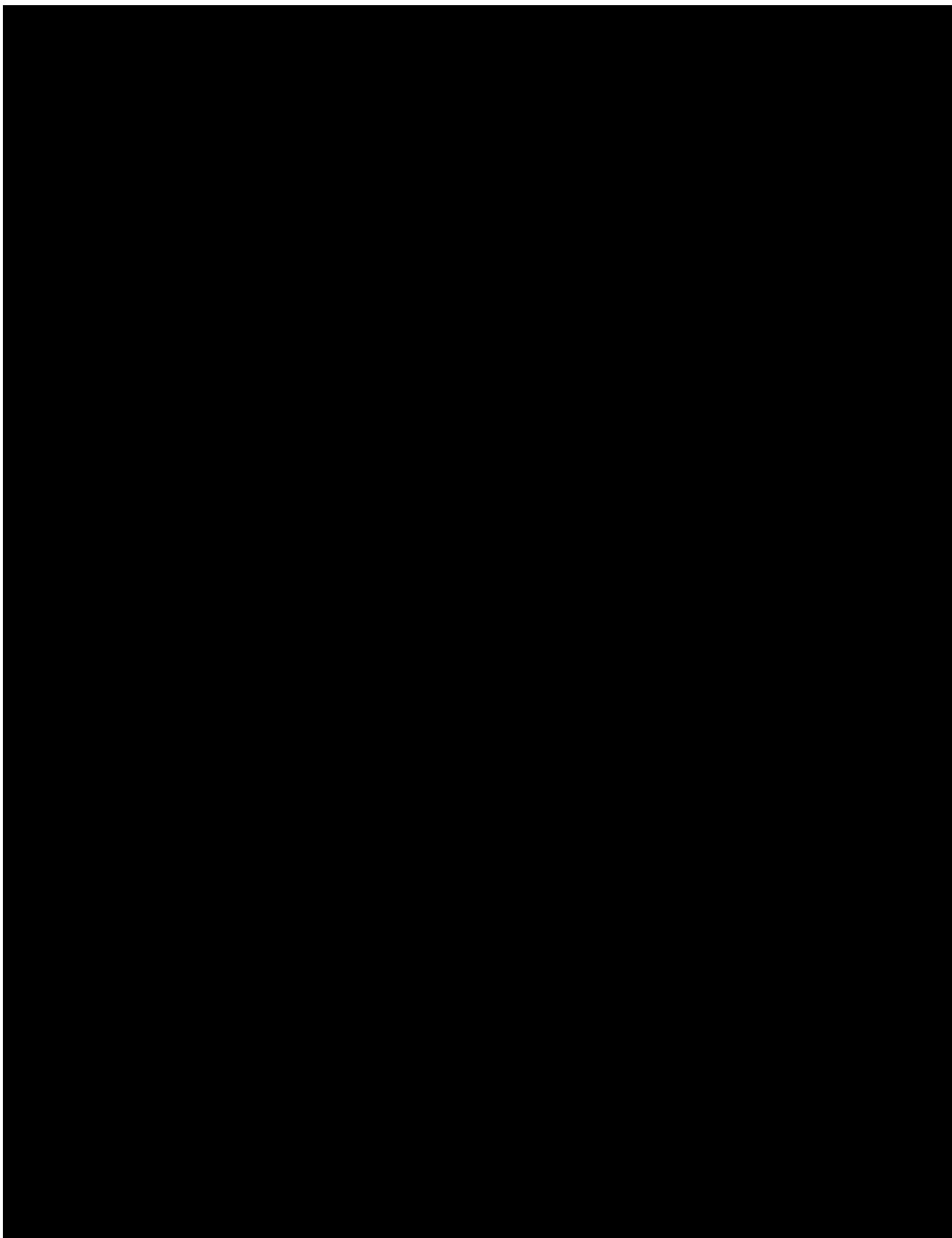
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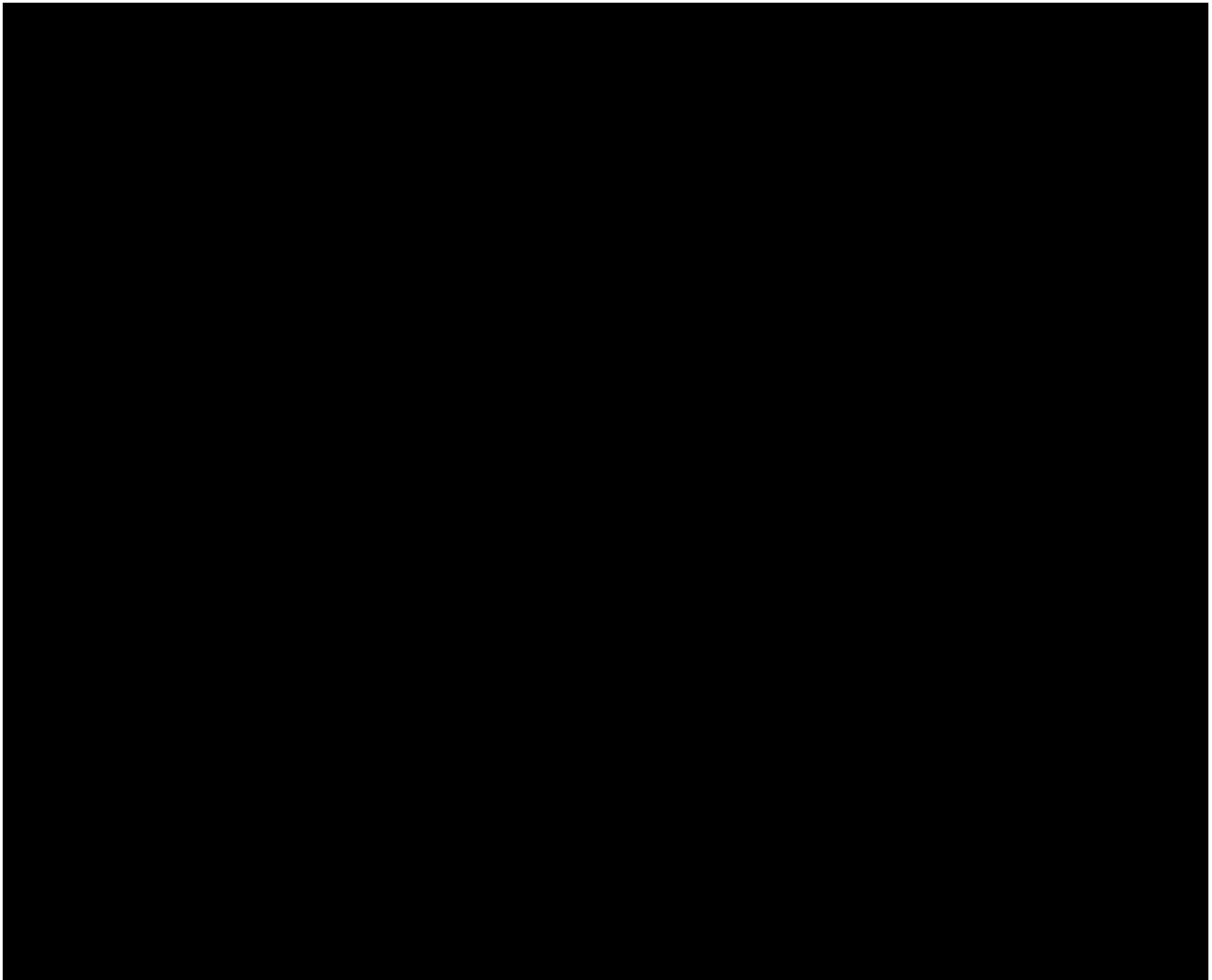
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#### **1520.025 Authorized Impound Location**

Policy: The only location where evidence may be impounded (logged in as evidence) is at the Elko Police Department.

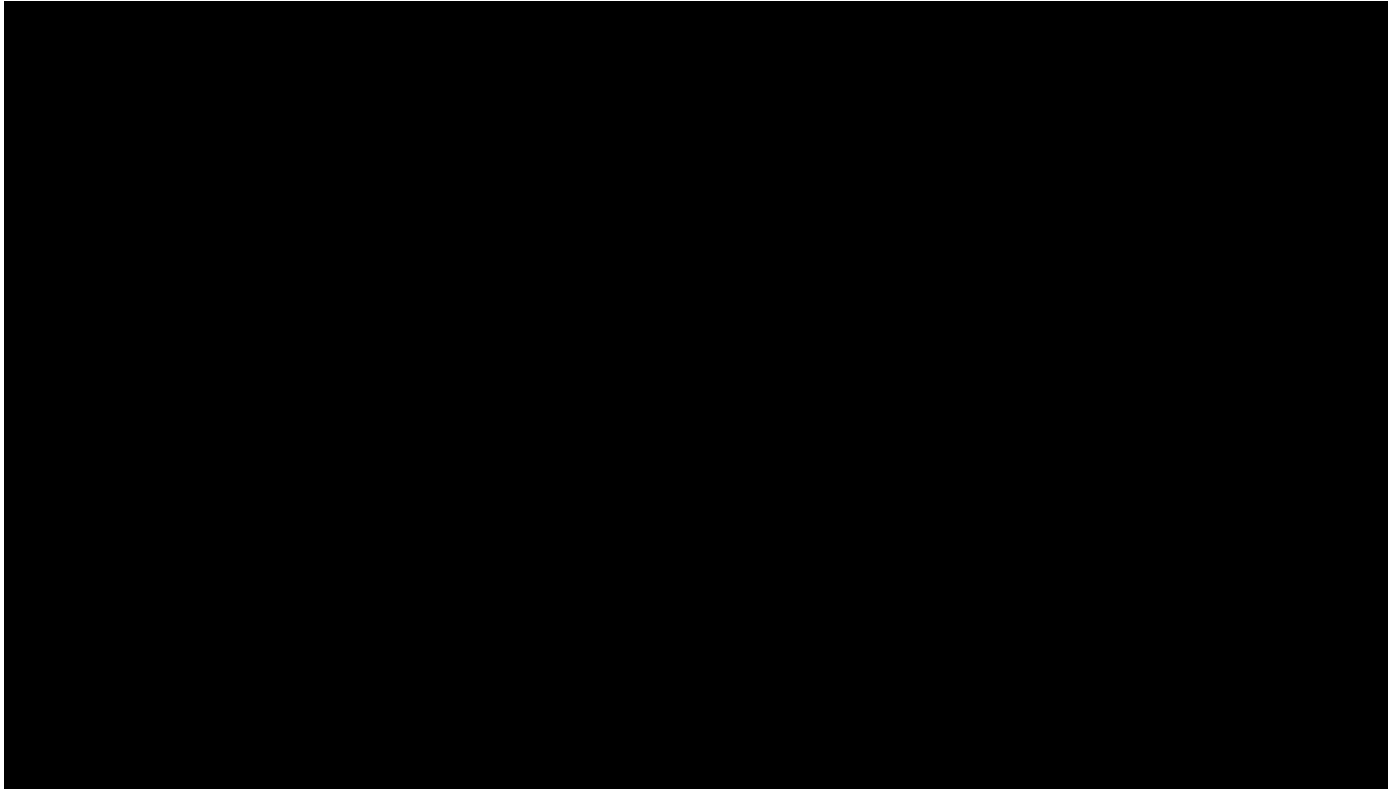
Employees will adhere to the following:

1. When impounding items at the Police Department, employees will utilize the evidence submittal lockers located in the evidence processing room.
2. Larger items, which will not fit into lockers and are weather-resistant, will be secured in the outside impound for long-term storage.
3. Evidence that needs to be refrigerated will be submitted using the refrigerator located in the evidence processing room.
4. DUI blood draws will be submitted to the blood safe.
5. Sexual Assault Kits and all other biological evidence collected in reference to a sexual assault will be submitted using the evidence refrigerator.

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### **1520.030 Temporary Release of Impounded Property**

Policy: Property released temporarily to officers for use in court/hearing proceedings, investigations and lab testing will be released under the following circumstances:

1. For court hearings **24** hour notice must be given to the Evidence Custodian.
2. Whenever possible, the officer who impounds the evidence should be the only officer to receive evidence from the Evidence Custodian.
3. Evidence is only released from the Evidence Vault Monday through Friday 0800 to 1700 hours.
4. Notification to the Evidence Custodian is required if the court holds the evidence.

### Procedure:

#### Court

1. Officers will request the evidence from the Evidence Custodian with a 24-hour notice prior to the scheduled appearance time.
2. Email, telephone or text the notice to the Evidence Custodian.
3. If your court is cancelled after notice is sent, advise the Evidence Custodian of cancellation.
4. List evidence items needed.

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5. Whenever possible, the officer who impounds the evidence should be the only officer to receive evidence from the Evidence Custodian.
6. Officers receiving evidence will sign the chain of custody form.
7. A Court Evidence Receipt (EPD FORM/1520.030/A) will be sent with all evidence checked out for court.
8. In the event the court holds the evidence, check the retained by court box by all evidence held and have the court personnel sign the receipt.
9. If the evidence is not held by the court, the evidence will be returned to an evidence submittal locker.
10. Evidence will be released by the Evidence Custodian, or designee, at the evidence vault between the hours of 0800 and 1700, Monday through Friday. It is the responsibility of the officer to obtain his evidence and return it to the Department in a timely manner.
11. Documentation will be placed in the property file for future reference.
12. Property File will be placed in the Out to Court Tickler file.
13. Tickler file will be checked within two days for update on property location.
14. If the property has not been returned within the two days and a Court Evidence Receipt has not been received an Evidence Not Returned from Court notice will be sent to the Officer, his supervisor and Lieutenant.

#### Lab Testing

1. Officers or Detectives shall submit testing requests to evidence employees. If the request is not from a prosecutor, a synopsis of testing wanted will be included with the request.
  - a. Email, telephone or text request.
2. A crime lab submission form will be completed by the evidence employee handling the request. The completed form will be scanned and attached to the crime report prior to lab submission.

#### Investigation

1. Officers will request the evidence from the Evidence Custodian
  - a. Email, telephone or test request.
2. Officer receiving evidence will sign the chain of custody form.

#### **1520.035 Permanent Release or Disposal of Property**

Policy: The permanent release or disposal of impounded property will occur after the evidence custodian has been notified.

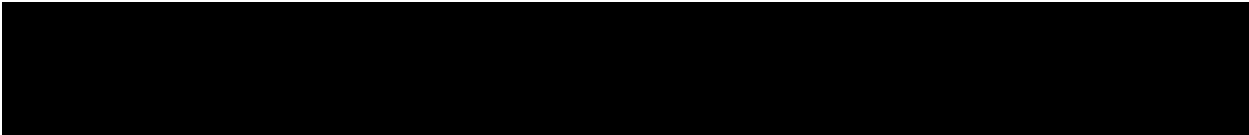
1. The Evidence Custodian is responsible for ascertaining the current status of investigations as to whether or not impounded evidence or property is required to be retained.
2. No evidence or property will be released by verbal authority. ALL releases require written authorization from the prosecuting authority or written authorization from the investigating officer, Administrative Commander or his designee.
  - a. Evidence/property obtained by order of a search warrant requires a motion to release from the court of jurisdiction.

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3. Property that is no longer needed should be returned to the lawful owner, or otherwise disposed of as soon as possible. Release of evidence will be recorded on the Property Release Form (EPD FORM/1520.035/A)
4. Items such as illegal (altered) firearms, hazardous materials, drugs, or contraband, will not be released to any person and will be destroyed by the Evidence Custodian at the conclusion of the case.
5. Firearms and dangerous weapons belonging to and taken from individuals who are subsequently convicted of offenses relating to those weapons are not to be returned. Employees will familiarize themselves with NRS 202.340 concerning the confiscation of dangerous weapons.

- 
7. Medical Marijuana will not be returned to the owner by this agency without a proper order from a Judge.
  8. Currency deposited with City Finance will require a letter written by the Evidence Tech or Custodian advising City Finance employees to release the funds.
  9. Property transferred to another agency must be authorized by the investigating officer or Department Commander.

All abandoned property may be converted from the evidence locker to City use or donated to local charities once the time requirement for holding the property has passed.

Procedure: The permanent release or disposal of impounded property will occur after the evidence custodian has been notified in writing.

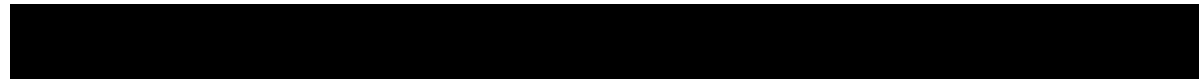
1. No evidence or property will be released by verbal authority.
  - a. ALL releases require written authorization from the prosecuting authority or written authorization from the investigating officer, Administrative Lieutenant or his designee.
2. Property that is no longer needed should be returned to the lawful owner, or otherwise disposed.
  - a. Notification is made to the lawful owner of the property at the last known address via certified mail/return receipt.
  - b. If the receipt is returned with a signature, the property will be held for at least six months.
  - c. If the letter is returned for any reason (e.g., unclaimed, address unknown, no longer at address) the property will be listed for immediate disposal.
3. Release of evidence will be recorded on the Property Release Form (EPD FORM/1520.035/A).
  - a. The original signed form will be given to the Evidence Custodian for the property file.

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- b. The document should be scanned and attached to the case report in the records management system.
4. Items such as illegal (altered) firearms, hazardous materials, drugs, or contraband, will not be released to any person and will be destroyed by the Evidence Custodian at the conclusion of the case.
5. Firearms will not be returned without a release authorization specifically stating the weapon may be released.
  - a. A criminal history check must be performed prior to release to determine if the subject is able to have a firearm.
  - b. If the subject has been convicted of a felony they will be unable to claim the firearm.
  - c. If the subject has been convicted of a misdemeanor domestic battery where the victim is in the care of the suspect (e.g., spouse, child etc.) they will not be able to claim the firearm.
  - d. If the criminal history comes back and there is nothing barring the subject from claiming the firearm a Property Release Form (EPD FORM/1520.035/A) will need to be completed.
  - e. The subject will have to swear in front of a Notary Public that they have not been convicted of the above mentioned offenses and are able to own a firearm.
6. Property will only be released between the hours of 0800 and 1700 hours Monday through Friday, excluding holidays.

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8. Medical Marijuana that is taken during the course of work will not be returned to the owner without an order from a District Court Judge.
      - a. The Elko Police Department does not have a license to dispense medical marijuana.
      - b. Medical Marijuana will be destroyed during the regularly scheduled destruction cycle.
  9. Transferred evidence will be documented on the Transfer Evidence Receipt.

### **1530.000 Non-Evidentiary Personal Property**

#### **1530.015 Personal Property of Arrestees to be Booked With Arrestee**

Policy: When personal property is taken from an arrested person, that property should be retained by the jail when the prisoner is booked, following Elko County Jail procedures. When the jail facility cannot take such personal property of an arrestee, the officer shall retain possession of such property and enter it into the Evidence Vault as Safekeeping using procedures from the Elko Police Department Procedure Manual.

Procedure: Arrestee personal property will be entered into the Evidence Vault as safekeeping

1. The property will be placed in a large plastic bag with a toe tag attached.
2. Each bag must have an inventory sheet.
3. If guns, drugs, money, or anything of significant value is found in the property, it must be packaged separately.
4. A Property for Safekeeping Receipt will be issued as set forth in Policy 1510.045 of the manual.



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### **1530.020 Personal Property Located During a Vehicle Inventory**

Policy: Personal property having no evidentiary value discovered during vehicle inventory subsequent to arrest, shall be routinely left with the vehicle and remanded to the custody of the tow service.

1. Exceptions to this procedure may include large sums of currency or items, which left in the vehicle, would be damaged or destroyed by exposure to the elements.

Procedure: Personal property having no evidentiary value discovered during vehicle inventory subsequent to arrest, shall be routinely left with the vehicle and remanded to the custody of the tow service.

1. A Vehicle Impoundment Record report will be completed in full. This record will show the inventory of the items left in the vehicle at the time of tow.
2. The towing companies are bonded for the security of the vehicles and property of those persons being serviced, and our responsibility to the arrestee is satisfied by a complete and accurate vehicle inventory.
3. Exceptions to this procedure may include large sums of currency or items, which left in the vehicle, would be damaged or destroyed by exposure to the elements.
4. Firearms will not be taken from the vehicle unless there is articulable suspicion or probable cause to believe the firearms are stolen.

### **1540.000 Found Property**

#### **1540.010 Found Property Handled Same as Evidence**

Policy: Found property will be handled the same as evidence. A report will be completed on all items of found property.

All efforts to ascertain ownership of found property should be completed before impounding such items.

Under no circumstances will articles of found property be held by any employee or otherwise left lying around. All items will be entered into the Department's evidence system. Found property will be entered into the evidence system by the end of the officer's shift.

Found property with serial numbers will be checked through the NCIC stolen property file prior to being entered into evidence.

Found property will be held for a period of no longer than 90 days, as per Elko City Code. The finder of the property, except City employees, may claim the property.

Procedure: Found property will be handled the same as other property using this manual.

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1. A case report will be completed with the circumstances of how the property came to be in the Department's custody. Perishable items found and disposed will be documented in the case report and disposal witnessed by another department employee.
2. Found property will be submitted to the evidenced system using proper procedures for the type of item found.
3. Found property will be held for no more than 90 days.
4. The finder needs to fill out a statement advising if they wish to claim the property. They will have to appear at the department to claim the property. Notification will not be done for the finders of found property.

### **1540.015 Proper Impound Procedures Must be Followed**

Under no circumstances will articles of found property be kept in an officer's locker, left in the front office, or otherwise left lying around "waiting for the owner to claim the property."

### **1540.020 NCIC/Stolen Property File to Be Checked**

Found property with serial numbers will be checked through NCIC and the stolen property file prior to being entered into evidence.

### **1540.025 Destruction of Found Drugs/Perishables**

Found drugs may be entered for disposal by the impounding officer. The destruction of found drugs will be done by the evidence custodian with at least one other witness.

Perishable items will not be entered into the evidence system. The officer will document what, why and how the perishable property was destroyed.

### **1540.030 Disposal of Found Property**

Found property will be held for a period of 90 days. Found property shall be disposed of in the following manner:

1. Known owners of found property are notified by certified mail and have 90 days to claim their property.
2. If the owner of found property is unknown, and the property has any intrinsic value, the finder must state in writing to the department that they wish to claim the property if the property goes unclaimed.
3. If the Finder does not claim the property after the 90-day period the property is either destroyed or disposed of per the Administrative Commander in accordance to state law.

### **1550.000 Special Types of Evidence**

#### **1550.010 Firearms**

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Policy: All firearms will be unloaded prior to submission into the evidence vault, unless special circumstances exist.

Employees who are not familiar with firearm unloading procedures will request assistance from a firearms instructor prior to handling and packaging.

The firearm will be checked for wants through NCIC, prior to impound.

Procedure: All firearms will be unloaded prior to packaging and submission into the evidence vault except where special circumstances arise see Chapter 1550.015 of the Elko Police Department Policy Manual for these circumstances. All handguns will be secured in boxes provided.

1. Unload the weapon. Remove all ammunition from inside the firearm including the magazine if present.
2. Place zip ties through the chamber or cylinder. If the cylinder is removable it should be secured separately in the same box.
3. After the zip tie is in place, drop the slide on semi-automatic weapons. **Firearms will not be submitted in the "cocked" position. (Chapter 1550.015)**
4. The magazine will be secured in the box separately.
5. All handguns will be secured inside a handgun box.
6. Long guns do not need to be submitted inside a box unless processing is needed and requires protection.
7. Boxes will not be sealed unless processing is needed or there is biohazard present. If the box is sealed an email notification should be sent to the evidence custodian articulating why the box has been sealed.
8. The Evidence Clerk will verify that the weapon is in a safe condition.
  - a. The clerk will open the unsealed box and verify the above procedures have been followed.
  - b. If the box is sealed the clerk will investigate as to why the box is sealed prior to breaching the seal.
  - c. The clerk will use all documentation available up to and including emailing the impounding officer and his/her supervisor asking why the box is sealed.
  - d. If the officer advises that processing or biohazard is present on the weapon, the clerk will note this on the box.
  - e. If the officer is unable to articulate above "7", the clerk will breach the seal to verify the weapon is packaged in a safe condition.
  - f. The clerk will complete the EPD Evidence Seal Breach Form, scan and attach the form to the case and send a copy of the form to the impounding officer, investigator and prosecutor.
  - g. If the weapon is in a safe condition, the clerk will continue the initial submission process of the weapon.
  - h. If the weapon is not packaged properly and is not in a safe condition the impounding officer, supervisor and division lieutenant will be notified of the correction needed.

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### **1550.015 Firearms Impounded in Loaded Condition**

Policy: Firearms, as evidence, may only be impounded in a loaded condition under the following circumstances:

1. When destruction of critical evidence in a major investigation would be brought about by the unloading of the impounded firearm outside the laboratory, and no other viable alternative is available,

## Elko Police Department

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2. When the Evidence Custodian and/or Administrative Lieutenant are consulted prior to packaging. If necessary, these personnel; can be informed by telephone.
3. The firearm will not be entered in the “cocked” position,
4. Proper markings on the package advising all handling this piece of evidence making them aware of the “loaded” condition.

#### Procedure:

1. Secure the firearm against firing. Use a zip tie to secure the trigger so it cannot be pulled.
2. On semi-automatic handguns the hammer should be pulled back and a zip tie secured before the hammer, to prevent a strike.



3. Boxes will be labeled as “LOADED” conspicuously on every side of the packaging. The labeling will be in red marker.



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### 1550.020 Ammunition

Policy: Ammunition will be entered into the vault. The officer should not keep any confiscated ammunition. If the ammunition is needed for testing, this should be documented in the narrative of the report. Ammunition should be packaged separately from all other evidence except the firearm it came in. Ammunition may be packaged with the firearm so long as it is in a separate sealed plastic bag.

In handling items such as black powder, grenades, dynamite, bombs, or any other material, which is highly, unstable, explosive, or incendiary, the Department's bomb disposal squad will be notified and assistance requested.

Procedure:

1. Package all ammunition separately from other evidence.
  - a. The exception is ammunition located inside a handgun at the time of impound. The ammunition may be placed in a baggie and zip tied inside the handgun box.
2. The packaging will be treated like all other evidence following these written procedures.

### 1550.025 Items with Sharp Edges

Policy: All items with sharp edges including blades and sharp edges of non-folding knives will be covered in a manner and secured so that any person handling the item cannot be injured.

Needles will not be placed into evidence. Needles will be photographed and placed into a Sharps container for disposal by the evidence custodian.

Procedure:

1. Sharp instruments should **never** be packaged in paper bags without first taking precautions to render the cutting edge or point safe for handling.
2. Tools such as screwdrivers should be handled in the same manner
3. Bubble wrap and round tubes are provided for this type of packaging.
4. The outside of the item will be marked "Sharp" and indicate where the point of edge is located.
5. When packaging a fixed blade knife in a tube, place and compacted wad of brown paper in the end where the point will be. Place the knife point in the middle of the wad and seal the package.
6. If the item or knife is too big for a tube use of cardboard around the blade or any other material that will protect the blade is accepted.
7. Folding knives may be zip-tied around the folded knife to prevent the knife from opening.



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### 1550.026 Hypodermics

Policy: Hypodermic devices will not be accepted by the evidence vault. A photograph of the hypodermic device shall be taken prior to disposal. Any substance inside the hypodermic device needed as evidence shall be placed inside another container and packaged as evidence.

Procedure:

1. Take photograph of hypodermic device.
  - a. Download photograph into Department approved software for the storage of digital evidence.
2. Place all hypodermic devices in Sharps container provided by the Department for disposal.
3. If the hypodermic device contains evidence and after photographing:
  - a. Find the appropriate container for the substance.
  - b. Carefully empty the contents inside the container.
  - c. Dispose of the empty hypodermic device.
  - d. Package the contents using proper evidence procedure.

### 1550.030 Pyrotechnics

Policy: Pyrotechnics shall not be stored or impounded inside EPD, but will be referred to the Bomb Disposal Unit for disposal.

### 1550.035 Volatile Substances

Policy: Volatile substances, such as acids, caustics, vaporous toxins, or pyrophoric chemicals may be impounded only when stored in appropriate containers in good condition.

Definitions:

Volatile - tending to vary often or widely

Acid - a chemical substance that neutralizes alkalis, dissolves some metals, and turns litmus red; typically, a corrosive or sour-tasting liquid of this kind.

Vaporous - consisting or characteristic of vapor.

Toxins - an antigenic poison or venom of plant or animal origin, especially one produced by or derived from microorganisms and causing disease when present at low concentration in the body.

Pyrophoric – liable to ignite spontaneously on exposure to air.

1. Large or questionable quantities of these agents will require the consultation of the Administrative Commander or Evidence Custodian.
2. Information concerning the handling of questionable containers may be obtained from the Elko Fire Department.

Procedures:

1. Handling of these substances should only be done while wearing proper PPE.



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2. Consultation with the Elko Fire Department will be done for those substances that need special handling.
3. Substances will be placed in evidence only in the correct type of container.
4. Packages containing volatile substances must bear in bold red lettering, an appropriate warning such as, "CAUSTIC", "ACID", etc. Correct labeling is vital to all that handle this type of property.
5. If unusual handling is necessary, an attached instructions sheet (material safety data sheet, AKA MSDS) containing cautions and handling instructions must accompany the package.

### **1550.040 Drug Evidence**

Policy: Drugs will be packaged separately from all other evidence, and the packaging will be sealed with evidence tape. Drug paraphernalia will be packaged separately and sealed.

Any type of presumptive testing done on drugs or subjects believed to be under the influence of drugs will not be impounded.

Drugs and drug paraphernalia will not be destroyed by any employee except vault personnel following the proper policy and procedure to do so. All drugs and drug paraphernalia will be entered into the property system, this will include those items that need to be destroyed such as RX drugs turned into the department, found drugs, and drugs not used for prosecution.

All drugs shall be weighed and the approximate weight noted in the narrative of the report and the first part of the description of the property in the Quick Property Entry.

### Procedure:

1. Handling drugs and drug paraphernalia shall only be done while wearing the proper PPE.
  - a. The vent hood with the fan running will be used when packaging all drugs.
  - b. Disposable gloves are provided and shall be used when handling any type of drug or paraphernalia.
  - c. Extra caution shall be taken when handling Fentanyl, LSD, and Ketamine. All are known for transdermal absorption.
  - d. Gloves and a face mask shall be used when handling PCP. Inadvertent trans-dermal absorption of PCP has been reported from contaminated clothing. PCP can also be absorbed by oral or nasal routes during the handling of the drug.
2. Drugs will be packaged separately from all other evidence, including any paraphernalia seized with the drugs.
3. Drugs will be weighed and the approximate weight in grams will be noted in the first part of the description field of the property entry.
4. Drugs will be packaged in appropriate containers:
  - a. Vegetable material will be packaged in breathable containers to discourage breakdown.
  - b. Live vegetable material seized must first be dried and then packaged and placed in the evidence vault.
  - c. P.C.P., or products suspected of containing P.C.P., will be impounded in glass vials and then placed in a plastic evidence bag after being wrapped in absorbent cloth.

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Sexual Assault Kits are to be submitted using the evidence refrigerator. Any biological evidence submitted, i.e., blood, urine, etc., will be submitted with the kit in the refrigerator.

Procedure: The kit shall be submitted using the procedures outlined in 1520.020 of this manual. Once submitted, email the Evidence Tech advising the submission is complete.

The Evidence Tech will enter the sexual assault kit into the Department evidence system and the State system for sexual assault evidence. Any blood, urine, or other biological evidence submitted with the sexual assault kit will immediately be sent to the evidence lab. The disposition of the item will be "Transferred to Other Agency." Biological evidence will not be returned.

### **1550.050 Material Stained With a Biohazard**

Clothing, shoes, cloth, or any other item stained with blood, saliva, semen, urine, etc., must be carefully handled and placed in a new paper bag to prevent contamination and decomposition. The stained article(s) must then be transported to the Police Department and secured in the drying room dried in the drying cabinet as soon as possible. NEVER place a biological sample into a plastic bag or sealed container.

1. Once dried, the investigating officer will place the stained article into a paper evidence bag and impound the article into the Evidence Vault,
2. The evidence bag must be identified with a red "BIOHAZARD" label,
3. Do not place any biohazard material into a plastic container.

### **1550.055 Wet Stains on Non-Movable Surfaces**

Wet stains on flat non-movable surfaces, which cannot be transported, should be swabbed following routine procedures, and photographed. The swabs and control swabs will be entered into evidence and identified with a red "BIOHAZARD" label.

### **1550.060 Impounding Evidence for Processing**

Policy: The officer impounding evidence needing processing should note in the narrative of the report the process needed.

The property will be packaged or secured to maintain evidentiary value until such processing can be completed.

Procedure:

1. The property will be packaged or stored to maintain evidentiary value and chain of custody.
2. Impound property into the evidence vault using proper procedures from this chapter.
3. Notify the evidence custodian of processes wanted/needed for the impounded evidence.

### **1550.061 Impounding Electronic Devices for Digital Processing**

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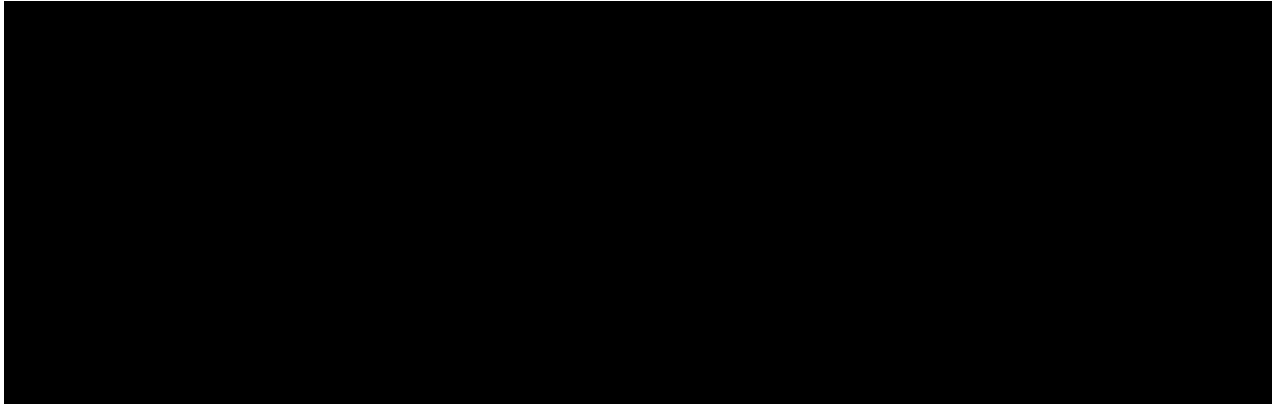
### Chapter 1500 Property and Evidence

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Policy: The officer impounding an electronic device needing processing should note in the report the process needed and include; a description of the cellular telephone, who the phone was taken from, if there is consent to search, and what evidence is being sought.

The cellular telephone will be placed in a separate paper (for DNA or BIO) or plastic bag before placing it inside the faraday bag.

Procedure:



Complete the Electronic Device Submittal Form located in the processing lab of the police department and enter it into the Faraday Locker(s) #1-7 with all of the required documents.

Faraday locker procedure:

- Place the device into a separate paper (For DNA or bio) or plastic bag before placing it inside the faraday bag and plugging it into power to protect the existence of DNA or biological matter from being transferred from the inside of the faraday bags. You may wish to process the screen or housing for latent prints before entry into the bags depending on the nature of the case.
- Place all of the required documents inside the locker with the device. Do not place the documents inside the faraday bag with the device.
- Remove the key from the lockbox and place it in the key box located on the side of the Faraday lockers.

Enter the device in the computer system utilizing the Faraday Locker location.

Email the detective division supervisors to let them know you have placed a device in the Faraday lockers to be processed, indicating which locker you placed it in and the associated case number(s).

#### **1550.070 Currency**

Policy: Currency entered into the Department evidence system shall only be held when the currency has evidentiary value. All other currency shall be deposited with City Finance. Deposits shall occur when the currency total [REDACTED].

Procedure:

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## Chapter 1500 Property and Evidence

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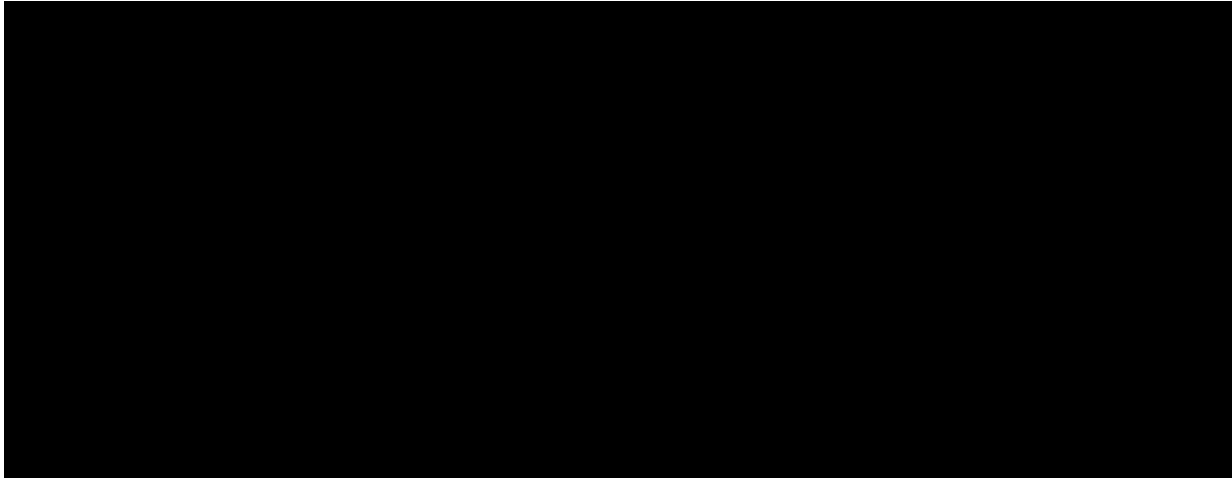
### Found Money

1. Money received in the evidence system as found property shall be given a target for disposal date 90 days from the day of submission.
2. After the expiration of the 90 days, the money will be deposited with City Finance as abandoned property.
3. City Finance will be notified by memo.


### Money with evidentiary value

1. 

### Money with no evidentiary value



### Deposit to City Finance

1. Money will be deposited once .
2. Use the money deposit form to identify the type of deposit.
  - a. There are only two types of deposit
    - i. Evidence
    - ii. Found
3. The form will contain the type, case number, owner info and amount of deposit.
4. The denomination and amounts will be noted on the form.
5. Once the deposit is prepared, the money will be counted and witnessed.
6. Both parties will sign and date the form.
7. The deposit will be taken to City Finance.

### City Finance Notification

1. Found/Abandoned Money
  - a. Create a memo to City Finance advising the money being held is now considered abandoned.
  - b. Provide any documentation showing attempts to contact a known owner.
  - c. Provide a copy of the deposit form sent to City Finance with the money.
2. Release of Money

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- a. Create a money voucher to be sent to City Finance authorizing release of the money
- b. Provide information about the owner, case number and copy of the original deposit to City Finance

### Destruction

1. Money used as drug paraphernalia will be destroyed as contraband.
2. Package will be set for destruction once released by prosecutor and/or investigator.
3. Package will be destroyed following department policy and procedure for drug paraphernalia.

### **1550.075 External Surveillance Video**

It is recognized and understood that the Elko Police Department is called upon to collect surveillance video, when available, to assist in the investigation and subsequent submission of criminal cases to City and County prosecutors. There are a multitude of different software systems that make submission through evidence.com impractical, since these videos frequently can't be viewed by the prosecution or defense attorneys. In the event officers collect external surveillance video that can't be played or viewed through evidence.com, EPD personnel shall follow the following procedure:

### Procedure:

- Personnel shall copy the surveillance video and any necessary players to a CD or thumb drive.
- Personnel shall make two copies of the CD or thumb drive containing the aforementioned.
- Personnel shall seal each CD or thumb drive into an envelope and properly mark them with pertinent information, per existing EPD evidence procedure.
- One copy shall be booked into the EPD evidence vault, sealed with evidence tape, and properly marked using established EPD evidence booking procedures.
- The second copy duplicated for the DA or CA shall NOT be sealed with evidence tape, however, it shall be sealed using the adhesive envelope flap.
- The second copy shall be put into the records intake basket for forwarding to the DA or CA.
- Personnel shall make an entry in the comments section of the "Review" tab indicating the presence of the surveillance video and where the video needs to be forwarded.

### **1570.00 Evidence Vault Procedures**

#### **1570.05 Facility Locations**

Policy: The Department's evidence storage is divided into different Facilities. These facilities are specific to the type of evidence to be stored in the location. The facility will be utilized for all property entry.

AC – Account: Money that has been deposited into the City account for holding.

AU – Auction: Specific for property waiting to be sent to auction.

DS – Destruction: Specific for property waiting to be destroyed.

EB – Evidence Building/Police Dept. Garage: For property that is too large to fit inside any other vault location and cannot withstand the weather.

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Explosive – Explosive Airport off Site: Off site for any property that is explosive in nature. This location is only accessed by Bomb Squad personnel.

GL – Gun Left: Location for long guns and handguns.

GM – Gun Middle: Location for ammunition and boxed long guns or other long boxed property.

GR – Gun Right: No longer in use.

HA – Homicide Archives: For permanent storage.

II – Inside Impound: For personal property of arrestees and large property that will not fit in the Vault at Large and require out of weather conditions.

NR – Narcotics Room: For all drugs and drug related property.

OI – Outside Impound: For bicycles, lawnmowers, tires, etc.

Ref 1 – Refrigerator 1

VL – Vault at Large: All property not requiring special storage.

### 1570.06 Storage Locations

Policy: Storage locations are areas within a facility. These are broken down by containers, shelves and bins to easily find property in these large spaces. Storage locations will be used in all property submittals and will be maintained even after they are no longer in use.

Some storage locations have the same name as facilities. These areas are smaller and property is easily found.

### 1570.07 Storage Containers

The Department provides several types of storage containers for different purposes. Each container is used to organize the vault and maintain ease of access to property by evidence personnel.

Fiberglass bags –

Boxes – boxes are sized to fit [REDACTED] One or more boxes may be used to store property that cannot fit in a bin.

Plastic sealed containers, various sizes – these containers are used for odiferous items, such as marijuana or black tar heroin.

Wire bins – these bins are used in the Vault at Large and on shelves to contain items bagged inside the fiberglass bags.

Plastic Bins [REDACTED]  
[REDACTED]  
[REDACTED]

### 1570.20 Initial Submission

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Policy: The evidence custodian will complete initial processing of property entered into the Department's evidence system in a timely manner. Each item will be processed prior to the end of each work week, barring extenuating circumstances.

Prior to processing any item in the evidence vault, evidence personnel will wear a provided lab coat and disposable gloves. Evidence personnel will wear these protective items while handling all property, no exceptions.

Procedure:



1. Submission lockers will be checked for property at the beginning of each work day.
2. Any submitted property will be processed for initial submission.
3. Each piece/package of property will be inspected for proper procedures in packaging and submission.
  - a. Check property for proper sealing of packaging.
    - i. If package is not sealed or properly sealed, the submission will be denied and sent back to the officer for correction following procedure 1510.035.
    - ii. If package is properly sealed continue to next step.
  - b. Verify item can be submitted; policy 1520.015.
  - c. Verify packaging material and any safety concerns; 1520.020, 1550.010, 1550.015, 1555.020, 1550.025, 1550.030, 1550.035, 1550.040, 1550.045.
    - i. If packaging material is incorrect and/or there are safety concerns the submission will be denied and sent back to the officer for correction following procedure 1510.035.
    - ii. If there are no concerns, continue to next step.
  - d. Verify the barcode label to all submitted paper work.
    - i. Any issues with the barcode not matching or an incorrect case number will be verified with the submitting officer prior to changing any information.
  - e. Any item or package submitted should only have one barcode attached. Return the item to the officer for correction, following procedure 1510.035, if more than one barcode has been attached to the package.
4. The serial number of each firearm submitted will be verified as correct, except those boxes sealed under 1550.010. Each firearm will be inspected to verify safety procedures have been followed.
  - a. If the handgun box is sealed and the reason is not readily identifiable through notification by the submitting officer or the case narrative of the report, the officer will be queried as to why the box was sealed. A response will need to be received prior to breaking the seal to verify safety and the serial number.
  - b. Depending on the answer from the submitting officer will determine if the seal will be broken.
    - i. If the seal is to remain intact because of circumstances described in 1550.010 a supplemental narrative will be created by evidence personnel in the case, advising the reason for the box being sealed.
    - ii. If the seal is to be broken, an Evidence Seal Security form will be completed and procedures from 1550.010 will be followed.
  - c. Once the serial number is verified, any corrections will be made in the entry.
  - d. An ATF e-Trace of the weapon will be initiated.

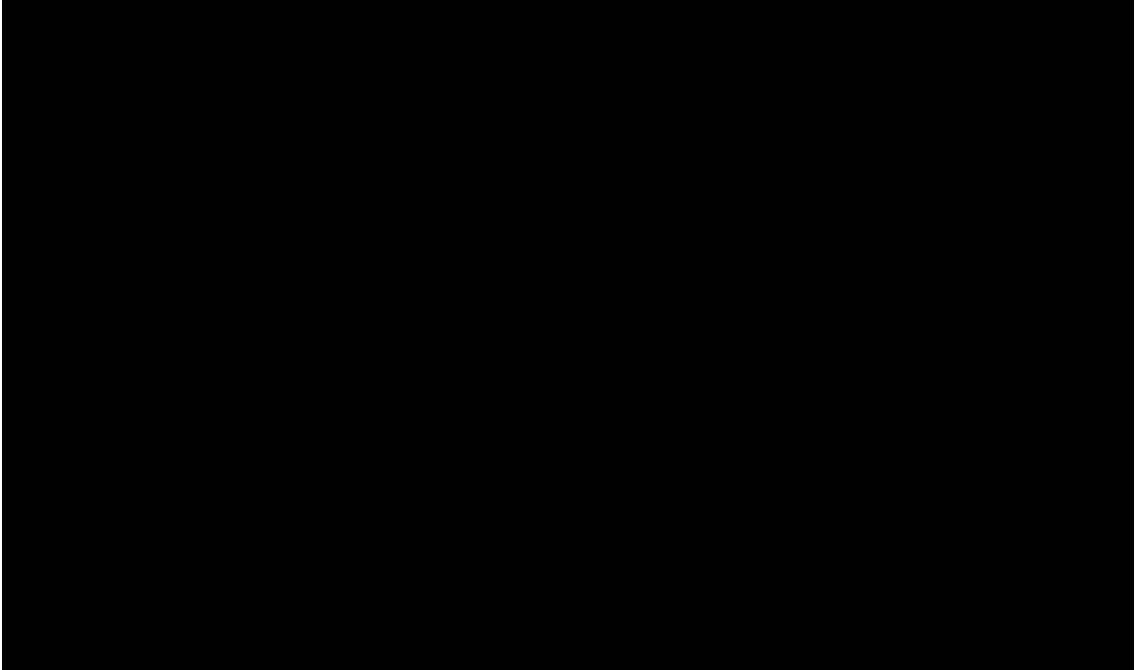


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- i. When the e-Trace report is completed and copy will be attached to the case report for further information.
  - e. Any safety concern found or packaging error of a firearm will cause the submission to be denied and sent back to the officer for correction.
- 5. Prior to checking in any property, find unused locations for the property. This will make the process faster. Pr   

- 6. Once all previous steps have been completed the initial submission can continue. In Aegis LERMS, select Property Room from the navigation pane and then Property Quick Search.

- 7.  f

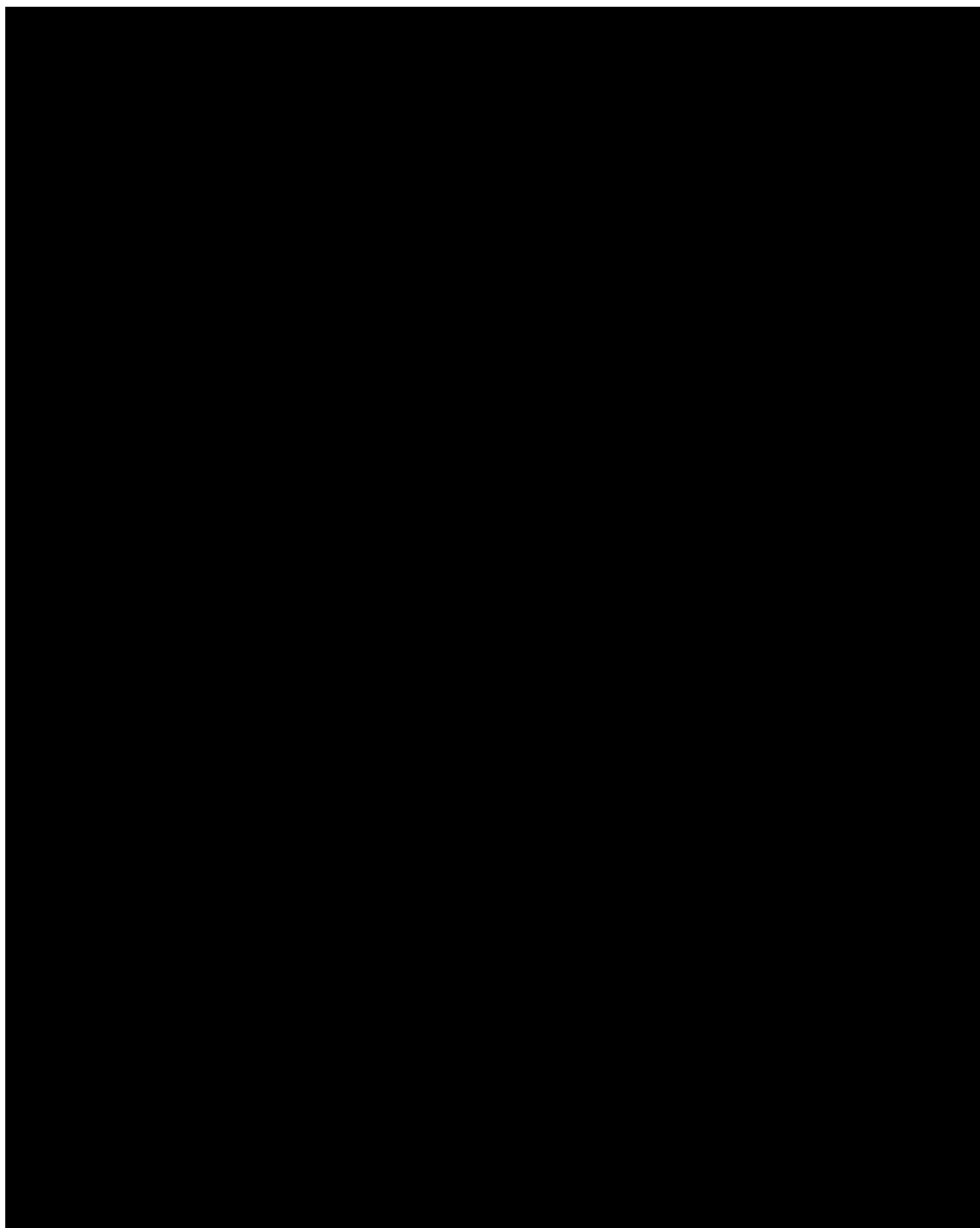
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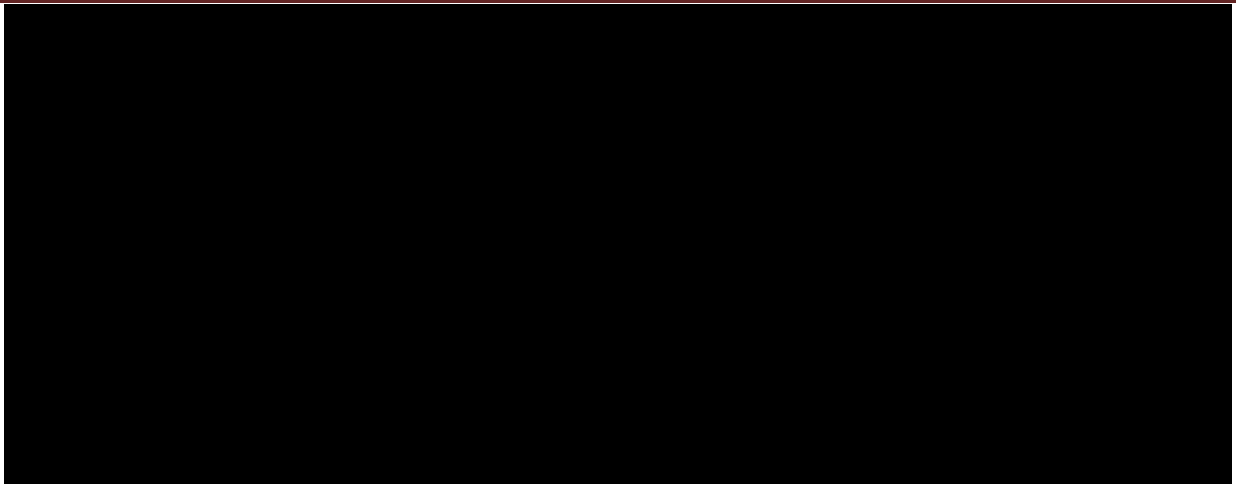
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# Elko Police Department

## Chapter 1500 Property and Evidence

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Ty Trouten  
Police Chief

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Revision Date: January 14, 2009  
Revision Date: October 1, 2013  
Revision Date: February 7, 2020  
Revision Date: September 27, 2021  
Revision Date: March 31, 2022

# Elko Police Department

## Chapter 1600 Crime Scene Investigation

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### **1610.000 Department Policy and Preliminary Investigations**

#### **1610.010 Department Policy**

It shall be the policy of this department to conduct crime scene investigations to: protect, gather, and preserve all evidential facts and material that tend to prove or disprove that a criminal offense has been committed, and to identify the party or parties responsible.

#### **1610.015 Preliminary Investigation Responsibility**

The responsibility for conducting the preliminary investigation normally lies with the patrol officer. Since the patrol officer is generally the first officer to arrive on the scene of nearly all crime scenes, it is his/her responsibility to evaluate the circumstances and take immediate decisive action.

#### **1610.020 Supervisory Responsibility**

A patrol supervisor will be summoned to all major scenes. He/she will assume the responsibility for evaluating circumstances and directing and coordinating the efforts of those officers assigned. It is his/her responsibility to decide whether Detective Unit personnel are needed.

#### **1610.025 Protecting the Crime Scene and Rendering Aid**

It is imperative that the first officer to arrive on any crime scene prevents the possibility of contamination or alteration of the crime scene and/or the physical evidence present. This responsibility includes the removal of all unauthorized persons, including police employees, from within the perimeters of the crime scene area. A considerable degree of tact and good judgment must be exercised to avoid alienating or driving away potential witnesses or other persons who may possess information of value to the investigation.

#### **1610.030 Content of Preliminary Investigation**

Listed below are broad steps to be accomplished in a preliminary investigation. This is not an all-inclusive list but presents basic goals and duties:

1. Provide aid to the injured,
2. The stabilizing and securing of a crime scene is vital to the protection of evidence and the public,
3. The locating of witnesses is essential so that information needed to affect an arrest is gathered as rapidly as possible. Locating witnesses after an initial investigation is often difficult,
4. A complete interview of the victim(s) and witness(s) is necessary for the full and accurate reporting and documenting of the incident under investigation,
5. All evidence should be located, photographed, and collected by the responding officers or an assisting officer assigned to perform these tasks,

# Elko Police Department

## Chapter 1600 Crime Scene Investigation

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6. Arresting officers should always ensure that arrestees are afforded their civil liberties to include the Miranda Warning for all charges prior to conducting an interrogation of the arrestee,
7. To conclude the preliminary investigation, a complete written report which fully and accurately documents the entire incident will be completed.

### **1610.040 Crime Scene Evidence Considerations**

Investigating officers will properly gather, or cause to be gathered, all evidence at crime scenes. If any of the evidence at a crime scene is physically handled by any officer(s) other than the investigating officer, those officers will be properly listed in the chain of custody.

### **1620.000 Recording of Evidence**

#### **1620.010 Crime Scene Diagramming**

1. Diagrams prepared at the scene of crimes will include date and time of preparation, name of preparer, direction of North, location by address or description, location of evidentiary items, and general features of the scene, including the relationship of geographical landmarks. Precise measurements will be taken and the dimensions listed on the sketch. Sufficient additional information will be recorded so that a scale diagram may be constructed at a future date,
2. Homicides will be diagrammed by Detective Unit personnel and scaled charts prepared for court presentation, if needed,
3. At any crime scene where death has not occurred, but is imminent or the probable result of a crime, a diagram may be requested as in the instance of an actual homicide. The Detective Unit will be responsible for providing the diagram.
4. Generally, all other misdemeanors and felonies, including traffic fatalities, will be diagrammed by the investigating officer(s) assigned.

#### **1620.020 Crime Scene Photographs**

Prior to detailed examination of a crime scene being made, or prior to any items being moved or even touched, a crime scene should be photographed. Detailed photographs should be taken to show items of physical evidence prior to their removal, in the condition found. All photographs should be taken twice, once with a small scale to show exact size of the object and once without scale. In addition, photographs are to be taken to clearly and accurately depict:

1. The scene as it was found,
2. The path taken by the criminal to the scene and the escape route,
3. The points of entry/exit,

# Elko Police Department

## Chapter 1600 Crime Scene Investigation

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4. The following information is to be recorded at the time evidentiary photographs of MAJOR incidents are taken when photographs will be relied upon as a major source of evidence:
  - a. The type of camera used,
  - b. Direction of camera at the time of exposure,
  - c. Date and time of exposure,
  - d. Distance at which each photograph is taken,
  - e. A brief description of each photograph taken.

### **1620.030 Crime Scene Search**

The proper organization of a crime scene search depends upon a great many things. For example, the type of scene, whether it is an indoor or an outdoor area, upstairs or downstairs, wet or dry weather, crowded public areas or private residences, etc. It is impossible to establish ironclad rules for every situation. A properly conducted search may involve one officer or many, depending upon the location and nature of the crime committed. Officers and supervisors are permitted to utilize the various search techniques learned in training.

### **1620.040 Washoe County Sheriff's Office, Forensic Science Division**

Only officers assigned to the Detective Unit may authorize requests for laboratory examinations to the Washoe Sheriff's Office, Forensic Science Division. Other officers requiring this service shall make their request to the Detective Unit Supervisor.

Detectives shall receive instructions on the preserving and packaging of evidence for the crime lab.



Ty Trouten  
Police Chief

Creation Date: May 19, 1994  
Revision Date: January 14, 2009  
Revision Date: October 1, 2013

# Elko Police Department

## Chapter 1700 Communicable Diseases

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### **1710.000 Department Policy**

#### **1710.010 Policy**

It shall be the policy of this Department to provide employees with proper safety procedures, equipment, and training concerning communicable diseases. This is done in order to increase employee understanding of the nature and risk of such diseases, which in turn, will minimize potential exposures and transmissions.

#### **1710.020 Definitions**

AIDS (Acquired Immune Deficiency Syndrome): A disease characterized by a collapse of the body's natural immunity against disease. Due to this failure of the immune system, people with AIDS are vulnerable to one or more unusual infections or cancers that do not usually pose a threat to anyone whose immune system is functioning normally.

Biohazard Box: A storage repository for the temporary storage, pending disposal of non-evidentiary items, which have been contaminated by bodily fluids.

Biohazard Evidence: Any evidence containing blood or bodily fluids or any physical evidence stained or contaminated by blood or bodily fluids.

Biohazard Plastic Bags: Bags with the biohazard symbol used for the storage and transportation of contaminated garments/materials from one location to another until the items can be disposed of or cleaned.

Bodily Fluids: Fluids that have been recognized by the Center for Disease Control as directly linked to the transmission of HIV, HBV or to which universal precautions apply such as blood, saliva, semen, blood products, vaginal secretions, cerebrospinal fluid, synovial fluid, pericardial fluid, amniotic fluid and concentrated HIV and HBV viruses.

Communicable Diseases: Those infectious illnesses, which are transmitted through contact with the bodily fluids of an infected individual.

Direct Contact: When a bodily fluid of one person comes into contact with the mucous membrane, bodily fluid, or broken skin of another.

Exposure: Direct contact with a person or biological substance reasonably suspected of being infected with a communicable disease.

Hepatitis B Virus (HBV): A viral infections that can result in jaundice, cirrhosis, and cancer of the liver. The virus that causes hepatitis B may be found in blood, urine, semen, vaginal secretions, and saliva. It may be transmitted by direct contact with an infected person. There is a vaccine available against hepatitis B.



# Elko Police Department

## Chapter 1700 Communicable Diseases

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HIV (Human Immunodeficiency Virus): AIDS is the final stage of a viral illness caused by HIV. Due to a long incubation period, the HIV virus may take several years before an individual becomes ill. Anyone infected with HIV may infect others. Most people infected with the virus have no apparent symptoms and appear to be in good health. It is not possible on the basis of outward symptoms alone to determine whether an individual has AIDS, is HIV positive, has been exposed to the virus, or otherwise is at risk of exposure.

Meningitis: An inflammation of the membranes that envelop the brain and spinal cord.

Sharps Container: A storage repository for the temporary storage of non-evidentiary sharp objects, such as needles, prior to disposal.

Tuberculosis: A bacterial disease causing swelling and cavity lesions in the tissues of the lung and spine.

In rare cases this disease can be transmitted through saliva, urine, blood, and other bodily fluids of infected persons. The most common means of exposure is by inhaling airborne particles from the cough of an infected person.

There is no vaccine for tuberculosis, but treatment is available.

Universal Precautions: A system of infectious disease control which assumes that every direct contact with bodily fluids is infectious and requires every employee having direct contact with bodily fluids to be protected as though such bodily fluids were HBV or HIV infected.

Treat all persons you come in contact with as if they are infectious. Treat all sharp objects you handle as if they are infectious. Treat all bodily fluids you have contact with as if they are infectious.

### **1720.000 General Information**

#### **1720.010 Universal Precautions**

The primary recommendation for dealing with persons or substances where contact with body fluid is imminent or probable is to use universal precautions.

Universal precautions are intended to supplement rather than replace procedures for routine infection control, such as hand washing and using gloves to prevent spreading contamination.

Blood is the single most important source of HIV, HBV, and other blood-borne diseases in the occupational setting. Infection control efforts for HIV, HBV, and other blood-borne diseases must focus on preventing exposures to blood.

#### **1720.020 Requirement to Carry Out Duties**

Personnel shall not be excused from carrying out their duties when no unusual personal risk exists.

# Elko Police Department

## Chapter 1700 Communicable Diseases

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### **1730.000 Preventative Procedures**

#### **1730.010 Handling Arrestees**

Arresting/transporting officers will use universal precautions, as much as possible, when making an arrest and transporting arrestees.

Officers shall notify receiving personnel during a transfer of custody when suspects have body fluids present on their person, or have stated that they have a communicable disease.

#### **1730.020 Contamination Prevention**

1. Personnel shall wear disposable latex gloves, or gloves appropriate for the task, when they are or can anticipate handling persons, equipment, or materials contaminated with body fluids.
2. Extreme caution shall be exercised by officers when conducting any search of a person, object or area. Officers should never blindly put their hands in places into which they do not have clear vision. When possible, puncture resistant gloves and/or a long-handled mirror and/or a flashlight should be used.
3. A pocket mask shall be used whenever possible for mouth-to-mouth resuscitation, and cardiopulmonary resuscitation.
4. Officers with open cuts or breaks in their skin shall cover the cut or wound with a Band-Aid or other bandage. If the protective covering gets wet, a new covering shall be put on.
5. Disposable shoe coverings will be used if stepping into spilled body fluids is unavoidable.
6. Personnel shall avoid smoking, eating, drinking, nail biting and all hand-to-mouth, hand-to-nose, and hand-to-eye actions while working in areas contaminated with blood or other body fluids.
7. When exposure to blood or other body fluids has occurred, personnel should take precautionary action to wash the exposed area immediately and thoroughly with hot water and soap in the designated cleanup area. If water is not immediately available, an alcohol gel or wipe shall be used until the person can use soap and water. The eyes, nose, and mouth should never be touched by contaminated hands, gloves, or other protective equipment.
8. All contaminated materials, except for sharp objects, shall be disposed of in a clearly marked bag identified as a biohazard bag.
9. Sharp items such as razor blades, knives and other sharp instruments should be considered as potentially infective and be handled with extreme caution. Used needles are to be handled with extreme care and are not to be recapped.
  - a. Needles and other sharp items not used as evidence will be put in a "sharps" box.

# Elko Police Department

## Chapter 1700 Communicable Diseases

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- b. Any needles of evidentiary value shall be photographed and disposed of in the Sharp's Container.
- 10. "Sharps" Containers are located in the evidence processing area and the squad room for disposal of needles, etc.
- 11. Once the "Sharps" Container or biohazard bag is full, it will be taken to the Evidence Custodian for disposal. The Evidence Custodian can provide replacement containers.
- 12. Surgical masks and eye shields or non-vented goggles shall be worn whenever possible when dealing with persons who are actively coughing or spitting, or when body fluid splashes are probable. This also applies when processing a crime scene where particles of dried blood may be generated when a stain is scraped, or when attending an autopsy.
- 13. Bleeding shall be immediately stimulated after all needle sticks.
- 14. Personnel shall not touch bodies of deceased persons unless authorized or necessary. If contact is necessary, infection control procedures must be followed.
- 15. Contaminated items, which are returned to legitimate owners shall be returned, bagged and sealed with an explanation of the contaminated condition.
- 16. People with body fluids on their person shall be transported in separate vehicles from other people and may be required to wear a suitable protective covering such as a disposable blanket.

### **1740.000 Decontamination Procedures**

#### **1740.010 Cleaning Solutions**

The following cleaning solutions can be used to clean body fluids from the skin, equipment, floors, and other hard surfaces.

- 1. Soap and water should be used to remove microorganisms acquired by direct or indirect contact on the skin.
- 2. A solution of one part sodium hypochlorite (household bleach), and ten parts water is effective for cleaning counter tops and other surfaces that may have been contaminated with blood or other body fluids.

#### **1740.020 Contaminated Clothing**

- 1. Contaminated clothing will not be taken home for decontamination, or left in the respective work area.

## Elko Police Department

### Chapter 1700 Communicable Diseases

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2. When an officer's uniform that requires dry cleaning becomes contaminated, the officer can change into a standby uniform, place the uniform piece in a biohazard bag, and take the bag with the uniform piece to the cleaner that has agreed to dry clean contaminated clothing.
  - a. The officer will inform the dry cleaning clerk that the bag contains a contaminated uniform,
  - b. The officer may keep the contaminated bag in his/her locker, if the drycleaners are closed, until such time that the cleaner is open.

#### **1740.025 Contaminated Equipment**

Equipment contaminated with blood or body fluids shall be decontaminated by the employee as soon as feasible and definitely before use by other employees.

Non-disposable equipment upon which body fluids have been spilled shall be decontaminated as follows:

1. Any excess body fluids shall be removed, using absorbent materials or a disposable absorbent towel,
2. A freshly prepared solution of 10% bleach with hot water or a fungicidal/micro-bactericidal disinfectant shall be used to clean the area or equipment,
3. Wet the spill with the decontaminating solution, let the solution sit for a minute, and then wipe it up.

Material used for cleanup must be placed in a biohazard bag and disposed of following the procedures outlined herein.

#### **1740.030 Vehicle Decontamination**

Vehicle decontamination procedures shall be initiated whenever body fluids are spilled or an individual with body fluids on his/her person is transported in a Department vehicle.

The field supervisor shall be notified and the vehicle written up, taken out of service, and a biohazard label put on the vehicle until it is decontaminated.

The vehicle will be transported to the city shops where it will be decontaminated by Department vehicle maintenance personnel who have been trained in that procedure.

#### **1740.040 Facility/Material Contamination**

Any area in the Police Department that has been contaminated with blood or other body fluids will be cleaned as soon as possible using a disinfectant, germicide, or solution of household bleach as prescribed above.

# Elko Police Department

## Chapter 1700 Communicable Diseases

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The chemicals identified in section 1740.010, above can also be used to clean up body fluids on floors, stairs, etc.

Any materials contaminated, i.e. sheets, blankets, towels, etc. should be washed as soon as possible using a household detergent and household bleach.

All contaminated materials for disposal, i.e., latex gloves, rags, etc. shall be placed in the designated containers with biohazard labels, and taken to the Evidence Custodian for disposal.

### **1740.045 Post-Exposure Decontamination**

Any unprotected skin surfaces, which come into contact with body fluids, shall be immediately and thoroughly washed with soap and hot running water for at least 15 seconds before rinsing and drying. The exposed areas shall then be rewashed with 1:10 bleach to water solution.

1. Alcohol/alcohol gel or antiseptic towelettes may be used when soap and water are not available.
2. Disposable gloves shall be rinsed before removal and then removed by pulling them off by the cuff and turning them inside out. The hands and forearms shall then be washed as directed above.
3. Hand lotion may be applied after decontamination to prevent chapping and to seal cracks and cuts on the skin.
4. If blood or body fluids make direct contact with the eyes, immediately flush the eyes thoroughly with water.

Remove any clothing which has been contaminated with body fluids as soon as practicable.

Non-disposable contaminated clothing and equipment shall be handled carefully with gloved hands, placed into a biohazard plastic bag, sealed, and laundered or dry cleaned as outlined in this policy and procedure. Any contaminated skin shall then be washed.

Disposable, contaminated, protective clothing and equipment shall be handled carefully with gloved hands, placed in a biohazard bag, sealed, and transported to the Evidence Custodian for storing and disposal.

Personnel who have to be decontaminated will insure the designated area where decontamination took place is cleaned up to preclude fellow workers from possible contamination.

# Elko Police Department

## Chapter 1700 Communicable Diseases

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### **1750.000 Reporting and Follow-up**

#### **1750.010 Line of Duty Occupational Exposure**

Any employee who, in the line of duty, has been bitten by another person, suffered a needle stick or similar injury, or who has had physical contact with the blood and/or body fluids of another person who is either known to have, or who is suspected of having a communicable disease, shall for the purpose of this policy, be considered to have been exposed to a communicable disease.

Personnel injured as described above, or instances when mouth-to-mouth resuscitation was performed without a ventilation device, shall report the incident to his/her supervisor immediately, or as soon as feasible, but not later than the end of the working shift.

As soon as feasible, the employee shall complete the City's Communicable Disease Exposure Report and the City's Accident/Injury Report.

These reports will be submitted in a sealed envelope to the immediate supervisor who will insure the reports are taken to the Captain.

#### **1750.020 Post Exposure Evaluation**

Following a report of an occupational exposure to a communicable disease, the employee shall receive confidential medical evaluation including the following information:

1. Identification and documentation of the source individual, unless prohibited by State law;
2. The source individual's blood shall be tested as soon as feasible and after consent is obtained in order to determine if the person has either HBV or HIV;
3. The results of the source individual's testing shall be made available to the exposed employee.

#### **1750.021 Post Exposure Follow-Up**

Collection and testing of an exposed employee's blood is available for the purpose of determining the HBV and HIV serological status.

1. The exposed employee's blood shall be collected as soon as feasible,
2. The exposed employee will have baseline blood serological testing as indicated for the type of suspected infectant,
3. When so indicated, post-exposure prophylaxis, counseling, and evaluation of reported illness will be available to the exposed employee,
4. Continued testing for evidence of infection at six (6) weeks, twelve (12) weeks, and six (6) months is available to employees exposed to the HIV virus;

# Elko Police Department

## Chapter 1700 Communicable Diseases

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5. Any employee who tests positive for a communicable disease may continue working, as long as it is so indicated by a physician, the employee maintains acceptable standards of performance, and does not pose a safety or health threat to himself, co-workers, or the public,
6. The City shall make all decisions concerning the employee's work status, based upon recommendations from the physician, and the State Workman's Compensation System.

### **1750.025 Hepatitis B Vaccination**

Hepatitis B vaccine and vaccination series are available to employees of the Department. The vaccine and the series are provided by the City at no cost to the employee.

Employees may not take the vaccine if they have previously received the complete hepatitis B vaccination series, or antibody testing which has revealed the employee is immune, or taking the vaccine is contraindicated by a physician.

If the employee initially declines the hepatitis B vaccination but at a later date decides to accept the vaccination, arrangements can be made at that time.

Employees who decline the hepatitis B vaccine shall sign a statement to that effect.

### **1750.030 Obtaining Biohazard Supplies and Equipment**

Officers can obtain biohazard supplies/equipment by submitting a request through the chain of command to the Administrative Lieutenant.

### **1750.035 Disposal of Containers with Biohazard Materials**

Personnel handling biohazard containers will insure the containers are properly sealed and not leaking prior to preparing to dispose of these items.

"Sharps" plastic boxes and plastic bags with contaminated items will be sealed and turned over to the Evidence Custodian. The Evidence Custodian will dispose of contaminated containers/bags.

### **1760.000 Use of Potential Irritants and/or Chemicals within the Department**

Prior to the use or introduction of any potentially irritating or harmful chemicals or materials, the Captain will be notified of such use or introduction at least three (3) working days prior to the introduction.

The Captain will insure that all employees are notified of the planned use or introduction of such materials by posting notices conspicuously throughout the police department as well as sending a mass e-mail to all employees informing them of the date of usage, material usage, and possible affects. If available, an MSDS sheet will also be included.

## Elko Police Department

### Chapter 1700 Communicable Diseases

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No employee shall introduce, or cause to be introduced, any potentially irritating or hazardous materials into the police department without prior approval of the Chief of Police or his designee.

A handwritten signature in black ink, appearing to read 'Ty Trouten', is written over a horizontal line.

Ty Trouten  
Police Chief

Creation Date: May 18, 1994–  
Revision Date: January 14, 2009  
Revision Date: October 1, 2013



# Elko Police Department

## Chapter 1800 Training

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### **1810.000 Department Policy and Standards**

#### **1810.010 Department Policy**

It is the policy of this Department to provide training programs that are current and in concert with personnel and operational needs, legal requirements, and Department policies.

All training, including in-house training will be requested on a training request form. This form must be approved through the chain of command prior to attendance.

#### **1810.015 Training Impact Factors**

The Training Coordinator shall continually evaluate factors that impact instruction, testing, and evaluation for all Department training programs. Reviews and revisions of current training programs shall include, but not be limited to: new laws and court decisions, staff reports and meetings, consultations with supervisors and employees, field observations, physical facility limitations; training evaluations; and possible training inadequacies identified through internal investigations.

#### **1810.020 Structured Training Programs**

The Training Coordinator will ensure that all training programs are based on appropriate job task analyses, with established lesson plan performance objectives that clearly indicate expected behavior, conditions under which the behavior is usually performed, and criteria for satisfactory performance. These elements will make possible a training effort that is performance related and provides trainees with specific indicators of what they are expected to learn, as well as provide a basis for trainee and program evaluations.

#### **1810.025 Training Program Reviews**

The Training Coordinator shall review the components of training. For instance, the Coordinator shall ensure that competency-based testing of all programs is based on performance objectives and measures participant knowledge of and ability to use job-related skills. In the same manner, the circumstances of and criteria for remedial training, for other than recruits, shall be assessed with respect to need, time-tables under which it is conducted, consequences on affected personnel, and identification of potential training deficiencies.

### **1820.000 Maintenance of Police Training Records**

#### **1820.010 Training Records**

The Training Coordinator will maintain training records for current and former Department employees. These records include, but are not limited to, all P.O.S.T. and Field Training records, and in-service training conducted by the Department.

# Elko Police Department

## Chapter 1800 Training

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### **1820.015 Officer's Responsibility**

Officers shall ensure that information is forwarded to the Training Coordinator to update their training records following completion of training programs and courses. The information shall include the date and type of training, duration of training, any certificates received, and tests scores.

### **1820.020 Security of Training Records**

All records will be maintained in a secure location. Access to the records will be controlled by the Training Coordinator. The name and date of those persons reviewing training files will be recorded on the document reviewed.

### **1820.025 Storage of Training Records**

Upon termination, resignation, or retirement of an employee, the Training Coordinator will maintain the original records for eighteen (18) months, at which time they will be forwarded to the Police Records Unit for storage.

### **1820.030 Maintaining Associated Records**

The Training Coordinator will be responsible for maintaining class schedules, student rosters, copies of handouts, and class outlines or information sources for all classes conducted. Training programs will be held throughout the calendar year, and critical training repeated to accommodate schedules, vacations, and make-ups for excused absences.

### **1820.035 Release of Training Records to Outside Interests**

Training records will not be released to anyone outside the Department without a properly signed and dated waiver requesting release of this information. The release must be approved by the Chief of Police and the involved employee notified of such release.

### **1830.000 In-service Training Programs**

#### **1830.010 Schedule of In-Service Training**

The Department will schedule in-service training programs to provide officers with a minimum of twenty-four hours of training each year. While it is designed to help employees obtain training, it does not guarantee advancement or promotion, nor in and of itself, grant any rights or preferment relative to selection, transfer, or promotion. The Training Coordinator will maintain a four (4) month calendar listing in-service training available to all personnel. Shift supervisors will be responsible for ensuring that personnel under their command attend mandatory or optional training classes, which may benefit the Department, and are designed to update skills and to increase knowledge for new job responsibilities.

#### **1830.035 In-Service Training Program Objectives**

1. To provide intermediate, advanced, management, and executive training for officers.

# Elko Police Department

## Chapter 1800 Training

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2. To provide sufficient proficiency and training for officers to obtain a minimum of 24 hours of in-service training annually.
3. To provide human resource development through a network of training programs which will accommodate Department needs along with assisting officers with career development.

### **1830.040 Proficiency and Specialty In-Service Training**

The Training Coordinator will be responsible for arranging for and implementing mandatory and optional training to meet the needs of the Department. Mandatory training modules will be scheduled that are designed to meet the minimum requirements of officers based on their classification and P.O.S.T. requirements.

### **1830.045 24 Hours of Training Required for Officers**

All commissioned police officers are required to attend a minimum of twenty-four (24) hours of training annually. Firearms, Side-Handle Baton, defensive tactics, O.C. spray, and Taser courses are refresher training and may count minimally towards the twenty-four (24) hours. Supervisors will make every effort to schedule their subordinates as early as possible so they may complete a minimum of twenty-four (24) hours of training within the fiscal year. This does not include officers still in Field Training. Supervisors, when completing an employee's annual performance evaluation, should review with the employee training records for the evaluation period.

### **1830.050 Optional Training Programs**

The Training Coordinator will seek out optional training on various topics. All commissioned officers may attend, based on their individual needs and/or interests. Supervisors will have the additional option of attending supervisory training. Optional training is designed to stimulate personnel to compete for new areas of interest and specialization, and to enhance the overall potential of the employees' abilities in current assignments.

### **1830.055 Proficiency Testing**

When deemed appropriate and based on the topic of instruction, the instructor may administer a proficiency test upon completion of any in-service class. This proficiency test may be a written or oral examination, or a practical exercise, and can be used to determine an employee's ability to assume an alternate assignment in addition to experience.

### **1830.060 Advanced Training**

The Department recognizes the need for advanced training for management and supervisory level officers. This training satisfies mandatory training requirements designed to improve the professional competence of officers who have demonstrated leadership capabilities. Advanced training is often held outside the Department, but may be held internally and is designed to impart higher level supervisory and management skills.

# Elko Police Department

## Chapter 1800 Training

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### **1830.061 Advanced Training to Be Approved by the Police Chief**

Examples of specialized advanced training programs are those provided by the F.B.I. National Academy. It will also include training seminars as authorized through the budgetary process. Selection of attendees of such training will be approved by the Police Chief. Supervisory and management personnel should submit a written request to their supervisor to attend such training.

### **1830.065 Financial Support for Training Attendance**

Any intermediate, advanced, management, or executive training provided, within or outside this jurisdiction, may be supported financially with per diem, registration, travel, and lodging expenses and other costs as required to complete the training.

### **1840.000 Specialized Assignment Training**

#### **1840.010 Department to Provide Specialized Assignment Training**

The Department will provide training to commissioned and civilian personnel serving in specialized assignments for the development and enhancement of skills, knowledge, and abilities. Such training may be technical, job-specific, supervisory, management and/or executive development training. Specialized training does not exclude training provided by outside agencies or institutions. Instead, such training compliments the training provided by the Department.

#### **1840.011 Definition**

Specialized Training, for the purpose of this manual, is defined as formal training required to enhance skills, knowledge, and abilities beyond the level taught in either recruit or in-service training.

#### **1840.015 Specialized Training Requirement**

Specialized training is required for all assignments for which skills are required in addition to the skills, knowledge, and abilities:

1. Gained by commissioned officers in recruit or other in-service training,
2. Possessed by civilian employees at the time of employment, upon promotion, and/or reassignment.

#### **1840.025 Captain**

1. Identifies positions that require specialized training.
2. Initiates and arranges training programs based on the appropriate job task analysis. Programs should include lesson plans with performance objectives. Training should be conducted within thirty days of the employee's assignment to the position.

# Elko Police Department

## Chapter 1800 Training

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3. Provides for training to employees which includes, but is not limited to:
  - a. Development and/or enhancement of the skills, knowledge, and abilities particular to the specialization,
  - b. Management, administration, supervision, personnel policies, and support services of the function or component,
  - c. Performance standards of the function or component,
  - d. Department policies, procedures, rules, and regulations specifically related to the function or component,
  - e. Supervised on-the-job training.
4. Schedules, when appropriate, additional training through a program of in-service or advanced training, or through training opportunities available in the community.

### **1850.000 Civilian Training**

#### **1850.010 Department to Provide Training for Civilian Employees**

The Department will provide orientation, entry level, and annual training/retraining to help civilian employees meet job requirements, update skills, and increase knowledge for new job responsibilities. The training does not guarantee advancement or promotion, nor in and of itself, grant any rights or preferment relative to selection, transfer, or promotion.

#### **1850.020 Department Orientation Training**

As needed, the Captain or his designee will conduct orientation classes for all newly appointed civilian employees. It shall be the responsibility of the supervisor's to ensure that newly appointed employees, under their command, attend available training. This training will include, but is not limited to:

1. Orientation to the Department's role, purposes, goals, policies, and procedures,
2. Working conditions and regulations,
3. Responsibilities and rights of employees,
4. Safety and health hazards associated with chemical substances used throughout the Department, and the handling and use of such chemicals,
5. Orientation on the Department's community assistance programs.

# Elko Police Department

## Chapter 1800 Training

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### **1850.025 Entry Level Training**

Certain civilian positions require entry-level training in addition to orientation. These positions usually involve regular contact with the public i.e., Communications, Records, or personnel assigned to informational or front counter positions. The training should stress the skills necessary to the technical aspects of the position, as well as to present a positive public image of the Department. The individual units, working with the Support Services Division, will be responsible for the development, implementation, and record keeping of such training, as is deemed necessary based on the assignment.

### **1850.030 Annual Retraining**

It shall be the responsibility of the individual units to develop, implement, and record the annual retraining deemed necessary, based on the assignment. Each unit supervisor will provide the Training Coordinator with a copy of the retraining records. It is mandatory that all civilian employees be provided annual retraining designed to update skills and to increase knowledge of job responsibilities, i.e., new procedures, improved working techniques, etc.

### **1860.000 Additional Training Issues**

#### **1860.010 Mandatory P.O.S.T. Required Training**

The Department is mandated by P.O.S.T. to provide specific training to officers in certain proficiency areas. The Training Coordinator shall maintain the specific requirements concerning Instructor qualifications, course content, etc. Those areas mandated by P.O.S.T. are:

1. Firearms,
2. Defensive Tactics,
3. Impact weapons,
4. Taser,
5. Chemical agents.

#### **1860.020 Roll Call (Briefing) Training**

The Department will periodically provide training or informational sessions of short duration immediately before or after a shift as a method of keeping officers up-to-date on current issues between formal retraining sessions.

1. Roll-call training is a technique to supplement all other officer training and is an important component of Department training. Roll-call training, as any training, is enhanced when supervisors provide useful information through proper planning, and use of appropriate and effective training techniques and methods.

# Elko Police Department

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2. Supervisors are encouraged to use materials developed by the Training Coordinator for roll-call training. Such materials include Training Bulletins, officer presentations, and training tapes. Additionally, supervisors may augment their training efforts by planning short training sessions consisting of officer role-playing, demonstrations of tactics and equipment, or scheduled briefings by specialized assignment employees.
3. In order to meet training objectives, supervisors must continually evaluate roll-call-training content, methods and techniques of instruction as determined by performance factors, officer feedback, and other information. Supervisors are encouraged to contact the Training Coordinator for the development of any training information or materials to address unique or specific needs as may be dictated by their assignment.

### **1860.025 Reporting Extra Departmental Training**

Any employee attending a special school, seminar, institute, conference, workshop, or similar activity funded through the Department, will submit a written report through his/her immediate supervisor to the Training Coordinator within 30 days after returning to regular duty. The Chief of Police or his designee will determine whether a particular class is suitable for this policy on the officer's initial request.

The report should include, but need not be limited to:

1. A synopsis of the training presented,
2. A summary of each of the major topics covered,
3. The relevancy of the training to the employee's current assignment and the Department's operations,
4. Recommendations for the Department's consideration for implementing any new ideas or methods presented during the training,
5. Copies of any handouts received during the training.

### **1860.030 Training for Non-Governmental Employees**

Department personnel are not authorized to teach or demonstrate skills attained through the Department to persons not associated with a governmental agency. This includes, but is not limited to, such techniques as Side-Handle Baton use, handcuffing, weaponry, and laws of arrest. Exceptions to this policy must be granted by the Chief of Police or his designee.

### **1860.035 Department Library**

The Training Coordinator will maintain a library of current books, periodicals, reference material, and training videos.

# Elko Police Department

## Chapter 1800 Training

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This material will be made available to officers of this Department. The Training Coordinator will establish a written procedure wherein officers may check out this material and be responsible for its return within a time limit established by the Training Coordinator.

The Training Coordinator shall have the authority to suspend library privileges of officers refusing to comply with procedure.

### **1870.000 In-service Training for Employees of Outside Law Enforcement Agencies**

#### **1870.010 Training Assistance**

The Department will provide relevant training assistance to other law enforcement agencies when staff and space permit.

#### **1870.020 Definitions**

1. Outside law enforcement agencies: Official full-time governmental entities for criminal law enforcement.
2. Training classes (Courses): Officially sanctioned presentations of information on the enforcement of criminal laws and the operation of law enforcement agencies.
3. Category I, II, and III Peace Officers: As classified by P.O.S.T.
4. Classes with high risk for liability: Classes dealing with use of force (including defensive tactics), search and seizure, survival, etc.
5. Registration fee: Cost of presenting the class on a per seat basis – not to exceed actual cost.

#### **1870.025 Training Liability**

Certain liability risks exist when a law enforcement agency assumes training responsibilities for employees of another agency. For this reason, enrollment in training classes having a high risk of liability will be limited to full-time Category I Peace Officers. Registration for regular training classes will be prioritized in favor of Category I Officers, with Category II Officers second, Category III Officers third, and non-sworn employees last. Outside agencies bear the responsibility of registering their employees in classes, making registration fee payments, and ensuring attendance and proper demeanor.

#### **1870.030 Training Coordinator's Responsibilities**

1. Develops, coordinates, and advertises training classes,
2. Reviews training classes for liability concerns,
3. Confirms eligibility of outside officers requesting training,



# Elko Police Department

## Chapter 1800 Training

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4. Enrolls participants by priority – cancels enrollments by reverse priority.
5. Collects registration fees from outside agencies and forwards to the City's Clerk's Office. (Certificates of completion will be withheld until this payment is made.),
6. Issues certificates upon completion of courses.

### **1880.010 Travel and Training Requests**

#### **Policy:**

Employees will use the Department Training/Travel request form to request approval to attend training for the Department. City of Elko travel policies can be found in the City of Elko Human Resource Manual Section 8 and Collective Bargaining Agreements.

Traveling will not be completed without prior approval from the Department administration.

Employees shall use the travel advance and reimbursement forms supplied by the City of Elko to receive payment for travel. All employees receiving a travel advance are personally liable for the advance and account for all money after travel using the Travel Reimbursement form within 14 days of travel.

Both the travel advance and reimbursement forms are signed by the employee, agreeing to the terms listed on each form.

1. Advance travel payment deadline – the travel advance claim form must be at City of Elko finance no more than four and no less than two weeks prior to travel.
2. Travel Expense Reimbursement Form – Must be completed within 14 days after returning from travel if an advance travel check was issued.
3. Account Settlement – If money is owed to the city after travel the traveler will remit the balance with the Travel Expense Reimbursement Form.
4. Cancellation of training – The employee will notify the Records Supervisor or designee of training cancelation as soon as the traveler is notified of a cancelation.

#### Requesting Travel Procedure

Fill in all appropriate fields of the training request form.

Indicate whether requesting a travel advance.

Submit the request through the chain of command.

#### Training request forms – Records Unit

1. Once approved, scan form and associated documents into the training folder under company (Police Training Forms)
  - a. Label with officer's name, training, and dates
2. Add to expenditure line item book
  - a. 580-01 travel general
    - I. Officer name, class, per diem/lodging, and amount
    - II. List per diem and lodging on separate lines
  - b. 580-04 training general
    - I. Officer name, class, tuition, and amount
3. File documents in the folder if they are for an advance check. Shred if for reimbursement only.

# Elko Police Department

## Chapter 1800 Training

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### Travel Advance

1. Prepare paperwork a month before the training.
2. Fill out a travel advance form for anyone requesting an advance check.
  - a. Attach to training forms
  - b. Give to the traveler to sign
  - c. Once you get it back, have the Chief or designee sign
3. Scan all documents into the police training folder, as mentioned in #1 above.
4. Send to City Hall

### Reimbursement Procedure

1. The traveler will complete a Travel Expense Reimbursement form after returning from travel. It is the responsibility of the traveler to complete the reimbursement form within 14 days of returning. Under no circumstances will the form be completed by Records Staff without the traveler present.
  - a. Breakfast
    - I. Travel before 0800 for officers, 0600 for civilians
  - b. Lunch
    - II. Travel before 1000 am or return after 1300
  - c. Dinner
    - III. Travel before 1600 or return after 1800
2. If the traveler received a travel advance, make sure to put the amount on the reimbursement form, the form will calculate what is owed to the traveler or what the traveler must reimburse to the City.
3. Once the traveler signs the form, verify totals and codes. If there is a discrepancy, advise the traveler and correct the form.
  - a. Initial the top right corner
  - b. Have the Police Chief or designee sign the form
4. Scan all documents as mentioned in #1 above.
5. Send the original document to City Hall Finance.

  
Ty Trouten  
Police Chief

Creation Date: May 19, 1994  
Revision Date: January 14, 2009  
Revision Date: October 1, 2013  
Revision Date: December 29, 2022

# Elko Police Department

## Chapter 1900 Line and Staff Inspections

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### **1910.000 Department Policy and Expectations**

#### **1910.010 Department Policy**

It shall be the policy of this Department to conduct regular line inspections so that the conditions, situations, and actions that contribute to the success or failure of police operations are exposed by careful review and analysis of agency activities.

#### **1910.011 Definition**

Line inspections are ongoing activities to ensure that all units and components are acting in concert with Department requirements concerning facilities, property, equipment, activities, and personnel.

#### **1910.015 Meeting Department Expectations**

In the normal preoccupation of "getting the job done", it is common that some variations from expected procedures can begin to occur. It is also common for a particular procedure or method of operation to become an accepted way of doing things without critical examination of the effectiveness or economy of that activity.

1. A line inspection is the ongoing daily process of observation and review.
2. The line inspection process ensures that Department operations are regularly and specifically reviewed. As such, line inspections are conducted by persons with the authority to require immediate corrective action.

#### **1910.020 Comparison of Expectations**

The inspection process compares the Department's formal expectations with actual performance. The inspection process is an essential mechanism for evaluating the quality of agency operations, ensuring that the agency's goals are being pursued, identifying the need for additional resources, and assuring that control is maintained throughout the agency. In addition, the inspection process is used:

1. To provide current and timely information on the status and conditions of Department personnel, equipment, facilities, activities and procedures,
2. To identify deficiencies and areas of improvement in the administration of the Department so that corrective action may be taken.
3. To highlight the positive and successful aspects of Department activities, procedures, and programs.
4. To provide information for Department planning, as well as budget development and justification.

# Elko Police Department

## Chapter 1900 Line and Staff Inspections

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### **1920.000 Types of Line Inspections**

#### **1920.010 Appearance Inspections**

The appearance of all personnel shall be inspected on or about the first of each month, to verify compliance with Department policies.

These appearance inspections will be conducted by the shift supervisor.

#### **1920.015 Inventory of Department Property**

Each ranking officer responsible for a particular Division, Unit, or Component, etc., shall be accountable for all Department property assigned to his/her control. Damaged property will be repaired or replaced.

#### **1920.020 Vehicle Inspections**

An inspection of operable condition and accounting for all equipment assigned to each Department vehicle shall be conducted each time the vehicle is put into service.

#### **1920.025 Facilities**

The condition of Department facilities will be kept in a good state of repair. Each ranking officer is responsible for those areas under his/her command.

#### **1920.030 Activities and Procedures**

The procedures used and functions performed by Department personnel will be continually reviewed by supervisors for usefulness and purpose.

### **1930.000 Procedures**

#### **1930.010 Follow-Up and Corrective Actions**

1. It is the responsibility of every supervisory officer to take prompt corrective follow-up action any time any type of line inspection determines that:
  - a. Procedures are not being followed,
  - b. Procedures are not working, not workable, or are otherwise outdated,
  - c. Equipment is missing, damaged or no longer functional,
  - d. Activity is uncovered that is working to the detriment of the Department.
2. Follow-up or corrective action may take the form of, but is not necessarily limited to:

# Elko Police Department

## Chapter 1900 Line and Staff Inspections

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- a. Providing employees under direct supervision with remedial training and documenting same,
- b. Implementing new procedures or revising old procedures that are no longer functional,
- c. Taking appropriate disciplinary action,
- d. Making efforts to repair or replace equipment.

### **1930.015 Special Purpose Line Inspections**

Special purpose line inspections are used to inspect a unit or procedure that needs a more frequent inspection.

- 1. The Captain may direct special purpose line inspections on an as-needed basis. Special purpose line inspections will normally be conducted by the first-line supervisor or other person immediately responsible for the activity being inspected.
- 2. Any employee conducting a special purpose line inspection may be required to prepare a report of the findings of the inspection and forward this report to the Captain.

### **1940.000 Staff Inspections**

#### **1940.010 Definitions**

Staff inspections are conducted outside the normal supervisory and line inspection procedures and chain of command. The inspection provides for an objective review of an organizational unit's components, functions, property, equipment, personnel, and operational activities.

Staff inspection is a tool to ensure the Chief of Police that Department procedures are being adhered to.

#### **1940.015 Responsibility for Staff Inspections**

The Administrative Lieutenant is responsible for all staff inspections and will conduct a staff inspection to all divisions, units, components, and functions of the Elko Police Department at least once every three years.

The Administrative Lieutenant shall establish a checklist method for conducting staff inspections to identify deficiencies and compliance with Department procedures.

#### **1940.020 Report to the Chief of Police**

Upon completion of the staff inspection, the Administrative Lieutenant shall submit a written report to the Chief of Police. This report will identify deficiencies and make recommendations for improvement and/or correction. The report shall also identify positive aspects of the area being inspected.

# Elko Police Department

## Chapter 1900 Line and Staff Inspections

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### **1940.021 Follow-Up Report**

When deficiencies that cannot be immediately corrected are noted, a follow-up inspection in thirty (30) days will be required. The Lieutenant will be required to submit a written report on the follow-up inspection as well.

### **1940.025 Authority**

The Administrative Lieutenant acts under the authority of the Chief of Police when conducting staff inspections and is authorized access to all records, files, and areas of the Elko Police Department.



Ty Trouten  
Police Chief

Creation Date: May 20, 1994  
Revision Date: January 14, 2009  
Revision Date: October 1, 2013

# Elko Police Department

## Chapter 2000 Personnel and Legal Matters

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### **2010.000 Personnel Matters**

#### **2010.010 Regulations and Procedures**

The regulations and procedures which follow deal with conditions of employment, basic duties of employees, and affirmative action. Violations of any of the regulations included in this chapter will be grounds for disciplinary action, which may include termination of employment.

#### **2010.015 Notification of Change of Residence**

All employees are responsible for seeing that their current address is on file with the Department. Employees will, within 72 hours of a change of address, inform the Records Supervisor of said change. This requirement applies even when the change of address is of a temporary nature.

#### **2010.020 Telephone Requirement**

All employees must have a telephone in their residence so that they may be contacted in emergency situations. Employees are responsible for seeing that the telephone number is on file with the Department and for informing the Department of any changes in their telephone number within 72 hours.

#### **2010.025 Emergency Call Back**

In unanticipated emergency situations, employees may be called back to active duty even if they have completed their assigned shift. In these situations, employees will be required to report back to duty immediately upon being notified to do so (Refer to GO 94/005 for emergency call back procedure).

#### **2010.030 Reporting for Duty**

All personnel will report for duty on time and will be physically and mentally fit to perform their duties. They will be properly equipped and will make themselves aware of any information necessary for proper performance of the duties of their shift.

#### **2010.035 Reporting Late**

If, due to an emergency, an employee cannot report at the assigned time but will be late, the employee will contact his/her shift supervisor or Lieutenant before the start of the shift to explain the situation and provide an estimated time of arrival. If the Lieutenant or supervisor is not available, follow on-duty chain of command.

#### **2010.040 Failure to Report Due to Illness**

Any employee unable to report for duty because of illness or injury must notify their shift supervisor or Lieutenant as soon as possible, prior to the scheduled shift, in case another employee will be needed to cover the shift.

# Elko Police Department

## Chapter 2000 Personnel and Legal Matters

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If the Operations Lieutenant or supervisor is not available, follow on-duty chain of command.

All sick leave will be in accordance with contractual agreements.

### **2010.041 Light Duty Slip**

Any employee planning to return to work, on other than full duty, will submit a doctor's light duty slip to the Captain for approval prior to returning to work. Should it be necessary for an officer to remain on light duty for an extended period, he/she will submit, to the Captain, an updated light duty slip every 30 days.

### **2010.042 Off Duty Injury**

It is the policy of the Department that any employee of this Department who is injured off duty, and the injuries are not covered under Workman's Compensation-guidelines, will not be able to return to work until they have a light duty release from the doctor. The slip must include the date the employee may return to work as well as any limitations during the light duty status. In order to return to full duty, the employee must have a release from the doctor stating the date and that the employee has no restrictions.

### **2010.045 Working a Full Shift**

Employees are required to remain on duty for their entire assigned shift unless excused by their shift supervisor or higher-ranking personnel. During the shift, employees will carry out their sworn and assigned duties to the best of their ability. If any employee must leave duty before the end of shift due to illness or other circumstances, the employee must inform a supervisor and receive permission to leave. Leaving early without authorization will be deemed neglect of duty.

### **2010.046 Abandonment of Position**

An employee absent from duty without satisfactory explanation shall be considered to have abandoned the position and may be terminated.

### **2010.050 Shift/Bid Assignment**

Shift/bid assignment will be done in accordance with the current contractual agreement.

### **2010.051 Duration of Assignment**

Unless otherwise specified by Labor Management contractual agreements, or unless special staffing situations occur, officers will remain assigned to their selected shift for a period of six months.

### **2010.055 Compensation**

Compensation will be in accordance with the current contractual agreement.



# Elko Police Department

## Chapter 2000 Personnel and Legal Matters

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### **2010.056 Overtime Compensation**

Overtime compensation will be in accordance with the current contractual agreement

### **2010.060 Meal Periods/Breaks**

Officers will be allowed one ten (10) minute rest period during the first four (4) hours of their shift and one ten (10) minute rest period during the second four (4) hours of their shift.

Officers shall be allowed a meal period not to exceed forty-five minutes. Officers are required to be available for immediate call at any time during their tour of duty, including during meal period and rest periods.

Meal and rest periods for all other employees will be in accordance with current contractual agreements.

### **2020.000 Affirmative Action**

#### **2020.010 Equal Employment Opportunity Plan**

The Department has adopted an Affirmative Action/Equal Employment Opportunity Plan. This plan puts into writing the equal employment opportunity philosophy the Department has always maintained and the affirmative action steps required to increase minority and female representation. Copies of the plan are available in the office of the Chief of Police.

#### **2020.015 Recruitment and Selection**

Portions of the Affirmative Action/Equal Employment Opportunity Plan focuses on recruitment and selection strategies to attract well-qualified applicants.

### **2030.000 Legal Matters**

#### **2030.010 Rules and Regulations**

It is recognized that employees may become involved in civil legal matters arising out of the performance of their duties and/or out of matters concerning private affairs. Our policy is to restrict certain activities related to such matters, as to preserve a reputation of integrity and professionalism.

#### **2030.015 Service Of Summons And Complaints Naming The City Of Elko Or The City Of Elko Police Department**

The procedure for service of all summons/complaints naming the City of Elko and/or the City of Elko Police Department is:

Directs the person attempting service of the Summons and Complaint to the City Clerk's Office during normal business hours. The City Clerk's Office is located at 1751 College Avenue, Elko, NV

# Elko Police Department

## Chapter 2000 Personnel and Legal Matters

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### **2030.020 Service Of Summons And Complaint Upon Department Employee(S)**

With the exception of subpoenas (See DPM348) the procedure for service of a summons, complaint, or other legal paper(s) solely naming a Department Employee is:

#### Records Staff

1. Verifies from the process server that any legal paper service is related to the employee's job.
  - a) If not job related advises the server to contact the employee during the employee's non-working hours. The process server will not be provided with any employee's address or phone number.
2. For non-command staff, if the employee is not present, the employee's work schedule, supervisor's name, and supervisor's desk phone number will be provided to the process server. If the employee is present they will be requested to respond to the office.
3. For command staff, if the commander is not present, the employee provides the process server with the Administration Assistant's name and phone number. If the commander is present, they will be requested to respond to the office.

#### Supervisor/ Administration Assistant

1. If the employee is not present the supervisor/admin assistant shall contact the process server and schedules a date, time, and location for service.
2. Notifies the employee/command staff member via Outlook e-mail appointment of the service date, time, and location.

#### Employee

1. If present the employee shall meet the process server in the office.
2. If not present the employee will meet the process server at the scheduled date, time, and location.
3. Verifies that the legal paper service is work related.
4. Accepts the legal paper(s) and forwards a copy to the Chief's Office.
5. The employee may request representation by the City Attorney in these matters
  - Compose a letter asking the City Attorney for representation via the Police Chief
  - The letter shall contain who made service, date and time of service, and location of service.
  - Provide a copy of the summons
6. Notifies the Police Chief and provides copies of such papers and recordings.

#### Chief's Office

1. Forwards copies to the City Attorney's Office when requested.
2. Notifies the Records Supervisor of the civil action and provides a copy of the summons.

#### Records Office

1. Places notice of civil action in the physical case file.
2. Suspends all retention on the case(s).
3. Locks case in RMS from all employees except involved officer(s), administration, records staff, and evidence tech.
4. Notifies Evidence Tech of civil action and provides a copy of summons.

# Elko Police Department

## Chapter 2000 Personnel and Legal Matters

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### Evidence Unit

1. Place notice of civil action in property file
2. Locks Body Cam and photo files in Evidence.com from all employees except involved officer(s), administration, records staff, and evidence tech.

A checklist has been created to help with the steps of this process. The checklist will be placed in the case file and retained with the case.

### **2030.021 Service of Legal Papers by Employees**

Employees shall not serve papers, or render assistance in civil cases while on or off duty, except as required by law or in the course of their official duties.

### **2030.022 Civil Actions**

Employees shall not:

- Institute any civil action arising out of their official duties without first notifying the Police Chief in writing.
- Use their official positions as a means of forcing or intimidating persons with whom they are engaged in civil controversy to settle the case in their favor.
- Seek, sue for, solicit or accept any money or other compensation for damages, losses or illnesses sustained or expenses incurred by them while in the line of duty without first notifying the Police Chief in writing.

### **2030.025 Testifying**

Employees shall not volunteer to testify in civil actions, nor shall they testify unless legally summoned.

Any employee subpoenaed to testify for a defendant in any criminal trial or hearing shall notify their supervisor and the office of the prosecuting attorney or hearing official. (See also DP103.29).

### **2030.030 Recommending/Acting As Attorneys or Bondsmen**

Employees shall not recommend or act as an attorney or bondsman to any person coming to their attention as a result of Department business either in criminal or civil matters, except in the case where a relative is seeking such legal service or bail bond.

### **2030.035 Signing Contracts and/or Leases**

Employees shall not obligate the Department by signing a contract or lease with a vendor or agency without prior review and approval of the Police Chief.

### **2040.000 Court Attendance & Conduct**

#### **2040.010 Rules and Procedures**

# Elko Police Department

## Chapter 2000 Personnel and Legal Matters

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Employees of the Elko Police Department are required to attend court and hearing proceedings concerning matters relating to official Department business. Employees will follow all court and hearing office rules and procedures, and will represent the Department in a responsible and professional manner.

### **2040.015 Court Attendance**

Employees may be required to attend: Federal, District, Justice, Municipal, or Juvenile Court, as well as, D.M.V. Hearings, Depositions, Pre-Trial Conferences, etc. Employees will normally be notified of a requirement to attend by subpoena.

Employees shall be punctual in attendance at all such proceedings. Employees will remain available until such time as released by a prosecuting attorney, judge, or hearing official.

Employees desiring to be excused from court or a hearing must arrange to be excused by contacting the issuing prosecutor or hearing officer. The employee assumes sole responsibility for making such arrangements.

### Court Cancellation Procedure

When a notification is received that court is cancelled for a Police Department Employee the following protocol will be followed:

\* For the District Attorney's Office the call is logged in the DA Court Cancellation spreadsheet with date/time, caseworker that called, defendant, employee, records technician that cancelled the court and method of notification.\*

1. The court is cancelled in the Subpoena calendar. An email is automatically generated to the employee advising the court was cancelled.
2. Front office staff will text the employee if court is less than 2 business days away.
3. If court is cancelled the same day as scheduled, staff will telephone the cancellation.
4. Records staff will make every effort to inform Department employees of cancellations.
5. Any special notification request should be directed to the Records Supervisor.

\*Graveyard officers: Every effort will be made not to disturb anyone working graveyards. If at all possible staff will notify before 0900 and after 1600 hours. An email will still be generated at the time of cancellation.

### **2040.020 Appearance for Court**

1. Male employees;
  - a. Appearances in Federal or District Court require the uniform or business suit,

# Elko Police Department

## Chapter 2000 Personnel and Legal Matters

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- b. Appearances in other courts or hearing offices require, at a minimum, the uniform or dress shirt and tie w/optional sport coat.
- 2. Female employees;
  - a. Appearances in Federal or District Court require the uniform, business dress, or business pant-suit,
  - b. Appearances in other courts or hearing offices require, at a minimum, the uniform or dress blouse with dress pants/skirt.
- 3. All employees, if armed and out of uniform, are required to wear a jacket or coat for concealment when appearing in any court or hearing office.

### **2040.025 Reports and Evidence**

Employees may be required to bring copies of official Department reports, and/or evidence associated with a specific incident, to court or hearing proceedings. Employees are responsible for arranging with the Records Unit, 24 hours in advance, and by meeting with the Evidence Custodian prior to an appearance time.

Evidence released to an employee for use in court or a hearing must be returned to the Evidence Vault immediately upon completion of the proceeding if not retained by the court or hearing office. It is the employee's responsibility to maintain an appropriate chain of custody concerning evidence.

### **2040.030 Preparation for Court**

Employees will prepare for the matter concerning their court or hearing appearance by familiarizing themselves with the appropriate reports and documents, attending Pre-trial Conferences, etc.

Evidence of an unusual nature will be suitably arranged for presentation. Employees will make such arrangements by contacting the prosecuting attorney or other court or hearing official.

### **2040.035 Testifying in Court**

Employees will observe the utmost attention and respect towards magistrates and hearing officers at all times. They shall speak calmly and explicitly, in a clear, distinct, and audible tone, so as to be easily heard by all parties.

Employees shall testify with the strictest accuracy, confining themselves to the matter before the court or hearing office. They shall neither suppress nor overstate the slightest circumstance with a view of favoring or discrediting any person.

Employees are required to speak the truth at all times, whether under oath or not, in giving testimony in connection with any legal official order received, or in connection with official duties.

# Elko Police Department

## Chapter 2000 Personnel and Legal Matters

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### **2040.040 Plea Negotiations**

Employees of the Department shall not take part or be concerned, either directly or indirectly, in making or negotiating any compromise or arrangement for any person with a view of permitting such person to escape the penalty of law. They shall not seek to obtain a continuance of any trial in court or hearings out of friendship for the defendant, or otherwise interfere with the courts or hearing offices.

Employees may cooperate with the prosecuting attorney in the altering of any charge or other action he/she may be involved in, at the prosecuting attorney's initiation, and in respect to the furtherance of justice.

  
Ty Trouten  
Police Chief

Creation Date: May 26, 1994  
Revision Date: January 14, 2009  
Revision Date: October 1, 2013  
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# Elko Police Department

## Chapter 2100 Records and Reports

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### **2110.000 Administrative Reports**

#### **2110.010 Management Information System**

The Department's Management Information System will include all methods whereby data and statistical information is collected. Examples of this are RMS, CAD, UCR crime reports, Roll Call Binder, and the Management Staff Notification Matrix.

#### **2110.015 Annual Report**

The Captain will submit a written annual report of division activities to the Chief of Police. The following information will be included in the annual report:

1. Status of current goals and objectives,
2. Comparative data on activities from the previous year, such as crime statistics, sick leave use, industrial injuries, etc.,
3. Year-to-date statistical data.

#### **2110.025 Detective's Monthly Report**

The Detective Unit supervisor will submit a written report of the Detective Unit's activities to the Captain. This monthly report will include the following information:

1. Number of property crimes and crimes against persons referred to the Unit during the month,
2. Number of cases initiated by the Unit,
3. Total number of cases OPEN, CLOSED or SUSPENDED,
4. Number of property crimes wherein property was recovered,
5. Summary of other activity such as hours devoted to follow-up, interviews, search warrant, crime scene, background investigations, etc.

#### **2110.030 Records Unit Monthly Report**

The Records Unit supervisor will submit a written monthly report to the Captain. This report will include the following information:

1. Number of work cards issued: Liquor, Taxi Driver, Special Police and Prostitution,
2. Summary of other activities such as fingerprint cards, cash received from work cards, etc.

# Elko Police Department

## Chapter 2100 Records and Reports

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### **2110.031 Record's Unit Monthly Report to Operations**

The Record's Unit supervisor shall also submit a monthly report to the Captain. This report will include statistical data on the number and type of reports taken by the Department. A summary of traffic accidents and citations issued will be included.

### **2110.035 Animal Control Monthly Report**

The Animal Control Unit supervisor shall submit a monthly report to the Operations Lieutenant. This report will list the total number of animals handled by that unit and will include a summary of enforcement action taken during the month.

### **2120.000 Allocation and Distribution of Personnel**

#### **2120.010 Staffing Table**

The Chief of Police maintains a confidential staffing table that shows the total personnel strength as authorized by the City.

The staffing table will list the number of personnel, by rank or title, within each organization unit and components, including civilian positions.

#### **2120.015 Workload Assessment**

The workload assessment is an analysis of the total measurable work activities occurring within a given area or time period. Workload assessment involves deliberations to obtain the number of personnel necessary to complete a specific number of tasks or to fulfill certain objectives. The nature of the tasks, as well as their complexity, location or time required for completion, are some of the factors influencing workload demands.

#### **2120.020 Allocation and Annual Reassessment**

The Captain will allocate and distribute personnel to organizational units and components in accordance with workload assessments.

At least annually, the Captain will reassess distribution of personnel, using workload assessments, in sufficient time to allow for shift bids.

#### **2120.025 Patrol Distribution**

The allocation and distribution of patrol personnel shall be based on an annual workload assessment done by the Captain. Patrol personnel are distributed by an appropriate proportional distribution system using the following as criteria for determining actual need;

1. The number and types of incidents handled by patrol personnel during the previous reporting period,



# Elko Police Department

## Chapter 2100 Records and Reports

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2. The average time required to handle incidents,
3. The incident workload distribution based on shift, hour of the day and day of the week;
4. Data relevant to seasonal changes in workload,
5. Average time lost to holidays, vacations, industrial accidents, and other leave.

### **2120.030 Employee's Job Description**

A current job description for each position in the Department is available from Human Resources.

### **2130.000 Patrol Reports**

#### **2130.010 False Reports**

Employees shall not knowingly make a false report, either oral or written.

#### **2130.011 False Information in Reports**

No employee of the Department shall knowingly enter or cause to be entered in any Department books, records, or reports, any inaccurate, false, or improper information of material matter.

#### **2130.015 Destruction of Records**

No employee will destroy, alter, or remove any report or record of this Department except by NRS or Federal set guidelines.

#### **2130.020 Duty to Report All Crimes, Incidents, and Hazards**

Employees shall report all crimes, violations, emergencies, incidents, traffic congestion, or detours resulting from traffic accidents, or other information of concern to the Department that comes to their attention.

Employees receiving or processing facts, which should be known to the Department, shall not conceal this information, but shall report the facts accurately through official channels.

It shall be the duty of every employee to report any information given in good faith by any citizen regarding matters which indicate the need for action by the Department.

Employees observing anything of a dangerous or hazardous nature on the streets, sidewalks, or public places, shall promptly take action. The Central Dispatch will be requested to notify the appropriate public works/utilities personnel to remove roadway debris and correct hazardous conditions involving roadways, highway traffic control devices, and roadway lighting systems.

# Elko Police Department

## Chapter 2100 Records and Reports

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### **2130.030 Completing Official Reports**

Employees shall make reports promptly, accurately, and completely, in conformity with established specifications and requirements.

It is imperative that all reports be completed in a timely manner. The time frame for completion of reports by the assigned officer is as follows:

1. Arrest reports – 24 hours from time of arrest.
2. Crash reports – 48 hours from time of crash.
3. Missing person - all missing person reports will be submitted to the officer's supervisor prior to the officer going off duty. In the case of missing juveniles, the FBI requires they be entered into NCIC within two hours of initial contact with complainant.
4. All other reports should be completed with 72 hours from the time of initial contact, but must be completed within 96 hours.

Any report not received within the above mentioned time frames will be considered late. Only the Case Management Officer can authorize late reports.

Supervisors shall review reports submitted to them using the following time line.

1. Missing person and arrest reports will be reviewed immediately and forwarded to Case Management prior to the end of shift.
2. All other reports will be reviewed and forward to Case Management within 24 hours of receipt.

Supervisors should examine the patrol queue at least once every three (3) days to determine if reports have been left unfinished in the patrol queue.

The Case Management Officer will review reports using the following time line.

1. Arrest reports will be reviewed daily and forwarded immediately for dissemination.
2. All other reports being forwarded for prosecution or investigation shall be reviewed and forwarded within 24 hours of receipt.
3. Reports being sent to file or other destinations shall be reviewed and forwarded within 48 hours.

The Records Unit will disseminate all reports completed by the Department. The staff will use the following timeline for dissemination.

# Elko Police Department

## Chapter 2100 Records and Reports

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1. All arrest reports will be prepared for dissemination immediately upon receipt. The prosecution has a deadline for filing complaints on subjects who have been arrested. This deadline is ten days for adult arrestees and five days for juvenile arrestees. Dissemination must occur within this time period.
2. All reports being sent for prosecution will be prepared within 48 hours of receipt. Preparation shall include not only the written report, but all photographs, video, and audio recordings related to each case.

All requests for additional information or follow up investigation received from a prosecuting attorney shall be forwarded to the Case Management Officer for review and assignment.

Once dissemination has occurred, the Records Unit will forward all reports to Case Administration.

The Record's Supervisor who is assigned as Case Administration will review each case for correct statistical data. Once the review has been completed a Uniform Crime Report will be generated for each month and forwarded to the State of Nevada for record.

### **2130.035 Police Business Confidential**

Employees shall treat as confidential the official business of the Department and shall not reveal official information such as a proposed movement or disposition of the force, or regulations made for the administering of the Department other than to employees of the Department and employees of governmental agencies when, because of such person's duties and assignment, it is necessary and proper that such information be disclosed.

### **2130.040 Secret Witness Reference in Reports**

No reference to the wording "Secret Witness" will be used in any report or affidavit generated by employees of this Department. Information obtained through Secret Witness may be referred to as information received from an unidentified citizen.

It is imperative that the Secret Witness Program be protected from the discovery process utilized by defense attorneys. Reference to Secret Witness may cause records and/or personnel to be subpoenaed, which could have an adverse effect on the program.

### **2130.045 Records Maintenance and Retention**

Department records shall normally be maintained in the Records Unit in the Police Department.

Certain records are permitted to be maintained in other organizational units to meet operational, security, and confidentiality requirements. Records such as those relating to internal investigations, on-going criminal investigations, traffic investigations, criminal intelligence, and the personnel processes, are authorized to be maintained at the unit level. These may be, unless otherwise specified by law or Department policy, retained at the discretion of Captain.

# Elko Police Department

## Chapter 2100 Records and Reports

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### **2130.050 Release of Official Records**

The Police Records Unit is the only unit of the Department authorized to release copies of police reports and records.

Release of information pertaining to the content of police reports or records shall be governed by current Records Unit policy and procedure.

### **2130.060 Department Forms**

The Administrative Lieutenant is responsible for the development, modification and review of all forms used by this Department. All newly developed forms of modification of existing forms will be approved by the Chief of Police prior to their use.



Ty Trouten  
Police Chief

Creation Date: May 31, 1994  
Revision Date: January 14, 2009  
Revision Date: October 1, 2013

# Elko Police Department

## Chapter 2200 Canine Program

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### **2210.000 Canine Unit Policy**

#### **2210.010 Canine Unit Policy**

The Elko Police Department maintains a canine unit in an effort to provide the City of Elko with the best police service possible. The canine unit will allow the department to increase productivity, deter crime, and improve public relations with its improved search capabilities, drug detection, explosives detection, and the added dimension of tracking.

The purpose and duties of the canine unit shall include but not be limited to:

1. Tracking of individuals sought by police,
2. The search of buildings or areas for suspected criminals,
3. Detection of illegal drugs,
4. Detection of explosives,
5. Handler protection.

#### **2210.020 Organization and Chain of Command**

The canine teams will be assigned to the various patrol divisions or other designated units, under the immediate supervision of the respective on-duty shift supervisor. For purposes of training and related issues, the canine handler will report to the canine unit supervisor.

#### **2210.030 Duties of the Canine Unit**

The handler(s) shall perform general duties except when their services are required for special details or training.

On Duty Assignments – The canine teams may be assigned to, or respond to, any incident where the unit could be of assistance. Examples include but are not limited to the following:

1. Burglary in progress call, intrusion and/or robbery alarms, events in progress or that have just occurred,
2. Felony crimes where the suspect has fled on foot and a need for tracking exists,
3. Drug searches for canine teams certified in this field,
4. Explosives searches for canine teams certified in this field,
5. Building searches or area searches for suspects,

# Elko Police Department

## Chapter 2200 Canine Program

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6. Department training presentations,
7. Public relations.

The canine officer will notify the patrol supervisor and Elko Central Dispatch of scheduled on-duty training and location. Patrol supervisors will only clear the canine officer from training in the event of necessity.

The canine team shall not be used for the following situation:

1. To search for other animals,
2. To control a crowd with the exception of situations where it is immediately imperative to prevent death or serious bodily harm to individuals,
3. To perform breeding services except as approved by the Chief of Police,
4. To accomplish any application where a strong potential exists for discrediting the Elko Police Department or the canine unit,
5. To be entered in any show or trial without prior approval of the Chief of Police,
6. Be assigned a call that leaves the canine unsupervised for an extended time or causes the Team to be unavailable for calls,
7. Any outside business enterprise (i.e., guard dog)

The canine should generally not be taken into crowded public places (bars, theaters, restaurants, etc.). The canine should generally not be taken inside a residence on family disturbance calls or on routine business.

The canine should not be considered a pet, and is not to be used for the following:

1. Jogging partner in heavily traveled public areas,
2. To play with non-immediate family members ( i.e., neighbors, friends, or relatives),
3. To play unsupervised with immediate family members (i.e., spouse, children, etc.)

The canine handler(s) shall maintain accurate and up-to-date records in the following areas:

1. Training records,
2. Medical and health records for the canine,
3. Performance records,

# Elko Police Department

## Chapter 2200 Canine Program

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4. The canine handler(s) shall submit a monthly report summarizing the activities of the team. This report shall include all incident numbers of situations the canine is involved in. The report shall be submitted to the Captain.

### **2210.033 Application of the Canine**

The decision to apply the dog in a given situation shall be solely that of the dog handler(s). He/she will be the only one capable and trained to read or understand changes in the canine's demeanor which would affect its application. All canine unit activities are subject to the rules and regulations of the Elko Police Department.

### **2210.040 Public Relations**

All public relations demonstrations must have prior approval of the Canine Unit Supervisor.

All outgoing information about the canine unit shall be first approved by the Chief of Police or his/her designee.

### **2210.050 Officer Guidelines**

Officers involved with a canine deployment shall be governed by the following:

1. Officers at the scene shall contain the area to the extent possible to prevent escape of the suspect(s) and maintain their perimeter security until notified that the search is concluded. Patrol units assigned to perimeter locations will be moved accordingly with the canine team's track,
2. Officers shall refrain from unnecessary conversation, stay clear of doors and windows, and shall not enter the search area unless instructed by the canine handler(s) or supervisor,
3. When the canine team enters a building or search area at the discretion of the handler(s), another officer may be assigned to accompany the unit. This officer's responsibilities would be to provide cover for the canine team,
4. Officers should avoid backlighting the canine team with spotlights or flashlights,
5. If an officer is requested to accompany the canine team during a field or building search, he/she shall take a position to the rear of the canine handler, and carefully follow all instructions given by the handler,
6. Once the canine has been sent to make an apprehension, other officers shall not attempt to take the person into custody until the canine has been called off unless requested to do so by the handler,

# Elko Police Department

## Chapter 2200 Canine Program

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7. Officer interference with a canine in pursuit may result in injury to the officer(s). If an officer comes between a suspect and the dog, he/she should stand as still as possible and make no overt movements,
8. Officers checking an enclosed area with the canine team shall issue verbal warnings before searching a building, structure, or area unless it is tactically undesirable in a given situation. This announcement will be made periodically during the search of the area, depending on the area size,
9. The perimeter units should keep the area clear of civilian personnel,
10. Officers should avoid contaminating the search area prior to the arrival of the team and completion of the canine's search. Officers should be careful to refrain from touching any discarded evidence,
11. If officers have entered the search area or building prior to the canine team's arrival, they should make sure all officers are out of the area prior to the canine's search. The canine handler should be made aware of the area that has been contaminated,

### **2210.055 Employee Conduct**

Personnel will not tease, agitate, or harass the police canines.

Members of the department shall refrain from horseplay with other personnel or the handler when the police canine is present. Do not make aggressive gestures towards the handler.

If a working canine (for example, an actively tracking, scenting, or apprehending canine) approaches an employee, the employee should stand still.

### **2220.000 Use of Force**

#### **2220.010 Use of Force**

The canine unit shall be guided by departmental use of force policies. Should a situation arise where a canine is used to apprehend a suspect, the handler should have probable cause to believe a person has committed a felony in violation of Nevada Revised Statutes, or that there is danger of serious injury to officers or other persons by the suspect. The handler shall allow the canine to use only the force necessary to effect the apprehension of the subject the canine was ordered to apprehend.

#### **2220.020 Bites and Bite Review Board**

For reporting purposes, a dog bite shall be defined as any gripping of a person's body or clothing by the dog's mouth, irrespective of injury or damage. Additionally, any injury or damage to a person's body or clothing caused by contact with the dog's teeth, i.e., rakes, abrasion, or tearing of clothing, will also be reported.



# Elko Police Department

## Chapter 2200 Canine Program

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In every situation, except training, where an Elko Police Department canine bites another person, the following procedure will be followed:

1. The shift supervisor will immediately be notified,
2. All necessary use of force reports required by the department will be completed and forwarded to the Captain,
3. The injured party shall be interviewed regarding the crime and the canine's activities,
4. Ask the injured party for a release of medical records,
5. Record all details of medical care,
6. When the location of a bite is in a sensitive area, a person of the same gender as the victim shall act as the witness and photographer,
7. Turn in required reports within 24 hours of the incident.
8. Medical treatment.
  - a. If an injured party is uncooperative, the canine officer should request another officer to be present to verify the injured party's response. This would include refusals to allow the affected bite area to be observed,
  - b. If an injured juvenile refuses to allow inspection of the alleged bite area, that person should be escorted to a hospital, as soon as possible, for a medical examination. If a parent intercedes, and refuses such examination, a second officer should be available to witness the refusal,
  - c. In all cases of visible injury in an alleged bite area, have the juvenile taken to a medical facility when practical and possible. This information shall be included in a complete report.
9. The same requirements (other than training) shall prevail even if the bite is accidental and occurs while on or off duty,
10. All bites shall be reviewed by the use of force review board.

The canine officer shall be afforded the protections provided as with any other use of force, with respect to injuries or damages resulting from the actions of the canine, whether occurring on or off duty.

### **2230.000 Canine Unit Supervisor Responsibilities**

#### **2230.010 Canine Unit Supervisor Responsibilities**

The Canine Unit Supervisor shall insure all handlers complete the assigned basic training program.

# Elko Police Department

## Chapter 2200 Canine Program

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The Canine Unit Supervisor shall insure all handlers obtain and maintain ASCT certification standards for all tracking, drug detecting, explosives detecting, and apprehension canines as applicable.

The Canine Unit Supervisor shall review canine officer's monthly reports and training records.

The Canine Unit Supervisor is responsible for all records on the canine program. These records include: selection, handler training, monthly evaluation, activities, arrests, and apprehension. These records shall be on file and available for inspection.

The Canine Unit Supervisor shall insure required maintenance training is conducted and to set training standards as necessary to ensure canine teams are able to re-certify annually.

The Canine Unit Supervisor shall assign public relations duties with respect to the canine program.

The Canine Unit Supervisor shall act as liaison to Operations Lieutenant and other personnel for the canine unit. Liaison duties would consist of apprising departmental personnel of the activities and capabilities of the unit as well as seeking input for improvement of canine services to the department.

The Canine Unit Supervisor shall conduct required kennel and vehicle inspections.

### **2240.000 Selection Procedures**

#### **2240.010 Canine Handler**

The following are criteria that may be used in selection of a departmental canine handler:

1. Officers shall have a minimum of two (2) years law enforcement experience with the Elko Police Department,
2. Officers shall be volunteers,
3. The officer's residence shall be capable of housing the canine and have adequate space for the construction of a kennel. The officer will be required to house the canine at his/her residence,
4. In the event the officer does not own the property, the officer shall obtain written permission from the property owner for the housing of the canine,
5. Any officer selected for the position of the canine handler should expect to remain in the canine unit for the working life of the canine,
6. The officer shall have family in agreement with his/her being assigned to the canine unit,
7. The officer shall be in good health and not suffer from serious medical problems and must be strong enough to withstand the dog handling, training, and work conditions. Canine handlers

## Elko Police Department

### Chapter 2200 Canine Program

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shall maintain the P.O.S.T. physical fitness standard, and shall pass the yearly physical fitness test,

8. The officer shall have overall performance ratings of “Acceptable” or higher on the most recent performance evaluation. The officer should be a self-starter, self-disciplined, and capable of performing with minimum supervision. They should also have strong performance in communication skills, interpersonal skills, and general law enforcement skills,
9. The officer must be willing to work flexible hours, overtime, and be called out during off-duty hours,
10. If there are other pets in the home, the officer shall agree that if conflict occurs between the department’s animal and the pet, that the pet must be removed from the home. The department canine is not to be kenneled outside continuously and permanently,
11. The handler will be subject to a quarterly inspection process conducted by the Canine Unit Supervisor. If deficiencies are found, additional inspections shall be done to insure the deficiencies have been corrected,
12. The officer shall understand and embrace the canine unit’s mission and philosophy.

#### **2240.020 Selection Process for Handlers**

All handlers recommended by the Canine Unit Supervisor must be approved by the Chief of Police.

#### **2240.025 Selection of Canines**

Canines selected must meet the following criteria:

1. Must pass physical examination by an approved veterinarian.
2. Must be of such a temperament that they can be used in public areas safely. Canines must be socialized.
3. Must pass ASCT certification course after training.

#### **2240.030 Training**

Initial school criteria

Before any canine is accepted into the program, it shall be given a medical examination by an approved veterinarian.

The canine training program must be approved by the Chief of Police.

# Elko Police Department

## Chapter 2200 Canine Program

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Training shall be conducted in an orderly fashion during all work sessions with periodic breaks for relaxation of the dogs and personnel.

Safeguards shall be employed to prevent injuries to canines, personnel, and third parties during training.

No canine teams shall be used until the team has completed and passed the selected course of instruction.

Refresher training will be conducted on an on-going basis as determined by the handler and canine unit supervisor.

### **2240.031 Continuous Canine Training**

1. Training hours shall be, at a minimum, 20 hours per month, and shall include training in all areas in which the canine is certified,
2. At a minimum, training shall be conducted twice per month for at least four (4) hours each day,
3. Periodic training and recertification will be required of each canine team,
4. Training should be varied and should be representative of the job requirements and conditions relative to routine police encounters,
5. Canines shall not be abused or mistreated, and only such force as is absolutely necessary to correct and restrain them will be permitted,
6. Training shall not be performed without proper equipment.
7. Handlers shall attend all training sessions. They shall be on time, shall act as an agitator as requested, and shall watch all scenarios as directed by the canine trainer and give their complete attention to the trainer. Any absences in training shall have prior approval by the Canine Unit Supervisor.
8. The canine team must re-certify yearly to ASCT standards for all areas which that canine has been certified in. Failure to participate in or qualify under established training standards will result in de-certification of the team. The team may not be deployed until it is re-certified. Failure to respond to training will result in removal from the canine program. Failure to respond may also result in disciplinary actions.

### **2250.000 Other Agency Response**

#### **2250.010 Other Agency Response**

Canine units will respond to incidents outside the City of Elko under the following guidelines:

1. The Chief of Police or designee must approve all requests,

## Elko Police Department Chapter 2200 Canine Program

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2. The commanding officer may approve exigent circumstance requests,
3. Pre-planned requests must be approved by the Captain.

The requesting agency will be advised that they will be expected to reimburse the City of Elko for the canine team cost, if:

1. The situation is a pre-planned event,
2. A non-adjointing jurisdiction makes a request,
3. An adjacent jurisdiction makes a request when a canine team is off duty,
4. The canine handler will be advised of the request and any special requirements,
5. The requesting agency will be advised of the decision authorizing the use of the canine team. They will also be given an approximate arrival time if the canine unit has been authorized to assist,
6. Upon arrival at the scene, the canine handler will determine the amount of involvement by the canine team.

A shift supervisor or designee will prepare a written report for the Chief of Police furnishing information relative to the following:

1. The request for the use of the canine unit, including the name of the requesting officer, or official, or agency,
2. The need for such service,
3. The action taken on the request,
4. The results of the assistance.

### **2260.000 Injured Handler**

#### **2260.010 Injured Handler**

If any canine handler becomes incapacitated or injured and is unable to handle his/her canine, officers at the scene should:

1. If possible, have the handler call the canine. Once the canine is under his/her personal control, the crisis should subside.
2. Attempt to call the canine to the canine vehicle if possible, using the phrase the handler uses to load the canine in the vehicle normally,

## Elko Police Department

### Chapter 2200 Canine Program

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3. Attempt to get another handler,
4. Consider bringing the spouse or member of the handler's family to the scene,
5. If necessary, tranquilize the canine. Contact the Captain prior to such action,
6. Destroy the canine as a last resort and only with the Chief or Captain's approval. Contact the Captain prior to such action.

#### **2270.000 Canine Care**

##### **2270.010 Canine Care**

Elko Police Department canine handlers are to care for their assigned police canine. The handler will be responsible for the health and welfare of the assigned canine, both on and off duty and will conduct the following tasks:

1. Medical examinations will be conducted annually, or as needed should an injury occur,
2. Veterinarian care will be paid for by the department,
3. Any illness or injury of a non-emergency nature shall be reported to the Captain. If it is determined by the handler that the canine should be taken to the veterinarian, the Captain shall be notified as soon as practical,
4. In an emergency situation, the handler shall insure that the canine receives immediate medical attention. The handler shall submit a memorandum to the Captain describing the entire incident,
5. The handler will be responsible to administer any medication as prescribed by the veterinarian,
6. The handler will be responsible for the daily grooming and inspection of their assigned canine. The labor contract will specifically address this issue,
7. The canine will be fed regularly at a time that will allow a maximum amount of time between feeding and going on duty. A food allowance, voucher, or food will be provided by the department. No money shall be provided to the officer for the purchase of food for the canine.
8. The canine home kennel will be kept clean and sanitary.
9. Canines are the property of the City of Elko and will be treated accordingly.

# Elko Police Department

## Chapter 2200 Canine Program

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### **2270.020 Equipment**

Each canine handler will be responsible for acquiring the necessary equipment, as required by the Canine Unit Supervisor, needed for the canine team. The department will purchase the kennels for the canines.

### **2270.030 Canine Vehicle Policy**

Canine vehicles shall be take-home vehicles for the canine handlers, in order to transport the canines safely and securely, and also to provide a vehicle for call-out response.

Canine vehicles shall not be used to conduct personal business. They may be used for training, call-outs, regular duty, and any other duty needed to maintain the canine program.

Volunteers, often civilians, who participate in the training of the canine units may be transported as needed to conduct the training.

### **2270.040 Disposition of Canines**

Whenever a canine is retired from active service, except for viciousness or some similar situation, the canine will be offered to the handler.

If the canine is to be released from the Elko Police Department's canine assignment, the new owner will be required to sign a waiver of legal liability, releasing the City of Elko, the City of Elko Police Department, and departmental personnel from all liability or responsibility for anything which concerns the canine from the date of transfer.

The new owner receiving the canine must, as a condition of his/her receipt of the canine, immediately relicense the canine in the new owner's name, at their expense.

All pedigree papers will be given to the new owner receiving the canine.

In the event of the death of the canine, the following procedures will be followed:

1. The supervisor and Captain will immediately be notified,
2. The veterinarian and/or District Attorney's Office will be contacted to determine whether an autopsy is necessary, and if so, where the canine should be transported,
3. If no autopsy is necessary, the canine may be released to the handler for burial, or the handler shall arrange for proper disposal.

# Elko Police Department

## Chapter 2200 Canine Program

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Ty Trouten  
Police Chief

Creation Date: November 17, 2009  
Revision Date: November 17, 2009  
Revision Date: October 1, 2013



# Elko Police Department

## Chapter 2300 Reserve Program

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### **2300.000 Department Policy and Expectations**

#### **2310.010 Department Policy**

It shall be the policy of this department to provide an opportunity for citizens to provide volunteer police services to the City of Elko under the supervision of the Elko Police Department. The program is organized to assist the police department at times of emergency and supplement the regularly employed members of the department. The members of the reserve program are subject to the policies and procedures of the Elko Police Department and the City of Elko.

#### **2310.020 Organization**

The Chief of Police shall have powers of management, supervision, control, and direction of the members of the Reserve Program. Members serve with the authorization of the Chief of Police.

The Chief of Police shall appoint the Operations Lieutenant to serve as coordinator of the Reserve Program. The coordinator shall be responsible for the internal administration and supervision of its members.

Reserve officers in an on-duty status shall be subject to the supervision of the appropriate regular member of the department according to the assignment status of the reserve officer.

#### **Elected Officers**

1. President of the Reserves. One member shall be elected as President of the Reserves by members of the Reserve Program. The President's term shall be one year. The President of the Reserves is responsible for:
  - a. Scheduling and conducting meetings and training sessions for the reserve members.
  - b. Ensuring the tasks of Secretary and Treasurer are completed.
2. Secretary of the Reserves. One member of the Reserve Program shall be elected Secretary by members of the reserve. The term of office shall be one year. The Secretary's duties include:
  - a. Maintaining the record of reserves attendance.
  - b. Maintaining the record of reserve training and qualification.
  - c. Maintain records of reserve meetings.
  - d. Prepare outgoing correspondence as required by the President.
3. Treasurer of the Police reserves. One member of the Reserve Program shall be elected Treasurer by members of the Reserve. The Treasurer's term of office shall be one year. The Treasurer's duties include:

# Elko Police Department

## Chapter 2300 Reserve Program

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- a. Maintain records of all monetary affairs of the reserve program.
- b. Maintain records of all reserve equipment.

### **2310.030 Chain of Command**

The chain of command is tasked with serving the needs of the reserve members while ensuring the Reserve Program meets the needs of the Department. Formal communication should be directed through the chain of command. The chain of command for the reserve program is as follows:

1. Chief of Police
2. Operations Lieutenant
3. President of Reserves
4. Reserve member

### **2310.040 Authority**

Reserve officer while on-duty are peace officers. Unless properly trained and certified, the officers shall not perform acts except under the immediate supervision of a sworn regular patrolman.

Reserve officers shall not work in a solo capacity unless expressly directed to do so by his supervisor after receiving Nevada P.O.S.T. basic certification and meeting the requirements of the Elko Police Department Manual.

When off-duty, a reserve officer is to be considered a private citizen and shall act accordingly.

### **2310.050 Selection**

Selection of reserve officer shall be equivalent to the procedure followed for selection of sworn patrolman. Reserve members are expected to be able to perform the same tasks as their full time counterparts.

The following minimum standard shall be met by successful applicants for the position of Reserve Officer:

1. Members shall be citizens of the United States and residents of Elko County.
2. Members shall be at least 21 years of age for service as a Reserve Officer.
3. Members shall be of high moral character and free from conviction of a crime which is considered a gross misdemeanor or felony, or would tend to reflect unfavorably on the position of reserve officer.

## Elko Police Department

### Chapter 2300 Reserve Program

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4. Members must possess sufficient reading skills to enable them to read and understand statutes, ordinances, policies and procedures, reports and other printed material normally associated with police work. They shall also be able to write in a clear, legible, and concise manner as required by the Department.
5. Members shall not be actively engaged in the business or practice of private security or investigations work or any other service that would be a conflict of interest. Exception is granted to members of the United States Armed Forces assigned in security related specialties.
6. Members shall possess a valid Nevada driver's license.
7. Members shall complete the selection process which may include but is not limited to written examination, oral examination, background investigation, physical examination, psychological examination.

Application is obtained from the office of the Chief of Police and is made to the Operations Lieutenant in compliance with the policies and procedures of the City of Elko and the State of Nevada.

#### **2310.060 Agreements**

To provide for the adequate staffing and training of the Reserve Program, members must agree to the following;

1. To attend and successfully complete the training program for reserve officers as outlined in the Reserve Police Officer Training and Evaluation Program as well as additional training as required by the Department.
2. To perform a minimum of 16 hours per month of volunteer service.
3. Abide by the policies and orders of the Elko Police Department.
4. To accept no other assignments with any other law enforcement agency unless released by the Elko Police Department.
5. Refuse membership with other civil defense groups unless a waiver is obtained from the Chief of Police, to include;
  - a. Fire Departments within Elko County.
  - b. Ambulance crews within Elko County
  - c. Search and Rescue services.

# Elko Police Department

## Chapter 2300 Reserve Program

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### **2310.070 Prohibitions for Reserve Officers**

Reserve Officers are not full time sworn officers, the following rules shall apply and shall be strictly followed:

1. P.O.S.T. level 4 and level 5 officers shall perform duties only under direct supervision. P.O.S.T. level 1 officers may perform law enforcement duties as directed by his supervisor,
2. Reserve officers shall not carry weapons while off-duty unless the weapon is carried in such a way that would be lawful for a private citizen unless the reserve is a Category I officer,
3. P.O.S.T. level 4 officers may only operate department vehicles after completion of P.O.S.T. approved E.V.O.C. training course,
4. Members of the Reserve Program shall not engage in law enforcement actions unless on-duty,
5. Members of the reserve Program shall not carry or wear a badge while off-duty. Identification may be carried as long as it is concealed. A reserve officer shall not identify himself while off-duty or attempt to place himself in an on-duty status except as required for appearance in court or administrative hearings,
6. Members of the Reserve Program shall not incur expense against the Department without obtaining prior approval from the Operations Lieutenant.

### **2310.080 Classification of Reserve Levels and Responsibility**

All reserve officers must meet the requirements of Nevada Administrative Codes (NAC) prior to deployment in a uniformed status as a reserve police officer.

Level 5 – Level 5 officers must have completed the application and selection process. Level 5 officers shall not work in uniform and shall not perform law enforcement functions. Level 5 officers shall be assigned to duties to include, records function, administrative support, and training support.

Level 4 – P.O.S.T. Level 4 officers must have completed the minimum training requirements as outlined in the training requirements as outlined in the training and evaluation program for the reserve police officer.

1. Level 4 officers shall have completed the FTO program of their training requirements,
2. Level 4 officers may perform law enforcement functions under direct supervision of regular members after completion of the FTO program.

Level 1 – Level 1 officers must possess a Nevada Basic P.O.S.T. certification in good standing and shall have completed Basic P.O.S.T. academy and hold a Basic P.O.S.T. Certificate. Level 1 officers shall be required to perform law enforcement duties such as arresting offenders, issuance of citations, traffic

# Elko Police Department

## Chapter 2300 Reserve Program

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control, and preliminary investigations. They shall be expected to be able to function without immediate supervision, should the department deem it necessary.

### **2310.090 Reserve Officer Files**

The Elko Police Department is responsible for maintenance of the following files:

1. Personnel files – these files reflect the officers date of rank, promotions, disciplinary history, job performance, number of hours worked, and on the job injuries.
2. Training files – these files reflect the department training including those reflected under the training and evaluation programs.

### **2310.100 Liability**

Reserve officers injured in the line of duty are entitled to medical treatment and hospital care as afforded a regular officer injured in the line of duty. Reserve officers shall report on-duty injuries promptly to their immediate supervisor. Reserve officers shall complete all required forms if injured while on duty.

### **2310.110 Evaluation**

Each member of the reserve program shall be evaluated annually by the Operations Lieutenant with assistance of regular officers and staff members as needed.

Evaluations are forwarded through the chain of command with copies being distributed to the reserve officer's personnel file, the chief of police and the reserve officer.



Ty Trouten  
Police Chief

Creation Date: January 1, 2008

Revision Date: January 14, 2009

Revision Date: October 1, 2013

# Elko Police Department

## Chapter 2400 Honor Guard

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### **2410.00 Honor Guard Unit Policy**

#### **2410.10 Honor Guard Unit Policy**

The Elko Police Department Honor Guard was formed in 2012 under the administration of Chief Don Zumwalt. It is the primary purpose of this unit to render Honors to fallen officers of this department and other departments as outlined below. The continuation of the unit must be endorsed by each new Chief of Police as attending funerals for fallen officers has a direct impact on the budget of the Police Department.

#### **2410.15 Admittance into the Honor Guard**

As the primary mission of the Elko Police Department Honor Guard is to render Honors to Fallen Officers, which can be an extremely rewarding yet heavy personal burden, all officers must volunteer given their careful consideration of the tasks of the unit. All Officer's seeking to apply must be off their initial probation period after hiring, be in good standing within the department, be willing to make a five year commitment to the unit, and also be willing to either donate their time for unit functions or put in for comp time only. Officer will also be expected to cover the cost of the uniform and equipment necessary to function as a member of the unit using their annual uniform allowance.

#### **2410.20 Span of control**

The Honor Guard will report directly to the Unit Commander. The Unit Commander will report only to the Captain and the Chief of Police, or his designee, for matters involving the Honor Guard.

The Unit Commander will be chosen by the Chief of Police or by the existing Unit Commander in cases of the existing Unit Commander surrendering his post or in cases that he has become unfit to fulfill the duties of the post.

The Unit Commander will be responsible for directing training and all functions or details for the Honor Guard as well as accepting new members to the unit. The Unit Commander has the final say when determining the acceptance of new members to the unit, determining uniforms, approval of unit patches and flags, and assignments of details and positions within the unit.

#### **2410.025 Responding to outside agency funerals**

Members of the Honor Guard shall seek authorization and approval from the Chief of Police. The cost of fuel, per diem, and lodging if necessary will be covered by the department. Approval shall be obtained by the Unit Commander or an Honor Guard member designated by the Unit Commander. The number of members sent will be determined by the Chief of Police but a minimum of two is recommended. Shift coverage and appropriate staffing levels shall be considered and if no members are available it shall be at the discretion of the Chief of Police to determine if non Honor Guard Members shall be sent.

# Elko Police Department

## Chapter 2400 Honor Guard

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### **2410.030 Conduct and Expectations of Unit Members**

Members of the Honor Guard shall remain in good standing within the department. Should a member fall out of good standing within the department, the Unit Commander and the Chief of Police shall determine if the member should be suspended or dismissed from the unit on a case by case basis.

Members of the Honor Guard shall maintain their uniform and equipment in a clean state and a manner as to be “mission” ready at all times.

Members of the Honor Guard shall make every effort to attend scheduled training. If a member cannot attend he/she shall notify the Unit Commander as soon as possible.

As it is the primary mission to render Honors to fallen Officers, members shall be expected to attend funerals if not scheduled to work or if scheduled to work but able to attend due to proper shift coverage. As deaths are unknown and assignments to attend these deaths come at such short notice, members are expected to make themselves available to attend. If a member is available in terms of his/her work schedule and shows reasons he/she is unable to attend on numerous occasions due to other obligations he/she can be considered for dismissal from the unit.

While attending unit functions it is essential that members have their uniforms maintained at a high level and worn correctly as directed by the Unit Commander. Members are also expected to have a high level of personal hygiene and grooming during the unit function i.e. freshly shaven and a fresh haircut. All grooming standards shall be consistent with department policy.

### **2410.035 Training & Scheduled Events**

The Chief of Police shall authorize up to four hours of training for the unit per month. Training shall be compensated through the application of comp time by the members of the unit.

Yearly scheduled events are as follow: color guard duties for the Memorial Day parade, 4th of July parade, and the Veteran’s Day Parade. The unit shall make every effort possible to send as many unit members to the State Police Officer’s Memorial service depending on budget constraints and shift coverage.

The Chief of Police shall have the discretion to add to or remove scheduled events for any given calendar year.

All requests for the Honor Guard to attend events or functions such as but are not limited to posting the colors or providing a color guard shall be approved by the Chief of Police and requested through the Unit Commander.

### **2410.040 Uniforms**

The Honor Guard Uniform shall be a Marlow White brand blue tunic with silver buttons, blue trousers, black dress shoes, white gloves, Marlow White brand blue uniform hat, and duty gear consisting of pistol and holster, magazine pouch, and handcuff case. The duty gear shall also consist of a cross strap. Sunglasses can be authorized by the unit commander at his discretion. The uniform

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shoes and duty gear shall all be black and high gloss. The uniform pants shall have the grey piping as the department class A pants but with a wider width. Items to be worn on the Jacket are a single name plate, badge, unit shoulder patches, and a mourning band. Department pins and awards shall not be worn as part of the Honor Guard. Rank shall be applied to the Jacket using normal department standards. Service Stripes shall not be applied to the jacket. These standards are set forth not to discredit the awards or years of service for the specific officer but to maintain uniformity within the unit.

The training and travel uniform shall be black BDU style trousers, black duty boots, and unit shirt. A blue or black polo shirt with no writing on it is also authorized. A plain black or white t-shirt is authorized for training only.

### **2410.045 Rendering Honors to Fallen Department members**

Honors to be rendered shall be determined and given in strict accordance to the department policy regarding funeral honors. No additional Honors may be rendered other than those detailed in the specific category as it is highly important to separate the classes of honors as to maintain that line of duty deaths receive the most honors. Less funeral honors may be given only at the request of the surviving family or if the specific Honor is out of the capabilities of the department or responding department/departments that are to aid in the rendering of Honors.

It is the duty and responsibility of the unit commander to coordinate and plan all Honors for fallen officers or personnel of the Elko Police Department.

### **2420.00 Funeral Honors**

#### **2420.010 Purpose**

This Standard Operating Procedure establishes policy and procedure concerning funeral type classification and ceremonial sequence in properly honoring members of the Elko Police Department at the time of their death.

#### **2420.020 Policy**

It is the policy of this department that all members of the Elko Police Department killed in the line of duty will be appropriately honored at the time of their death. We will assign officers to ensure that survivors of the Department officer receive appropriate support at the time of their loss. We will also appropriately honor members of the Department, who die while on active duty, as well as officers who die in retirement, and civilian employees who die while employed by the Elko Police Department.

#### **2420.025 Definitions**

This Department is authorized to offer the following honors for each category of death. The family should be consulted and given the opportunity to accept or decline any of the offered honors. Every effort should be made to obtain the materials and services needed for these Honors "in kind" or by donation so that there will be little or no cost to the department. If there is any cost incurred for these honors, they will be the responsibility of the department.



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The family of the deceased will be responsible for the cost of the funeral home and church services, embalming, cremation, casket/urn, cemetery space, grave marker, family transportation and housing, etc.

Color Guard: A four-member unit consisting of two flag bearers and two riflemen. The color guard will carry the colors of the United States and the State of Nevada.

Honor Guard: An undetermined number of honor guard members (multi-agency) who are responsible for performing a variety of duties throughout the visitation and funeral process.

Interment Flag: A 5 x 9 1/2 foot cotton flag of the United States. (The flag should be provided by the department at the department's expense)

Firing Party: An eight-member unit consisting of seven riflemen and one commander. The firing party should consist solely of members of the Elko Police Department, using 12 gauge shotguns with smokeless popper ammunition.

Flag Folding Detail: An eight-member unit charged with removing and folding the interment flag at gravesite. This unit may consist of a multi-agency honor guard.

Casket Watch: Casket watch consist of two officers, one at the head the other at the foot who stand watch for a period of 10-15 minutes. The number will vary depending upon the classification of the death.

Garrison Flag: 20 ft. x 40 ft. (or larger) hoisted across the processional route by two aerial fire trucks. The blue field should be toward the north. No traffic should be allowed to drive under the flag except for the funeral procession.

Funeral Service Program: (Level I only) printed brochure type booklet of 4-8 pages depicting information about the deceased officer, order of service, religious liturgy, eulogy, poem, etc. This brochure must be approved by the family and the minister prior to being printed and handed out to those attending the service.

### **2430.00 Funeral Types**

#### **2430.010 Level I**

Line of duty: Funerals for officers who have died in the line of duty may be provided an honor guard at the visitation and funeral. A funeral service program will also be provided. Grave site services will consist of a flag folding detail, color guard, rider-less mounted unit, motorcycle unit, bugler, firing party, and bagpipers and a walking escort with the coach.

A department liaison officer of any rank will be assigned to the family as soon as possible after the death of the officer. This officer can be assigned by the department or selected by the family. He/she will be responsible for the needs of the survivor and any communication to the department. The family should be consulted and comfortable with the unit assigned.

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A motorcade will escort the deceased officer from the church to the gravesite. The following processional order is recommended. First to leave the church parking lot would be a single EPD marked unit followed by other police and fire agencies then EPD, motorcycles, coach, immediate family, extended family and civilians attending. The procession will pass under a garrison flag en-route to the cemetery.

Some religions require interment of the deceased within 24 Hours of death or as soon as practical after the body has been released by the coroner. In these cases many of the honors could not be planned and offered in time for the burial. Every effort should be made to provide as many honors as practical for these services. In addition, the family should be offered the opportunity for a memorial service held soon after the interment which can include a modified version of these honors appropriate for the location and circumstances. The amount paid for department flowers for a Level I funeral will be determined by the chief of police.

### **2430.020 Level II**

Non-Line of Duty who has died while on active duty, but not in the line of duty: Funerals for these officers will consist of a casket watch (one officer) at the visitation standing guard at the head of the casket (honor guard will be posted as described in a Level I funeral). A motorcade will escort the coach to the cemetery in the same order as stated for a Level I funeral. Gravesite services may consist of a color guard, flag folding detail (2-4 officers) and a bugler.

### **2430.030 Level III**

Retired Officers: Funerals for retired officers should have a uniformed officer present at the visitation and funeral. If the surviving family requests departmental honors an abbreviated version of a Level 2 funeral will be utilized. The only portion of a Level II funeral that will be utilized will be a flag folding detail (2-4 officers) and a bugler at the gravesite.

Note: Suicide by an active duty officer should be afforded Level II or III honors depending upon the circumstances.

### **2430.040 Level IV**

Civilians killed or deceased while on active duty: Funerals for civilians will consist of a uniformed officer present at the visitation and funeral. A uniformed officer in a marked EPD commission may also lead the procession to the cemetery. Note: When an officer is in attendance at the visitation they will remain at the funeral home for the duration of the public hours (unless relieved by another officer) and assist with the family's needs.

## **2440.00 Funeral Procedures**

### **2440.010 Level I Funerals**

1. Upon pronouncement of death of an officer who has died in the line of duty Officer's immediate supervisor will ensure that the body of the officer is escorted anytime it is moved until this duty is relinquished to the Department's Honor Guard. The number of officers needed for the escort is at the discretion of the immediate supervisor. In cases

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where the officer is to be interred out of state, the officer's family shall be offered a Level I funeral at a location of their choice within the State of Nevada and a detail of four officers will be assigned to escort the body out of state. Note: After the Level I service the casket shall be re-draped with another flag for transfer to the other state. The re-draping of the casket should be done out of view of the family before being placed in the hearse.

2. Upon delivery of the deceased to the EPD Honor Guard, the Guard will place the first of two interment flags on the casket. If the deceased is cremated a folded flag placed on a small easel by the officer's photograph and/or urn is appropriate. When the casket is closed the flag shall be placed with the blue field at the head and over the left shoulder of the officer's body. If the casket is opened during public visitation the flag should be drawn down in 13 folds. If the family requests a casket floral arrangement, the flag should be folded in the traditional triangle and placed inside the casket. The flag should only be placed in the casket after it is ceremoniously presented to the officer, then placed in the casket by EPD Honor Guard or Command personnel. A second flag may be placed on the casket without ceremony after viewing and before the funeral service. The presentation of the folded flag to the officer is performed after the first honor guards are posted at the casket. The flag presentation should consist of three officers, two command personnel and one flag bearer. The two command personnel will march out in single file, with the flag bearer flanking the senior officer. This officer will be carrying the folded flag (flat end of the flag down) against his/her chest with their arms crossed (left hand over right). Once all three officers are centered on the casket they will halt and perform a facing movement towards the casket. The junior officer of the command personnel will read a proclamation at a podium set to one side of the casket. After the reading he will take the proclamation to an honor guard member stationed near the display location. The Honor Guard member will place it on a stand. Once the junior officer returns to the formation, the senior officer will perform an about face and present arms to the folded flag, the flag bearer will then place the flag in the senior officers hands and render a hand salute. After the completion of the salute the senior officer will then take the folded flag. The senior officer should place the folded flag in the casket near the head if the casket is open, if closed he will transfer the folded flag to an Honor Guard member who will then place it on a display during visitation. After this is completed the flag bearer will give the command of present arms and order. Once completed all three officers will march off in single file. At the completion of this ceremony public visitation will commence.
3. The Casket Watch will be posted 15 minutes prior to the start of public visitation and changed at 10-15 minute intervals without a commander. The initial posting will consist of two officers and the Honor Guard Commander. They will march out in single file with the Honor Guard Commander in the middle, face the casket and render present arms the Commander will give the command to "post". The two officers will march forward three steps forward to pre-set marks on the floor and perform an about face and go to parade rest and remain posted until they are relieved. After 10-15 minutes has passed the next two officers will march into their marks on the floor at single file, make a facing movement, when the two officer complete their facing movement, the two officers on post will come to attention together and go to port arms. Then all four officers will present arms together. The present arms is done slowly and silently, no commands are given. The four officers will key off each other for this movement. After the completion of honors the posted officers will

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take one step forward, perform a facing movement and march away, at that time the two replacement officers will take three steps forward to their marks, perform an about face and go to parade rest and remain posted until they are relieved. This casket watch will continue throughout the duration of the public viewing hours. At the conclusion of the visitation, the Honor Guard Commander will march out and position himself at the center of the casket, make a facing movement, and give the order "secure" to the two officers on post. The officers will then go to the position of attention and take three steps forward, flanking the Commander, perform an about face, then the Commander will give the order to present arms. After honors are rendered, the Commander will give the order for a facing movement, the officers will march out of the area. During the securing of the final casket watch, it is recommended that all uniformed officers still present at the visitation be in a formation behind the family to render honors at the command of the Honor Guard Commander. The officers will then be dismissed in an orderly fashion.

4. When the casket is moved from the funeral home to the location of the services the funeral coach should be escorted by motorcycles (weather permitting) and marked police vehicles. At no time during the escort is the procession to stop until it reaches the church. The number of police vehicles needed to escort the coach to the church may vary, depending on the distance and traffic density. Upon the arrival of the hearse at the church any officers in attendance outside the church when the casket is removed from the hearse shall make a formation near the coach and render a hand salute until the casket is in the church. Note: When the visiting officers arrive at the church for the service they may be assembled in a large room or gym at the church. A briefing should be given to the officers by a senior officer on the department or the Honor Guard commander. This briefing should include thanking the officers for their attendance and a quick note about cell phones, pagers and radios. The senior officer will also assemble the officers in order when it is time to enter the church.
5. After the funeral service is complete, officers in the church should be escorted out and placed into a formation near the hearse to render honors when the casket is brought out of the church. A full Color Guard will be assembled near the hearse and a cordon of Honor Guard will assemble directly outside the doors of the church. The Honor Guard Commander will bring all the officers to attention and give the order of "Present Arms" when the front of the casket begins to exit the church. All officers will then render a hand salute until the casket is placed into the hearse. At that point the Honor Guard Commander will give the command "Order Arms" and "Officers Dismissed". At that time the officers will be dismissed to their patrol vehicles and prepare for the procession to gravesite.
6. The funeral procession will make its way to the cemetery by a route that accommodates the family wishes. This may include a drive by the station, the officer's residence or any other significant location selected by the family. The hearse should be escorted by four motorcycles, two on each side. The police vehicles that are in the procession will precede the hearse, followed by the immediate family and all other civilian vehicles. Every effort should be made to ensure that the procession route doesn't pass by the location where the death occurred. All vehicles in the procession will pass under the garrison flag at a location that will accommodate the fire trucks.

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7. Upon arrival at the cemetery, the police vehicles will be parked and officers will assemble at the gravesite. When the hearse arrives at the entrance to the cemetery, the motorcycles will peel off and form up at the entrance to the cemetery. The motorcycle officers will stand in front, or beside their units and present arms when the hearse passes. The hearse will be escorted to gravesite by the following units. A color guard, rider-less horse, bagpipers and the flag folding detail. The flag detail will serve as a walking escort and place their hands on the hearse to walk it to gravesite, four officers on each side.
8. Service at the Cemetery. The Chief of Police or his designee will present the folded flag to the family. After the service is complete the flag fold detail will place their carnations on the casket, march off gravesite and ushers will then have the officers that are in formation begin to pass by the casket and place their flowers on the casket and reform with the assistance of ushers. The OIC will then dismiss the officers. The OIC of the firing party will secure the shell casings and present them to the Honor Guard commander who in turn presents them to the officer's immediate supervisor. The supervisor, at his discretion may offer these casings to the survivor or co-workers at the appropriate time.

When the officer and his/her family are to be honored and the officer's name added to the National Law Enforcement Memorial and the Nevada Law Enforcement Memorial, the Chief of Police, as well as the family liaison officer should be assigned to escort the family to these functions.

#### **2440.020 Level II Funerals**

1. Once the officer's remains arrive at the funeral home, the Department Honor Guard member will place a flag on the casket. If the casket is open for public visitation the flag will be folded back in three folds. The funeral home director can assist with the folding. If casket flowers are used, a folded flag will be placed in the casket before public visitation.
2. Before public visitation begins, the Honor Guard will post one officer to casket watch at the head. The posting and retiring will follow the same procedure as listed in Level I funeral. The casket watch will be changed every 10-15 minutes until public visitation has ended. The casket watch will be retired with honors as listed in number 4 below.
3. When the officer is moved from the funeral home to the location of the service, the hearse should be escorted by a marked ISP unit.
4. Upon arrival of the hearse at the service location proper honors should be rendered, as stated above in Section IV under Level I funeral when the casket is removed from the hearse and moved into the church.
5. After the completion of services at the church, the flag draped casket will be placed in the hearse for movement to the cemetery. A Color Guard along with the officers will be in formation at the direction of the Honor Guard Commander outside the church to receive the casket until it is placed in the hearse.
6. A motorcade will escort the hearse and family to the cemetery. The procession line-up will use the same order as stated in Section I.

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7. When the hearse arrives at gravesite the Honor Guard Commander will have the flag folding detail, bugler and color guard already in position at gravesite. Once the officers are in formation and the family members have exited their vehicles, the Honor Guard Commander will call the officers to attention and present arms. The casket will be removed from the hearse and carried to gravesite by the pallbearers once on gravesite the Honor Guard Commander will have the officer's order arms and put them at parade rest. After the completion of the religious portion of the graveside service the Honor Guard Commander will call the officers to attention and present arms for the playing of Taps. Once Taps is complete the flag folding detail will march to the gravesite and fold the flag. The flag will be presented to the Superintendent or his designee, who in turn presents it to the family. After the flag presentation the Honor Guard Commander will call the officers to attention dismiss the officers.

### **2440.030 Level III Funerals**

1. A uniformed officer will be present at the funeral home at all times during public visitation hours and at the funeral services. The officer is to ensure that the casket is properly flag draped, three folds if the casket is open or completely draped if the casket is closed. If there is to be a floral arrangement on the casket the flag will be folded and placed in the casket before public visitation.
2. If the family requests departmental honors. A two or four-man flag fold detail and a bugler will be present at gravesite. The service will be similar to a Level II with the exception of the file-by.
3. A Sergeant or above designated by the Chief of Police will present the folded flag to the survivor at the conclusion of the gravesite service. After the flag presentation the officers are dismissed.

### **2440.40 Level IV Funerals**

1. Civilian members of the Elko Police Department who die while employed by the department will be honored by having at least one uniformed officer present during the public visitation and funeral services and a marked unit to lead the procession to gravesite. (These officers should be familiar with the family if possible). At the conclusion of the services, one of the officers should present some type of gift, such as a framed certificate or plaque from the department on behalf of the Chief of Police will be responsible for providing this to the OIC of the funeral detail. These officers will have no function at the service, with the exception of the presentation to the family.

  
Ty Trouten  
Police Chief

Created October 1, 2013  
Revised October 1, 2013

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## Chapter 2500 Civilian Records and Administrative Staff

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### **2510.000 Uniform**

#### **2510.010 Records Staff Uniform**

Full time Records Technicians will wear the uniform described below daily. Any other type of dress must be authorized by the Police Chief or his designee.

Female:

1. Trousers (M): Black in color without cuff. Dress/business type slacks.
2. Skirts (O): Black in color. Must be two inches above the knee or lower.
3. Shoes (M): Black in color, dress/business type shoe. No flip-flop or sandals are allowed to be worn with uniform.
4. Shirt (M): Button dress shirt. Shirt may be any color or sleeve length. First initial and last name will be embroidered on right breast of shirt in white. "EPD Records" will be embroidered on left breast in white. A nametag may be used in lieu of embroidery. Tie will not be worn with shirt. Contrast of color between the trousers/skirts and shirts must be of a presentable contrast of color.
5. A shell type dress can be worn. A nametag will be used and placed on the right breast of the dress and be visible while worn.

Male:

1. Trousers (M): Black in color without cuff. Dress/business type slacks.
2. Shoes (M): Black in color, dress/business type shoe. No flip-flop or sandals are allowed to be worn with uniform.
3. Shirt (M): Button dress shirt. Shirt may be any color or sleeve length. First initial and last name will be embroidered on right breast of shirt in white. "EPD Records" will be embroidered on left breast in white. Tie will not be worn with shirt. Contrast of color between the trousers and shirts must be of a presentable contrast of color.

#### **2510.015 Civilian Administrative Staff Uniform/Dress**

Civilian Administrative staff may wear the Records Staff Uniform as described above or business attire. If business attire is chosen it shall be clothing that conforms to traditional business standards. Fabric of business attire must be of a "dress" nature and look. Shirts, blouses, skirts and pants must be of a presentable contrast of color and materials.

#### **2510.020 Records and Civilian Administrative Staff Hair Style Guidelines**



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Except when acting under proper and specific orders from a supervisor, male and female employees on duty shall have their hair according to the following guidelines:

- Male employees -
  1. Hair must be clean, neat and combed and shall not be worn longer than the top of the shirt collar at the back of the neck, nor cover the ears when standing with the head in normal posture.
  2. Hair in front will be groomed so that it does not fall below the eyebrows.
  3. Hair styles, such as pleated, braided, ponytail, Mohawk or other eccentric styles are prohibited.
  4. Wigs or hairpieces are permitted if they conform to the above standards for natural hair.
  5. The sideburns of male employees shall be neatly trimmed and tapered and shall not extend below the bottom of the ear or exceed one and one-quarter inches in width. They shall end with a clean-shaven horizontal line. Sideburns and mustaches shall not connect.
  6. Employees may wear a neatly trimmed mustache. The mustache shall not grow past the corner of the mouth and the mustache shall not be allowed to grow longer than one inch in length. Beards and goatees shall not be worn. Handlebar mustaches or other exotic facial hair styles shall not be worn.
- Female employees-
  1. Hair in front will be groomed so that it does not fall below the eyebrows.
  2. Hair color that is not a natural hair color will not be allowed.
  3. Hair styles that are eccentric or extreme are prohibited.

### **2510.025 Records and Civilian Administrative Staff Appearance**

All members of the Department are to maintain a high standard of personal grooming and appearance.

**Uniform** - Uniform leather, to include footwear, will be cleaned, shined and polished regularly and provide an overall professional appearance. The uniform shall be clean, pressed, and properly adorned at all times while on duty.

**Jewelry** - The wearing of unnecessary jewelry is discouraged. Female employees may wear one pair of conservative earrings (one ring in each ear). Earrings may not exceed two inches in length. Male



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employees may not wear any earrings while on duty. Employees are not allowed to wear any earring that when removed creates a noticeable deformity in the body, such as gauges or large piercings. No employee will be allowed to wear any other piercing on the body that would be seen while a uniform is worn, such as eyebrow, lip or nose piercings.

Chains or other ornamental jewelry may not be worn on the outside of the uniform.

**Tattoos** - No tattoos or body art shall be permitted to be worn that are offensive. This may include sexist, racist, vulgar, anti-American, anti-social, gang related, or extremist group or organization related. Employees shall not have tattoos above the collarbone.

Employees shall not have tattoos on their hands.

Employees shall not allow a tattoo to be visible while wearing the authorized uniform of the day, or business attire.

Exceptions: Tattoos used for cosmetic purposes such as eyebrows, eyeliner or other permanent makeup or to help with a facial disfigurement will be reviewed on a case by case basis.

### **2520.010 Purchasing and Invoice Remittance**

#### **Policy:**

It is the policy of the Elko Police Department that the Police Chief designate an employee to track, prepare and disseminate all purchasing obligations of the Department's fiscal budget. No funds will be disseminated for payment without the knowledge of the designee and /or the Police Chief.

The designee will be responsible for tracking purchases to insure proper management of City funds. The designee will maintain a tracking system and report to the Police Chief bi-monthly, advising of the status of these funds.

#### **Procedure:**

1. All purchases outside of normal/reoccurring purchases and services will be pre-approved by the Police Chief. A requisition form will be completed and submitted through the chain of command, for approval, before the purchase is made.
2. Normal/reoccurring purchases, such as office supplies, printing and cell phone service, etc., will be made through the designee, who is responsible for daily services and supplies.
3. Any purchase or service above \$2,500.00 requires a City purchase order be filed and signed by the Police Chief. Any purchase order over \$49,999.00 must go through a competitive bid process. (See City of Elko Purchasing Policy.) Purchase orders are maintained by the Administrative Lieutenant.
4. Inquiries as to balance of line items will come through the designee. This is not an authorization to purchase.
5. Checks will not be cut for purchases under \$20.00. These should either be through a City account or petty cash.
6. All invoices and receipts are to be turned in to the designee after approved purchase.
7. Invoices will be prepared for payment by the designee.
  - a. Invoices will be stamped with the payment stamp provided by City Finance.

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8. Each invoice will be recorded in the tracking system to maintain a current balance on the Department's budget.
9. Each invoice will be reviewed by the Police Chief or his designee prior to submission for payment.
10. Invoice details will be entered into an expenditure document for the Police Chief to review during City Council meetings. This document will contain:
  - a. Line item designation
  - b. Payee
  - c. Dollar amount
  - d. Description or explanation of the product or service purchased.
11. Invoices will be delivered to the City's Finance Department prior to deadline.
12. The City's Finance Department provides a list of paid invoices after each City Council meeting (Accounts Payable by G/L Distribution Report). This report will be compared to the tracking system to double check that each payment has been properly noted.

### **2520.020 Permits and Licensing**

#### **Policy:**

Certain Special event permits and licensing require investigation and/or approval by the Police Chief.

- Parade Permits
- Accessory Sexually Oriented Business License
- Principal Sexually Oriented Business
- Special Event License
- Special Event & Liquor License
- Liquor License
- Solicitor Permit
- Peddler Permit

Records personnel will verify each application for completeness and accuracy. All investigation and subject checks will be completed prior to submission for approval.

#### **Procedure:**

Records staff must verify the application is complete. All necessary steps must be completed prior to presenting the permit for approval. Checklists for each type of permit or license have been created to ensure all steps are completed. Each checklist has boxes to indicate which actions have been completed and who completed them. Each box should be checked to show the step has occurred.

The types of special event permits and licensing needing approval by the Police Chief are as follows:

Parade Permit – parades within the city limits which may or may not require traffic control assistance.

1. This permit does not require prior steps for approval. The permit is sent directly to the Police Chief or designee.

Accessory (Temporary) Sexually Oriented Business License Application – typically a one-time event that is sexual in nature.

CC4-10-3: A. Accessory: Accessory sexually oriented business uses which:

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1. Comprise no more than ten percent (10%) of the floor area of the establishment in which it is located and comprise no more than twenty percent (20%) of the gross receipts of the entire business operation; and
2. Do not involve or include any activity except the sale or rental of merchandise; or
3. Involve or include dancing or live entertainment characterized by an emphasis on the presentation of "specified sexual activities" or "specified anatomical areas", if such live entertainment is only presented as an occasional activity of the business operation. To qualify as an accessory sexually oriented business use, said activity or event shall be limited to no more than twenty one (21) consecutive days taking place at minimum thirty (30) days' interval following a similar activity or event and such activities or events occurring no more than four (4) times within a calendar year.

1. Note limits on time frames and during each calendar year above.
2. Obtain a copy of the driver's license for the applicant. A wants/warrant query will be completed on the applicant. Any wants/warrants found for the applicant will cause the license to be denied. If no wants/warrants are identified, the license will be given to the Police Chief or designee for review.
3. Once approved, perform documentation procedures listed at the end of this section.

### Sexually Oriented Business Application - license required for a principal sexually oriented business.

CC4-10-3: B. Principal: Principal sexually oriented business uses include, but are not limited to, the following:

1. Body painting studio;
2. Adult video and/or adult bookstore;
3. Cabaret;
4. Soda pop or nonalcoholic beverage club;
5. Companionship establishment;
6. Conversation/rap parlor;
7. Health/sport club;
8. Sexually oriented hotel or motel;
9. Massage parlor, health club or studio;
10. Mini-motion picture theater;
11. Modeling studio;
12. Motion picture arcade;
13. Motion picture theater;
14. Novelty business;
15. Sauna;
16. Steam room/bathhouse facility;
17. Barbershops;
18. Beauty shops;
19. Private clubs.

C. Exception for Houses Of Prostitution: Houses of prostitution which are regulated under [chapter 9](#) of this title are not included within the classification of sexually oriented business uses as herein regulated. (Ord. 440, 4-12-1994)

**\*Note -entire application is submitted to Detective Unit for background investigation.**

Special Event License (No Liquor) - typically a one-time event where no liquor is served. The event may last one or more days. Ensure the dates and times of the event are complete. Once approved, perform documentation procedures listed at the end of this section.

Special Event & Liquor License - typically a one-time event where beer/wine/liquor is served. The application must indicate which type of liquor license; "Liquor or Beer" or "Beer and/or Wine." The event may last one or more days. Ensure the dates and times of the event are complete. Once approved, perform documentation procedures listed at the end of this section.

# Elko Police Department

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All servers must be listed on the license application. A wants/warrant query will be attempted with the limited information given.

Liquor License Application - required for any establishment to distribute any type of alcoholic beverage. This application is for an initial or modified license application. Determine if the business would like a 30 day temporary license.

1. The applicant(s) will need to fill out a work card application.
2. Obtain a copy of the driver's license for the applicant. A wants/warrant query will be completed on the applicant. Any wants/warrants found for the applicant will cause the license to be denied. Any persons with a **felony conviction** within the last 10 years from the application date will be denied from receiving a license. If no wants/warrants are identified, the applicant may now be fingerprinted.
3. Forward the application to the Police Chief or designee for review. Once approved, perform documentation procedures listed at the end of this section.

Solicitors/Peddlers License Application – this is a two-part checklist.

1. The top portion is designated for Solicitors (Door to Door). Each solicitor must be listed on the City Business License.
  - a. Each solicitor listed on the license needs to fill out a work permit application. Anyone not present at the time of application will be crossed off of the license document.
  - b. All applicants will be run for wants and warrants.
  - c. Solicitor cards are not given to the solicitors until the actual license has been paid for and copied by the department.
  - d. The Police Chief will approve or deny application.
  - e. Once approved the application must be returned to City Business Licensing for payment.
2. The bottom portion of the Checklist is designated for Peddlers (One Location).
  - a. All individuals selling at the location must be listed on the license and have a wants/warrants check completed.
  - b. Obtain a copy of the driver's license for the applicant. A wants/warrant query will be completed on the applicant. Any wants/warrants found for the applicant will cause the license to be denied. If no wants/warrants are identified, the Peddler Permit will be given to the Police Chief or designee for review. Once approved, perform documentation procedures listed at the end of this section.

Documentation Procedure:

Permit and Licensing Documentation Procedure

# Elko Police Department

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- Records Unit will take full responsibility for permit/license until it is signed by Department Administration.
- Unsigned permits are to be kept in the Records Supervisor's office.
- Once signed, the permit/licensing paperwork will be scanned and placed in the permit folder: police – records – permits

### Parade Permit

- Signed paperwork will be scanned into the permits folder. Naming of file will be event and date.
- Scanned permit will be distributed to Department Administration and Supervisors via email.
- One hard copy distributed to Operations Commander

### Accessory (Temporary) Sexually Oriented Business License Application

- Signed paperwork will be scanned into the permits folder. Naming will be the Event and date
- Scanned permit will be distributed to Department Administration and Supervisors via email.

### Sexually Oriented Business Application

- This permit is submitted through City Licensing to the Detective Unit for investigation.
- No action of distribution is taken by Records Unit.

### Special Event Permit (no liquor)

- Signed paperwork will be scanned into the permits folder. Naming will be the Event and date
- Scanned permit will be distributed to Department Administration and Supervisors via email.

### Special Event Liquor License

- Signed paperwork will be scanned into the permits folder. Naming will be the Event and date
- Scanned permit will be distributed to Department Administration and Supervisors via email.

### Liquor License

- Signed paperwork will be scanned into the permits folder. Naming will be business name.
- Notify Records Supervisor of pending Liquor License fingerprint results
- Records Supervisor will notify Administrative Assistant of liquor license application with pending fingerprint results.
- When fingerprint results are received Records Supervisor will scan results into application document.
- Once results are scanned and permit is complete, notify Administrative Assistant.

### Solicitor/Peddler Permits

## Elko Police Department

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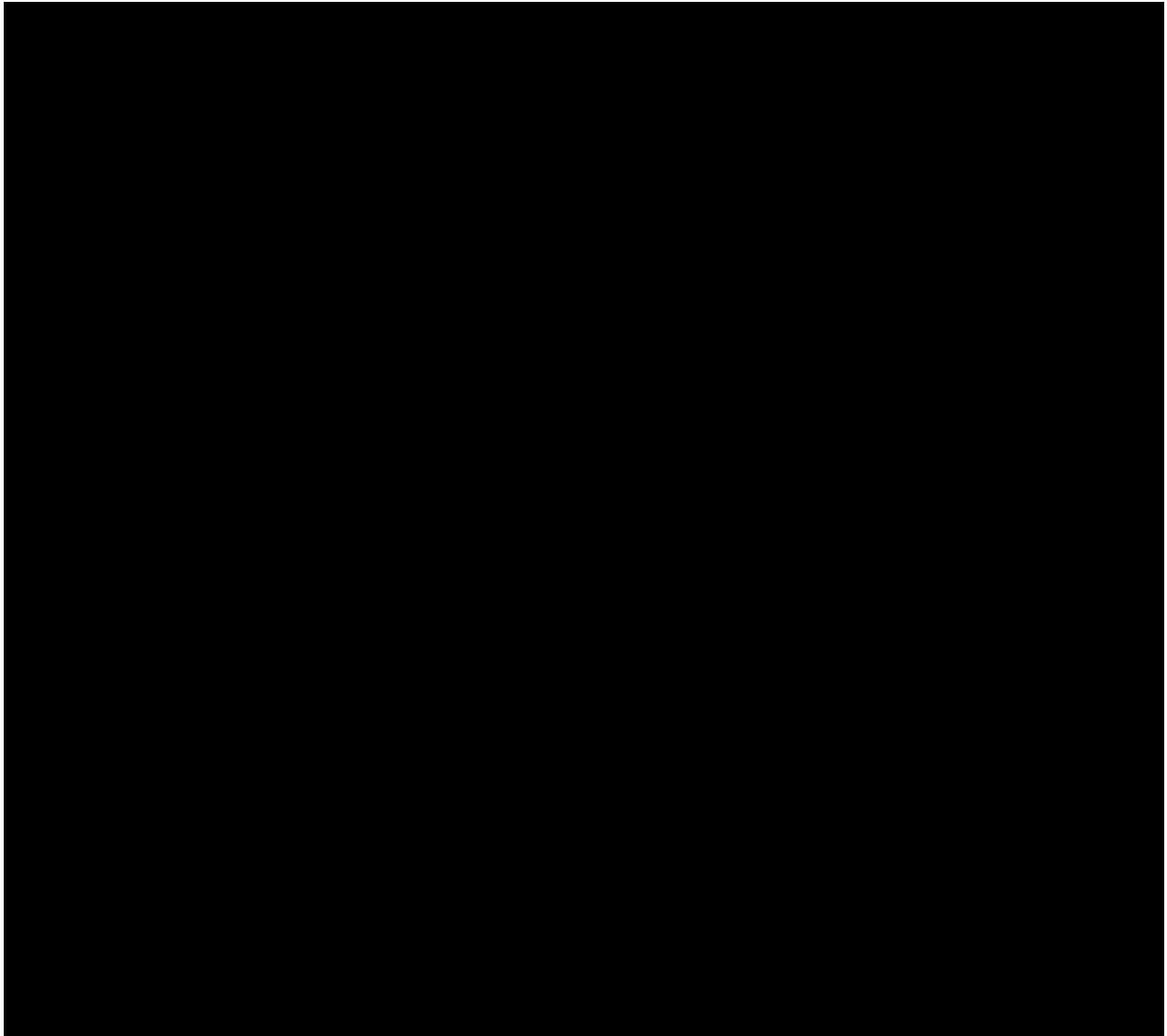
- Signed paperwork will be scanned into the permits folder. Naming will be the Event and date
- Scanned permit will be distributed to Department Administration and Supervisors via email.
- One hard copy distributed to Operations Commander

#### **2520.030 Weekly Cash Audit Procedure**

##### **Policy:**

The Records Unit will perform an audit of all transactions made at the front counter. The audit will occur at the beginning of the workday on [REDACTED] unless otherwise requested by the City Financial Department. The money will be counted, balanced and delivered the City Hall after the audit is complete.

##### **Procedure:**



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### 2530.000 Document Dissemination and Release

#### 2530.005 Public Records Request

**Policy:** Official records are available for viewing by the public, subpoena, or court order as outlined in this policy, Nevada Revised Statute (NRS) 239, Nevada Administrative Code (NAC) 239, and Federal requirements.

**Procedure:**

All requests for records shall be directed to the Records Unit, including disclosing a "no record" status. The request will be evaluated by need, requestor, and information wanted before granting the release. A Public Records Release Checklist will be filled out and kept with the request as an official record of release.

Contact or dissemination will be made within five business days of receiving the request per NRS 239.0107.

Per NRS 239.0107, form letters are available to advise requestors of delayed dissemination, unavailable documents, and documents held by another agency. These forms will be used and forwarded to the requestor when dissemination cannot occur within the NRS guidelines.

All confidential information will be redacted from the document before dissemination.

- Social Security Numbers
- Driver's License Numbers
- Account Numbers
- Juvenile Suspects and criminal history information
- Investigative techniques/tactics
- Peace Officer's address
- Peace Officer's Photo or digital image.
- Personal information about victims, victims' relatives, witnesses, including but not limited to addresses and cell phone numbers.

When redacting information from a document, err on the side of caution (NRS 239.012).

If there is a dispute about the redacted information, the City Attorney will be consulted for a legal opinion.

All requests must be specific. If the request is for a broad array of records, the requestor will be contacted for a more specific set of records.

- Only the information requested will be released.

Record requests will be kept as stated in the Department's Record Retention Schedule.

# Elko Police Department

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If the Records Supervisor or designee is unavailable for advice on a record release, consult the Administrative Commander.

- Case Reports become public records after a charging decision has been made. A report with an attached criminal complaint or declined prosecution letter is considered a public record.
- Crash Reports are public records and can be viewed or disseminated after approval of the report.
- Incident Reports/Calls for Service are public records. Any criminal history information or information not factual in nature should be redacted.

### **Criminal History Information**

Criminal Justice Information will not be released outside of official duties, for personal use, where it would violate the law or is considered discovery.

**Secondary Dissemination** – Criminal History Information requested by the City Attorney is secondary dissemination. No other secondary dissemination will occur.

### **Body Camera Footage**

Body camera footage is considered a document. Requests for body camera footage are treated like other documents. All requests for body camera footage will be forwarded to the Evidence Technician.

Confidential information redacted from the video is as follows:

- All images of any law enforcement officer
- Images of identifying documents
- Any audio of identifying information
- Juvenile subject images
- Interior of a private residence of non-suspects

The Evidence Technician will redact all confidential information. Before release, the Records Supervisor will review the redacted video to verify the redacted information.

### **Investigative Reports**

Our policy is to provide for the public all records and investigative reports generated by our employees to which they are entitled, according to EPD policy and NRS 179A.

The content of the officer's report and other investigative files are subject to disclosure if they meet the criteria of a "balancing test" established by the Nevada Supreme Court.

- Is there a pending or anticipated criminal proceeding that the release of information might prejudice?



# Elko Police Department

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- Are there any confidential sources to protect?
- Are there any investigative techniques to protect?
- Is there a possibility of denying someone a fair trial?
- Is there potential jeopardy to law enforcement personnel?
- Is there anything in the report that is expressly declared confidential by law?
- Is there anything in the report that is highly sensitive or embarrassing to an identified individual?
- Are there any other privacy or law enforcement interests that the release of the information would prejudice?

If the answers to the above questions do not deny the record's disclosure, release and redact by EPD policy.

### **Convicted Person Registration Records**

Convicted person registration records are not classified as criminal history information and shall only be released to the registrant, law enforcement, or by court order.

### **Media Requests**

All media requests will be referred to the Department's designated Public Information Officer.

### **MDT Chat Logs**

MDT chat logs between patrol officers are discoverable for criminal matters but not always public records. Information contained in the chat logs could be considered criminal justice information. Before releasing any chat logs, query the City Attorney for approval of release.

### **City Issued Cellular Devices**

Information contained on cellular devices issued to City employees for their use may be subject to public records requests. The City Attorney will be queried on ALL requests of this type of information.

### **2530.010 Record Retention Schedule**

Record Series	Minimum Retention	Comments
<b><u>Animal Control</u></b>		
Bite Reports	2 calendar years	Hold paper/digital file
Citations	2 calendar years from close of case or last action	Hold paper/digital file

# Elko Police Department

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Warnings	2 calendar years from close of case or last action	Hold paper/digital file
Euthanasia License Records	3 years after license expiration	Hold paper/digital file
<b>Body Cam Videos</b>		
High Profile – Homicide, Kidnapping, Sexual Assault, OIS	Permanent	Keep in digital media
Felony with Suspects & DV - Felony cases with suspects and domestic battery	50 years	Keep in digital media
Fatal & Injury Accidents - Traffic Fatality and Injury Accidents	20 years	Keep in digital media
Gross Misd & DUI – Gross Misdemeanor cases with suspects and no felony DUI	10 years	Keep in digital media
Misd & No Suspect Felony – Misdemeanor, Felony without suspect, traffic accident property damage, traffic citations, animal calls	5 years	Keep in digital media
Traffic Stops – Traffic Stops no other action taken, citizen contacts, civil standby, FI, TPO service, Suspicious	30 days	Keep in digital media
Uncategorized	30 days	
Pending Review	Until deleted	
Training Demo	30 days	
Locked – Admin purpose	Until deleted	
<b>Citations</b>		
Traffic Citations	2 calendar years	Hold paper/digital file
Parking Citations	2 calendar years	Hold paper/digital file
Criminal Citations	3 years from date of issuance	Hold paper/digital file
Trespass Warning Citations	1 Calendar year from issuance	Hold paper/digital file
<b>Crashes</b>		
Traffic Crash	5 calendar years	Hold paper/digital file
Traffic Crash Fatality	20 Calendar Years	Scan
Traffic Crash not investigated by Law Enforcement	3 calendar years from notification	Hold paper file
<b>Crime Reports</b>		
Homicide, Sexual Assault	Permanent	Scan
Felony Arrests/Prosecution	50 Calendar Years	Scan
Felony investigations No Arrest/Prosecution	10 calendar years	scan

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Unattended Deaths	5 calendar years	Hold paper file
Domestic Violence Reports	10 calendar years	Scan
DUI	10 calendar years	Scan
Gross Misdemeanor Arrests/Prosecution	10 calendar years	Scan
Gross Misdemeanor No Arrest/Prosecution	5 Calendar Years	Hold paper file
Misdemeanor Crimes referred for Prosecution	6 calendar years after final action	Hold paper file
Misdemeanor Crimes No Arrest/Prosecution	5 calendar years	Hold paper file
Adult Probation/Parole Violation Reports	6 calendar years	Hold paper File
Investigation files	Use case rules	
Juvenile Suspect Files	Permanent	Scan Seal at age 24 or by court order
Missing Person no crime (Not Runaway) with resolution	3 calendar years	Hold paper file
Missing person with crime (Not Runaway) with resolution	Same as investigation file	Hold paper/digital file
Missing person (Not Runaway) no resolution	Permanent	Hold paper/digital file
Case Assignments	3 calendar years	Hold paper/digital file
Case Referred for prosecution records	6 calendar years	Hold/paper/digital file
<b><u>Equipment</u></b>		
Firearm Registration and Inventory	3 calendar years after reassignment, transfer or disposition of weapon	Hold paper/digital file
Calibration of PBT	6 calendar years from calibration	Hold paper file
<b><u>Evidence</u></b>		
Evidence Inspection Reports	3 calendar years	Hold paper file
Evidence Vault Records of held property	Permanent	Scan
Photographs	Use case rules	
Impound/Abandoned Vehicle Report	3 calendar years	Hold paper file
<b><u>Fees</u></b>		
Fee Records	Until annual audit completion	Hold paper file
<b><u>Licensing</u></b>		

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Work Cards	3 years after expiration, renewal or denial (9years)	Electronic file
Prostitute Records	3 years after expiration, renewal or denial (4 years)	Electronic File
Brothel Licensee background Application	One year after license no longer active	Hold paper/digital file
Licensee Suspensions/Revocations	10 calendar years from last transaction	Hold paper/digital file
Bicycle Licenses	2 years minimum	Paper copy destroyed after annual audit. Information entered into RMS
<b><u>Misc. Documents</u></b>		
Bolo/Bulletins from other Agencies	Until superseded, obsolete, or no longer administratively useful	Hold paper/digital file
Community Service Programs/Crime Prevention Programs	1 calendar year after end of program	Hold paper/digital file
Confidential Source Records	3 calendar years after informant is no longer active	Hold paper/digital file
FCC Licenses	6 calendar years from expiration or renewal	Hold paper/digital file
MDT Transmissions	90 days	Hold digital file
TPO service log	1 calendar year from date served	Hold digital file
Criminal History Secondary Dissemination log	One calendar year from dissemination	Hold paper file
Sealed Records	Use case rules	Hold file or scan as applicable
Firearm Multiple sale notification	20 days from received date	Hold paper file
House Watches	Until cancellation of watch	Hold paper/digital file
Speed timing Equipment	3 years after equipment is no longer in service	Hold paper digital file
Warrants	Until served, executed, recalled, or canceled	Hold paper file
<b><u>Personnel</u></b>		
IA Files	3 calendar years after resolution	Hold Paper file

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Employee Background Investigations- HIRED	3 calendar years after separation	Scan
Employee Background Investigations – NOT HIRED	Full Report – 3 years PHS and Hiring Board Letter – 20 years	Scan
Peace Officer Disciplinary Action Records	3 calendar years after separation	Personnel file
Police Officer Medical Files	6 calendar years from separation	Personnel file
Firearm/Weapon discharge Reports	3 calendar years	Hold paper/digital file
Use of Force Reports	3 calendar years	Hold paper/digital file
<b><u>Records Requests</u></b>		
Public Records Request	3 Years	Hold paper file
Citizen Background Requests	Request completion	Hold paper file
<b><u>Reserves</u></b>		
Auxiliary Police records	10 calendar years from date of document	Hold paper file
<b><u>Sex Offenders</u></b>		
Community Notification of Sex Offenders	Death of offender or 10 calendar years after offender relieved from community notification or 10 years after offender no longer resides in community	Hold paper/digital file
Sex Offenders Registration Records	Lifetime or until presumed dead at age 100. 10 calendar years after offender leaves jurisdiction	Hold paper/digital file
<b><u>Specialty Units</u></b>		
Special Unit Activity Reports	3 calendar years after operation	Hold paper/digital file
Canine Management Records	2 calendar years after animal's end of service	Hold paper/digital file
Criminal Intelligence Research and Stats	5 calendar years from last validation	Hold paper file
<b><u>Training</u></b>		
POST Course Certification Documentation	3 calendar years from decertification of course	Hold paper/digital file

## Elko Police Department

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	or superseded or no longer taught	
Leo Training Records This record series includes FTO training logs and DORs	3 calendar years from transfer, separation, retirement, or termination of employee	Hold paper/digital file
Firearm Qualification Records	3 calendar years	Hold paper/digital file

#### **2530.020 Case Report Dissemination**

##### **Policy:**

The Elko Police Department Records Unit is responsible for the dissemination of all case reports and paperwork leaving the Elko Police Department. The Records Unit will do so in a timely manner and within the time guidelines set by law.

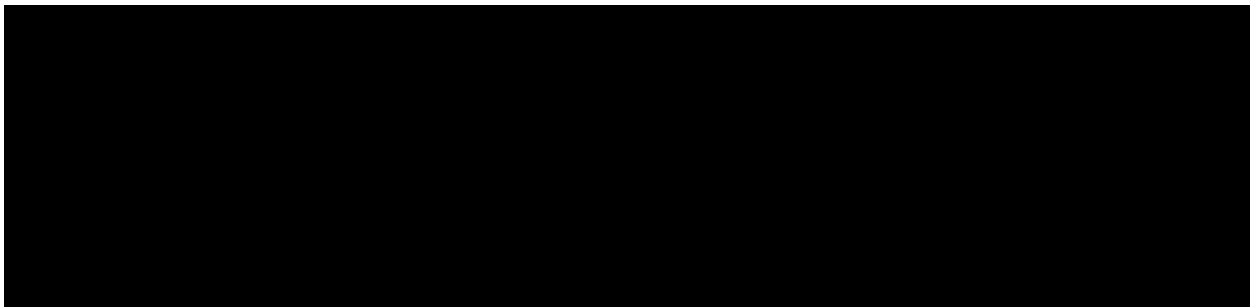
Case reports without an arrest will be disseminated within three days of receipt by the Records Unit. Reports with an arrest will be disseminated the same day as received.

- a. Nevada law states that a criminal complaint must be filed within 10 days of an arrest for all adults.
- b. Nevada law states that a criminal complaint must be filed within four days of arrest for all juveniles.

The Records Unit will make every effort to fall within these guidelines. If a case report cannot be disseminated within this time period and Records Unit personnel are aware, the Records Supervisor will be notified.

##### **Records Resources**

The following are document folders on the server to track emailed reports and other resources used in



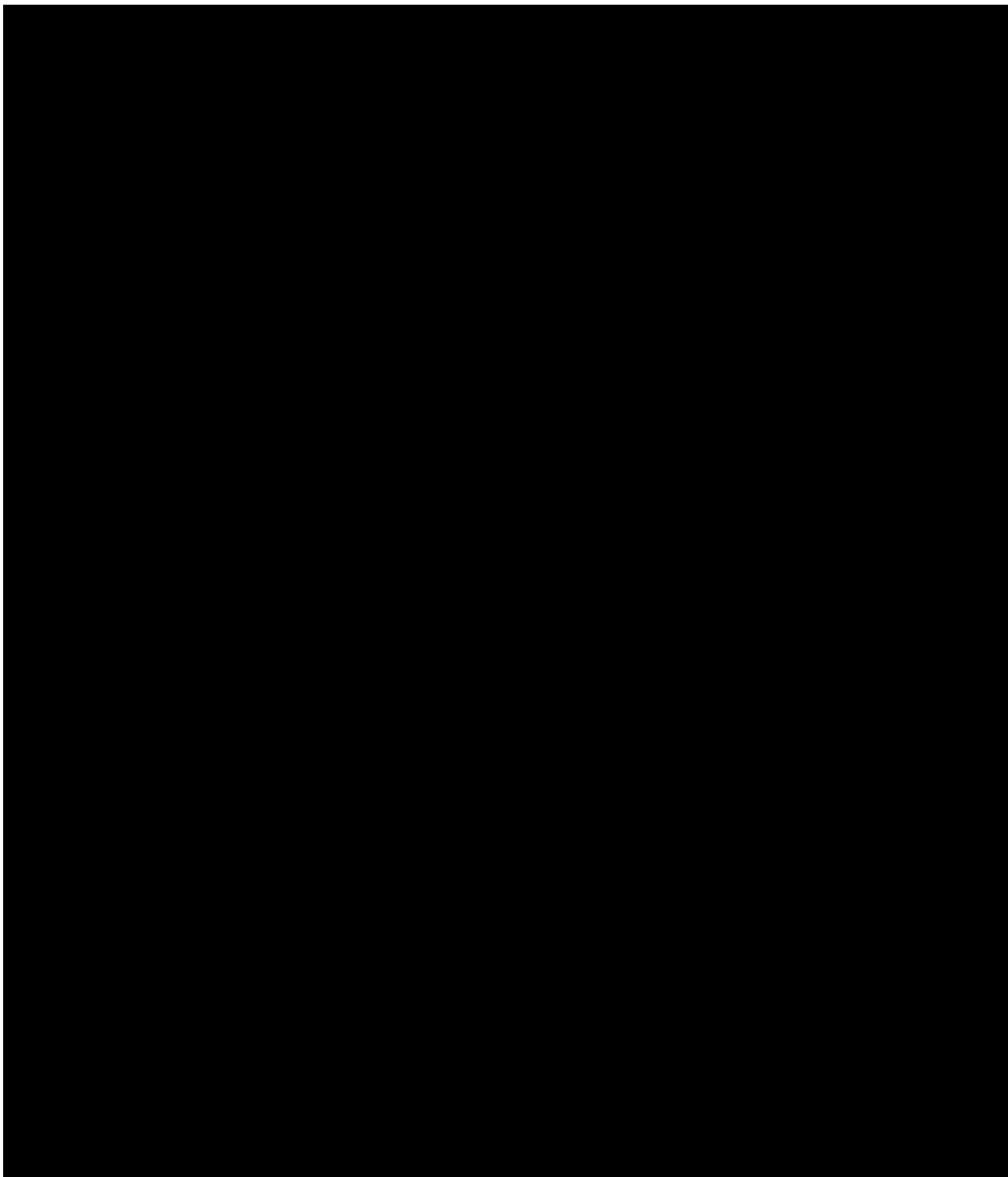
##### **Procedure:**

Once a case report is completed by an officer and reviewed by Case Management it is forwarded to the Records Unit to finalize and disseminate to the proper agency.

##### **Electronic Case Dissemination**

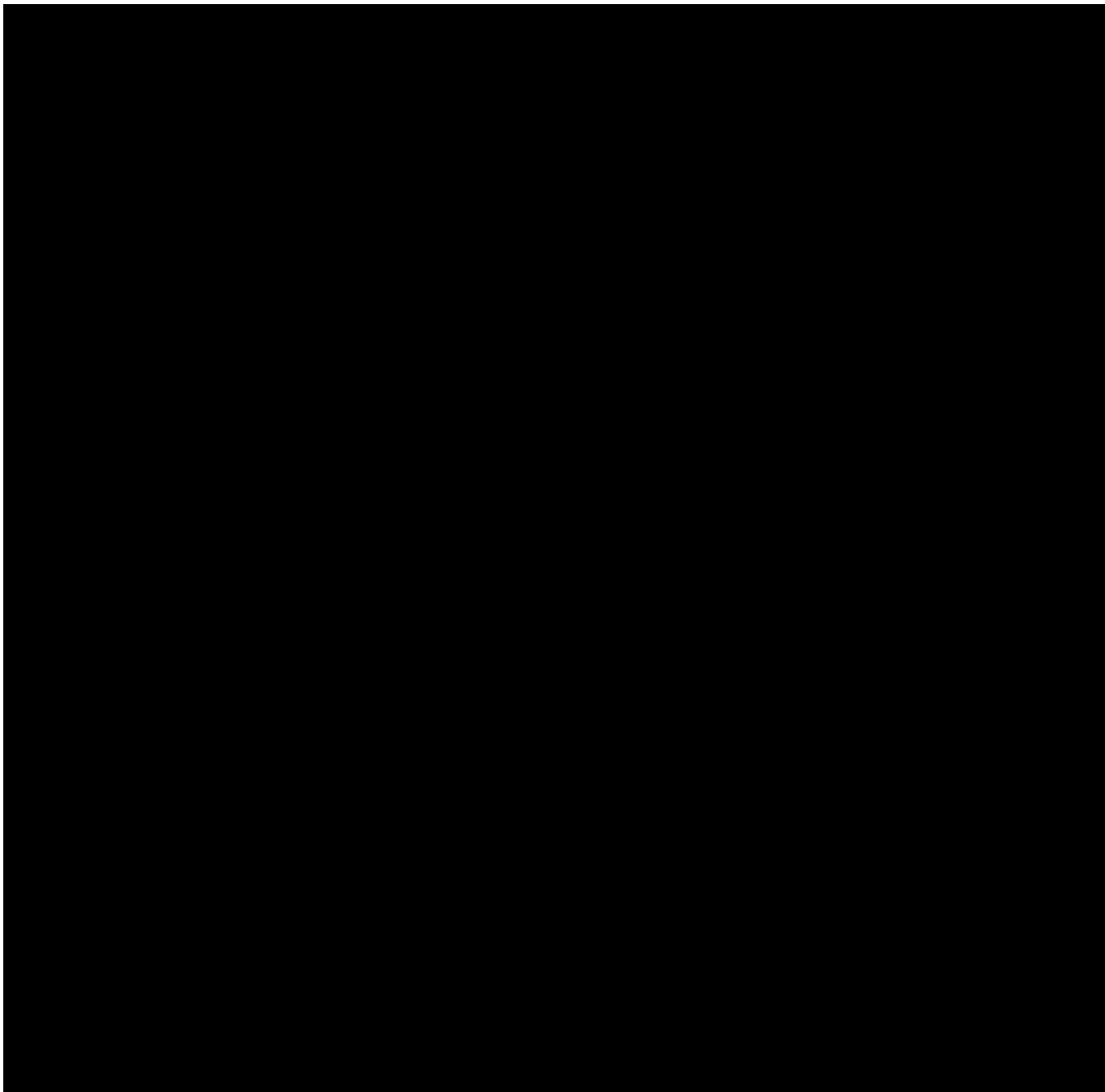
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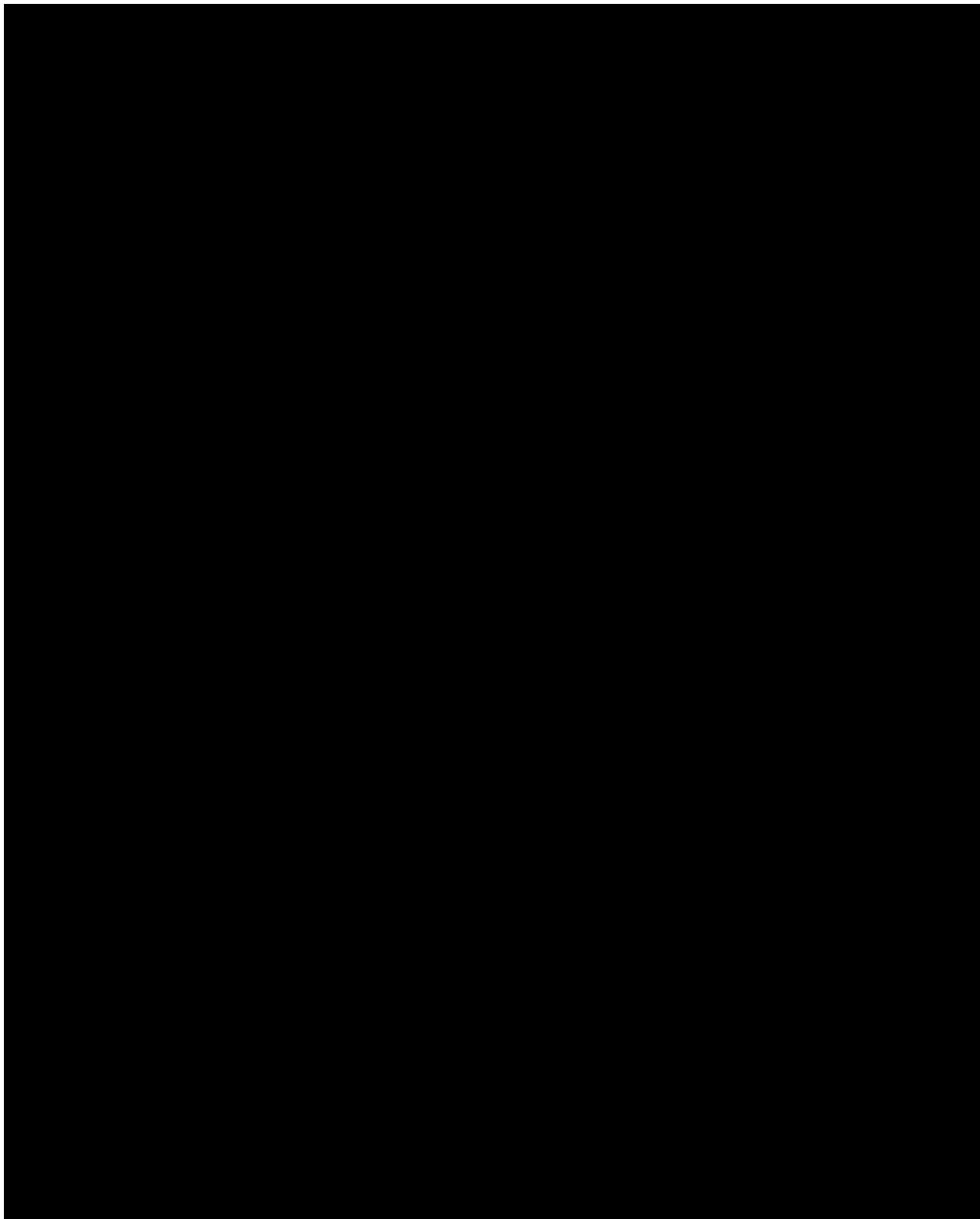
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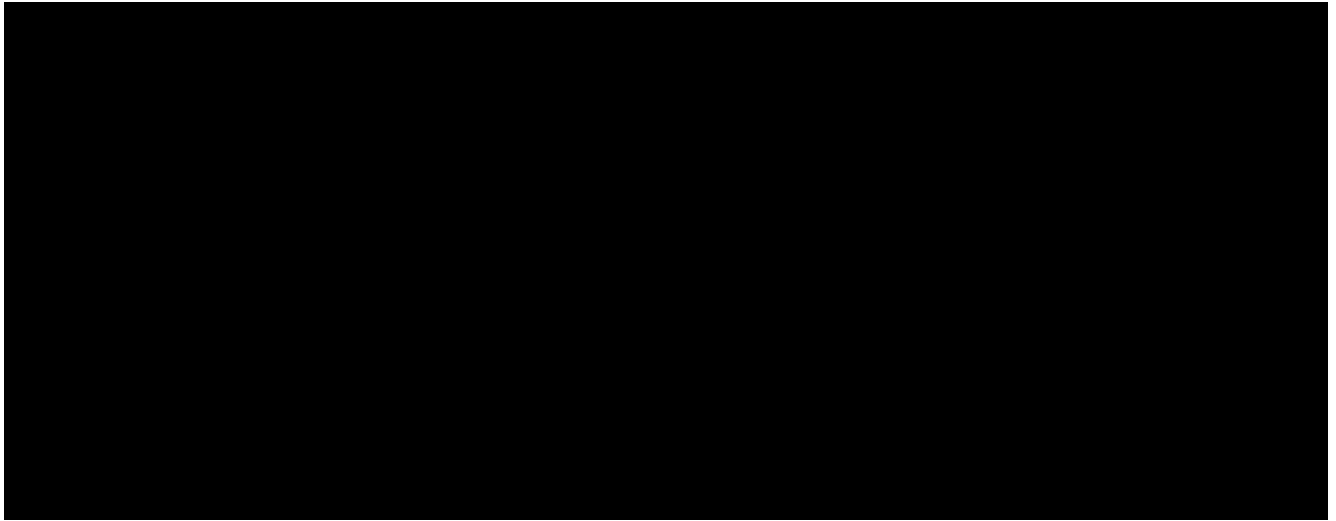
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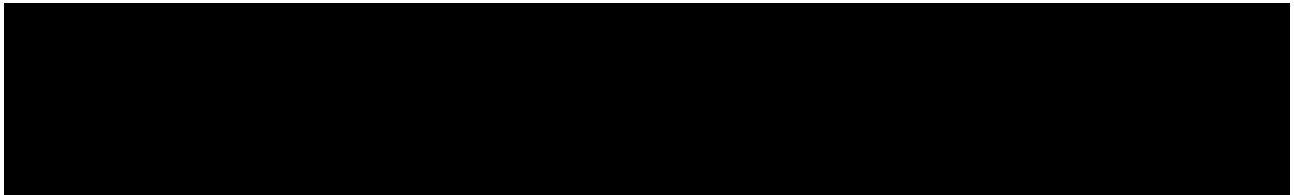
## Chapter 2500 Civilian Records and Administrative Staff

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### **Dissemination to two or more agencies:**

Sometimes a report will be sent to the DA and then it will be sent to the Detectives to investigate.



### **Hard Copy Case Report Dissemination**

Most of our reports are sent electronically, but there are a few places we still print out the paper report. These places are:

\*DCFS – Department of Child and Family Services only gets the Initial report. They do not get any statements. Report will be stamped with the Secondary Dissemination Prohibited stamp and signed.

### **Finalizing Attached Documents**

Records Unit personnel are responsible for finalizing all attached documents. Narratives should be finalized by a supervising Sergeant prior to arriving in the Records Unit for final dissemination. If narratives have not been finalized, Records Unit staff will finalize the narrative after confirming the document is complete.

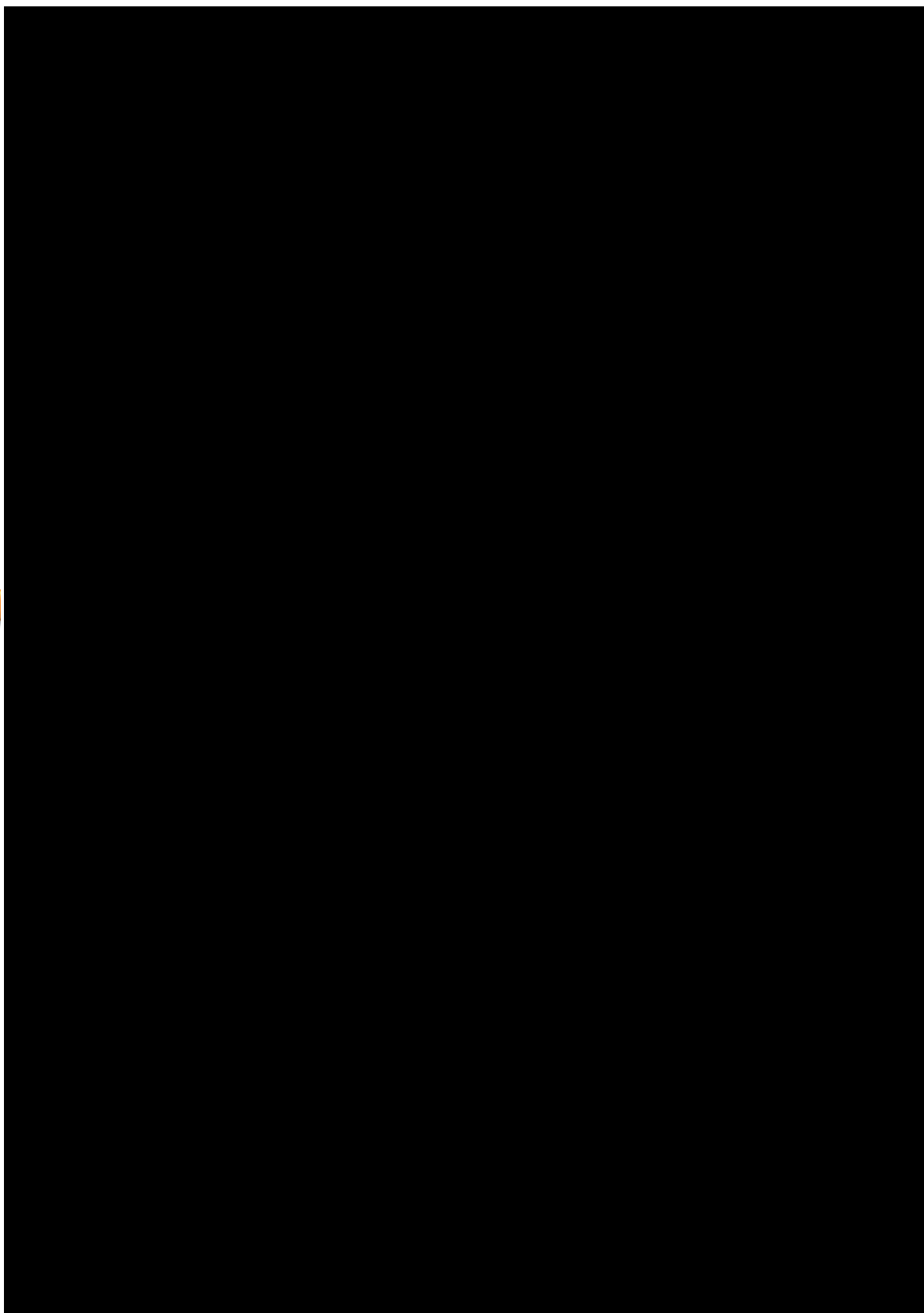
#### **Procedures:**

1. Collect papers from the patrol distribution basket.
2. [Redacted]



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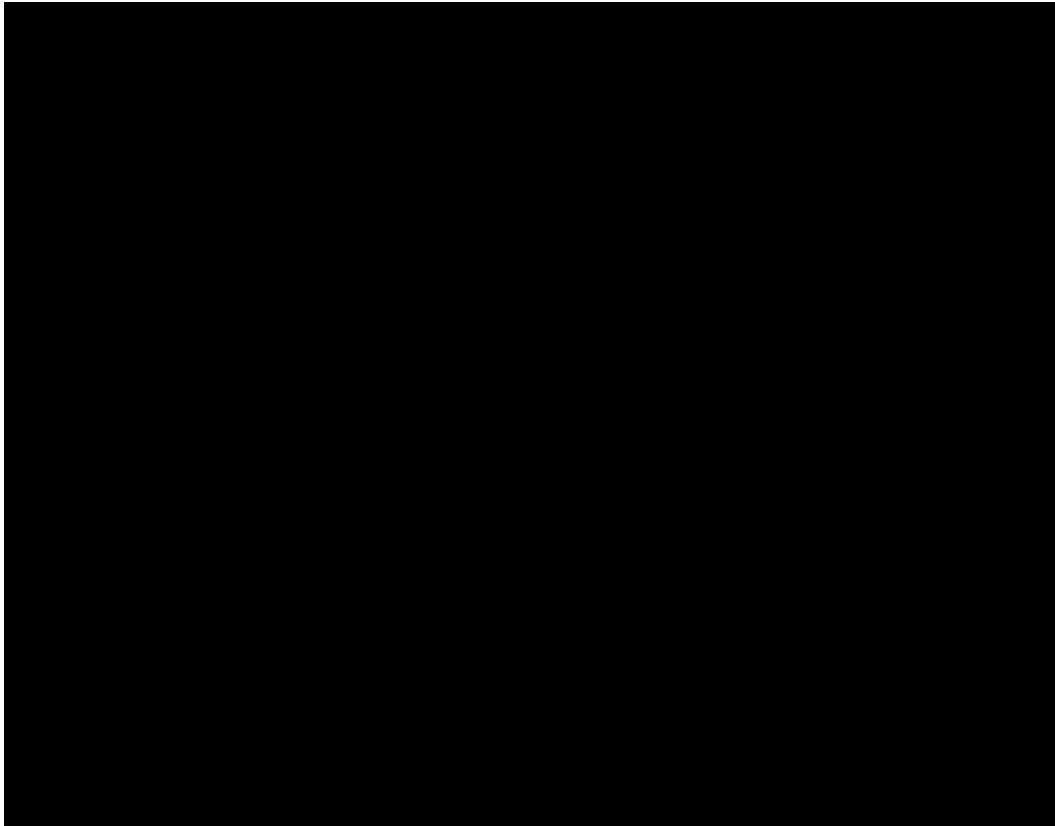


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- a. Verify the document is legible and all pages are attached.
- b. If the document is not legible, rescan and attach to the case.
- c. Select the Import button at the top of the screen, choose the file you wish to import.
- d. Name the document as necessary. Click "OK".
- e. Check in the document if necessary.
- f. Delete the previous document.



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### DP45

**Description:** The DP45 is a three-page document for DUI arrests. This document is provided by the State of Nevada Department of Motor Vehicles. NVDVMV uses this form to revoke driving privileges because of driver impairment due to alcohol or drugs.

**DMV** OFFICER'S CERTIFICATION OF CAUSE AND NOTICE OF REVOCATION AND/OR SUSPENSION (NRS Chapters 483 & 484C) Central Services & Records 555 Wright Way Carson City, NV 89711 www.dmvnv.com

**1. DRIVER'S INFORMATION (PLEASE PRINT)**

Name: [Redacted] Date Officer completed this form: 9/11/15  
Address: [Redacted] City: Elko PD  
DOB: [Redacted] Ticket/Case #: 2015-19896  
Sex: F Height: 5'4" Weight: 140 Eyes: BL Hair: Bk Class: C Endorsements: [Redacted] Restrictions: [Redacted]  
Vehicle Type: [Redacted] DMV/Harriet Driver's Lic. No: [Redacted] State: NV

Received on above date by (person's signature): [Redacted]

**2. OFFICER'S CERTIFICATION OF CAUSE**

I am an Officer employed by the law enforcement agency listed above. On 9/11/15, I encountered the above-identified individual (Person) and developed reasonable grounds to believe that the Person had been driving or in actual physical control of a vehicle with a concentration of alcohol above the statutory prescribed limit in his or her blood or breath, or a detectable amount of a prohibited substance in his or her blood or urine as determined by an evidentiary test. I informed the Person that his or her license, permit or privilege to drive will be revoked and/or suspended if he or she fails to submit to evidentiary tests (NRS 484C.160).

If Person was UNDER 18 on the date of the evidentiary testing, the Person's parent, guardian, or custodian was notified (per NRS 484C.160).  
☐ The parent, guardian or custodian was NOT notified because:

**3. EVIDENTIARY TEST RESULTS (COPY ATTACHED)**

**TYPE OF TEST(S) ADMINISTERED:**  
☐ Breath Test for alcohol or prohibited substance(s)  
☐ Urine Test for prohibited substance(s)  
☐ Urine Test for alcohol (to be used ONLY if person afflicted with a heart condition requiring use of an antisequestrant - see NRS 484C.160)  
☐ Above-named Person failed to submit to requested evidentiary testing (officer may apply for a search warrant)

**TEST RESULTS**

Evidentiary BREATH test results: 0.164 Test 1, 0.166 Test 2, [Redacted] Test 3

**EVIDENTIARY TEST(S) SHOWED THAT, AT THE TIME OF THE TEST(S), THE PERSON HAD A CONCENTRATION OF ...**

**PERSONS UNDER 21**  
☐ ALCOHOL of 0.02 or less than 0.08 in his/her blood as determined by a CHEMICAL test.  
☐ ALCOHOL of 0.02 or less than 0.08 in his/her system as determined by a BREATH test.

**PERSONS ANY AGE**  
☐ ALCOHOL of 0.08 or more (0.04 or greater if operating a commercial motor vehicle) in his/her BLOOD or with a detectable amount of a prohibited substance in his/her system as determined by a CHEMICAL test.  
☐ ALCOHOL of 0.08 or more (0.04 or greater if operating a commercial motor vehicle) in his/her system as determined by a BREATH test.  
☐ Chemical amount of PROHIBITED substance in his/her blood or urine for which he/she did not have a valid prescription (NRS 483.190 or has a valid registry ID card (NRS 483A.140), as determined by a CHEMICAL test.

Name any pertinent witness or officer: B. PARSON Phone (775) 777-7310

**4. SERVICE AND NOTICE OF REVOCATION AND/OR SUSPENSION ORDER (Separate from court action)**

☐ I DID NOT SERVE a Notice of Revocation and/or Suspension Order or issue a temporary license on the above-named Person. I request that the Department of Motor Vehicles issue the appropriate Revocation and/or Suspension Order.

☒ I SERVED the following Notice of Revocation and/or Suspension Order based on the evidentiary test results or failure to submit as shown above.

**THIS IS YOUR OFFICIAL NOTICE OF THE REVOCATION AND/OR SUSPENSION ORDER.**  
You are hereby notified that your driver's license has been revoked and/or suspended for the following time period:  
• Failure to submit to evidentiary testing: At least 1 year. Additional time may apply for subsequent revocations and/or suspensions.  
• Evidentiary test result as noted above: 90 days.  
If you disagree with the revocation and/or suspension of your driving privileges, YOU MAY REQUEST AN ADMINISTRATIVE HEARING. (See Note 4 on the reverse side of this form.)

☐ I SEIZED the NEVADA driver's license (if available) and attached it to the Department's copy of this form (pursuant to NRS 484C.220 or 484C.482).

**5. TEMPORARY LICENSE/PERMIT** Cannot exceed 7 days. (Officer: See Note 5 on reverse side of this form for effective dates.)  
This entire notice must be carried in order to be valid as a Temporary License/Permit. Do not tear off any portion of this form.  
ISSUED ON: 9/11/15 at 06:30 P.M. EXPIRATION DATE: 9/18/15

**6. LAW ENFORCEMENT OFFICER** I attest that the above information is true and correct.  
Printed Full Name: B. PARSON Badge #: 136 Work Phone: (775) 777-7310  
Officer's Signature: [Redacted] Date Signed: [Redacted]

DP-45 (Rev. 12/2014) ORIGINAL (White)—DMV DUPLICATE (Yellow)—Law Enforcement Agency TRIPLICATE (Pink)—Driver

**DMV** OFFICER'S CERTIFICATION OF CAUSE AND NOTICE OF REVOCATION OR SUSPENSION (NRS Chapters 483 & 484C) Central Services & Records 555 Wright Way Carson City, NV 89711 www.dmvnv.com

**1. DRIVER'S INFORMATION (PLEASE PRINT)**

Name: [Redacted] Date Officer Completed This Form: 7/31/15  
Address: [Redacted] City: Elko PD  
DOB: [Redacted] Ticket/Case No.: 2015-  
Sex: F Height: 5'5" Weight: 140 Eyes: BL Hair: Bk Class: C Endorsements: [Redacted] Restrictions: [Redacted]  
Vehicle Type: [Redacted] DMV/Harriet Driver's Lic. No: [Redacted] State: NV

Received on the above date by (person's signature): [Redacted]

**2. OFFICER'S CERTIFICATION OF CAUSE**

I am an Officer employed by the law enforcement agency listed above. On 7/29/2015, I encountered the above-identified individual (Person), and I developed reasonable grounds to believe that the Person had been driving or in actual physical control of a vehicle with a concentration of alcohol above the statutory prescribed limit in his or her blood or breath, or a detectable amount of a prohibited substance in his or her blood or urine as determined by an evidentiary test. (See Section 3, Evidentiary Test Results, and the attached evidentiary test results(s).)

If the Person was UNDER 18 on the date of the evidentiary testing, the Person's parent, guardian, or custodian was notified (per NRS 484C.160).  
☐ The parent, guardian or custodian was NOT notified because:

**3. EVIDENTIARY TEST RESULTS (COPY ATTACHED)**

**THE EVIDENTIARY TEST(S) SHOWED THAT AT THE TIME OF THE TEST(S) THE PERSON HAD A CONCENTRATION OF ...**

☐ ... ALCOHOL of 0.02 but less than 0.08 in his/her BLOOD as determined by an evidentiary CHEMICAL test. (APPLIES TO PERSONS UNDER 21 YEARS OF AGE)

☒ ... ALCOHOL of 0.08 or more (0.04 or greater if operating a commercial motor vehicle) in his/her BLOOD or with a detectable amount of a prohibited substance in his/her system as determined by an evidentiary CHEMICAL test. (APPLIES TO PERSONS ANY AGE)

☐ ... ALCOHOL of 0.02 but less than 0.08 in his/her system as determined by an evidentiary BREATH test. (APPLIES TO PERSONS UNDER 21 YEARS OF AGE)

☐ ... ALCOHOL of 0.08 or more (0.04 or greater if operating a commercial motor vehicle) in his/her system as determined by an evidentiary BREATH test. (APPLIES TO PERSONS ANY AGE)

**\*The evidentiary BREATH test results were:**

Test 1: [Redacted] Test 2: [Redacted] Test 3: [Redacted]

Name any pertinent witness or officer: [Redacted] Phone: [Redacted]

**4. SERVICE AND NOTICE OF REVOCATION OR SUSPENSION ORDER (Separate from court action)**

☒ I DID NOT SERVE a Notice of Revocation or Suspension Order or issue a temporary license on the above-named person. I request that the Department of Motor Vehicles to issue the appropriate Revocation or Suspension Order.

☐ I SERVED the following Notice of Revocation or Suspension Order based on the evidentiary test results as shown above.

**THIS IS YOUR OFFICIAL NOTICE OF THE REVOCATION OR SUSPENSION ORDER.**  
You are hereby notified that your driver's license has been revoked or suspended for a period of 90 days. If you disagree with the revocation or suspension of your driving privileges, YOU MAY REQUEST AN ADMINISTRATIVE HEARING. (See Note 4 on the reverse side of this form.)

☐ I SEIZED the NEVADA driver's license (if it was available) and attached it to the Department's copy of this form (pursuant to NRS 484C.220 or 484C.482).

**5. TEMPORARY LICENSE/PERMIT** Cannot exceed 7 days. (Officer: See Note 5 on reverse side of this form for effective dates.)  
This entire notice must be carried in order to be valid as a Temporary License/Permit. Do not tear off any portion of this form.  
ISSUED ON: [Redacted] at [Redacted] P.M. EXPIRATION DATE: [Redacted]

**6. LAW ENFORCEMENT OFFICER** I attest that the above information is true and correct.  
Printed Full Name: Anthony Bandler Badge No.: 142 Work Phone: (775) 777-7310  
Officer's Signature: [Redacted] Date Signed: [Redacted]

DP-45 (Rev. 12/2014) ORIGINAL (White)—DMV DUPLICATE (Yellow)—Law Enforcement Agency TRIPLICATE (Pink)—Driver

- Breath** - Use of an Intoxilyzer for Alcohol Level testing. Breath analyzers do not directly measure blood alcohol content or concentration, which requires the analysis of a blood sample. Instead, they estimate BAC indirectly by measuring the amount of [alcohol](#) in one's breath.
  - Make a copy of the Intoxilyzer checklist and Intoxilyzer results.
    - Stamp copies with the certified copy stamp used by the department and sign.
  - Mail the original, top copy, of the DP45 and copies of Intoxilyzer results and Intoxilyzer checklist to the DMV in Carson City, NV.
  - File Intoxilyzer originals and second, middle copy, of the DP45 in the case file.
  - The bottom copy is not needed and should be destroyed by shredding.
- Blood** – Alcohol or drug levels by blood draw.

# Elko Police Department

## Chapter 2500 Civilian Records and Administrative Staff

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- a. Make one copy of the unsworn declaration. The unsworn declaration is completed by the phlebotomist and an officer when blood is drawn from a DUI suspect.

#205- [REDACTED]  
0174

NORTHEASTERN NEVADA REGIONAL HOSPITAL  
2001 Errecart Blvd.  
Elko, NV 89601  
(775) 738-5151

UNSWORN DECLARATION PURSUANT TO THE PROVISIONS  
NRS 53.045 PERTAINING TO THE WITHDRAWAL OF AN  
EVIDENTIARY BLOOD SAMPLE IN ACCORDANCE WITH THE  
PROVISIONS OF NRS 484C.250

I, [REDACTED], declare the following: I am employed  
as a Medical Technologist/Phlebotomist/Nurse by the Northeastern Nevada Regional  
Hospital. I am qualified under the provisions of NRS 484C.250 to withdraw blood  
samples from persons suspected of driving under the influence of intoxicating liquor  
and/or controlled substances; and, do so as a regular part of my duties.

On the 27<sup>th</sup> day of AUG, 2015, at the hour of 0035  
a.m./p.m., I withdrew two (2) samples of whole blood in a medically accepted manner in  
accordance with the directions of a pre-packaged kit distributed by the Forensic Sciences  
Division Washoe County Sheriff's Department using a non-alcoholic swab from a person  
identified to me as [REDACTED], and immediately  
thereafter, I turned those blood samples and the kit bearing Control Number <sup>1</sup>  
[REDACTED] over to [REDACTED].

I declare under the penalty of perjury that the foregoing is true and correct.

Dated this 27<sup>th</sup> day of AUG, 2015.

[REDACTED]  
Signature of Medical Technologist/Phlebotomist/Nurse

[REDACTED]  
Signature of Officer as Witness

<sup>1</sup> The "T" Number set forth on pre-printed bar code labels which are part of the kits.

- i. Stamp one copy "Certified copy" and sign
  - ii. File one original
  - iii. Send one original to the DA/CA
- b. Staple top and middle DP45 with the signed copy of the unsworn declaration.
- i. Place it in the red DUI folder. This folder is for tracking blood draw cases.  
Either for alcohol or drugs. \*\*Note – if both alcohol and drugs are checked for  
analysis and the alcohol results are .09 or above, a drug analysis will not be  
completed by the lab. Disseminate this type as alcohol only.\*\*
  - ii. Write down suspect name in folder

### Blood draw results

1. Scan and attach Washoe Crime Lab Results to the case report in Aegis LERMS.
2. Make three copies of the results.
  - a. Stamp one copy with the Department's certified copy stamp and sign.
  - b. Write the results in the red DUI folder and attach to DP45 form.
  - c. The third copy is used to notify the office that results of blood testing have arrived  
and the officer needs to sign the DP45 form. Write on the other copy "Please sign  
DP45" and place in the officer's mailbox.

## Elko Police Department

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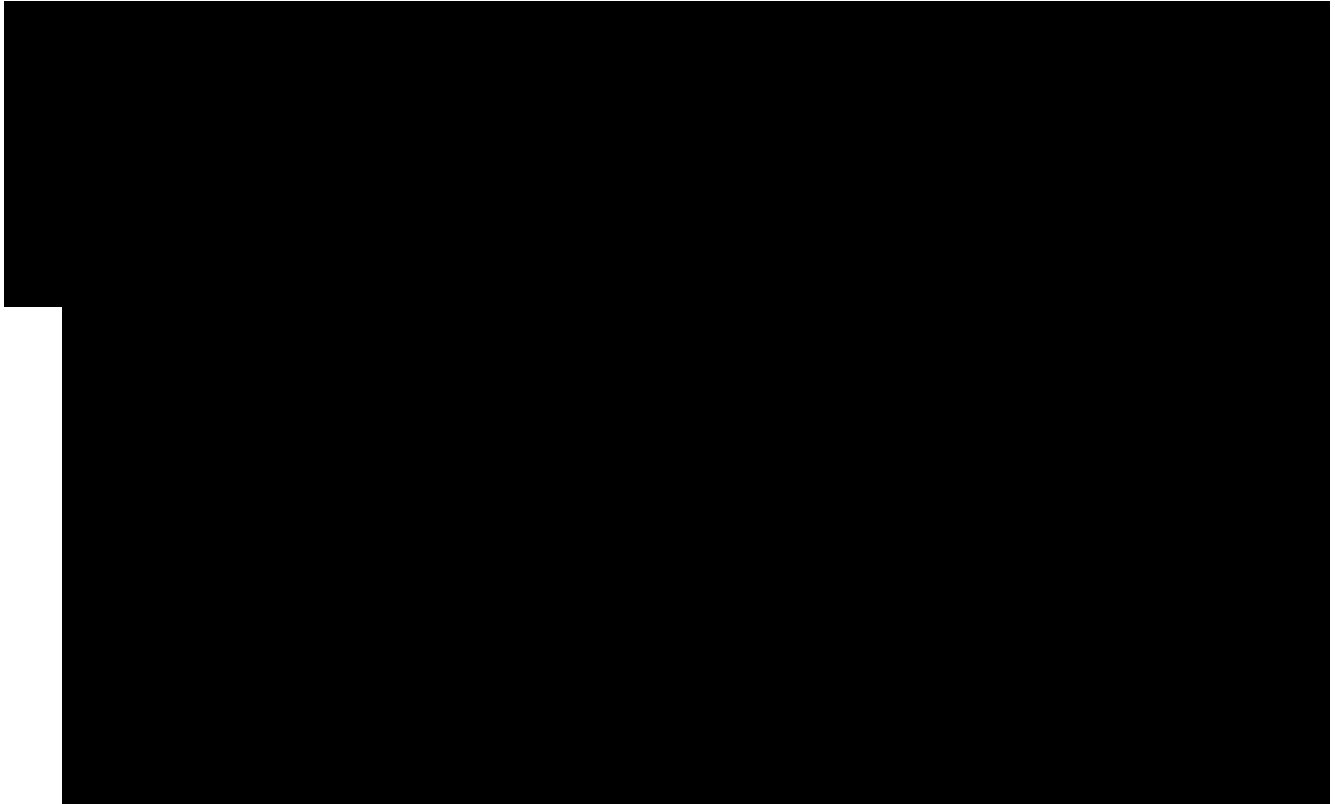
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3. When the DP45 form is signed and dated by the officer, scan the signed document and attach to the case report in Aegis LERMS.
4. Mail the top DP45 form, a copy of lab results, and a copy of the unsworn declaration to the DMV in Carson City, NV. Make sure that the copies are stamped with the Department's certified copy stamp and signed.
5. File the remaining signed DP45 form with the case report file.

#### **Supplemental Requests**

Additional information may be requested on cases the Department has submitted for prosecution. These requests are Supplement Requests. The requests are submitted in writing and disseminated to the Department by the prosecutor.

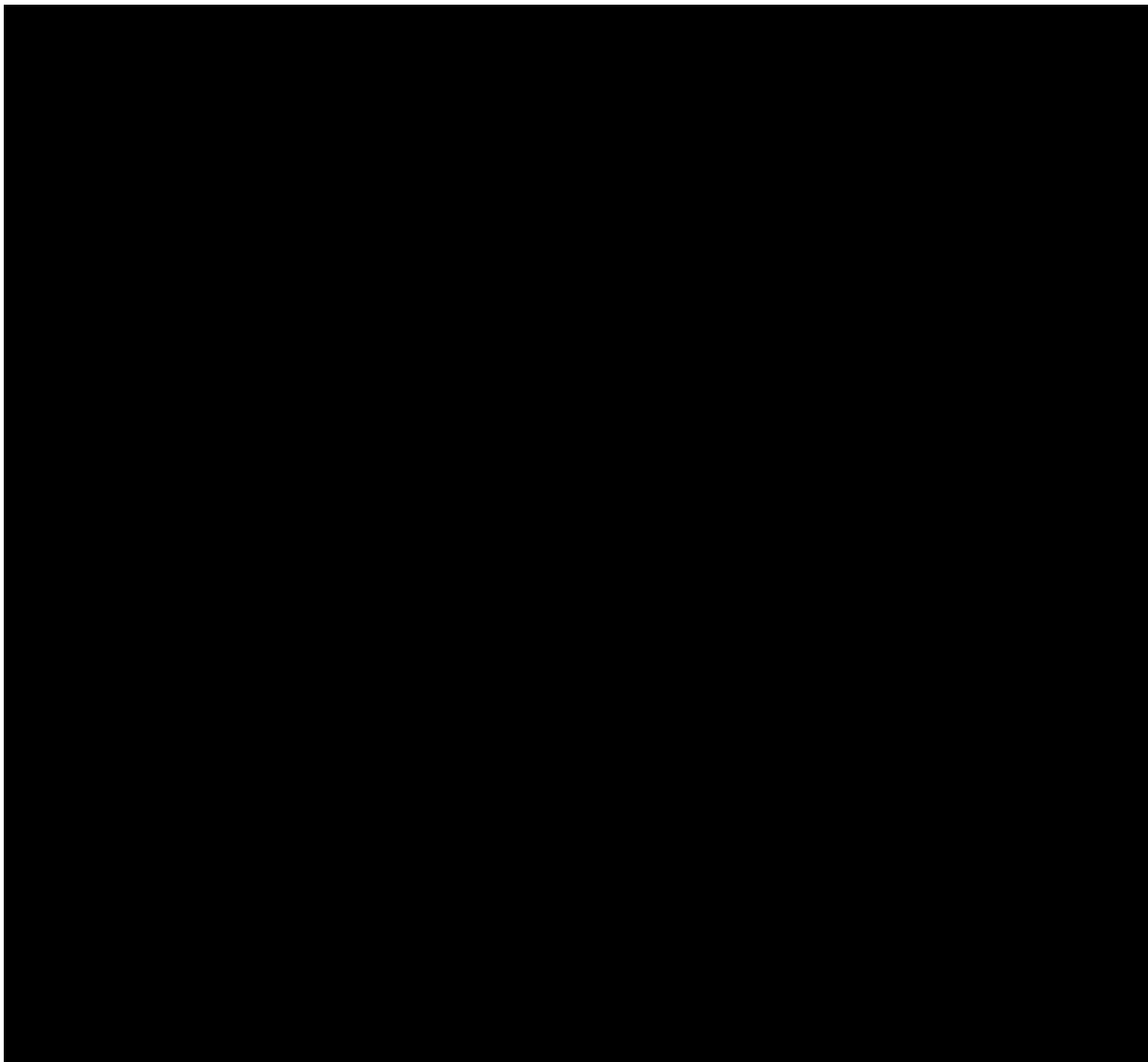
When a Supplement Request is received, the document should be date stamped to indicate when it was received at the Records Department. Once stamped, it can be scanned into the system and imported into the case.





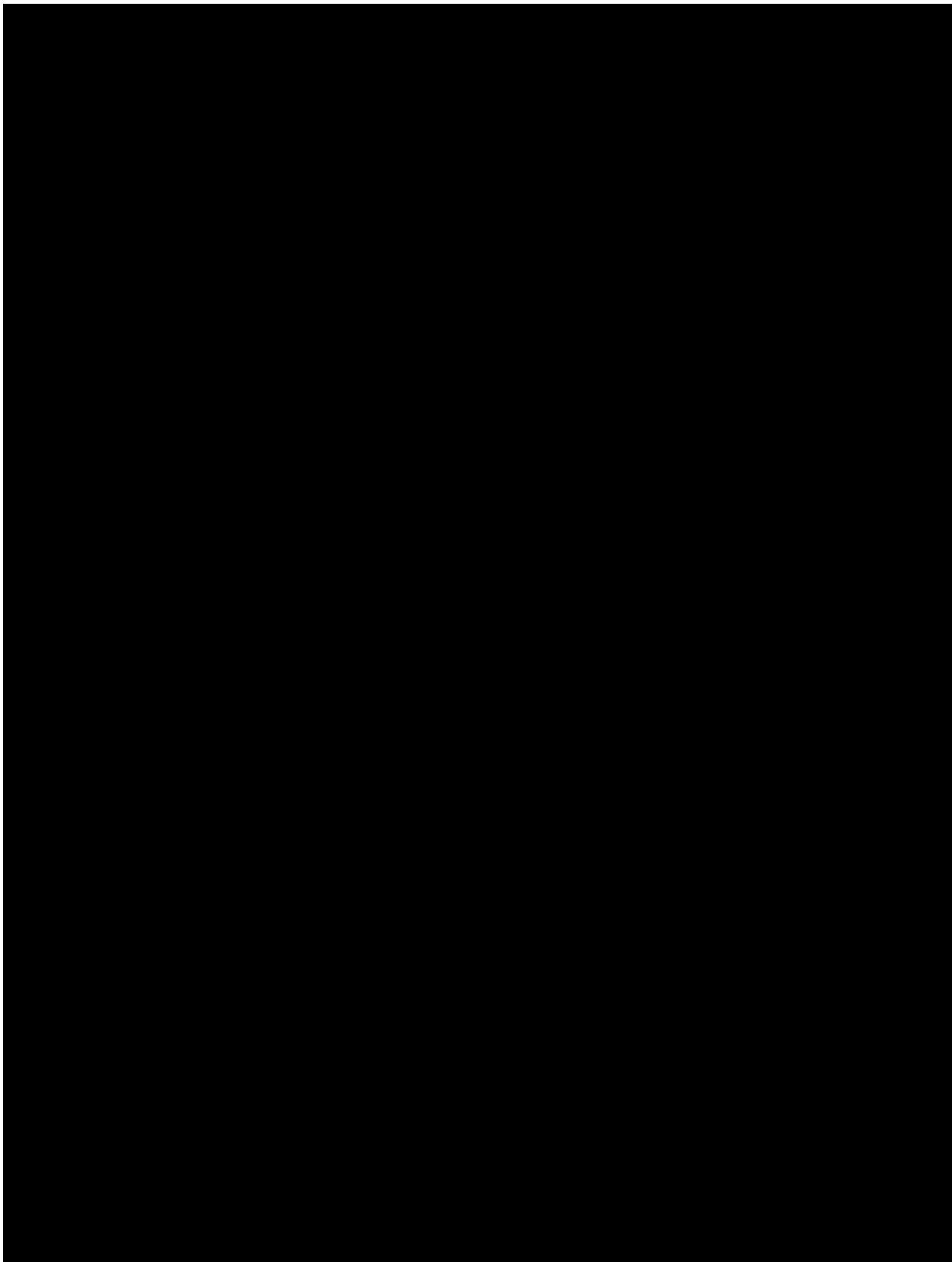
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# Elko Police Department

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### **Certified Dispatch Log**

1. Open incident
2. Go to dispatch events
  - a. Right click in call log
  - b. Select “print export”
  - c. Click “select all”
  - d. Select “Export”
    - i. Name file as the case number with “.xls”
3. Open file
4. Redact any criminal history from the log.
5. Go to the print screen
  - a. Change orientation to landscape
  - b. Change “no scaling” to “fit all columns”
  - c. Print
6. Stamp dispatch log with the certified copy stamp
  - a. Sign
  - b. Write the incident number on the top of the dispatch log
7. Attach the dispatch log to the request
8. Put in the DA folder

### **Media**

Using Evidence.com

Always create a case, is media is available, when disseminating reports to prosecutors.

1. Share media on evidence.com
  - a. Click on “Evidence” in the upper area of the screen.
  - b. Verify media is present.
    - i. Search case number under “ID”.
  - c. If media is present, before creating a case, search to see if a case has already been created.
  - d. If a case has not been created:
    - i. Click “Create Case”
    - ii. Enter case number as ELPDXXXX-XXXXX
    - iii. Enter suspect name in description tab
    - iv. Click “submit”
2. Disseminate supplemental or added media.
  - a. Verify additional media using above 1a – 1b
  - b. Add evidence
    - i. If additional media is present search the case number and add to case.
    - ii. Share additional media with listed partners.

# Elko Police Department

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### **2530.100 Record Retention and Archiving**

Policy: Official records of the Department will be held per Record Retention Schedule. The Record Retention Schedule will be reviewed every three years to verify the schedule is still current with Nevada Revised Statute, Nevada State Archives, and current record trends.

Staff assigned to document retention will be diligent in the process to ensure records are properly archived or destroyed.

Procedure: The following procedure will be followed by all staff assigned to document retention. If questions arise from the process, the Records Supervisor will be consulted.

Records Retention Checklist – the checklist is the recorded information of research completed.

1. Fill out the form as research is completed.
2. Crime severity and document type will determine the retention period of the case. Refer to the retention schedule for specifics, 2530.010.
3. Use NCJIS to complete queries on wants and listed stolen property. \*If there are active wants and property, the report will not be archived. It will remain active.\*
4. All documents will be pulled and placed with the case report. This includes any photographs held in the evidence vault.
5. VeriPic and evidence.com will be checked for photographs, video and audio files. The presence of such will be noted on the checklist.
6. Any associated cases will have the same retention period as the parent case.
7. Locate any investigative files.
8. Reports and checklist will be given to the Records Supervisor for approval.
9. Once approved the report will be destroyed or archived.

Destruction –

1. All documentation will be shredded.
2. Narratives, witness statements and any other documents attached to the case in Department Records Management System will be deleted.
3. The checklist will be attached to the case.
4. The review level will be set to “5” and “Destroyed Retention Cycle Met”

Archive –

1. All documents, including a full copy of the case report, will be separated into like documents; i.e. witness statements, supplemental requests, property, etc.
2. Documents will be scanned into the City’s archive system.

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3. Once the scan is complete, the documents will be shredded.
4. Photographs will be scanned as a .tif image for archiving.
5. Interview videos and audio will be burned on a CD and placed in the archive files using the current filing system.
6. Bodycam video will be maintained in evidence.com.
7. Narratives, witness statements and any other documents attached to the case in Department Records Management System will be deleted.
8. The checklist will be attached to the case.
9. The review level will be set to "5" and "Retention".

#### Juvenile Suspects –

1. Juvenile suspects are confidential. Note on the retention checklist using the Juvenile Suspect box that the suspect(s) is juvenile.
2. Juvenile suspect cases are retained using the same procedures as adult suspects but must be held separate from all other files.
3. Juvenile suspect records will be sealed as stated in Nevada Revised Statute 62H.140 and 62H.150.

#### **2532.010 Internal Affairs Investigation Files**

**Policy:** Internal Affairs investigation records of the Department shall be held in accordance with the adopted Department Record Retention Schedule. Investigations resulting in termination, resignation and/or civil action require approval from the Police Chief prior to destruction.

The Records Supervisor or Administrative Commander will destroy records in a confidential manner. Destruction shall be documented in writing.

#### **Procedures:**

1. Locate the IA Control Log Book and use to determine the files slated for destruction.
2. Locate all files.
  - a. If files are missing, create a memo advising the Police Chief which files are missing. Include the control #, officer, year, violation, completion date and outcome.
3. Determine if any files will need destruction approved by the Police Chief. Approval is required on all files where termination, resignation or civil action occurred or is occurring.
  - a. Create a memo to the Police Chief advising of the files that need approval.
  - b. Include control #, officer, year, violation, completion date, outcome (include termination, resignation, civil action), destroy yes or no and initial location.
4. Once destruction has occurred note in IA control Log the date of destruction
  - a. Create a memo to the Police Chief advising which files were destroyed.

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### 2540.100 City of Elko Failure to Appear Traffic Warrants

#### **Policy:**

The Records Unit of the Elko Police Department will be the holder of all City of Elko Failure to Appear Traffic Warrants. These warrants are issued by the Elko County Justice/Municipal Court.

The warrants will be held in a designated location in the records office. Warrants will not be removed from the Records Unit unless being returned to the Court of record.

Confirmation of these warrants will happen 24/7 by the employees of the Department. All mandated time limits apply to these confirmations.

- Urgent (priority 1) response has a 10 minute time limit
- Routine response has a 1 hour time limit.

Confirmations will be done by Records employees Monday – Friday 0800 to 1700. Patrol employees will confirm warrant during any other time.

Confirmations will only be done through Elko Central Dispatch. If another agency calls to confirm a warrant they should be referred to Elko Central Dispatch.

- **If the warrant is not found an arrest cannot occur. Advise ECD that the warrant cannot be confirmed and is not valid.**

#### **Procedure:**

1. Locate the warrant.
2. **Patrol** must fill in the log. This advises the Records Unit that a search has been conducted.
3. Confirm the warrant by verifying the subject to include date of birth and social security number if given.
4. Advise the dispatcher the warrant is confirmed.
5. For any agency booking at the Elko County Jail, take the original warrant and citation and fax this to the jail. Do not send any criminal history.
6. For agencies not booking into the Elko County Jail make a copy of the warrant and citation. Dispatch will advise you what to do with the copy.
7. After confirmation mark a "C" on the face of the original warrant. Record the date and arresting office/agency on the face of the warrant. **Patrol will place the warrant in the cancelled warrant basket for pickup by the records unit.**
8. Put the original warrant in the Justice Court folder.
9. If the warrant is not located complete the following steps:

#### **During business hours**

- a) Check the Elko Justice Court Clear folder to see if the warrant was cleared. If a clear is found in this folder, advise ECD of this fact and that the warrant is **NOT** valid. If a clear is not found proceed to step b).
- b) Contact Elko Justice Court via telephone to verify if the warrant is valid.

# Elko Police Department

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- i. If the warrant is valid you must request the Court send a clear so that our agency can clear the warrant from NCJIS and the Court can re-issue the warrant.
- ii. If the warrant is not valid you must request the Court send a clear, so that our agency can clear the warrant from NCJIS.

### After hours

- a) Fill in the log located on the clipboard next to the warrants file cabinets. This needs to be done even if you do not find a warrant.
- b) If you do not find a warrant, please email or leave a note for a Records Technician so they can locate the warrant.

### **2550.000 Sex Offenders**

#### **2550.010 Sex Offender Registration**

**Policy:** The Records Unit of the Elko Police Department will complete registration of sex offenders as stated in NRS 179D.151 through 170 and NRS 179D. 441 through 480.

#### **Procedure:**

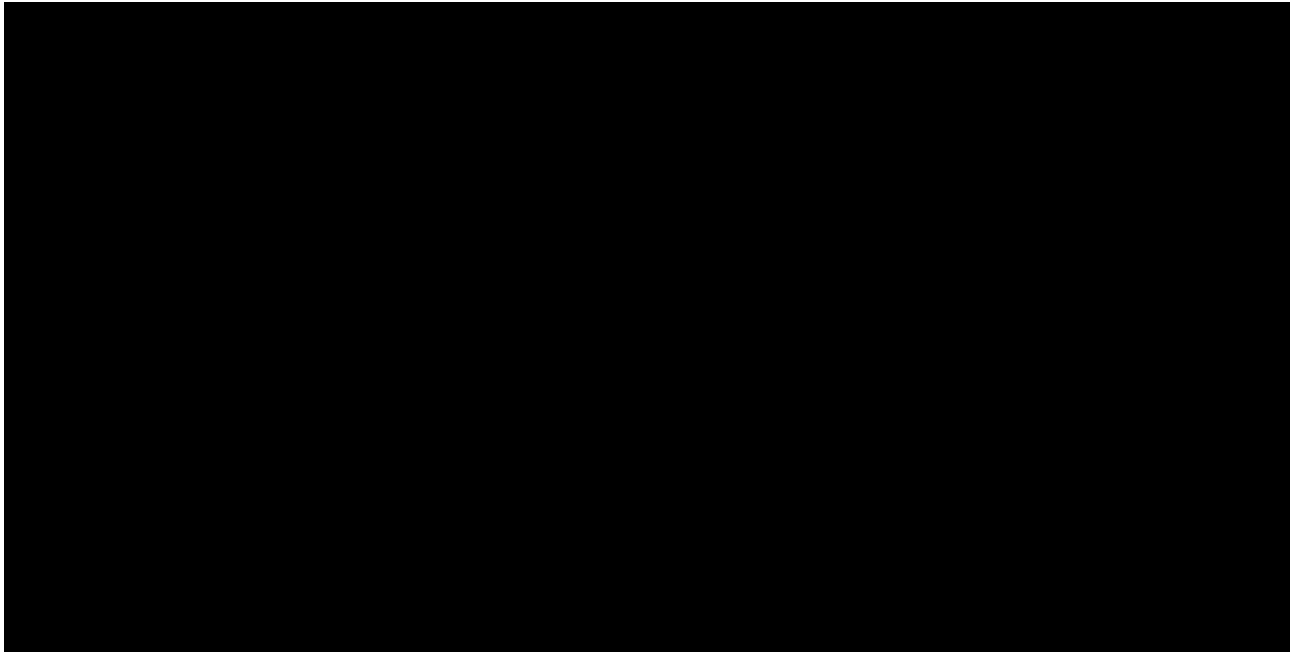
##### Initial registration

1. Have the offender fill out the initial registration form
  - a. Make a copy of their driver's license
    - i. Query wants/ warrants
    - ii. Query criminal history records
2. Take a photo of the offender
3. Check STACSDNA to see if their DNA is in the system
  - a. Collect DNA
  - b. Submit DNA to the forensic lab
4. Obtain fingerprints and palm prints
5. Provide registration form, prints, and photo to the technician over the unit
6. Email documents to, sor@dps.state.nv.us
7. Enter all provided information into Offender watch and Aegis

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### Change of Information/ Verification

Tier I- must register annually

Tier II- must register every 180 days

Tier II- must register every 90 days

Any sex offender who has no fixed residence shall check in at least once every 30 days check-in.

1. Have the offender fill out the verification/change form
  - a. Make a copy of their driver's license
    - i. Run offender for wants/ warrants
2. Provide registration form, prints, and photo to the technician over the unit
3. Email documents to, [sor@dps.state.nv.us](mailto:sor@dps.state.nv.us)
4. Enter all provided information into Offender watch and Aegis

### **2550.020 Sex Offender Verification**

The Elko Police Department will track sex offender registrants per the registration requirements set forth in NRS 179D.480. The dates of verification vary for each Tier Level assessment. These verification dates are tracked on an excel spreadsheet for any sex offender registered to be living within the city limits of Elko.

The State of Nevada has four levels of assessment for sex offenders. Each level has a different time-frame for verification.

**No Tier Level** – one time per year

**Tier Level 1** – one time per year



# Elko Police Department

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**Tier Level 2** – three times per year

**Tier Level 3** – four times per year

**Procedures:** The verification tracking of sex offenders will be assigned to a Records Unit employee. This employee will complete the tasks below to remain compliant with NRS 179D.480 for the verification of sex offenders.

1. Create a reminder in Outlook. This reminder should task you to query on sex offenders due for verification during the entire month.
2. On the date the verification is due query the offender in NCJIS to verify the address is up to date
3. No Tier Level and Tier Level 1 sex offenders are printed and left in the squad room for patrol.
4. Tier Level 2 and Tier Level 3 sex offenders are delivered to the Detective Sergeant to complete the verification.
5. Completed Sex Offender Verification forms shall be delivered to the Records Office. Once received the form will be attached to the sex offender's jacket.
6. If the offender is not located at the address in the Department's records use the following guidelines:
  - a. If the address is different from the one in our database; create a new verification form and follow the above steps starting with #3.
  - b. If the address is the same as the address in our database contact the Nevada Sex Offender Unit, advising them the offender has failed to register.
7. The form shall be shredded after all steps are documented as complete.

### **2560.000 Sealed Records**

#### **2560.010 Adult Sealed Records**

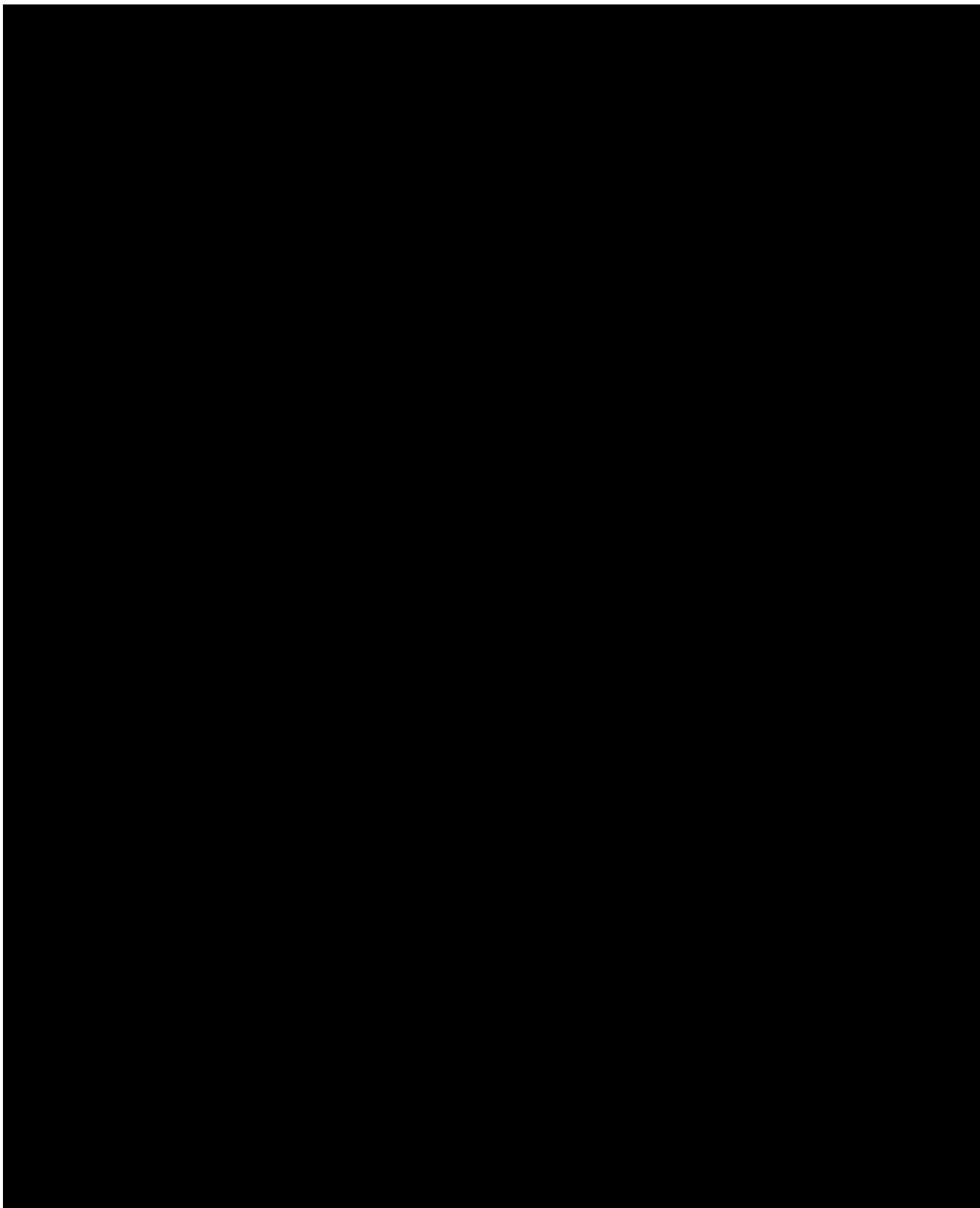
**Policy:** The Elko Police Department will seal records as ordered by a court. Department staff will complete the record sealing promptly.

**Procedure:** Sealing of records is assigned to one member of the Records Staff. Sealed records are confidential and cannot be disseminated once sealed except as ordered by the court.

1. Receive Order to Seal a record. [Example A](#)
2. Read the Order to determine what, if anything, should be sealed.
3. Locate the record in the Department's records management system. Locate all original documents. This includes video interviews, body camera footage, and photographs.
4. Print a complete copy of the record. If the record was archived, print all the information from the

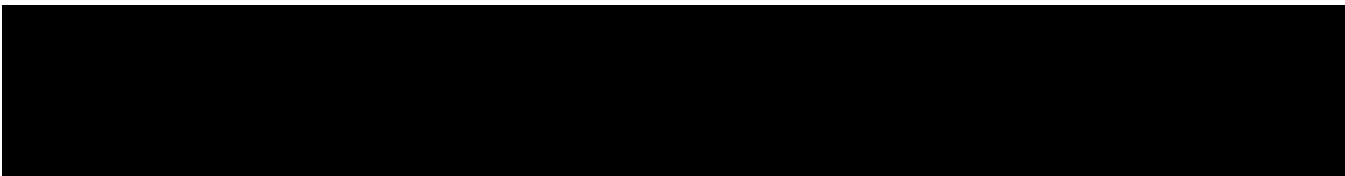
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5. Complete a "Seal Letter" and send it to the listed attorney or as stated in the Order. [Example B](#)
  6. Query NCJIS for the subject's criminal history.
  7. Complete a Sealing of Criminal Arrest Record for the Nevada Criminal History Repository. [Example C](#)  
Use the information gained from the subject's criminal history to fill out the form.
    - a. Copy the criminal history, the Order, and the "Seal Letter" to include in the mailing.
    - b. Mail the form and the copies created in the previous step to the Repository.
  8. Retention of record.
    - a. The Order, case report, original documentation, video, body camera footage, photographs, copy of the "Seal Letter," and copy of the repository Form will be placed in a manila envelope.
    - b. Create a label with the following information:
      - Subject's Name
      - Court Case Number
      - Retention Period
      - End Retention Date
    - c. Retention of the record is the same as an unsealed record. Retention procedures outlined in Department policy will be followed for the retention of the sealed record.
    - d. Place the envelope in the designated sealed record storage
  9. If the record was archived in the Department's standard archive system, delete it from this system.
  10. Body camera footage and photographs stored in Evidence.com will be deleted from the system after the record is sealed.
  11. Complete a record entry into the sealed record spreadsheet.



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Ty Trouten  
Police Chief

Created: September 30, 2016  
Revised: August 20, 2020  
Revised: April 19, 2021  
Revised: December 29, 2022

# Elko Police Department

## Chapter 2600 Portable Event Recording Device

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### **2610.000 Portable Event Recording Device**

#### **2610.010 Portable Event Recording Device**

##### **Policy:**

Elko Police Department provides officers with access to Portable Event Recording Devices (PERD) for use during the performance of their duties, as mandated by NRS 289.830. The use of these devices is intended to enhance the mission of the Department by accurately capturing contacts between officers and the public and to document evidence. It shall be the policy of the Elko Police Department to make all reasonable efforts to comply with Nevada Law related to PERDs, in an effort to provide transparency and accountability.

All recordings made by an officer while acting in an official capacity are the property of the Department. Officers shall only employ department issued recorders. Officers shall have no expectation of privacy or ownership interest in the content of any recording.

##### **Procedure:**

###### **Pre-Activation**

1. Upon the beginning of duty, officers are responsible to ensure they are equipped with a PERD, issued by the Department, and the PERD is in proper working order.
2. Uniformed officers shall wear the device in a conspicuous manner.
3. Officers not assigned to a uniformed position may carry a PERD anytime they are acting in an official capacity and on duty.
4. Officers assigned to the Elko Special Response Team shall wear a PERD during SWAT operations wherein they are conducting tactical duties, such as building entries, barricaded suspects, etc. SWAT operators need not activate their PERD during preplanning, debriefings or other non-tactical portions of a SWAT operation.

###### **Activation And Deactivation**

1. The PERD shall be activated whenever an officer is responding to, or beginning to process a call for service, or at the initiation of any other law enforcement or investigative encounter between a uniformed peace officer and a member of the public. This includes all enforcement and investigative contacts, including traffic stops, security checks in places that are likely to generate a law enforcement contact (bars, casinos, etc.) and field interview situations.
2. An officer should activate the device any time he/she believes it would be appropriate or valuable to record an incident.
3. At no time is an officer to jeopardize his/her safety in order to activate a device. However, the device shall be activated in situations described above as soon as practicable.
4. Once an officer has started recording an event, the recording should continue without interruption until the completion of the event, if feasible.
5. If an officer must mute the audio for any reason, the officer shall audibly state the reason for muting while still recording. Once the officer has completed the task that necessitated the audio muting, the officer shall as soon as practical, reactivate the audio recording.

# Elko Police Department

## Chapter 2600 Portable Event Recording Device

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6. At the end of a call for service, officers shall audibly state “turning off bodycam, end of call” before turning off their PERD at the end of an incident.
7. Officers should remain sensitive to the dignity of all individuals and their Fourth Amendment rights when recording and should exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the officer that privacy may outweigh any legitimate law enforcement interest in recording a victim or any person in their private residence, hospital room, school, or anywhere that person has an expectation of privacy.
8. Officers should be aware of privacy issues when someone is seeking to anonymously report information in regards to a crime or investigation.
9. A request by a member of the public to stop recording should be considered using this same criteria. Recording should resume when privacy is no longer an issue, unless the circumstances no longer fit the criteria for recording.

### Post-Activation

1. When using a recorder, the officer shall record his/her name, badge number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded.
2. Officers shall document the existence of a recording in a report or in any other official record of the contact, including any instance where the recorder malfunctioned or the officer deactivated the recording.
3. Any time an officer reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact, civil commitment, or other miscellaneous contact), the officer should promptly notify a supervisor of the existence of the recording.
4. When preparing written reports, officers may review their recordings as a resource. Officers should also detail any perceptions during an incident as they recall them, even when such a perception is not captured or reflected by the PERD. An officer should never use the fact that a recording was made as a reason to write a less detailed report.
5. All recordings shall be retained for a minimum period of no less than 30 (thirty) days consistent with the requirements of the department records retention schedule and Nevada State law.
6. Any time an officer records any portion of a contact he/she believes constitutes evidence in a criminal case, the officer shall ensure the recording is stored accordance with current procedure for storing digital files and document the existence of the recording in the related case report. Transfers/uploads should occur at the end of the officer's shift, or any time the storage capacity of the device is nearing its limit.
7. Whenever an incident necessitates generation of an EPD Use of Force Report by ANY officer involved in said incident, ALL involved officers shall tag their download PERD video with “Misdemeanor & No Suspect Felony” unless a tag that would result in a longer video retention would be appropriate.

### Prohibited Use Of Portable Event Recording Device

1. Officers shall not record the general activity of the public when not engaged in a law enforcement encounter or police investigation.
2. Officers shall not edit or manipulate any digital recordings, nor shall they intentionally delete any recording prematurely in violation of this policy or Nevada State law.

# Elko Police Department

## Chapter 2600 Portable Event Recording Device

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3. Officers shall not retain any recordings for personal use of activities or information obtained while on-duty. Officers shall not use a PERD for personal use.
4. Officers shall not use any recording for the purpose of embarrassment or ridicule.
5. Officers shall not duplicate or distribute recordings, except for authorized legitimate department business purposes.
6. Officers generally will not allow anyone to review a recording in the field, but will direct the person to make a records request to the Department for any such recording. However, an officer may allow any person to review a recording in the field, when in the officer's discretion it would be in the best interest of the investigation to do so.
7. An officer shall not surreptitiously record any member of the department without a court order unless lawfully authorized by the Police Chief or designee.
8. Officers shall not review recordings from evidence.com on any device that is not the property of the City of Elko, nor shall officers review or watch recordings when at home, or in an off duty status.

### Review And Release Of Recordings

1. Supervisors are authorized to review recordings at any time. This includes when they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the officer's performance.
2. Supervisors shall, as soon as practical, review recordings of any activity that generates an EPD Use of Force Report, any vehicle pursuit or traffic incident that will be evaluated by the EPD Board of Review.
3. Supervisors should periodically spot check PERD recordings to insure proper procedures and activations are being followed.
4. Recordings may be released to members of the public or news media pursuant to the Department public records release policy and Nevada State law, or pursuant to any other lawful process or court order.
5. The Evidence Technician is authorized to review recordings at any time. The Evidence Technician shall assist in the management of the recordings and will coordinate from time to time with the Records Supervisor and/or the Admin Staff. The Evidence Technician will ensure recordings are produced in a timely manner for authorized use by District Attorney staff, City Attorney staff, court staff, news media personnel, persons filing public records act requests, and other functions as authorized by the Police Chief.

  
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Ty Trouten  
Police Chief

Created: October 23, 2018

Revised: January 2, 2022

# Elko Police Department

## Chapter 2700 Department and Personal Communication Devices

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### **2710.000 Department and Personal Communication Devices**

#### **Purpose:**

The purpose of this policy is to establish guidelines for the use of department issued mobile (cellular) phones and Personal Communication Devices (P.C.D.), and the on-duty use of such devices personally owned by personnel.

#### **Policy:**

The Elko Police Department recognizes that wireless communications device technology is continually advancing. The department also recognizes the use of personal communication devices assists overall law enforcement functions of the department; therefore, it is the policy of the Elko Police Department to issue personal communication devices to certain employees based on their job assignment.

1. Based on the needs of the assignment and / or position, the department may issue Personal Communication Devices (P.C.D.) to certain employees.
2. A department issued P.C.D. may be used for limited personal business such as voice calls or messages from family. Personal use of the P.C.D. should be limited in both time and frequency. Any issued P.C.D. is the property of the Elko Police Department and as such, is subject to monitoring and inspection at any time. This includes all text messages, images, call history, applications, or any other data stored in the P.C.D.
3. Employees issued a department P.C.D. shall generally avoid incurring additional fees or costs associated to the P.C.D., including, but not limited to, the cellular data plan and mobile applications.

The City of Elko Information Technology (I.T.) will have full control over the downloading of any applications for the issued P.C.D. All mobile applications must be work related.
4. Employees issued a P.C.D. are not required to answer telephone calls or conduct work related business off-duty with the department P.C.D. Additionally, those employees issued a P.C.D. are expected to have the device turned on and used while on duty.

#### **EXCEPTIONS:**

Employees who are assigned to a special assignment which requires standby status must answer their department issued P.C.D. while on paid standby duty or those employees who are required by position to be on-call, such as administrators.

Employees who are assigned to a specialty unit such as Canine, SWAT, Crisis Negotiations, or Bomb Unit must respond to calls or messages on their department issued P.C.D.

All employees who are issued a P.C.D. are encouraged to check their P.C.D. periodically while off-duty for updates, such as court cancellations or emails.

# Elko Police Department

## Chapter 2700 Department and Personal Communication Devices

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5. Employees who are issued a department owned P.C.D. are prohibited from carrying a personal P.C.D. while on-duty. Such employees who bring a personal P.C.D. to work must keep it in their locker, office, or personally owned vehicle.
6. Employees who are issued a department owned P.C.D. are responsible for its care and maintenance as with all other department issued property.
7. Employees who are not issued a department owned P.C.D., and who use their personal P.C.D. for work related activities, recognize that such use may subject their personal P.C.D. to review and disclosure in accordance with current case law. This includes all messages sent or received during the course of the job assignment or work period.
8. Department issued Personal Communication Devices are an augmentation to Elko Police Department's communications system, not a substitute for normal radio communications. The use of the P.C.D. is authorized if the use of the radio is impracticable or not feasible, such as the conveyance of sensitive or restrictive information, undercover operations, normal communications overload or failures, and communication beyond normal radio range.
9. Employees shall not use a P.C.D. while operating a city owned vehicle unless:
  - a. The use is within the scope and course of employment duties, and
  - b. The nature of the call is urgent.


The use of "in-ear" or "head-set" style of hands free listening and talking devices, such as Bluetooth, are not authorized for use in city owned vehicles. Employees shall not text or e-mail while operating a vehicle that is in motion.

10. Any information, whether photographic, textual, or audio on a department issued P.C.D. that is gathered by an employee is the property of the Elko Police Department. Any dissemination of such information outside of normal department procedures is strictly prohibited.
11. All photographic, textual, or audio information on a department issued P.C.D. is subject to review and disclosure in accordance with the current case law. Case-related digital media captured with a department issued P.C.D. must be booked into evidence and documented with a report narrative.

### **Definitions:**

The terms used throughout this policy shall have the following meanings:

**PERSONAL COMMUNICATION DEVICE:** Includes all mobile phones, smart phones, and other such two-way communication and / or portable internet access devices.

  
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Ty Trouten  
Police Chief

Created: February 13, 2019



# Elko Police Department

## Chapter 2800 Unmanned Aerial Vehicles

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### **2800.000 Unmanned Aerial Vehicle (UAV) Policy and Procedures**

#### **Purpose**

This policy is intended to establish guidelines for the use of unmanned aerial vehicles, including retrieval and dissemination of images and data captured by the UAV.

#### **Policy**

It is the policy of the Elko Police Department to utilize UAV to enhance the department's ability to save lives, protect property and document crime scenes and collision scenes. Any application of the UAV will be in accordance with Federal, State and local laws, to include constitutional privacy rights, search and seizure regulations and Federal Aviation Administration (FAA) regulations.

#### **Definition**

An unmanned aerial vehicle (UAV) is an unmanned aircraft of any type that is capable of sustaining flight, whether remotely controlled or pre-programmed. All the supporting or attached hardware designed for gathering information through photography, video recording or any other means is commonly referred to as unmanned aerial systems (UAS). Each is also commonly referred to as drones.

### **2800.010 Privacy Considerations**

Personnel operating an UAV shall be mindful of privacy rights and absent a warrant or exigent circumstances shall not intentionally record or transmit images in any location where a person would have a reasonable expectation of privacy (e.g., inside house, fenced yard, enclosed area only visible from an elevated position). Operators and observers will take reasonable precautions to avoid inadvertently recording or transmitting images in violation of privacy rights.

Use of vision enhancement technology (e.g. thermal or other imaging equipment not generally available to the public) is permissible to view in areas only where there is no protected privacy interest, during exigent circumstances, or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

### **2800.020 Authorized Uses**

Aside from exigent circumstances, all uses of the UAV must be authorized by the Shift Commander, Team Commander, Sergeant or higher. The UAV operator has the ability to decide to decline applying the UAV in any given situation. UAV use must be conducted in accordance with this policy, Nevada Revised Statutes, case law, FAA regulation and other federal regulations.

Crime Scene and Collision Scene Applications - A primary use of the UAV will be to conduct crime scene and collision scene documentation either through the Elko Police Department or from the request of another agency under the approval of the Shift Commander, Team Leader, Sergeant or higher.

# Elko Police Department

## Chapter 2800 Unmanned Aerial Vehicles

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**Search and Rescue-** A UAV may be deployed in an effort to locate missing/endangered individuals in areas where a UAV has a greater potential of finding the missing/endangered subject.

**Officer Safety Tactical Applications-** A UAV may be deployed in an effort to protect officers from exposure to danger and minimize the risk of injury to bystanders, victims, officers and suspects, and enhance the likelihood of bringing peaceful resolutions to potentially deadly incidents. Use of the UAV for these safety purposes should be limited to incidents involving violent felony suspects, or involving persons who are emotionally or mentally debilitated and pose a risk of serious bodily injury or death to themselves or others, or those fleeing from police apprehension, or any situation requiring the capabilities of air support to include indoor air support. Examples of these types of incidents include, but are not limited to: armed barricaded suspects, armed suicidal suspects, high-risk search warrants, high-risk violent offender apprehension, hostage situations and bomb threat/improvised explosive device investigations. These types of incidents will likely require remote manual operation of the UAV.

**Elko Special Response Team-** Deployment of the UAV to support the Elko Special Response Team is authorized as long as it's use meets the standards for "Authorized Uses of UAV" listed above. Deployments inside buildings will be subject to the restrictions currently in place for deploying robots, pole cameras and other observation devices utilized by the Elko Special Response Team to include search warrant requirements. Use of an UAV in this capacity must be authorized by someone the rank of team leader or higher.

**Community Outreach Demonstrations -** In an effort to encourage public trust and effectively engage our community, the use of an UAV as part of a community meeting or special event is authorized. The UAV demonstration should be limited to show casing the department's investigative capabilities, the ability to locate missing/endangered individuals and educating the public on the UAV program.

**Training-** The use of the UAV for direct UAV operator training, integration with other teams or to aid in an increase of training quality (monitor SWAT building clearing, Honor Guard movements, EVOC etc.) is authorized.

**Evidence Collection-** The use of the UAV for evidence collection is authorized so long as it meets the requirements of a search warrant as outlined by NRS and case law. The warrant must specifically list the authorization of the UAV and be approved by a Shift Commander, Team Leader, Sergeant or higher. Because of the public perception of this type of deployment, the use of the UAV in this capacity should be held to the highest level of skepticism to avoid misuse.

**Command and Control-** To provide an aerial visual perspective to assist officers in providing direction for crowd control, traffic incident management, special circumstances, and temporary perimeter security.

**Disaster Response-** To assist decision makers (e.g., incident command staff; first responders; city, county, and state officials) in understanding the nature, scale, and scope of an incident—and for planning and coordinating an effective response.

### **2800.030 Prohibited Uses**

The UAV shall not be used for the following:

# Elko Police Department

## Chapter 2800 Unmanned Aerial Vehicles

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- To conduct random surveillance activities,
- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation,
- To harass, intimidate or discriminate against any individual or group,
- To conduct personal business of any type,

### **2800.040 Authorized Operators**

Only personnel who have successfully completed the required training and licensing in accordance to FAA standards, NRS, and case law shall be permitted to operate the UAV. FAA UAS licensing can either be under a current Part 107 (UAS Pilot License) or the authorization of a current Part 91 (Certificate of Authorization).

### **2800.050 Visual Observers**

Visual observer(s) should be used when practical, especially when the flight involves any sort of prolonged duration or risk.

### **2800.060 Controlled Airspace**

*Airport Definition "Any area of land or water owned, operated or maintained by or on behalf of a city, county, town, municipal corporation or airport authority that is designed and set aside for the landing and taking off of aircraft and that is utilized in the interest of the public for such purposes."*

It is paramount that the UAV operator and individuals directly involved in the flight familiarize themselves with the areas of flight prior to launch to ensure the safety of manned aircraft and compliance with FAA regulations and state law. Should UAV flight operations take place within 5 statute miles of an airport or other restrictive areas, the UAV operator must arrange for a respective authority notification to the facility or organization, and receive their consent for flight prior to launch. The operator must also ensure he/she will fly within FAA and federal regulations concerning controlled airspace. If the flight is within or near a manned aircraft travel route or runway/flight pattern path that is uncontrolled airspace or otherwise permitted for flight, the operator can proceed with the launch if safe to do so, but with a high degree of caution. The operator should consider altitude, distance, aircraft visibility, the use of a visual observer and atmospheric conditions. Flights in restrictive areas will require airport authorization, FAA authorization, FAA waivers, or other permissions from an authority of that facility, to be obtained, and extreme caution shall still be exercised.

### **2800 070 Flight Logs**

Each authorized UAV operator will maintain a pilot flight log. Operators will log the date, flight time and locations of all UAV deployments. They will also note case number (or training), incident type, automated flight or manual flight, and whether photographs, images, or video were captured during the flight. Pilots will also complete a UAV flight log and maintenance log.

# Elko Police Department

## Chapter 2800 Unmanned Aerial Vehicles

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### **2800.080 Program Coordinator**

The Operations Commander or their designee will oversee the UAV Program. Their duties will include the following:

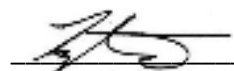
1. Ensuring that policies and procedures conform to current laws, regulations and best practices.
2. Establishing a training standard for operators that meets FAA requirements.
3. Ensure pilots maintain UAV licensing and are fit to pilot UAV.
4. Maintain UAV state and FAA registration.
5. Overseeing the selection and training of operators.
6. Maintaining and updating the Certificate of Authorization (COA) with the FAA.
7. Overseeing procurement and maintenance of UAV equipment.
8. Review of UAV deployments to ensure compliance with policies and operating procedures.
9. Conducting audits of flight logs or create a designee of the UAV Program to oversee such tasks.

### **2800.090 Photographs and Video Recording**

All photographs and video recording collected by the UAV will be entered into a digital evidence management system (Evidence.com). Evidence should be uploaded as soon as practical. Photographs and video collected by the UAV shall be retained in accordance with retention guidelines set by Nevada Revised Statutes and Elko Police Department Policy.

### **2800.100 Damage**

Any damage to the UAV will be documented and submitted to the program coordinator so maintenance can be scheduled and a hazard assessment completed to prevent future damage. If a UAV accident occurs that results in serious injury to any person, loss of consciousness or causes property damage over \$500, the incident must be reported to the FAA within 10 days.



Tyler Trouten  
Police Chief

Creation Date: June 9, 2021

# Elko Police Department

## Chapter 2900 NCIC/NCJIS Policy

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### **2900.000 NCIC/NCJIS and City Network Access**

Our policy is to ensure that all police employees who access criminal justice information systems are trained in State and Federal policies governing these systems' use. This is accomplished through training, certification, and the distribution of policies and updates to appropriate personnel.

### **2900.001 Terminal Agency Coordinator**

The Police Chief will appoint a Terminal Agency Coordinator (TAC) and notify the State. The TAC is the liaison between the Elko Police Department and the State of Nevada. The TAC must be certified through the State within six months of appointment and maintain that certification status. The TAC shall appoint an Assistant Terminal Agency Coordinator (ATAC) to facilitate TAC duties with the TAC or in the TACs absence. The ATAC will perform any duties as assigned by the TAC.

The TAC shall have full authority to grant and deny access to the building and criminal justice systems as needed. The TAC shall ensure that all policies here and those set by the State of Nevada are followed.

### **2900.002 Personnel Screening**

Agency personnel accessing criminal justice information are subject to a fingerprint-based background check. The fingerprint results from the pre-employment background are used for this purpose.

Fingerprint returns that contain criminal history will be handled as follows:

1. Misdemeanor – The TAC is designated to approve or deny system access.
2. Gross Misdemeanor – The TAC must notify the CJIS Systems Officer (CSO) and provide arrest and disposition documentation. The CSO will approve or deny system access. All documentation, including the CSO decision, will be maintained by the TAC.
3. Felony – CJIS access will be denied for felony arrest history.

### **2900.005 Password Policy**

#### **City Network**

- Minimum length 8 characters
- Contain characters from three of the following criteria
  - a. English uppercase
  - b. English lowercase
  - c. Base 10 digits
  - d. Non-alphanumeric characters
- Must not contain the user's account name or parts of the user's full name that exceeds two consecutive characters.
- Maximum password age 89 days
- Password must be different from the ten previous passwords used

#### **NCIC/NCJIS**

- Minimum length 8 characters

# Elko Police Department

## Chapter 2900 NCIC/NCJIS Policy

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- Maximum length 14 characters
- Have a mix of upper and lower case alpha characters
- Have at least one numeric character
- Must have one of the following special characters
  - : > = < ? \_ ; / - + ( ) \$ ! #
- Cannot use any of the last six passwords
- Cannot be changed for five days after a change

After three attempts to log on unsuccessfully, you will be timed out for 10 minutes. After 10 minutes, three more attempts may be made. If these three attempts are unsuccessful, you will be locked out and will need to have your password reset by the TAC.

### **2900.010 Security Awareness Training**

All employees of the Department will attend Security Awareness training to the level of access granted. City employees granted unescorted access will attend Level 1 Security Awareness training, Department employees will attend Level 3 Security Awareness training depending on their NCIC/NCJIS access. City I.T. staff will attend Level 4 Security Awareness training.

- Level 1 – Baseline Security Awareness training for all personnel who have unescorted access to a physically secure location.
- Level 2 – Security Awareness training for all authorized personnel with physical access to criminal justice information (CJI).
- Level 3 – Security Awareness training for all authorized personnel with both physical and logical access to CJI.
- Level 4 – Security Awareness training for all Information Technology personnel.

Employees will attend Security Awareness training within the first six months of employment and every two years after.

The Department's TAC will maintain a list of Department personnel, City personnel, and other subjects with unescorted access to the Department.

### **2900.015 Expectation of Privacy**

All agency personnel utilizing agency-issued technology resources expressly acknowledge and agree that such service, whether business or personal use, shall remove any expectation of privacy. Use of Department systems indicates consent to monitoring and recording. The Department reserves the right to access and audit all communications, including electronic and physical media, at rest, in transit, and at the end of life. Personnel shall not store personal information on City-owned devices with an expectation of personal privacy. (City of Elko Policy 2.19)

# Elko Police Department

## Chapter 2900 NCIC/NCJIS Policy

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### **2910.000 Physically Secure Areas**

The main police building is considered a secured area, except the Front Lobby and Community Meeting Room. The Auxiliary Building in its entirety is a secured area.

Each employee will be given a key card and keys providing access to areas within the Department. Area access is granted depending on the assignment of the employee.

- Administration – Police Chief, Admin Commander, Operations Commander, Administrative Assistant, Civilian Manager
- Detective – Admin Commander, Detective Sergeant, Detective Corporal, Detective
- Patrol – Operations Commander, Sergeant, Corporal, Patrol Officer
- Records – Admin Commander, Civilian Manager, Records Supervisor, Records Tech II, Records Tech I
- Animal Control – Operations Commander, Sergeant, Corporal, Animal Control Officer
- ESRT – Operations Commander, current members
- Bomb Squad – Operations Commander, current members
- Evidence – Admin Commander, Civilian Manager, Evidence Tech
- I.T. – Admin Commander, I.S. Manager, I.S. Technician, Records Supervisor
- Facilities – Admin Commander, Records Supervisor, Facilities Staff
- Canine – Operations Commander, current Canine Officers
- Bike Patrol – Operations Commander, Sergeants, Corporals, current members
- Armory – Sergeants and Corporals
- Ammunition – Police Chief, Admin Commander, Operations Commander, Range Masters

### **2910.010 Visitors**

Authorized personnel will escort all visitors. Anyone entering the Department's secure areas will sign the visitor's log and receive a visitor's badge. I.T. staff and Facilities staff will sign the visitor's log while working in the building.

Contractors will be vetted by the TAC, given identification, and allowed access in some building areas. Each contractor will conspicuously wear a site security badge.

It is the responsibility of all employees to question anyone in the building's secured areas without an escort.

# Elko Police Department

## Chapter 2900 NCIC/NCJIS Policy

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### **2920.000 Security**

#### **2920.001 System**

All criminal justice information is confidential. Whether on an MDT or desk computer, all information must be protected from public view. When leaving your computer, always lock down your computer. Terminals, mobile devices, record storage areas, and server rooms must be in a physically secure location. A secure location prevents unauthorized access or viewing of computers, printed, or stored data.

#### **2920.010 General Security**

The user interface for information on the Internet/Intranet/Extranet-related systems is classified as confidential or non-confidential. Examples of confidential information include, but is not limited to, NCIC information, state criminal history information, agency personnel data, RMS software, etc. Employees should take all necessary steps to prevent unauthorized access to this information.

1. Keep passwords secure, and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. Review the Password Policy for guidance.
2. All computers, laptops, and workstations shall be secured with passwords.
3. Because the information on portable computers is especially vulnerable, employees will use special care when using these. Protect laptops following the Laptop Security Policy.
4. All devices used by employees connected to the Department's Internet/Intranet/Extranet shall continually execute approved virus-scanning software with a current database.
5. Employees must use extreme caution when opening email attachments received from unknown senders, which may contain viruses, email bombs, or Trojan horse code.

#### **2920.012 Document Security**

All physical documents containing CJI are confidential, and employees will ensure these documents' security while in their possession. Employees will destroy these documents by shredding them when no longer needed.

#### **2920.015 User Account Access Validation and Termination**

The TAC or ATAC shall review all accounts to ensure access and account privileges commensurate with job functions, need-to-know, and employment status.

The TAC must disable all new accounts not accessed within 30 days of creation. Accounts of individuals on extended leave (more than 30 days) should be disabled.

The TAC will remove or disable all access accounts for separated or terminated employees immediately upon notification of separation from the agency.

Primary responsibility for NCIC/NCJIS account management belongs to the TAC.



# Elko Police Department

## Chapter 2900 NCIC/NCJIS Policy

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The TAC shall modify user accounts in response to name changes, accounting changes, permission changes, etc. They will periodically review existing accounts for validity (at least once every six months) and cooperate fully with an authorized security team during a security incident or performing an audit review.

Account audits should at least include the following:

- Run NCJIS operator query
- Check access logs
- Verify security settings
- Verify certification dates

### **2930.000 Criminal History Access**

Access to criminal history data through NCIC is restricted to releasing firearms, criminal justice applicants, and criminal investigations. Users must select the correct purpose code when running criminal history. The TAC/ATAC will monitor criminal history queries and notify the employee and their supervisor when an incorrect purpose code is used. If a user has used the wrong purpose code three times or more in 12 months, the operator will be required to attend remedial training.

The attention field must contain the requestor's name and case number or the requestor's name and per-hire background.

Purpose codes are mandatory and will be used as follows:

- C – Criminal Justice
  - a. Used for official duties in connection with the administration of criminal justice. Every inquiry must be part of a criminal investigation, tracked through RMS, whether the incident results in a call for service, arrest, field contact, incident report, or crime report.
  - b. Ride-alongs, contracted employees, and volunteers.
- J – Criminal Justice employment
  - a. Used for prospective police department employees or the screening of other agencies' employees over which the criminal justice agency maintains management control. An example of management control would be electrical workers in the building or City I.S. personnel authorized building access by the police department.
- F- Weapons related checks
  - a. Used for releasing firearms to the owners.

### **2950.000 Incident Response**

As defined in the National Institute of Standards and Technology (NIST) Special Publication 800-61, a cybersecurity incident is a violation or imminent threat of a breach of computer security policies, acceptable use policies, or standard computer security practices. An incident response capability is necessary for rapidly detecting incidents, minimizing loss and destruction, mitigating the exploited weaknesses, and restoring computing services.

# Elko Police Department

## Chapter 2900 NCIC/NCJIS Policy

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1. Employees shall report cybersecurity incidents to the TAC.
2. The TAC will notify the City of Elko IS Manager.

The agency shall promptly report incident information to appropriate authorities. Information security events and weaknesses associated with information systems shall be communicated to allow timely corrective action. Incident-related information can be obtained from various sources, including but not limited to audit monitoring, network monitoring, physical access monitoring, and user/administrator reports.

### Roles and Responsibilities:

The following procedures shall be followed when CJI is lost or improperly disclosed.

1. Personnel shall notify their supervisor and submit a report of the incident immediately upon discovery but no longer than 24 hours after discovery. The report should contain a detailed account of the incident, including events leading to the incident and steps taken in response.
2. The supervisor will communicate the situation to the TAC to notify what loss or disclosure has happened.
3. The TAC will inform the Information Security Officer (ISO) of the incident.
4. The ISO will establish a security incident response and reporting procedure to discover, investigate, document, and report to the State, the affected criminal justice agency, and the FBI CIS Division ISO major incidents that significantly endanger the security and integrity of CJI. They will collect and disseminate all incident-related information from the Department of Justice (DOJ), FBIS CJIS Division, and other entities to the appropriate local law enforcement agencies. And act as a single point of contact for their jurisdictional are for requesting assistance.

### **2980.000 Misuse**

All agency personnel with access to CJI or any system with stored CJI have a duty to protect the system and related systems from physical and environmental damage and are responsible for correct use, operation care, and information maintenance. Use of technology equipment: computers, laptops, software, copiers, printers, terminals, MDTs, mobile devices, live scan devices, fingerprint scanners, software to include RMS/CAD, operating systems, etc., used to process, store, or transmit FBI CJIS is a privilege allowed by the Elko Police Department, state CSO, and the FBI. To maintain the integrity and security of the Elko Police Department and FBI's CJIS systems and data requires adherence to relevant Federal, State, and local laws, regulations, and contractual obligations. All existing laws and departmental policies apply, including those laws and regulations specific to computers and networks and those that may apply to personal conduct.

Employees will only query criminal history information for individuals involved in criminal investigations, criminal justice employment, and releasing firearms. Any other purpose is prohibited.

Misuse of computing, networking, or information resources may result in temporary or permanent restriction of computing privileges up to termination of employment. In some misuse situations, the TAC will suspend account privileges to prevent ongoing misuse while under investigation. Additionally,

# Elko Police Department

## Chapter 2900 NCIC/NCJIS Policy

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misuse can be prosecuted under applicable statutes. All files are subject to search. Where follow-up actions against a person or agency after an information security incident involves legal action (either civil or criminal), the evidence shall be collected, retained, and presented to conform to the rules of evidence laid down in the relevant jurisdiction. Complaints alleging misuse of the Department's computing and network resources and FBI CJIS systems or data will be directed to those responsible for taking appropriate disciplinary action.

### Examples of Misuse

- Using someone else's login credentials.
- Leaving a computer logged on in a physically unsecure location allowing anyone to access the Department or FBI CJIS systems and data.
- Allowing an unauthorized person to access FBI CJI at any time for any reason.
- Allowing remote access of the Department's issued computer equipment to FBI CJIS systems or data without prior authorization by the Department.
- Obtaining a computer account that you are not authorized to use.
- Using the Department's systems to gain unauthorized access to FBI CJI.
- Knowingly performing an act that will interfere with the standard operation of FBI CJIS systems.
- Knowingly propagating a computer virus, Trojan horse, worm, and malware to circumvent data protection or compromising existing security holes to FBI CJIS systems.
- Violating the terms of software or operating licensing agreements or copyright laws.
- Duplication of licensed software, except for backup and archival purposes that circumvent copyright laws for use in the Department, for home use, or for any customer or contractor.
- Deliberately wasting computer resources to include streaming audio or videos for personal use that interfere with Department network performance.
- Unauthorized possession of, loss of, or damage to the Department's technology equipment with access to FBI CJI through unreasonable carelessness or maliciousness.
- Maintaining FBI CJI or duplicate copies of official Department files in any format at their residence or any other physically unsecure location without express permission.
- Using the Department or FBI CJIS systems technology resources for personal or financial gain.
- Deliberately failing to promptly report any known technology-related misuse by another employee that may result in criminal prosecution or discipline under this policy.
- Using personally-owned devices to store Department or FBI CJI criminal history data.

The above listing is not all-inclusive, and any suspected technology resource or FBI CJIS system or CJI misuse will be handled by the Department on a case by case basis. Activities will not be considered misuse when authorized by appropriate Department officials for security or performance testing.

### **2990.000 Media Transport**

Controls shall be in place to protect electronic and physical media containing CJI while in transport to prevent inadvertent or inappropriate disclosure and use.

Dissemination to another agency is authorized if:

## Elko Police Department Chapter 2900 NCIC/NCJIS Policy

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1. The other agency is an Authorized Recipient of such information and is being provided a service by the Department.
2. The other agency is performing personnel and appointment functions for criminal justice employment applicants.

Department personnel shall:

1. Protect and control electronic and physical media during transport outside of controlled areas.
2. Restrict the pickup, receipt, transfer, and delivery of such media to authorized personnel.
3. Personnel should not take CJI home or when traveling unless authorized by the Department TAC.

  
Tyler Trouten  
Police Chief

Creation Date: April 2, 2021

# Elko Police Department

## Chapter 3000 Field Training Program

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### **3000.000 Field Training Program**

#### **3000.010 Purpose and Scope**

Our policy is to have and maintain a Field Training Program to assist new Officers to assimilate into police work so that they are prepared, willing, and able to provide the service, protection and commitment that the citizens of our city expect and deserve.

#### **3000.020 Introduction**

When an individual makes the decision to join the Elko Police Department, they have made the commitment to subject themselves to several months of the most intensive training many of them have ever experienced. After completing the mandated training curriculum at an approved Academy to obtain a Nevada Police Officers Standards and Training (NV-POST) Basic Certificate, they enter the Field Training Program.

For the next 14 weeks, they will have every move, every word, and every decision they make scrutinized by the Senior Officers of the Field Training Program. They must demonstrate their ability to function as solo patrol officers in a competent, safe, and productive manner under the dynamic and uncontrolled conditions of the street. While they receive their badges prior to attending the Academy, they do not become 'regular' members of the department until they complete the Field Training Program and, ultimately, when they complete probation. They will continue to receive training via mandatory and optional 'in-service' training throughout their police careers. The Elko Police Department places a very high value on training as the foundation for quality policing.

#### **3000.030 Program Goal**

The goal of the Field Training Program is to prepare new officers to perform as solo patrol officers in a competent, safe, and productive manner.

The Field Training Program assists new officers in making the transition from the highly structured environment of the academy to an unpredictable and uncontrolled environment on the street. Field Training Officers (FTOs) are the people who perform the critical training and evaluation functions.

FTOs are expected to:

- Teach new officers how to perform specific tasks.
- Demonstrate the performance of the tasks.
- Observe new officers performing the tasks under supervision.
- Evaluate and correct any deficiencies with additional instruction, demonstration, evaluation, and supervision.

#### **3000.040 Program Structure**

The Elko Police Department Field Training Program consists of fourteen weeks of on-the-job training which every new officer must complete. The program has been divided into three distinct training phases

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and a two-week observation period. The program has been designed to introduce the trainee to the experiences and knowledge necessary for the job in a loosely structured manner, and to maximize the opportunity for learning and for the new officer to gain experience.

Any problems the trainee is having are documented and in the case of recurring problems, a remediation plan is affected. The FTO can confer with the Field Training Program Coordinator, members of the Command Staff, shift supervisor and / or other FTOs to construct a plan. At this point, a decision on remediation, remedial hold, or non-confirmation (refer to 3040.020, Separation of Employment) will be made. This involves the FTO, the shift supervisor, the FTEP Coordinator and the Training and Development Section Supervisor.

PHASE I (Weeks 1-4) – This phase includes the first four weeks of the program. Recruits are assigned to their first FTO and stay with this FTO for four weeks. The first day of the program is an orientation day. This day, which is called "limbo day", is designed to familiarize the officer with their new surroundings. DORs are documented with narrative comments during Phase I, but numerical ratings are not given. The DOR for the first day should indicate "Limbo." During Phase I, trainees have the option of being evaluated during the first 8 hours of the shift and riding along during the final 4 hours. This allows the trainee to adapt to the 12 hour shifts, while learning through observation of the FTO for 4 hours.

The FTO provides a strong example during this period and guides the trainee through any incident where the trainee is not able to complete the task. These are the formative weeks for the new officer's career, and the FTO should keep this in mind. Trainees are expected to continue to apply themselves to learning, not just in the field but also to applicable book and reading material. Trainees are given assignments and are expected to know the assigned material when quizzed or tested. They should be able to handle approximately 50% of the workload by the end of Phase I.

PHASE II (Weeks 5-8) – New officers are transferred to a new FTO and usually a new shift. The first day of Phase II is a limbo day. At this point the Trainee should be making consistent progress, and the FTO should be identifying weaknesses and attempting to correct them. DORs are documented with narrative comments during Phase II, but numerical ratings are not given. The second phase is a critical phase in that the trainee has been provided with four weeks of training and experience and should be gaining confidence in his or her ability, and this should reflect in their performance. They should be able to handle approximately 75% of the workload by end of Phase II. During Phase II, trainees have the option of being evaluated during the first 8 hours of the shift and riding along during the final 4 hours. This allows the trainee to adapt to the 12 hour shifts, while learning through observation of the FTO for 4 hours.

PHASE III (Weeks 9-12) – The first day of Phase III is a limbo day. New officers should be able to handle about 95% of the workload by the end of Phase III, needing help only in the most difficult situations. Trainees are evaluated with numerical ratings and narrative comments during Phase III of the Field Training Program. In the instance where a trainee is having problems in any given area not addressed previously, the above comment on remediation will apply. A continuation of the same problem should be documented and monitored. Trainees are evaluated for the full 12 hour shift during Phase III of the Field Training Program.

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**PHASE IV - EVALUATION PERIOD (Weeks 13-14)** – The final two-week segment of the Field Training Program is known as Evaluation Period. The new officer will enter the Evaluation period only after the following:

- All areas in the Training Checklist have been instructed and reviewed.
- The new officer has demonstrated proficiency in all critical performance areas and their performance is consistent.
- The FTO, shift Supervisor and Field Training Program Coordinator confer and agree that the new officer is ready to be on their own.

At the end of week 12, the new officer should have completed all instruction and must be performing at acceptable levels in all of the performance task areas and in the other rating areas. If the new officer has not progressed acceptably to be recommended for the evaluation phase after 12 weeks of training, a determination will need to be made for non-confirmation (refer to 3040.020, Separation of Employment) or the new officer being placed into a Remedial Hold – Extension Phase. Each new officer will have the opportunity for one extension phase of four weeks throughout the 12 weeks of training. This determination will be made by the Operations Commander, taking into consideration the recommendations made by the FTO, Shift Supervisor and the Field Training Program Coordinator. Multiple extensions may be granted on a case by case basis.

During Phase IV - Evaluation Period, the new officer's FTO will ride with them in the patrol car and assist should the need arise. Trainees are evaluated with numerical ratings and narrative comments during Phase IV of the Field Training Program. Trainees are evaluated for the full 12 hour shift during Phase IV of the Field Training Program. The FTO will wear appropriate civilian attire as not to distract from public contacts that the trainee encounters. Appropriate attire consists of casual pants, polo shirt, or other non-physical training attire. If the FTO chooses to wear civilian attire, they will, at a minimum, be equipped with a ballistic vest, duty weapon, handcuffs, and a police radio. The FTO will not interfere with the new officer's performance except in the following circumstances:

- Physical danger is imminent
- To avoid embarrassment to the new officer or the department
- Illegal or grossly unacceptable conduct

During the Evaluation Period, the assigned FTO is an EVALUATOR only. The Trainee should look to his shift Supervisor or senior officers if help is needed. The Department encourages the new officer to act as a solo officer would in accessing resources. The trainee is responsible for completion of all reports and turns them in to the supervisor directly. A new officer will not graduate from the Field Training Program until they demonstrate the ability to operate as a single officer unit. If the FTO believes that the new officer has gained sufficient skills and knowledge to operate as a solo beat officer by the end of the Evaluation Period, they will recommend to the Field Training Program Coordinator that the new officer should be released from the Field Training Program. The Field Training Program Coordinator and Operations Commander must also concur with any decision to release a new officer from the Field Training Program.

### **3000.050 Issues**

Two of the most important issues in the Field Training Program are:

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- The working relationship between the new officer & the Field Training Officer.
- The consistency and uniformity of the program itself.

A student/teacher working relationship must be established between the FTO and the new officer. FTOs are expected to provide TRAINING and to EVALUATE performance from the beginning to the end of the program. New officers are not considered to be fully trained police officers until they have graduated from the Field Training Program.

The Field Training Program has been carefully designed and the established format must be followed for the purpose of uniformity.

Lateral Entry Officers may be accelerated through the program on a case by case basis, although they will be required to complete no less than two 4-week training phases with two different FTOs and then a two-week Evaluation Phase. Trainee officers may only be accelerated with the approval of ALL of the following personnel:

- The FTO
- The Field Training Program Coordinator
- The Operations Commander
- The Police Chief
- The Trainee Officer

Officers may be extended in the program only under specific circumstances. Extensions will only be granted in cases in which the extension is likely to result in the success of the trainee. This will be determined by the FTO, Field Training Program Coordinator and Operations Commander based upon the trainee's overall performance and on a case by case basis (See 3030.030).

Multiple extensions may be granted, however, each case will be determined on its own merits and based on the totality of the circumstances surrounding the need for multiple extensions.

### **3000.060 FTO Training Reporting and Supervision**

Field Training Officers (FTOs) report directly to their supervisor for immediate issues concerning officers in training. Additionally, FTOs are to report all training deficiencies or issues, which may affect the officer's performance to the Field Training Coordinator. These reports can be made either through written documentation in the Daily Observation Reports or directly to the Field Training Program Coordinator.

The Field Training Program Coordinator will ensure that all FTOs attend and successfully complete Department approved Instructor Development Training, Basic FTO Training, and that they receive additional in-service training at least once a year.

Patrol Supervisors will handle all matters pertaining to the supervision of Field Training Officers. However, all situations involving a Field Training Officer, whether or not they are assigned a trainee, which would merit a rating of less than satisfactory on a performance evaluation or sustained findings of misconduct, must be reported to the Field Training Program Coordinator.



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### **3000.070 Revocation of Field Training Status By Supervisor**

The Patrol Supervisor may be responsible for recommending the deactivation of an FTO's status through the Chain of Command to their respective Commander. The supervisor may confer with the Field Training Program Coordinator and obtain information contained in critiques submitted by new officers that have been previously trained by the FTO.

1. The procedures for the revocation of FTO status are:
2. Supervisor Requesting Revocation
  - a. Observes or is made aware of conduct that is violation of any policy or procedure concerning the Field Training Program and/or is not in the best interest of the new officer under their supervision.
  - b. Details observations and/or concerns in a memorandum.
  - c. Attaches any supporting documentation.
  - d. Forwards the memorandum through the Chain of Command.
3. Involved FTO
  - a. Completes a written memorandum if desired.
  - b. Forwards memorandum through Chain of Command.
4. Field Training Program Coordinator
  - a. Receives completed package.
  - b. Reviews package and makes a decision.
  - c. Notifies Operations Commander of decision.
  - d. Advises involved officer in writing of the decision and of the date when the officer may reapply for the position.
5. Operations Commander
  - a. Removes FTO from the FTO Unit when appropriate.

### **3000.080 Revocation of FTO Status by the Field Training Program Coordinator**

The Field Training Program Coordinator and Operations Commander may be responsible for recommending the deactivation of an FTO's status through the Chain of Command to their respective Commander. The procedures for the revocation of FTO status are:

1. Field Training Program Coordinator
  - a. Observes or is made aware of conduct that is in violation of any policy or procedure concerning the Field Training Program and / or is not in the best interest of the new officer under their supervision.
  - b. Meets with the involved FTO, FTO's Supervisor and Operations Commander.
  - c. Details observations and/or concerns and meeting details in a memorandum.
  - d. Attaches any supporting documentation.
  - e. Forwards the memorandum through the Chain of Command to the Operations Commander.
2. Involved FTO
  - a. Completes a written memorandum if desired.
  - b. Forwards memorandum through Chain of Command to the Operations Commander.
3. Operations Commander

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- a. Receives completed package.
- b. Reviews package and makes a decision.
- c. Advises involved officer in writing of the decision and of the date when the officer may reapply for the position.
- d. Removes FTO from the FTO Unit when appropriate.

### **3010.000 Field Training Program Evaluation System**

#### **3010.010 Purpose and Scope**

Our policy is to have a standardized evaluation system in place for use with the Field Training Program.

#### **3010.020 Performance Tasks**

The Elko Police Department Field Training Program evaluates the performance of trainees assigned to a Field Training Officer. A total of 15 performance task areas have been established.

A rating scale ranging from 1 - 3 is used to distinguish different levels of performance in each task area. Standardized Evaluation Guidelines (SEG's) are used to provide raters with behavioral anchors which assist them in determining levels of performance.

New officers are evaluated in the Field Training Program through the use of a reporting form called the Daily Observation Report (DOR). The entire system is described in the following pages.

The 'Performance Task' method of training is used in the Field Training Program. A Training Checklist has been designed to include all of the instructional topics to be covered during the program. The Training Checklist is an integral part of the Field Training Program to standardize training as much as possible. When properly completed, the Training Checklist provides a mechanism for documenting all training provided and tasks performed by the new officer.

There are 15 rating categories broken down into the five task groups listed below:

<b>TASK GROUPS</b>	
<b>APPEARANCE</b>	Rates the general appearance of the new officer. Dress, Physical appearance and demeanor are factored.
<b>ATTITUDE</b>	Rates the trainees' acceptance of feedback and criticism and how the trainee learns from it.
<b>KNOWLEDGE</b>	Includes tasks that reflect the new officer's ability to apply what has been learned. Knowledge can be demonstrated or applied in field situations, scenarios, verbal and written testing, and role-playing.
<b>PERFORMANCE</b>	Includes 11 performance categories that are made up of everyday tasks and skills. These are the critical performance areas and where the bulk of the observation and career decisions are made.

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<b>RELATIONSHIPS</b>	Includes tasks that are very important to the successful completion of the program. When ratings in these areas fall below an acceptable level, barriers to effective learning often develop.
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### 3010.030 Rating Scale

The Field Training Program uses a scale of 1-3, with 2 being acceptable, 1 being unacceptable with consideration given for the mistake made, severity of the mistake and number of times the mistake was made and 3 being superior. The previous criterion applies to how well a task(s) was performed.

### 3010.040 Standardized Evaluation Guidelines

The Standardized Evaluation Guidelines are provided to all FTOs and new officers as a part of the Field Training Program. The SEGs provide standards against which the performance of new officers is to be compared. They provide a definition of performance rating levels listed above.

The three levels, which have been defined, are:

- Not Acceptable
- Acceptable, and
- Superior

The guidelines are derived from the San Jose Model of Field Training and Evaluation. The SEGs establish the standard of performance that all Elko Police Department officers are expected to meet.

They are to be applied equally to all new officers regardless of their experience level, length of time in the Field Training Program, prior police experience, or other factors.

FTOs **must** use these guidelines when evaluating performance. New officers should also refer to the guidelines to determine what is expected of them. The SEGs have been developed to provide for consistency in the ratings given by field training officers and FTOs must be very familiar with them and refer to them frequently to maintain the quality of the program. **If inconsistency and/or non-uniform application of these standards occur, the Field Training Program is likely to become the subject of various challenges and legal actions.**

The Standardized Evaluation Guidelines (SEGs) which appear on the following pages are at the very core of the FTEP. They establish the standards of performance and provide behavioral "anchors" which describe different levels of performance. The SEGs consist of rating categories, rating scales, and definitions, which must be used when evaluating a new officer's performance.

It is probably impossible for anyone to memorize the definitions for each level of performance in each rating category; therefore, it is very important for FTOs to use the SEGs as a reference source.

**Rating Categories** – There are 15 rating categories. (Driving Skill: is an example of one rating category).

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**Rating Scale (Levels)** – The FTEP rating scale includes ratings levels of 1 - 3. Each rating level is described using the following labels:

- (1) Not Acceptable by Elko Police Department Standards
- (2) Acceptable
- (3) Superior by Elko Police Department Standards

**Rating Definitions** – The Standard Evaluation Guidelines provide definitions for each task in the respective categories of the Performance Task Book. Both the FTO and the trainee should refer to the SEG's for clarification on the rating process.

### STANDARDIZED EVALUATION GUIDELINES

The following “1”, “2” and “3” scale of value definitions are to be used when rating an officer’s behavior in each of the listed performance categories. It is through the use of these guidelines that program standardization and rating consistency are achieved.

#### APPEARANCE

- 1) **APPEARANCE** Evaluates uniform, fitness level and Command Presence

**Not Acceptable:** Poor level of physical fitness, dirty footwear, wrinkled uniform, uniform fits poorly or is worn improperly, improper haircut and/or hair in violation of department policy, dirty weapon or equipment, equipment missing or inoperative, offensive body odor, breath.

**Acceptable:** Uniform neat, clean and properly fitted, uniform worn properly, weapon, leather and equipment are clean and operative, hair within policy, shoes shined.

**Superior:** Displays excellent command presence through a high level of physical fitness, excellent grooming, a tailored, neat, clean and properly worn uniform, shined leather and spit-shined footwear. All equipment should be clean, functional and properly worn.

- 2) **ATTITUDE** Evaluates the Trainee’s acceptance of feedback, correction and the Trainee’s attitude toward police work and the Field Training program.

**Not Acceptable:** Rationalizes mistakes, denies errors were made, is argumentative, refuses or does not attempt to, make corrections. Sees police work as only a job and not a career. Poor or “badge heavy” attitude toward public.

**Acceptable:** Accepts criticism in a positive manner and applies it to improve performance and further learning. Shows an active interest in law enforcement profession. Trainee remains positive and professional in dealing with the public

**Superior:** Actively solicits criticism/feedback in order to further learning and improve performance. Does not argue or blame others for errors. Maintains a high level of enthusiasm and ideals toward

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the law enforcement career and professional responsibilities. Exhibits a professional demeanor under all circumstances, when dealing with the public.

- 3) **GENERAL KNOWLEDGE** Evaluates the Trainee's working knowledge of Department Policy, laws, ordinances, codes and common procedures. Evaluates the Trainee's ability to apply knowledge to field situations.

**Not Acceptable:** Unfamiliar with commonly used codes, ordinances and policies. Does not recognize when an offense has been committed. Confuses criminal and non-criminal matters.

**Acceptable:** Recognizes and correctly applies appropriate laws, ordinances and policies. Recognizes commonly encountered criminal and non-criminal violations. Familiar with common codes and department policies.

**Superior:** Demonstrates an outstanding knowledge of codes, ordinances and policies. Shows an excellent ability to apply knowledge to field situations. Has an excellent working knowledge of department policies/regulations/procedures, including those that are lesser known or seldom used.

- 4) **DRIVING SKILL** Evaluates the Trainee's driving under both routine and emergency vehicle operations.

**Not Acceptable:** Frequently violates traffic laws. Involved in chargeable accidents. Fails to maintain control of vehicle or displays poor manipulative skills in vehicle operation. Uses emergency lights and siren unnecessarily or improperly. Drives too fast or too slow for situation.

**Acceptable:** Obeys traffic laws when appropriate. Maintains control of vehicle. Performs vehicle operation while maintaining an alertness to surrounding activity. Drives defensively. Uses emergency lights and siren when appropriate.

**Superior:** Sets an example of lawful, courteous driving. Maintains complete control of vehicle while operating radio, checking MDT, etc. Is a superior defensive driver. Displays a high degree of reflex ability and competence. Anticipates driving situations in advance and acts accordingly. Responds very well relative to the degree of stress present.

- 5) **ORIENTATION** Evaluates the Trainee's awareness of surroundings, ability to find locations and ability to arrive at destinations within an acceptable period of time.

**Not Acceptable:** Unaware of location while on patrol. Does not properly use the beat map or other resources. Unable to relate location to destination. Gets lost. Spends too much time getting to destination.

**Acceptable:** Is aware of location while on patrol. Properly uses the beat map or other resources. Can relate location to destination. Arrives within reasonable amount of time.

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**Superior:** Remembers locations from previous visits and does not need the beat map or other resources to get there. Is aware of shortcuts and utilizes them to save time. High level of orientation to the beat and the city.

- 6) **FORMS, WRITTEN WORK** Evaluates the Trainee's ability to prepare and complete accurate reports that include all pertinent information and elements of the crime and that are free of errors. Evaluates the Trainee's ability to utilize all necessary forms.

**Not Acceptable:** Reports contain errors, lack organization and are missing critical information. Incomplete or missing forms. Inability to determine what forms are necessary for a given situation. Excessive time needed to complete written work.

**Acceptable:** Reports are generally complete, well organized and free from major errors. Trainee is able to determine need for routine forms and complete them with a reasonable level of completeness and accuracy and in a reasonable amount of time.

**Superior:** Reports are well organized and contain all necessary information and a detailed account of events. Reports are free from errors in spelling or grammar. Routine forms are completed accurately and completely with a minimum of assistance. Trainee is able to complete all written work quickly, while still maintaining a high level of accuracy and quality.

- 7) **FIELD PERFORMANCE** Evaluates the Trainee's ability to perform tasks under a variety of stress levels and conditions.

**Not Acceptable:** Trainee displays poor judgement when confronted by a situation or avoids taking action. Trainee makes incorrect decisions under stress or non-stress conditions. Trainee panics, loses their temper, fails to react or displays cowardice under any conditions.

**Acceptable:** Trainee assesses routine situations and takes appropriate action. Trainee remains calm and maintains self-control under most situations and generally makes sound decisions and follows a proper course of action.

**Superior:** Trainee properly assesses even complex situations and determines a correct course of action. Trainee maintains self-control and calm even in extreme situations and quickly takes command and restores order.

- 8) **INVESTIGATIVE SKILL** Evaluates the Trainee's ability to conduct a proper investigation with emphasis on scene preservation and basic follow-up.

**Not Acceptable:** Trainee fails to conduct a basic investigation or conducts it improperly. Trainee does a poor job at crime scene preservation, fails to properly identify, photograph and collect physical evidence. Fails to conduct appropriate follow-up investigation.

**Acceptable:** Trainee follows proper investigative procedure in all but the most difficult, unusual or complex cases. Trainee properly preserves the scene and creates a crime scene log, when needed.

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Trainee is generally accurate in determining the nature of offense committed. Trainee identifies, photographs, collects, logs and books evidence properly. Trainee connects evidence with suspect when apparent.

**Superior:** Trainee always follows proper investigatory procedure and properly preserves the crime scene. Trainee creates a crime scene log, when needed. Trainee is usually accurate in determining the offense committed and connects physical evidence with suspect even when not apparent. Trainee identifies, photographs, collects, logs and books evidence properly and accurately. Trainee is able to determine a logical course of action for follow-up and puts the maximum effort into taking the investigation as far as possible at the patrol level.

- 9) **INTERVIEW SKILL** Evaluates the Trainee's ability to converse with suspects, victims and witnesses in an interview or interrogation setting, including proper admonishment of Miranda, when required.

**Not Acceptable:** Trainee fails to use proper interview techniques. Trainee does not elicit and/or record available information. Trainee fails to establish appropriate rapport with subjects and/or does not control interview or interrogation of subjects. Trainee fails to give Miranda warning or does not understand when Miranda is appropriate.

**Acceptable:** Trainee generally uses proper interview techniques and does a very good job of eliciting, and recording available information from subjects. Trainee establishes rapport with most subjects and usually controls the interviews. Trainee understands and properly admonishes suspects of the Miranda warning.

**Superior:** Trainee always uses proper questioning techniques and does an excellent job of establishing rapport with subjects. Trainee properly records interviews and elicits as much relevant information as possible. Trainee uses their communication skills to control nearly every interview. Trainee clearly understands the Miranda rule and always Mirandizes suspects when legally necessary and appropriate.

- 10) **SELF-INITIATED ACTIVITY** Evaluates the Trainee's interest and ability to proactively engage in enforcement activity, investigative stops and high visibility patrol activity, such as bar, brothel and casino checks.

**Not Acceptable:** Trainee does not observe suspicious circumstances or avoids activity. Trainee does not follow-up on situations and rationalizes suspicious circumstances. Trainee does not have a broad orientation to the job and appears content to only answer calls.

**Acceptable:** Trainee recognizes and identifies police-related activity and takes proactive action, such as traffic or pedestrian stops. Trainee has a broad orientation to the job including low priority activity. Trainee develops cases from observed activity. Trainee displays inquisitiveness.

**Superior:** Trainee seldom misses observable activity. Trainee maintains

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pass-ons and information given at briefings and uses that information as probable cause. Trainee makes good quality arrests and/or proper dispositions from observed activity. Trainee uses down time to make traffic stops and initiate consensual encounters as a means to initiate contacts and increase visibility. Trainee conducts business checks and exits his patrol vehicle to covertly patrol areas and deter criminal activity.

- 11) OFFICER SAFETY** Evaluates Trainee's ability to engage in their duty in a way that minimizes danger and risk to both the Trainee officer and other personnel, as well as members of the public.

**Not Acceptable:** Trainee officer fails to follow accepted safety procedures or exercise officer safety in any area including but not limited to:

- A) Exposing weapon(s) to suspect (baton, mace, handgun, etc.)
- B) Failing to keep gun hand free during enforcement situations.
- C) Standing in front of violator's car door.
- D) Failing to control suspect's movements.
- E) Failure to keep suspect/violator in sight.
- F) Failure to use illumination when necessary or using it improperly.
- G) Failure to advise dispatch when leaving police vehicle.
- H) Failure to maintain an adequate level of physical fitness.
- I) Failure to utilize or maintain personal safety equipment.
- J) Failure to anticipate potentially dangerous situations.
- K) Standing too close to passing vehicular traffic.
- L) Careless handling of firearms or other weapons.
- M) Standing in front of doors when knocking.
- N) Making poor choices concerning which weapon to use in a use of force situation
- O) Failure to cover other officers.
- P) Standing between police vehicle and violator's vehicle on traffic stop.
- Q) Failure to search police vehicle prior to duty and after transporting suspects.
- R) Failure to properly search arrestees.

**Acceptable:** Trainee usually follows all accepted safety procedures and both understands them and appropriately applies them to situations.

**Superior:** Trainee always works safely. They foresee dangerous situations and communicates observations with other officers. The Trainee is aware of changing situations and understands and practices tactics that optimize safety for the Trainee, other officers and members of the public.

- 12) CONFLICT CONTROL** Evaluates the Trainee's ability to control conflict through verbal commands, direction, command presence and use of force, when necessary.

**Not Acceptable:** Trainee speaks too softly or timidly, speaks too loudly, confuses or angers listeners by what they say and/or how it is said. Trainee fails to use correct tone of voice when appropriate



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or speaks when inappropriate. Trainee uses too little force or too much force in a given situation or fails to engage.

**Acceptable:** Trainee speaks in a manner and tone that is appropriate for the situation. Trainee is aware of what they need to communicate and how best to do so. Trainee does so with an appropriate level of authority. Trainee uses an appropriate level of force, when necessary, to control a situation. Trainee engages, when necessary, to control conflict.

**Superior:** Trainee completely controls situations with the appropriate tone of voice and word selection for a given set of circumstances. Trainee is able to restore order by understanding and utilizing the best level of communication and command presence, even in difficult or trying situations. Trainee demonstrates an excellent knowledge of use of force tactics and instruments available to control a situation and uses them effectively. Trainee demonstrates situational awareness and uses the correct level of communication and force to take control of an encounter and minimize risk to the public, officers and the suspect.

### **13) PROBLEM SOLVING, DECISION MAKING** Evaluates the Trainee's ability to utilize their training and sound judgement to make correct decisions in the field.

**Not Acceptable:** Trainee acts without thought or good reason and is indecisive and/or naive. Trainee is unable to reason through a problem and come to a sound conclusion. Trainee is unable to recall previous situations and apply them to like situations.

**Acceptable:** Trainee is able to reason through a problem and come to an acceptable conclusion in routine situations. Trainee makes reasonable decisions based on information available. Trainee perceives situations as they really are and generally makes decisions without assistance. Trainee can usually recall past incidents and apply knowledge learned to solve problems.

**Superior:** Trainee is able to reason through even the most complex situations and is able to come to appropriate conclusions. Trainee demonstrates excellent perception, anticipates problems and prepares resolutions in advance. Trainee learns from similar past situations and almost always applies learned solutions to new but similar situations.

### **14) RADIO USE** Evaluates the Trainee's knowledge of radio codes and ability to communicate using the police radio under a variety of conditions.

**Not Acceptable:** Trainee violates policy concerning use of the radio. Trainee does not follow procedures or follows wrong procedure or does not understand or use proper radio codes/language.

**Acceptable:** Trainee follows policy and accepted procedure. Trainee has good working knowledge of most-often used sections of the radio codes/language.

**Superior:** Trainee always follows proper radio procedure, adheres to

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policy and has superior working knowledge of all radio codes/language and applies the aforementioned knowledge when working the police radio.

**15) RELATIONSHIPS** Evaluates the Trainees ability to interact with members of the public, peers and supervisors in an appropriate and efficient manner.

**Not Acceptable:** Trainee is abrupt, belligerent, overbearing, arrogant or uncommunicative. Trainee overlooks or avoids "service" aspect of the job, is introverted, insensitive or uncaring. Trainee demonstrates poor "non-verbal" skills, is hostile or overly sympathetic. Trainee is prejudicial, subjective or biased. Trainee treats members of other ethnic groups differently than members of their own ethnic or racial group. Trainee patronizes FTO's, supervisors or peers or is antagonistic toward them, gossips or is insubordinate, argumentative or sarcastic. Trainee resists instruction, or belittles others. Trainee is not a team player.

**Acceptable:** Trainee is courteous, friendly, empathetic, communicates in a professional, unbiased manner and is service oriented. Trainee demonstrates good "non-verbal" skills and appears at ease with members of other ethnic/racial groups. Trainee serves their needs objectively and fairly. Trainee adheres to the chain of command and accepts their role in the organization. Trainee is a good peer and is accepted as a group member.

**Superior:** Trainee is at ease with all contacts and quickly establishes rapport. Trainee leaves most contacts feeling the officer was interested in serving them. Trainee is objective and fair in all contacts. Trainee understands cultural differences and strives to achieve mutual understanding. Trainee understands the chain of command and supports peers and supervisors. Trainee communicates well with other department members and treats all with respect and dignity. Trainee actively seeks to assist others.

### **3010.050 Daily Observation Reports**

Daily Observation Reports (DORs) are the primary reports completed by FTOs during the Field Training Program. DORs are located on the Police Drive in the Training Folder under "Field Training Program." FTOs use DOR's to:

- Document observed performance.
- Record and document training.
- Provide feedback to new officers regarding their performance and progress.
- Identify training needs and other problems
- Document remedial training efforts.
- Document time spent on remediation.
- Monitor FTO performance and compliance with program guidelines.

# Elko Police Department

## Chapter 3000 Field Training Program

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The Daily Observation Report is a standard form that gives the Elko Police Department Administration the ability to track performance. All FTOs and Shift Supervisors are trained on how to properly complete these reports so there will be standardization throughout the program.

A DOR should be completed by the FTO for **every day** the new officer is in the Field Training Program. New officers are not graded for their first day of Phase I through Phase III. On these days, DORs are turned in to the Field Training Program Coordinator indicating “limbo” as the reason for no ratings, however narrative comments are still documented.

The DOR has been designed to allow FTOs to give numerical ratings to new officers in each of the various rating categories. This report is discussed with the new officer and is signed by both officers. When properly utilized, the DOR should give the new officer, and anyone else who reviews it, an accurate summary of how the new officer has performed on any given day.

It should be understood that performance which does not meet standards in some categories at the beginning of the program is normal and to be expected. As new officers progress through the program, the objective is to bring ratings in all categories up to acceptable levels. New officers should be performing at an acceptable level in virtually every category before the end of the program. This will indicate that they have learned and have become proficient at the job. Superior ratings are not required and should only be given if the new officer's performance merits this rating.

**Daily Observation Report Guidelines** – The following procedures are in place for the completion of DORs:

- DORs must be completed and presented and discussed **by the end of each shift**. If this is not possible, the DOR will be held for discussion and review until the **end of the next shift**.
- Shift supervisors are expected to monitor the completion of DORs and ensure that late completion is a **rare exception** rather than the rule. **DORs will not be presented at the beginning of a shift under any circumstances!** The reason for this is that each new day should be a blank slate for the Trainee and should not begin with discussing the previous day's mistakes.
- **Shift sergeants are required to review and sign-off all DORs daily.** It has become critical, especially at the end of the program, that the EPD Administration receive timely information on the performance of new officers. Decisions to recommend non-confirmation or to place a new officer on an extension are based on a review of the entire FTO file of the new officer.

DORs address the strengths and weaknesses of new officers in every category. They also document initial training and remedial training efforts. Being a patient and comprehensive teacher, trainer and role model is paramount to the FTO's role, as is being a fair, honest, and objective evaluator.

### 3010.060 Writing DOR Narratives

DOR narratives are a very important part of new officer evaluations because they provide qualitative performance information. They actually explain the rating in words. They must be completed properly to provide additional information beyond the numerical ratings on the front of the DOR. Ratings of 1 or 3 will be commented on and require written documentation in the narrative portion of the DOR.

# Elko Police Department

## Chapter 3000 Field Training Program

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### **3020.000 Field Training Officer Responsibilities**

#### **3020.010 Purpose and Scope**

Our policy is to set guidelines for Field Training Officers for the completion of their duties in a professional and effective manner to maintain the integrity of the Field Training Program.

#### **3020.020 FTO / Trainee Relationship**

The relationship between FTOs and new officers is a teacher/student or supervisor/subordinate relationship. Professional conduct is expected from both parties at all times. It is especially important to prevent problems which may arise as a result of an unprofessional relationship (i.e. allegations of favoritism, unfair treatment, ineffective training), therefore, the following procedures must be followed. We strive to ensure that every new officer is treated equitably and that they are exposed to a positive learning environment:

**Mutual Respect** – The hallmark of the relationship will be one of mutual respect. New officers will be treated with respect by their FTOs and they are expected to show respect for their FTOs in return. New officers will not be harassed, intimidated, intentionally embarrassed, or treated in a demeaning manner. Name-calling or use of derogatory terms by the FTO is not acceptable in public or in private. FTOs and recruits are expected to discuss performance issues on an ongoing basis, keeping in mind that it is best to praise in public, correct or criticize in private.

**Off-Duty Relationships** – FTOs and new officers will not socialize in an off duty capacity until the recruits have completed the Field Training Program. All association between officers will be strictly professional. When officers are related to one another, or persons with prior relationships are involved in the Field Training Program at the same time, the Field Training Program Coordinator will be notified and will make assignments to minimize contact as much as possible. It is the responsibility of the new officer to report these relationships to their supervisors or to the Field Training Program Coordinator prior to entering field training.

**Sexual Harassment** – FTOs will not make discriminatory or sexist remarks or advances toward any new officer and will comply with Department Policy in regard to these issues.

**Financial/Residential Arrangements** – FTOs will not live with; rent rooms to, or enter into any financial arrangements with any new officers while they are in the Field Training Program.

**Gifts** – FTOs will not accept gifts from, nor give gifts to, any new officer who is in the Field Training Program.

**Conduct Unbecoming** – FTOs will not engage in any other activity that could compromise the integrity of the Field Training Program.

# Elko Police Department

## Chapter 3000 Field Training Program

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**Inappropriate Training** – The FTO will not conduct remedial training scenarios without the new officer being aware it is a training scenario. The shift sergeant must also be aware of this type of training or any other training that has a high potential of liability.

**Inadequate Training** – The FTO must provide training to the new officer that is adequate, appropriate and relevant.

### **3020.030 Violations Of Field Training Policy**

Violations of Field Training Policy could result in disciplinary action and/or removal from the FTO Unit. (Refer to 3000.000 – 3000.080 Field Training and Evaluation Program, specifically 3000.080 Revocation of FTO Status).

### **3020.040 Field Training Officer Responsibilities**

Field Training Officers are the most important members of the field training team. They are the people who actually teach our new officers and allow the Elko Police Department to achieve its training goals. The training officer performs dual roles. They serve as a police officer assuming normal responsibilities and they serve in the additional capacity of a trainer. In their role as a trainer, the FTO provides ongoing instruction utilizing various techniques. The training officer must develop the necessary skills to observe and evaluate a new officer's performance in an objective manner. FTOs are required to write daily evaluations and must have well-developed written communication skills.

FTOs must be firmly committed to **TEACHING! They must realize that training is the # 1 priority of the Field Training Program and that evaluation is secondary.** FTOs must have patience and must maintain control of their emotions and actions with all recruits regardless of whether they are performing successfully or are having great difficulty in the program

The philosophy of Field Training is that FTOs will make every effort to train and direct each recruit in ways that maximize the opportunity for the new officer to succeed. The FTO must maintain a training orientation through the entire program, even after the workload has shifted to the new officer. New officers must be given enough freedom to demonstrate that they are either capable or incapable of performing as solo beat officers.

The key is to provide the necessary training/demonstration and then to observe performance of new officers under real-life conditions. New officers will inevitably experience stress as they complete the Field Training Program. It is the job of the FTO and supervisors to minimize the amount of stress so those new officers learn and gain as much experience as possible.

In that their own performance is subject to evaluation and scrutiny by recruit officers, FTOs must set a standard of exemplary professional and personal conduct. The FTO must understand that they have a very significant and long lasting influence on the new officer. The favorable image and the future of the Elko Police Department will be determined by the quality of its' training and the conduct of our personnel.

# Elko Police Department

## Chapter 3000 Field Training Program

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### **3030.000 Field Training Program Completion or Extension**

#### **3030.010 Purpose and Scope**

Our policy is to have uniform procedures and guidelines to govern an officer's completion of the Field Training Program.

#### **3030.020 Release from Field Training Program**

The procedures for an officer's successful completion of the Field Training Program are:

1. Field Training Officer
  - a. Ensures new officer receives all necessary and required training to successfully complete the Field Training Program and that the Training / Task Checklist has been completed.
  - b. Monitors and documents new officer's performance.
  - c. Provides any additional training.
  - d. Recommends progression to Phase IV – Final Evaluation.
  - e. Recommends new officer to be released from Field Training upon successful completion of Phase IV.
  - f. Notifies supervisor and Field Training Program Coordinator as early as possible if new officer is NOT ready for Phase IV – Final Evaluation.
2. Field Training Program Coordinator
  - a. Monitors performance and approves progression to Final Evaluation, or the addition of an Extension Phase.
  - b. Reviews all documentation to confirm that new officers are performing to acceptable standards and have completed all aspects of the Field Training Program.
  - c. Informs the Operations Commander when officers are eligible for shift assignment.

#### **3030.030 Extensions**

When a new officer is experiencing reoccurring problems with a particular critical task resulting in rating(s) of NRT (Not Responding to Training) or consistent unacceptable performance, the officer may have an Extension Phase added to their training. During an Extension Phase, the FTO needs to concentrate on remedial training efforts on the area(s) of deficiency. This may be accomplished by training scenarios, role playing, requesting to be assigned calls that would have a high potential for exposure to the particular task, collective feedback and suggestions from other FTOs and supervisors, etc. The normal structured training may not resume until the new officer has demonstrated consistent improvement and has been released from the Extension Phase. If the new officer fails to respond to remedial training efforts within a reasonable amount of time the FTO will recommend non-confirmation. A reasonable amount of time will depend on the complexity of the critical task being attempted and the severity of the continued unacceptable behavior. An Extension Phase may be added at the end of any of the Training Phases and will result in a delay for the officer progressing to the remaining Phases in the Program. An Officer in training is allowed up to 5 weeks of Extension in the training process if needed. The Extension cannot exceed 5 weeks except with the approval of the Police Chief or designee. The Shift Supervisor and Field

# Elko Police Department

## Chapter 3000 Field Training Program

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Training Program Coordinator will be notified by the FTO as soon as this course of action is being considered.

At the discretion of the Field Training Program Coordinator, the officer placed in an Extension Phase may be placed with a different FTO or remain with the current FTO. This will be decided based on which pairing the Coordinator believes would result in a positive training outcome.

The Field Training Program Coordinator will grant Extensions on a case by case basis only after a careful review of the performance of the new officer and all of the related circumstances. Extensions may also be required if an officer misses any portion of the Field Training Program due to sickness, bereavement leave, family emergency, etc. Any absence in excess of two days in any one phase or four days over the total program will automatically bring the officer up for review by the Field Training Program Coordinator and Operations Commander. This may result in an extension of the current phase or failure to meet performance standards (see 3040.00 – 3040.030).

### **3040.000 Separation of Employment – Field Training**

#### **3040.010 Purpose and Scope**

Our policy is to conduct formal hearings for non-confirmation of employee appointments in compliance with the formal hearing requirement of NRS 289.020, subparagraph 2 - "Rights of Peace Officers" when non-confirming probationary police officers.

#### **3040.020 Non-Confirmation**

The procedures for the non-confirmation of a trainee officer in the Field Training Program are:

1. **Field Training Officer**
  - a. Trains, remediates and documents field training process of the trainee officer.
  - b. Makes written or verbal recommendation to the Field Training Program Coordinator for non-confirmation.
2. **Field Training Program Coordinator**
  - a. Reviews documentation of performance for trainee in question.
  - b. Prepares documentation package for Operations Commander, and advises the Operations Commander of the recommendation. By this point, all other options have been explored and/or dismissed.
3. **Operations Commander**
  - a. Reviews all documentation. May wish further documentation or explanation on recommendation.
  - b. Forwards recommendation and documentation to Police Chief.
4. **Police Chief**
  - a. Reviews all documentation. May take the following steps as he/she determines necessary:
    - 1) Personally confer with any and all persons who have been involved in training the trainee officer.
    - 2) Arrange a meeting with the affected trainee officer.

# Elko Police Department

## Chapter 3000 Field Training Program

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- 3) Meet with the trainee officer and advises them of the decision.
- b. Forwards the package to Human Resources, upon agreement with the recommendation.
- c. Delegates or conducts exit interview with the trainee officer.
- d. Ensures non-confirmed employee receives "Non-confirmation Letter" and final check.

### **3040.030 Resignation**

The procedures for the resignation of an officer in the Field Training and Evaluation Program are:

1. **Trainee Officer**
  - a. Advises their current FTO of the intention to resign.
2. **Field Training Officer**
  - a. Counsels new officer to confirm the stated intention. If the new officer is positive about resignation, FTO IMMEDIATELY informs shift sergeant and Field Training Program Coordinator. If this occurs during the shift, the new officer and FTO will IMMEDIATELY respond to the station to advise the Chain of Command. UNDER NO CIRCUMSTANCES WILL A TRAINEE OFFICER BE ALLOWED TO REMAIN ON THE STREET, IN SERVICE, ONCE THE INTENTION TO RESIGN HAS BEEN STATED AND CONFIRMED.
3. **Field Training Program Coordinator**
  - a. Advises Operations Commander of the trainee's intent to resign.
4. **Operations Commander**
  - a. Advises Police Chief of the trainee's intent to resign, after receiving signed letter by the resigning officer.
5. **Police Chief:**
  - a. Advises the Human Resources Department of the situation. May at his discretion conduct an exit interview with trainee.

  
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Tyler Trouten  
Police Chief

Creation Date: July 6, 2021



# Elko Police Department

## Chapter 3100 Protest/Demonstration/Riot Control Policy

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### **3100.000 Protest/Demonstration/Riot Control Policy**

#### **3100.010 Purpose and Scope**

This is a new chapter to provide policy and procedure with respect to large groups engaged in lawful protests or demonstrations, as well as large groups that engage in unlawful protests, demonstrations or create riot situations.

#### **3100.020 Policy**

It is the policy of the Elko Police Department to ensure that all persons can exercise their lawful first amendment rights to assemble and speak freely, regardless of cause or issue. The Elko Police Department's goal for any assembly is to ensure that the exercise of personal rights are done in a safe manner for all participants, counter-issue participants, the general community as well as private and public property; in compliance with federal, state, and local laws.

The Elko Police Department and its members will not sponsor nor participate while in an on-duty status with any protest or demonstration. Any participation while on-duty, and/or any participation in an unlawful gathering/protest/riot shall be grounds for discipline up to and including termination.

#### **3100.030 Procedure**

Efforts shall be made upon learning of a protest or demonstration to ascertain information concerning the event that may include:

- 1) Anticipated participant numbers.
- 2) Any anticipated contrary gatherings associated with it.
- 3) If street or public property closures are being utilized, and if so if property permitting has been secured through the City of Elko.
- 4) Contact information for the organizer(s) of the event.

In addition, contact from the administration to the event organizer(s) prior to the event will occur. The street supervisor shall, if possible, also make contact on the day of the event and prior to its start, to answer any questions, resolve concerns, and provide contact information if issues should arise.

#### **3100.040 Unlawful Protests/Riots**

Should a protest or demonstration become unlawful or become a riot wherein the use of force is necessary in the protection of property and/or life, the following shall apply:

- 1) Planning shall occur to identify a safe and efficient egress route for the participants.
- 2) Three (3) verbal orders to disperse shall be given from sufficient locations to ensure that all participants have opportunity to hear the order. If the participants are reasonably known or expected to communicate via a foreign language, such orders will also be given in that language.

# Elko Police Department

## Chapter 3100 Protest/Demonstration/Riot Control Policy

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- 3) The egress route shall be communicated to the participants, and shall remain free of obstruction by law enforcement uniformed personnel or vehicles.
- 4) A reasonable amount of time shall be given to the participants to disperse prior to law enforcement action.
- 5) An Elko Police Officer shall not, in response to a protest or demonstration, discharge a kinetic energy projectile indiscriminately into a crowd or in a manner that intentionally targets the head, pelvis or spine or any other vital area of the body of a person unless that person poses a threat of physical harm or death to the peace officer or others.
- 6) An Elko Police Officer shall not, in response to a protest or demonstration, use a chemical agent without first declaring the assembly unlawful and giving the verbal notifications and time to disperse.

If there is an immediate threat of physical harm or death to a person, then no order to disperse must be provided. If there is an immediate threat of harm to property, then only one (1) order to disperse must be given.

In all instances, efforts should be directed towards those individuals that are committing crimes within the crowd and removing them through arrest, or if necessary, incapacitation, in order to restore order and safety in the most efficient manner.

  
Tyler Trouten  
Police Chief

Creation Date: September 30, 2021

## Elko Police Department Discipline Matrix

<b>Fraud, Falsification, or Dishonesty</b>	<b>First Occurrence</b>	<b>Second Occurrence</b>	<b>Third Occurrence</b>
Falsification of application or omission of information for employment.	Applicant: Do not hire. Employee: Termination.	N/A	N/A
Any form of cheating on any pre-employment testing or promotional testing, including but not limited to possession, use or distribution of testing materials; participating on a test for another person.	Applicant: Do not hire. Employee: a range from written reprimand to termination; determined by totality of circumstances.	Employee: 10 day suspension to termination; determined by the totality of circumstances.	Termination.
Untruthful or misleading statements to a supervisor. <i>See note #1</i>	10 day suspension to termination.	Termination	N/A
Untruthful or misleading statements during an internal or criminal investigation.	Termination	N/A	N/A
Misuse of sick time. Abuse of sick time.	Written reprimand to 3 day suspension.	5 day suspension to termination.	Termination.
Failure to report outside employment.	Written reprimand to 3 day suspension.	5 day to 15 day suspension.	Termination.
Misappropriation or misuse of City property.	Written reprimand to 5 day suspension.	15 day suspension to termination.	Termination.
Theft, not work related.	10 day suspension.	Termination.	N/A
Theft, work related.	10 day suspension to termination.	Termination.	N/A
Acceptance of gratuities.	5 day suspension.	15 day suspension.	Termination.
Falsification of time records or financial records (travel, mileage, overtime, etc.) for fraudulent purposes.	5 day suspension to termination.	Termination.	N/A
Failure to complete reports or take reports.	Written reprimand to 3 day suspension.	5 day to 15 day suspension.	Termination.
Failure to complete reports within specified time frames.	Oral reprimand to written reprimand.	Written reprimand to three day suspension.	3 day to 5 day suspension.
Falsification of official reports or records	15 day suspension to termination.	Termination.	N/A

## Elko Police Department Discipline Matrix

Falsification or altering of evidence	Termination.	N/A	N/A
False testimony	Termination.	N/A	N/A
Unauthorized access or release of confidential information	Written reprimand to 15 day suspension.	5 day suspension to termination.	Termination.
<b>Refusal or Failure to Comply</b>			
Insubordination or refusal to act as directed by a supervisor or higher ranking official.	Written reprimand to termination.	1 to 15 day suspension, up to termination.	15 day suspension to termination.
Misuse or non-use of issued equipment	Written reprimand to 5 day suspension	Written reprimand to 10 day suspension.	5 day suspension to 15 day suspension.
<b>Attendance, Absenteeism</b>			
Unauthorized Absence	Written reprimand to 5 day suspension.	5 day suspension to termination.	Termination.
Excessive or patterned absenteeism. <i>See note #2</i>	Written reprimand to 5 day suspension.	1 to 10 day suspension.	5 to 15 day suspension.
Excessive tardiness <i>See note #2</i>	Written reprimand to 5 day suspension.	1 to 10 day suspension.	5 to 15 day suspension.
Leaving assigned post.	Written reprimand to termination.	10 day suspension to termination.	Termination.
Asleep on duty.	Written reprimand to 3 day suspension.	3 to 10 day suspension.	10 to 15 day suspension.
<b>Misconduct and Inappropriate Conduct</b>			
Intimidation, threats, or hazing of Department member or citizen.	Written reprimand to 5 day suspension.	5 day suspension to termination.	Termination.
Threats of bodily injury to Department member or citizen.	5 day suspension to termination.	Termination.	N/A
Assault or battery against Department member or citizen.	10 day suspension to termination.	Termination.	N/A
Felony conviction. (Includes felony charges pled	Termination.	N/A	N/A

## Elko Police Department Discipline Matrix

down to misdemeanors.)			
Discourtesy or profanity towards the public or Department member.	Written reprimand to 5 day suspension.	5 day suspension to termination.	15 day suspension to termination.
Fraternization and prohibited association.	Written reprimand to termination.	10 day suspension to termination.	Termination.
Making racial, gender, or ethic insults or slurs to anyone.	3 day suspension to termination.	10 day suspension to termination.	Termination.
Sexual or Racial Harassment	10 day suspension to termination.	Termination.	N/A
Conduct which causes embarrassment to the Department.	Written reprimand to termination.	5 day suspension to termination.	15 day suspension to termination.
Use of position or identification to solicit a gratuity or privilege.	1 to 5 day suspension.	5 to 10 day suspension.	10 to 15 day suspension.
<b>Use of Force and Reporting</b>			
Failure to report use of force.	1 to 10 day suspension.	5 to 15 day suspension.	15 day suspension to termination.
Failure to report witnessed use of force.	Written reprimand to 5 day suspension.	5 day to 15 day suspension.	15 day suspension to termination.
Misuse or non-use of available weapons.	Written reprimand to 5 day suspension.	5 day suspension to 15 day suspension.	15 day to 30 day suspension.
Use of unreasonable or excessive force.	2 day suspension to termination.	10 day suspension to termination.	Termination.
<b>Use of Alcohol, Drugs, and/or Firearms.</b>			
Careless or negligent handling of firearm resulting in discharge of weapon.	1 to 5 day suspension.	5 to 10 day suspension.	10 to 20 day suspension.
Violation of alcohol policies	1 to 5 day suspension.	5 to 10 day suspension.	10 to 15 day suspension.
Abuse of over the counter or prescription drugs.	1 to 15 day suspension.	15 to 30 day suspension.	30 day suspension to termination.
Operating City vehicles or equipment while under the influence of alcohol or drugs, other than as prescribed by a physician.	5 to 15 day suspension.	Termination.	N/A

## Elko Police Department Discipline Matrix

Use or possession of Marijuana or other illicit, dangerous drugs.	Termination.	N/A	N/A
Off duty DUI (must show job nexus for civilians).	10 day suspension.	Termination.	N/A
Off duty DUI involving collision.	15 day suspension.	Termination.	N/A
Off duty DUI resulting in death or substantial bodily harm.	Termination.	N/A	N/A
Drunk or disorderly in public.	1 to 5 day suspension.	5 to 10 day suspension.	15 day suspension to termination.
Possessing a firearm while intoxicated.	5 day suspension.	15 day suspension.	Termination.
Carrying unauthorized weapon or ammunition off duty.	Written reprimand to 2 day suspension.	2 to 5 day suspension.	5 to 10 day suspension.
Inappropriate display of weapon in public.	Written reprimand to 5 day suspension.	5 day to 10 day suspension.	10 day to 20 day suspension.
Under the influence of alcohol while on duty.	5 to 30 day suspension.	15 day suspension to termination.	Termination.
<b>Duties and Responsibilities</b>			
Performance to standards. <i>See note #2</i>	Written reprimand to termination.	5 day suspension to termination.	10 day suspension to termination.
Failure to carry out supervisory or managerial duties and responsibilities adequately and promptly.	Written reprimand to termination	5 day suspension to termination.	10 day suspension to termination.
Failure to attend mandatory meetings or trainings.	Written reprimand to 5 day suspension.	2 to 10 day suspension.	5 to 15 day suspension.
Temporary failure to meet minimum job qualifications.	<i>See note #3</i>	<i>See note #3</i>	See note #5
Long term failure to meet minimum job qualifications.	Termination.	N/A	N/A
<b>Driving and Traffic Related Incidents.</b>			
Misuse or non-use of vehicle safety equipment.	Written reprimand to 1 day suspension.	Written reprimand to 5 day suspension.	5 to 10 day suspension.
Negligent driving.	Written reprimand to 5 day suspension.	2 to 10 day suspension.	10 to 20 day suspension.
Dangerous or reckless	Written reprimand to	10 day suspension to	20 day suspension

## Elko Police Department Discipline Matrix

driving.	termination.	termination.	to termination.
Violation of Code 3 driving.	Written reprimand to 1 day suspension.	Written reprimand to 5 day suspension.	2 day to 10 day suspension.
Unauthorized, “out of policy” pursuit	1 to 5 day suspension.	5 to 10 day suspension.	10 day suspension to termination.
Supervisor failure to cancel “out of policy” pursuit.	1 to 5 day suspension.	5 to 10 day suspension.	10 day suspension to termination.
Unauthorized participation in pursuit.	Written reprimand to 5 day suspension.	5 to 15 day suspension.	15 day suspension to termination.
Failure to discontinue cancelled pursuit.	10 day suspension.	15 to 30 day suspension.	30 day suspension to termination.
Providing false or misleading pursuit conditions or information to supervisor.	5 day suspension to termination.	Termination.	N/A
Failure to report collision while driving Department vehicle.	5 to 10 day suspension.	10 day suspension to termination.	Termination.
Traffic collision while operating MDT, cell phone, or other device.	Written reprimand to 5 day suspension.	1 day to 10 day suspension.	2 to 20 day suspension.
<b>Off Duty Incidents</b>			
Inappropriate involvement in neighborhood or business disputes.	Written reprimand to 2 day suspension.	2 to 10 day suspension.	5 to 15 day suspension.
Disruptive, offensive, or vulgar conduct which causes embarrassment to the Department.	Written reprimand to 5 day suspension.	5 day to 15 day suspension.	15 day suspension to termination.
Domestic Violence (must show job nexus for civilians for termination).	Written reprimand to termination.	5 day suspension to termination.	15 day suspension to termination.
Domestic Violence (resulting in a conviction even if for a lesser charge) (must show job nexus for civilians).	Termination.	N/A	N/A
Violation of court orders.	1 to 10 day suspension.	5 to 15 day suspension.	15 to 30 day suspension.
Assaultive behavior	Written reprimand to 5 day suspension.	5 to 10 day suspension.	10 to 15 day suspension.
Traffic incidents (unnecessary action or confrontations with another motorist or pedestrian).	Written reprimand to 5 day suspension.	5 to 15 day suspension.	15 to 30 day suspension.
Failure to notify local law enforcement agency of an	Written reprimand to 2 day suspension.	1 to 5 day suspension.	5 to 10 day suspension.

## Elko Police Department Discipline Matrix

incident requiring police involvement.			
Failure to notify Department of an off duty incident where the employee is the principal of an investigation.	Written reprimand to 5 day suspension.	5 to 15 day suspension.	15 to 30 day suspension.
Inappropriate involvement in law enforcement matter.	2 to 5 day suspension.	5 to 15 day suspension.	15 day suspension to termination.
Interfering with the investigation of another law enforcement agency.	10 day suspension to termination.	Termination.	N/A
Deceitful business transactions.	5 to 15 day suspension.	15 day suspension to termination.	N/A
Unauthorized use of Department position, uniform, or equipment in behalf of a political candidate or issue.	Written reprimand to 5 day suspension.	5 to 30 day suspension.	15 day suspension to termination.

**Note #1-** The standard discipline for many violations can range from a written reprimand to termination, based on the evaluation of the totality of the circumstances. The discipline is expected to be within the standard range in most cases, however, when suspensions are indicated, no suspension may be reduced below a five (5) day suspension.

**Note #2-** In addition to discipline, performance issues may be addressed by the personnel performance evaluation system. Failure to meet reasonable work performance standards and requirements may be cause for demotion, suspension, salary reduction or dismissal.

**Note #3-** The employee shall be required to use accrued leave, accrued compensatory leave, or take unpaid leave in the event the offense leading to discipline results in the temporary loss of the ability to meet minimum qualifications of the job. "Temporary" is described as 30 days or less. This specific language should be included in the notice of disciplinary action.

### **Determining discipline when multiple violations occur...**

Many times a single act of misconduct will violate several policy sections. If the additional violations only amount to "lesser included offenses", they should not be used in determining the level of discipline. However, there are cases in which multiple offenses, that are separate and distinct violations, occur within a single incident. For example, use of excessive or unreasonable



## Elko Police Department Discipline Matrix

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force and the failure to report the use of force are multiple violations stemming from the same incident. In this case, both violations should be addressed in determining the level of discipline.

Multiple acts of misconduct may result in the discharge even though the “standard range” of discipline for the individual acts does not include discharge. Such “multiple acts” may occur during a single continuing event, contiguous events, or may result from additional misconduct occurring prior to the imposition of discipline on another violation. In such cases, managers should consider the totality of the circumstances when making decisions.



Ty Trouten  
Police Chief

***Elko City Police Department***

***Rangemaster Standard Operating Procedures***

Created: March 31, 2008  
Revised 04/17/2019

**Sgt. Matthew Locuson**

***Elko Police Department***  
***Rangemaster Standard Operating Procedures:***

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***Introduction:***

This Manual was created to be used as supplement to the current Elko Police Department Policy and Procedures Manual. This manual specifies items related to the use of firearms and how they are to be carried by the officers of this agency. It standardizes certain equipment needs and establishes consistency regarding authorized calibers and general safety practices.

It is meant to coincide with the policy and procedure manual and clarify certain provisions of chapters 500 and 600 inclusive. This manual supports the use of deadly force as defined by 510.020, the carrying of firearms, the type of ammunition authorized, and necessary equipment.

Its purpose is to define what equipment can be carried and how it shall be carried and cared for. It also outlines and defines deadly force and non-deadly force weapons and use thereof.

This manual is approved by the Chief of Police and is designated to outline the use of weapons and the officers carrying out their performances in the line duty. It contains a relevant use of rules and policies to be established by the Elko Police Department.

Manual created on this date of March 31, 2008

Revised: April 3, 2013

Created By: Sgt. Matthew C. Locuson

### ***Appointment of Rangemaster:***

The Chief of Police shall designate a Rangemaster for the Elko Police Department. This officer shall have training directly related to the use of firearms and be responsible for providing firearms training to all sworn staff of the Elko Police Department. The training should be relevant as it relates to law enforcement. This training is not limited to day or night, or scenario (role playing) training as it relates to the field of training. Firearms training shall occur at least (2) times each year with all sworn staff participating.

### ***USE OF DEADLY FORCE:***

510.020 defined as:

To protect the member or other from a reasonable immediate threat of death or substantial bodily harm.

-or -

Prevent the escape of a fleeing felon whom the officer probable cause to believe that should escape occur an imminent threat of death or substantial bodily injury exists, should escape be allowed to occur.

The use of deadly force is additionally based on the knowledge that the officer knows at the immediate time. Also considered may be the time of day, is the officer alone, the nature of the threat, and the severity of the crime(s) at the time. Also considered is the use force "objectively reasonable" under United States Supreme Court Graham v. Connor and also Tennessee v. Garner.

### ***USE OF NON-DEADLY FORCE:***

520.010 defined as:

That force that may employed by officers to control a particular situation. The force employed is not intended to cause death or bodily harm and is meant to control those subject(s) actively resisting the officers' efforts in the performance of their duties.

NON-DEADLY FORCE: May include this use of the Taser, Baton, bean bag, stingball rounds or 37/40mm projectile rounds.

The Elko Police Department currently recognizes the Use of Force "Wheel" commonly referred to as the use of force continuum. The Use of Force Wheel is defined under 530.010 inclusive and includes (6) areas in the application of the use of force.

### ***Elko Police Department Authorized Firearms:***

The Elko Police Department shall recognize the following authorized firearm and calibers:

- Authorized calibers shall be
  - 9mm
  - .40 S&W
  - .45 ACP
  - .357
  - .223
  - .308
  - 12 gauge 00 buckshot
  - 12 gauge rifled slug

(Smaller calibers i.e. .380 auto maybe approved for carry as a back-up/off-duty with approval from Rangemaster)

\* .44 or .50 calibers are not authorized\*

- Makes and models can include:

A commercially produced semi-automatic pistol capable of being fired either double-action or single-action. (Examples may include: Glock, Smith and Wesson, Sig Sauer, Ruger or Colt. (or Colt clones) A weapon mounted light may also be used.

All duty firearms shall be accompanied with a magazine and a minimum of (2) extra magazines to be carried on the officer's belt in a approved holder when in uniform.

Officers are also authorized to carry either a department owned or personally owned rifle or shotgun in the above approved calibers.

- Revolvers are authorized having no more then a "6 inch barrel. Officers choosing to carry a revolver shall carry two speed loaders on their person for purpose of re-loading No strictly single action revolvers shall be authorized for on or off duty use and carry.

#### ***Authorized ammunition:***

Officers will be issued Duty ammunition approved by the Chief of Police. The duty ammunition shall be commercially produced from a reputable manufacturer for consistency. Its use is limited to on-duty and/or off duty carry for officers with approved firearms. A ball type ammunition maybe used for training. Officers will be issued new duty ammunition at least once a year occurring either in the spring and fall at the mandatory department qualifications.

#### ***Equipment Specifications:***

Those officers assigned to the uniform patrol unit shall carry their firearms on their "strong side" dependent on whether the officer is right or left handed.

### ***Holsters: 650.030***

- Shall be a commercially produced holster specific to the exact firearm carried. It shall be comprised of black leather or black synthetic material and be of basketweave design. The holster shall incorporate the use of a retention device. The retention maybe either internal or external or a combination of both. Additional safety/retention devices may also be used if they are built as part of the holster. Holsters maybe designed to hold a weapon mounted light.

### ***Magazine Holders: 650.030***

- Magazine holders shall be designed of black leather or synthetic material and shall hold (2) magazines or speed loaders. (Revolver) The magazine holder should be worn to the front of the officer's belt. If the magazines are carried in a vertical manner they shall be worn on the opposite side of the belt buckle of the officer's holster. If the magazine carrier is worn in a horizontal fashion it shall be worn on the same of the belt buckle as the holster. This is done to promote faster access to the magazines or speed loaders for re-loading the officer's firearm. Magazine holders may be either closed or an open top design. If open top design the holder must have some form of retention ability. The retention may be internal or external or a combination of both.

\*\*Optional extended 10 rd magazines may also be authorized.

Officers assigned to Detective Unit/Plain clothes, Command Staff (Administration) or Off-duty:

### ***Holsters:***

- Those officers assigned to the Detective Unit, plain clothes, administration or off duty may carry their firearm in a commercially produced holster to be worn on the officer's

strong side. The holster may be plain finish in either black or brown and made of leather or other synthetic material. The holster maybe of open top design, however a level of retention is encouraged. Shoulder holsters are an optional choice and may be allowed.

***Magazine Holders:***

- Officers shall carry a least one additional magazine (or speed loader) on their person when working in the detective unit, plain clothes, administration or off duty. This holder can be of plain finish and should be worn on the opposite side of the holster. This holder may also be of open or closed design. Officers assigned to the detective unit shall additionally carry a minimum of a single set of handcuffs on their person while on-duty. (Command staff officers in administration may be exempted from the handcuff requirement.)

***Officers Assigned to Specialty Units:***

- Officers assigned to specialty units within patrol unit include Bike Patrol, Bomb Squad and Elko Special Response Team and K-9.
- **Bike Patrol** – Officers are authorized to wear Dark Navy Blue pants or shorts with the high visibility white uniform shirt. These officers are authorized to wear Nylon belt gear so long as the Holster and magazine are in compliance. (See above) Optional is the basketweave design or plain leather design specific to bike patrol use.
- **Bomb Squad** – These assigned officers shall be authorized a special duty uniform most likely one compromised of BDU's. They are authorized to wear nylon duty gear so long as it complies with the uniform belt requirement. They are also authorized to carry solely their duty firearm and magazine. This maybe in an open top or closed style



holster. Holsters must have an internal and/or external retention ability. May also hold a light.

- **Elko Special Response Team** – Those officers assigned to the SWAT shall be authorized a uniform compromised of BDU's with the color and style to be determined to the Team Commander. The SWAT officers are also authorized to wear nylon duty gear with a drop leg thigh holster. The holster may also incorporate that of a weapon mounted light.
- **K-9 Officers** – Officers assigned to the K-9 unit are authorized to wear nylon finish duty gear or the normal basketweave duty gear. The holsters and magazine carriers shall be in compliance as stated above.

***Authorized Non-Deadly (less lethal) Weapons:***

The Elko Police Department authorizes the use of non-deadly weapons.

***These weapons may include:***

- Taser
- Bean bag or stingball rounds, deployed via a 12 gauge shotgun
- 37/40 mm bean bag, foam baton rounds, wood baton rounds, stingball rounds or grenades
- Batons, either straight baton or PR-24
- Pepper Spray or other chemical agents

Officers may not use any of these aforementioned items until a successful completion of course of instruction is given. Only then can these less-deadly weapons be deployed when the level force is justified under the escalation of force defined by 530.011.

***Use of Force Report:***

Officers employing a use of force from level 3 or higher (Taser) shall complete a use of force report along with and attached to the arrest report.

Once compliance is gained medical treatment should be sought if needed. If baton or Taser should be used it is recommended to photograph the inflicted area for liability protection and mute any claims of injury at a later date by the arrestee. The use of force report shall be reviewed by the officer's immediate supervisor and ultimately forwarded to the Operations Lieutenant for further administrative review.

### ***Conclusion:***

As previously mentioned this manual is designed to supplement the current policy and procedure manual. Its purpose is to clarify and define those areas specifically denoted "SEE RANGEMASTER SOP" inclusive to chapters 500 and 600. It also covers the use of force and authorized equipment prescribed the Elko Police Department. It prescribes what types of equipment are authorized and how they are to be carried. It also mandates that this agency shall qualify a minimum of twice a year, per POST Standards. Incorporation of reality based training may be used as a supplement to live fire exercises.

This manual should assist officers and clarify certain areas as it relates to most uniform needs and requirements. To this officer's knowledge this agency had never had a manual of this type and no specifications about weapons or specific equipment or uniform needs have ever defined.

### ***Approval:***

The Rangemaster SOP Manual is designed as a supplemental document and is not intended to supersede the current policy and procedure manual, it is meant to coincide and clarify certain provisions of chapters 500 and 600.

This document becomes effective and recognized upon approval and signature from the Chief of Police, or his designee.

Dated this day \_\_\_\_\_ of \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'T. Trouten', written over a horizontal line.

Tyler Trouten, Chief of Police

Sgt. Matthew C. Locuson, Elko PD Rangemaster

**THE POLICIES AND THE PROCEDURES CONTAINED IN THIS MANUAL ARE INTENDED FOR THE OFFICERS OF THE ELKO POLICE DEPARTMENT AND ELKO COUNTY SHERIFF'S OFFICE USE ONLY. THE POLICIES, PROCEDURES, AND REGULATIONS ARE FOR INTERNAL ADMINISTRATIVE PURPOSES AND ARE NOT INTENDED TO CREATE ANY HIGHER LEGAL STANDARD OF CARE OR LIABILITY IN AN EVIDENTIARY SENSE THAN IS CREATED BY LAW. VIOLATIONS OF THE LAW FORM THE BASIS FOR CIVIL AND/OR CRIMINAL SANCTIONS TO BE DETERMINED IN A PROPER JUDICIAL SETTING, NOT THOROUGH THE ADMINISTRATIVE PROCEDURES OF THIS MANUAL.**

## **ELKO SPECIAL RESPONSE TEAM**

**MISSION STATEMENT:** Recognizing that the presence of a highly trained, highly skilled police tactical unit has been shown to substantially reduce the risk of injury or loss of life to citizens, police officers, and suspects; and recognizing that a well managed "team" response to

# Elko Special Response Team

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critical incidents usually results in successful resolution of critical incidents, it is the intent of the Elko Special Response Team to provide a highly trained and skilled tactical team as a resource for the Elko Police Department and Elko County Sheriff's Office in the handling of critical incidents.

-The purpose of this policy is to establish the governing regulations in the selection, training, equipping, and the use of the Elko Special Response Team.

## **MISSION:**

-The mission of the E.S.R.T. is to support the Elko Police Department, Elko County Sheriff's Office, and any other requesting law enforcement agency with a tactical response to critical incidents. Critical incidents are defined as follows:

1. Hostage Situations: the holding of any person(s) against their will by an armed or potentially armed suspect.
2. Barricade Situations: the standoff created by an armed or potentially armed suspect in any location, whether fortified or not, who is refusing to comply with police demands for surrender.
3. Sniper Situations: the firing upon citizens and/or police by an armed suspect, whether stationary or mobile.
4. Apprehension: the arrest or apprehension of armed or potentially armed suspect(s) where there is likelihood of armed resistance.
5. Warrant Service: the service of search or arrest warrants where there is a likelihood of armed or potentially armed suspect(s) and no-knock search warrants.
6. Personal Protections: the security of special persons, such as VIP's, witnesses, or suspects, based on threat or potential threat to the well being of those persons.
7. Search Operations: the locating of dangerous suspects, children, or endangered parties.
8. Special Assignments: any assignment, upon approval by the Chief of Police or his designee, based upon the level of the threat or the need for special expertise.

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## **1. COMPOSITION AND STRUCTURE:**

# Elko Special Response Team

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The Elko Special Response Team is comprised of at least twelve (12) active members. There is a Team Commander and three (3) Team Leaders (Alpha, Bravo, and Sierra). There will be a minimum of two (2) of the members assigned and qualified as snipers, two (2) as breachers, two (2) non-lethal deployment officers/shotgun officers, and the remaining as entry personnel.

Each member will be encouraged to become familiar and qualified for all positions. Members of the team may also hold positions as K-9 Officers, and as feasible, other specialty units.

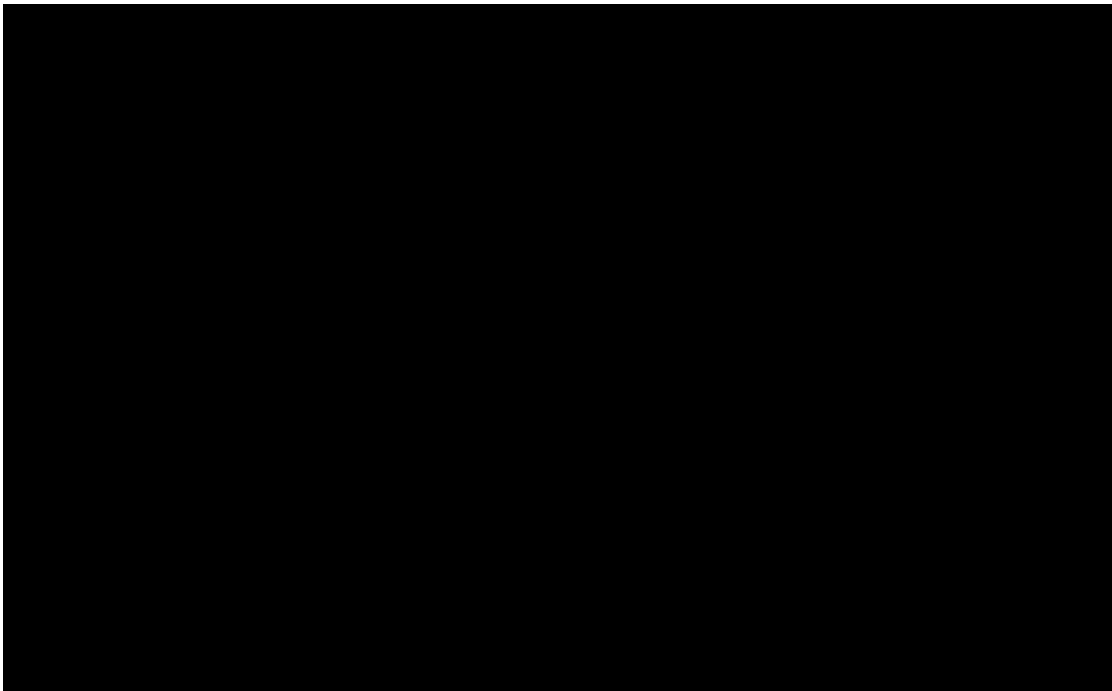
## **2. COMMAND AND CONTROL STRUCTURE:**

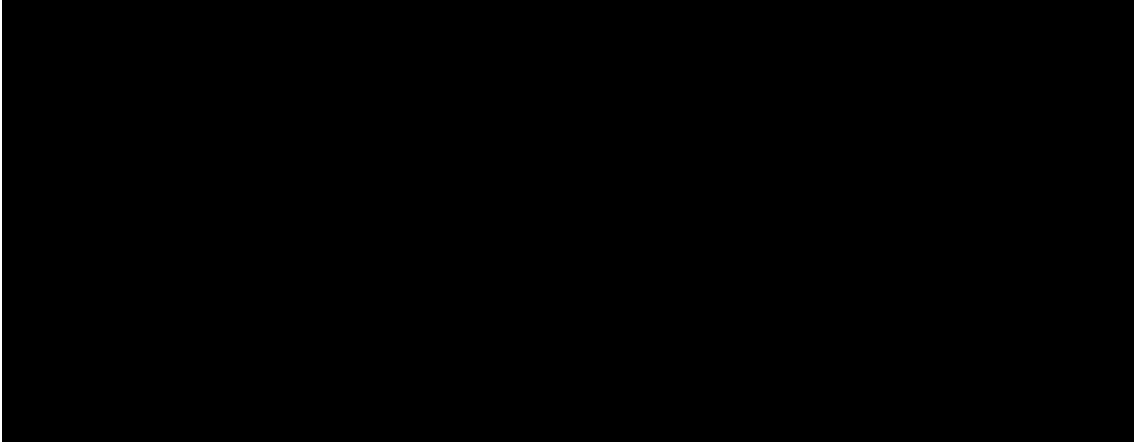
The Elko Special Response Team is commanded by a Team Commander of Sgt.'s rank. The Team Leaders will be of Cpl.'s rank. When activated for an operation, the Team Commander, or Acting Commander when the commander is absent, reports directly to the Incident Commander, where one has been designated, or to the on-scene supervisor.

— Rank on E.S.R.T. is a recognized rank only, and bears no correlation to Department Rank or monetary compensation; its sole purpose is to form a recognized chain of command.

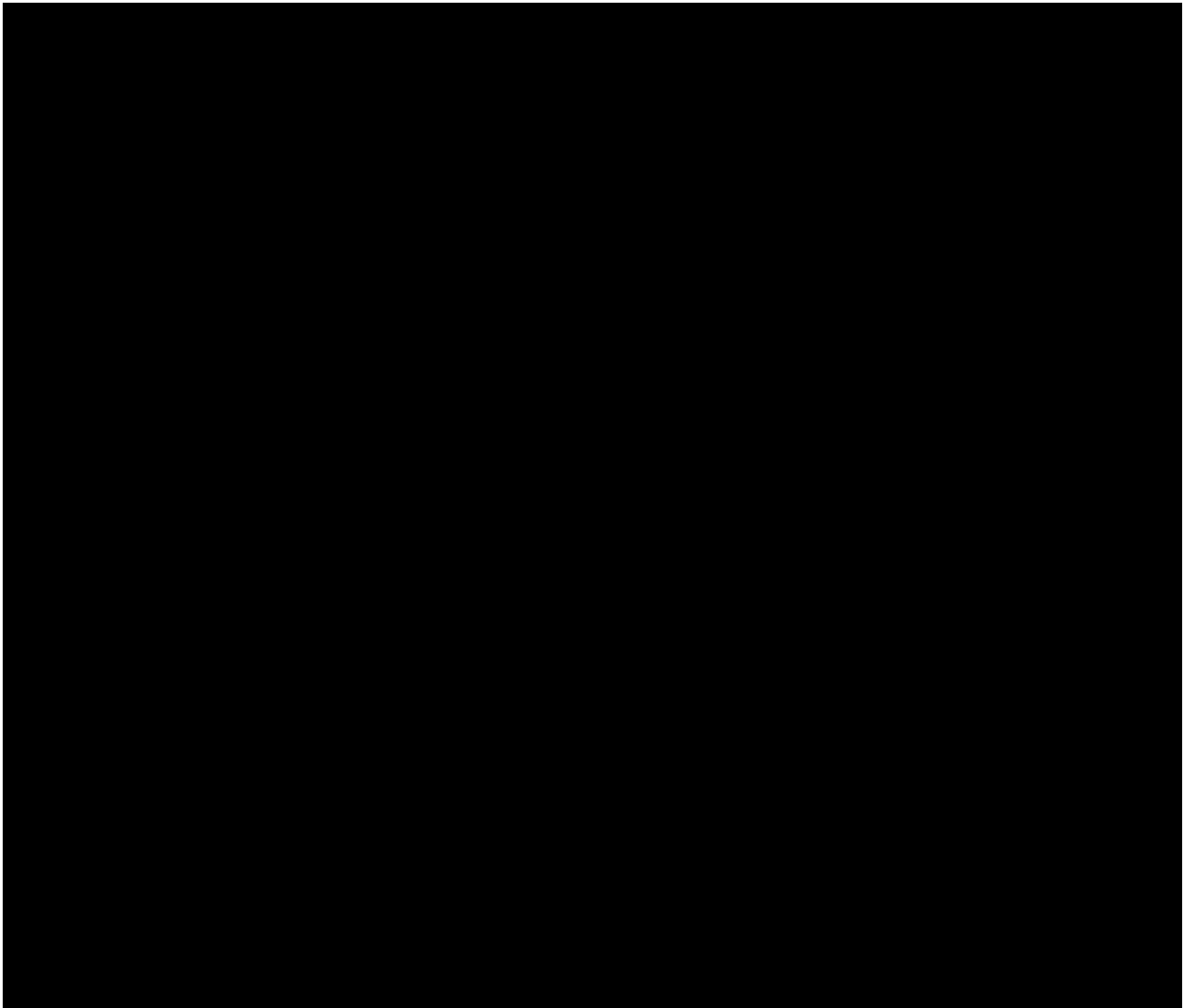
The Team Commander (Acting Commander) is responsible for deployment of the E.S.R.T., tactical decision-making, and tactical resolution of the incident. On deliberate actions, the Team Commander is subordinate to the Incident Commander only in terms of **WHEN AND IF** the tactical option will be initiated, not **HOW** it will be performed. A chain of command exists within the team and will be adhered to on all deliberate type actions.

INCIDENT STRUCTURE WILL CONSIST OF:





3. ACTIVATION PROCESS:



4. SELECTION PROCESS:

## Elko Special Response Team

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The Elko Special Response Team will select all prospective members from a valid selection roster created through applicant testing. Criteria for application will be based upon the following:

- a. must be active duty full-time sworn officer of Elko Police Department or Elko County Sheriff's Office, and possess at least a Category I POST certificate. Intermediate and Advanced certificates are encouraged.
- b. minimum of one (1) year of law enforcement experience (active sworn), with a minimum of one year on active patrol duty (P.O.S.T. time does not count towards the one year on active patrol duty).
- c. applicants must obtain and submit a letter from their administration granting permission to join the team. In addition, all applicants must volunteer to join the team.
- d. must meet minimum physical fitness levels
  - 1 ½ mile run in 14 minutes 10 seconds
  - 32 pushups in one minute
  - 36 situps in one minute
  - 300 yard dash in 77 seconds
  - 14 inch vertical jump
- e. must either convert to or already shoot an approved sidearm, which is a semi-automatic pistol with capability of having a light attached to the frame. Applicants must be proficient with their duty firearm, shotgun, and patrol rifle.
- f. officers desiring to join the team must have demonstrated in their current assignment high levels of integrity, sound judgment, high levels of dedication and motivation, propensity to learn, able to follow orders and a chain of command, have shown pride in their previous assignments, possess a team oriented attitude, and a willingness to go "above and beyond" the normal call of duty; often without compensation.

Testing will consist of a tactical specific test including a written test, pt test, oral board, scenario testing, and practical/shooting test. The oral board will be comprised of team members. The overall selection will be made by the team, with no respect for favoritism, age, race, or sex of the applicant. It is the goal of the E.S.R.T. to have a high, unchanging standard for selection of its team members. The team is permitted to retest if no suitable, qualified, or otherwise capable candidates are found through the testing process.

Once accepted and assigned to the E.S.R.T., all operational team members, regardless of rank or position, must maintain the physical fitness standards of performance as well as proficiency in their assigned task. Each member must pass a yearly physical fitness test,



## Elko Special Response Team

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the standards of the test being the same as the entrance physical fitness test. The test will be conducted in fall of each year.

Failure to meet the minimum acceptable standards will result in the team member being retested within three (3) months time. The failing member can be retested multiple times within this three (3) month period, but must successfully meet the standard within that time frame. Failure to meet the minimum acceptable standard after the three (3) month retesting will result in immediate removal from the team.

A team member may voluntarily withdraw from the team at any time for any reason. A team member may be removed from the team, without cause, when deemed necessary for the good of the team by a consensus of the leadership elements of the team and approved by the officer's respective department head.

Those officers not immediately selected for assignment to the team are encouraged to attend training, as permitted by their parent agency, in order to acquire and hone the necessary skills to be a member of the team. These officers, if having proven themselves capable of fulfilling the duties of an E.S.R.T. member, may also be considered as alternate members, and fill vacancies on the team as they become available.

### **5. TRAINING STANDARDS:**

The Elko Special Response Team will conduct training a minimum of eight (8) hours per month. The E.S.R.T. members must have at a minimum of two-hundred hours of training each year (consisting of monthly trainings, SWAT Week, and POST requirements), and are encouraged to obtain additional training as possible.

The team will train on appropriate subjects related to the mission of the E.S.R.T. Training may include written testing of any items contained within this policy and procedure manual. Training will include weapons qualifications, training related to tactical operations, and mock scenarios. All training will be documented and training records will be kept on file for a minimum of ten (10) years.

As the E.S.R.T. is a part-time tactical team with limited training opportunities, each member is required to attend all team trainings. One-time exemptions will be judged on a case by case basis by the Team Commander or, in his absence, his designee. Exemptions must be made at least one-week prior to the day of training, except in emergency situations.

Members must make every reasonable effort to attend training by scheduling other training around E.S.R.T. training, petitioning for continuances in court appearances, and providing their regular duty supervisors with at least two (2) weeks of advance notice of the training.

## Elko Special Response Team

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Make-up training is at the discretion of the Team Commander and is to be a last resort for members who do not have the requisite amount of training days in a calendar year.

Make-up trainings will include, at the very least, the following:

three (3) mile run, duty weapon and gear inspection by Team Leader or Team Commander, written exercise, brief of the team meeting held prior to training, and, insofar as possible, specific training related to the missed training day.

All team members will fulfill the yearly twenty-four hour of training requirement for the Nevada P.O.S.T. standard, which includes re-certification in firearms (pistol, shotgun, and rifle), defensive tactics, handcuffing, weapon retention, baton(ASP or PR-24), TASER, OC, and use of force.

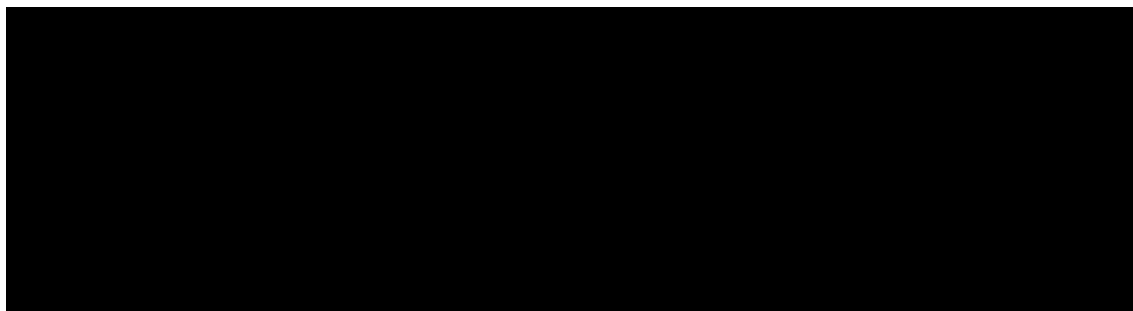
In addition, members will be re-certified yearly on less lethal munitions (both shotgun and 37/40 mm), distraction devices, entries, explosive breaching, and gas training.

Members are encouraged to not only be certified in the above, but also to be proficient in each and to be certified as instructors in these areas. Other training will focus on updates in case law and legal issues facing tactical teams.

Two (2) unexcused absences from training in any one (1) year period will be grounds for dismissal and removal from the team.

### **6. EQUIPMENT:**

The E.S.R.T. will supply each member with the following:



Each team member will utilize clearly visible and identifiable placards on their vests, identifying them as "POLICE", thus identifying the wearer as law enforcement. A soft badge with a black background or a silver soft badge may also be worn, as well as subdued flag and team patches.

Other items of clothing will be subdued in color and design and must meet the approval of the Team Commander. Duty weapons; including pistol, shotgun, and rifle, must be manufactured by a reputable company, and must be reliable. No revolvers are permitted. Semi-automatic pistols will be 9mm, .40 caliber, or .45 caliber. Rifles must be of .223

## Elko Special Response Team

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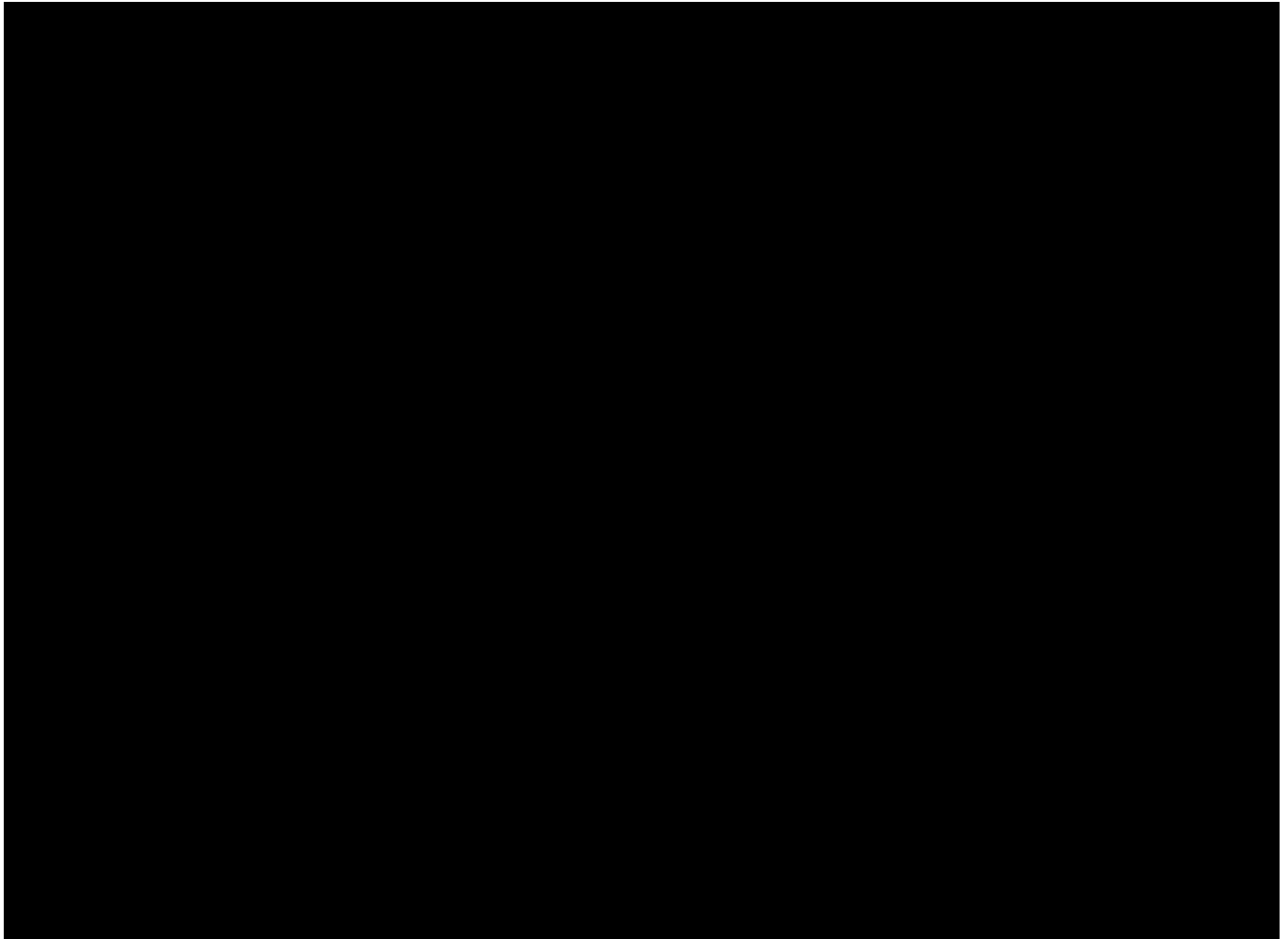
caliber, submachine guns of 9mm caliber, and shotguns of 12 ga. caliber. Counter sniper rifles will be of the .308 caliber.

As the E.S.R.T. is a part-time tactical team with limited time for training, each member will utilize the same weapon(s) for patrol or regular duty as they do for team operations.

Team members are responsible for care and maintenance of any issued items. As the E.S.R.T. is a part-time tactical team, with jurisdiction over a large area, each member is required

### 7. SPECIAL EQUIPMENT:

Recognizing that the missions of the E.S.R.T. are performed in hazardous environments, and recognizing that the safety of innocent citizens, officers, and suspects is often jeopardized by the hazardous conditions, it shall be the intent of the E.S.R.T. to utilize special equipment, including but not limited to the items listed below, in attempt to lessen the risk of injury or death to all involved during the performance of a tactical operation. **The E.S.R.T. recognizes, however, that the use of the special equipment in no way implies or guarantees that injury or death will not occur during a tactical operation.**



### **8. MISSION PLANNING:**

The E.S.R.T. will utilize a written planning process for all operations that are proactive or anticipatory in nature, such as warrant service. The written process will include a format that will document how the operation is to be:

- a. conducted
- b. who is in command
- c. communication
- d. required support

To facilitate the planning process, blank pre-operation packets will be maintained in the E.S.R.T. office. Every call-out will be documented using the packet, regardless of whether or not the team is utilized or even responds to the scene.

All operations plans will be stored and maintained in a file for five (5)

## Elko Special Response Team

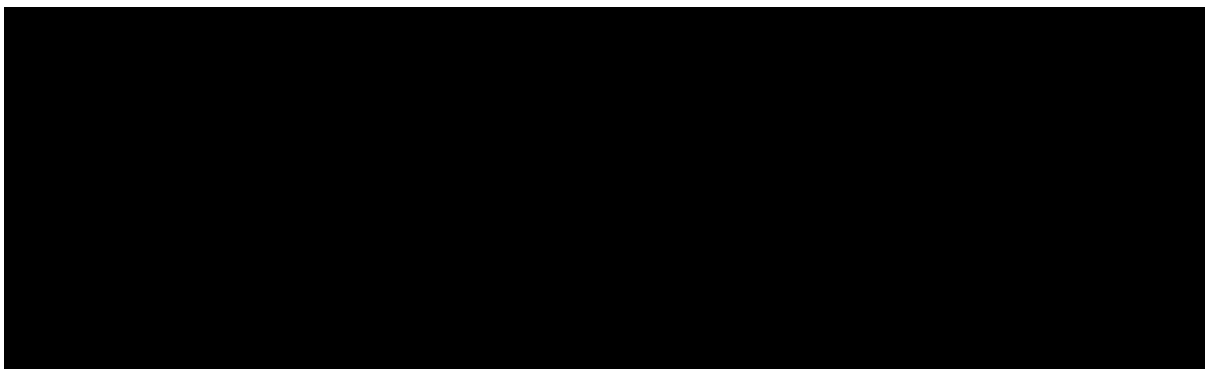
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years. This file will include the pre-operation planning documents, post-operation reviews, etc. Floorplans of buildings which we have entered will be kept indefinitely, for possible future reference. The plans, after being removed from the raid file, will be placed into a ring binder.

### **9. DOCUMENTATION OF ACTIVATION:**

The E.S.R.T. Commander will cause an agency incident report to be generated, detailing the activation and use of the team. This report will be a standard police report, documenting the operation and pertinent information required for follow-up, investigators, prosecutors, etc. Each member of the team who is activated and participates in the operation will complete an individual narrative of their actions, and submit this report no later than **forty eight (48) hours** after the operation. The completing of this narrative will be considered part of the operation.

### **10. MINIMUM STAFFING LEVELS FOR CALL-OUTS**



### **11. PRIORITY OF LIFE**

The Elko Special Response Team recognizes a priority of life for most situations according to the following levels of priority:

- 1) Innocent Parties Not Directly Involved in the incident
- 2) Hostages or other victims
- 3) Other officers
- 4) Lives of the team members
- 5) Lives of the suspects

In addition, the E.S.R.T. will adhere to the Elko Police Department Use of Force Policy, which can be found in EPD Policy and Procedure Manual, Chapter 500.

### **12. AFTER ACTION CRITIQUE:**

At the completion of all operations and significant training events, the Team Commander will conduct an after action review. The purpose of this review will be to create a forum

## Elko Special Response Team

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for team members to offer information for the improvement of the team. The after action review will be formatted to develop the following information; Positive Factors, Negative Factors, Equipment Failures, Solutions for Negative Factors or Equipment Failures.

### **13. MEDIA RELATIONS:**

It is the Policy of the E.S.R.T. for its members to not be responsible for any type of press releases or statements to the media. If approached, the member should politely refer the media to the designated PIO, the Chief of Police, the Sheriff, or the head of law enforcement for that jurisdiction.

### **14. PERIODIC POLICY REVIEW:**

The Team Commander will annually review and, when necessary, update this policy. The Team Commander will then cause this policy to be annually reviewed and approved, by signature, by the Elko Police Department and Elko County Sheriff's Office.

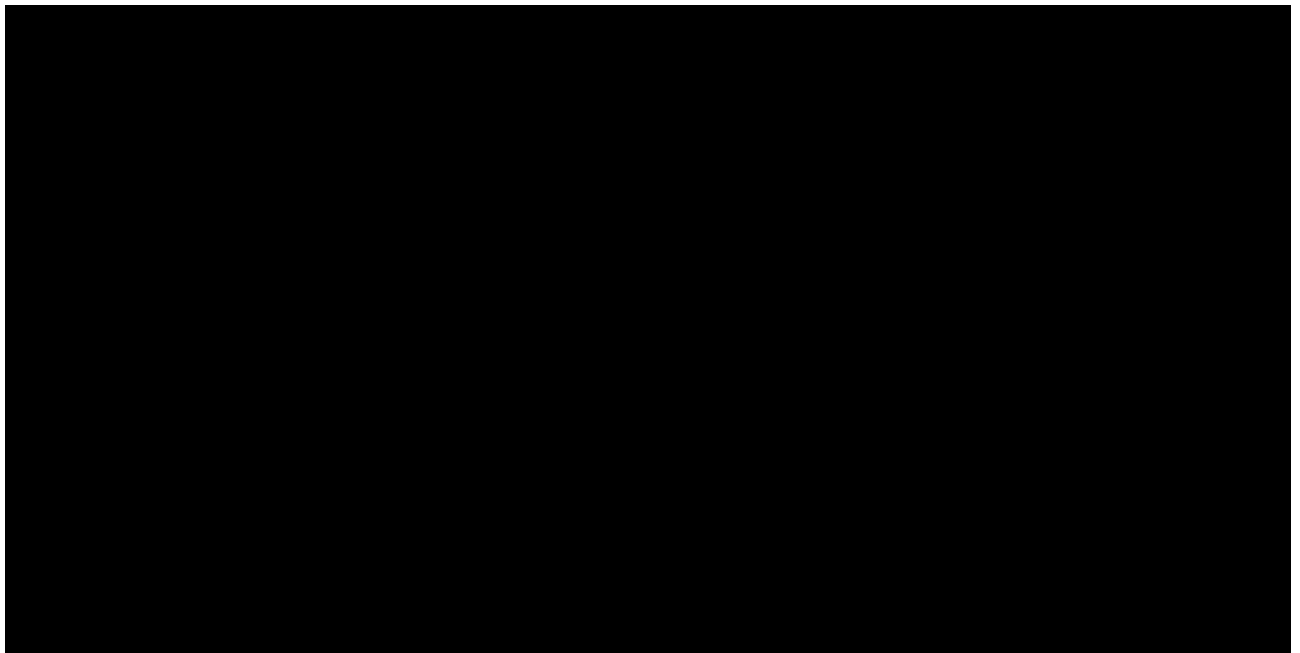
## **ELKO SPECIAL RESPONSE TEAM CALL-OUT PROCEDURES**

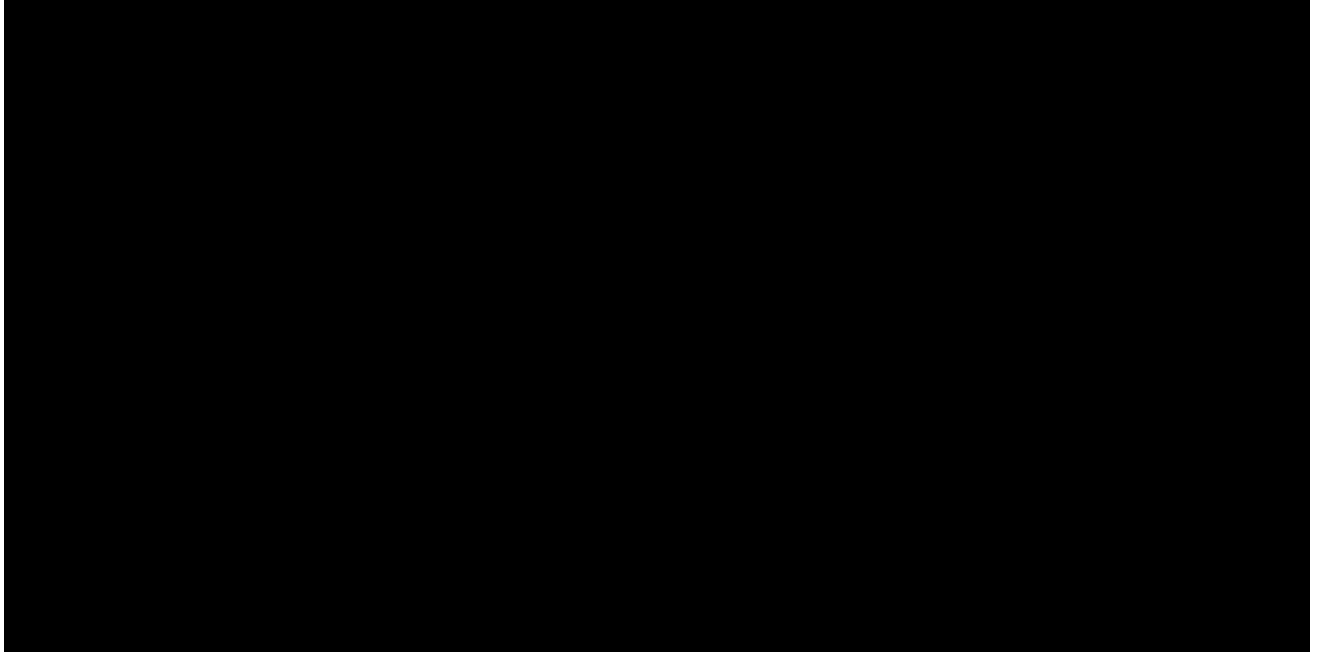
### **1. PURPOSE:**

Tactical team call-out procedures

### **2. POLICY:**

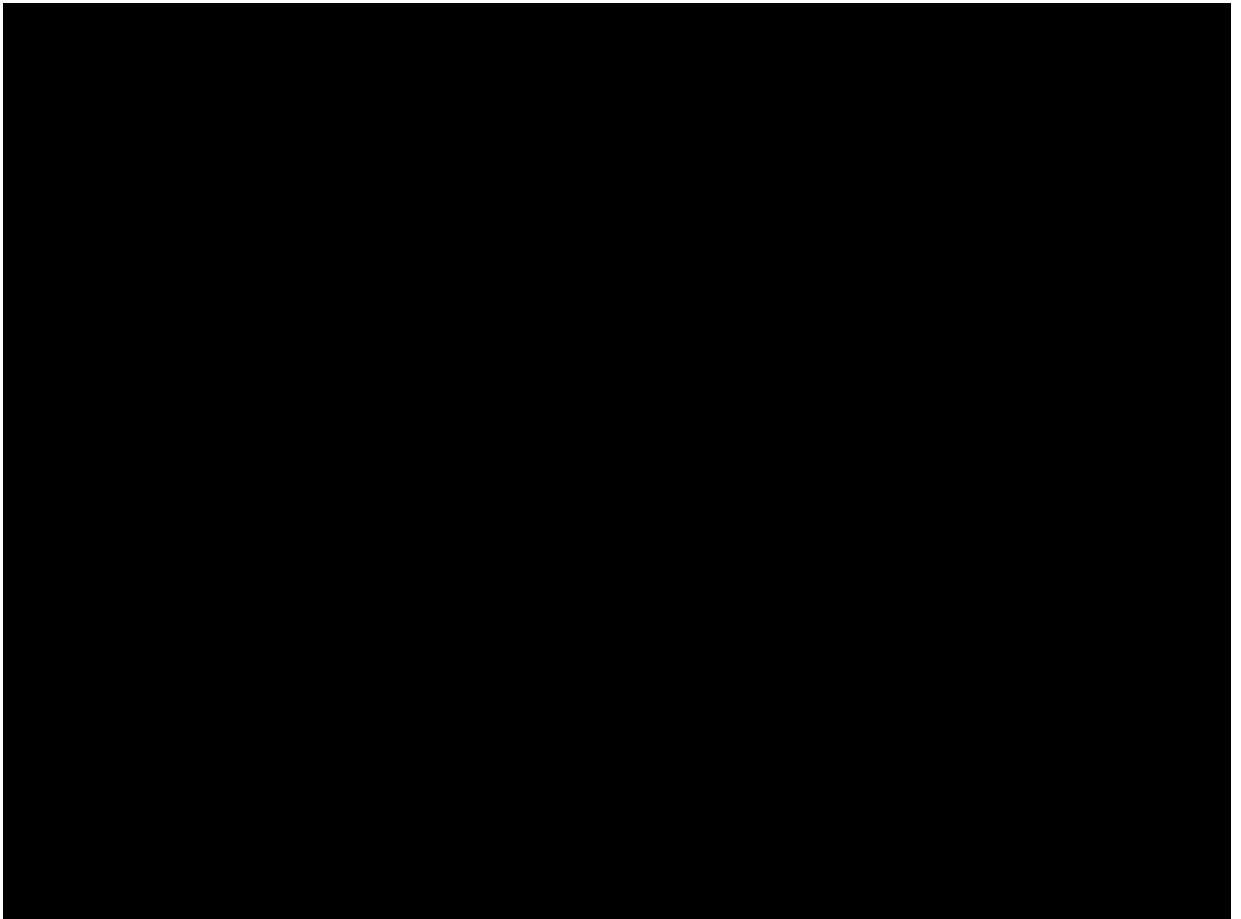
It shall be the policy of this department that a tactical team may be utilized in the following situations:





### **3. PROCEDURES:**

Notification and call-out of tactical team: Non-emergency or planned operation.

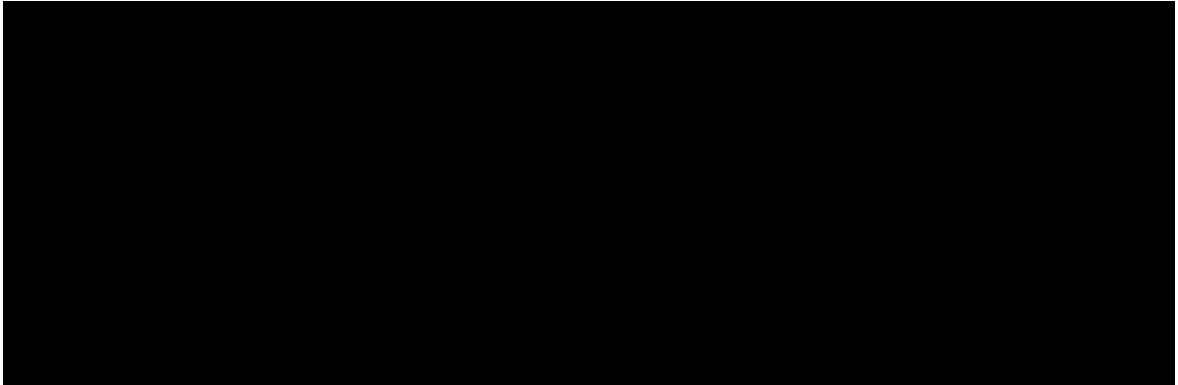


## Elko Special Response Team

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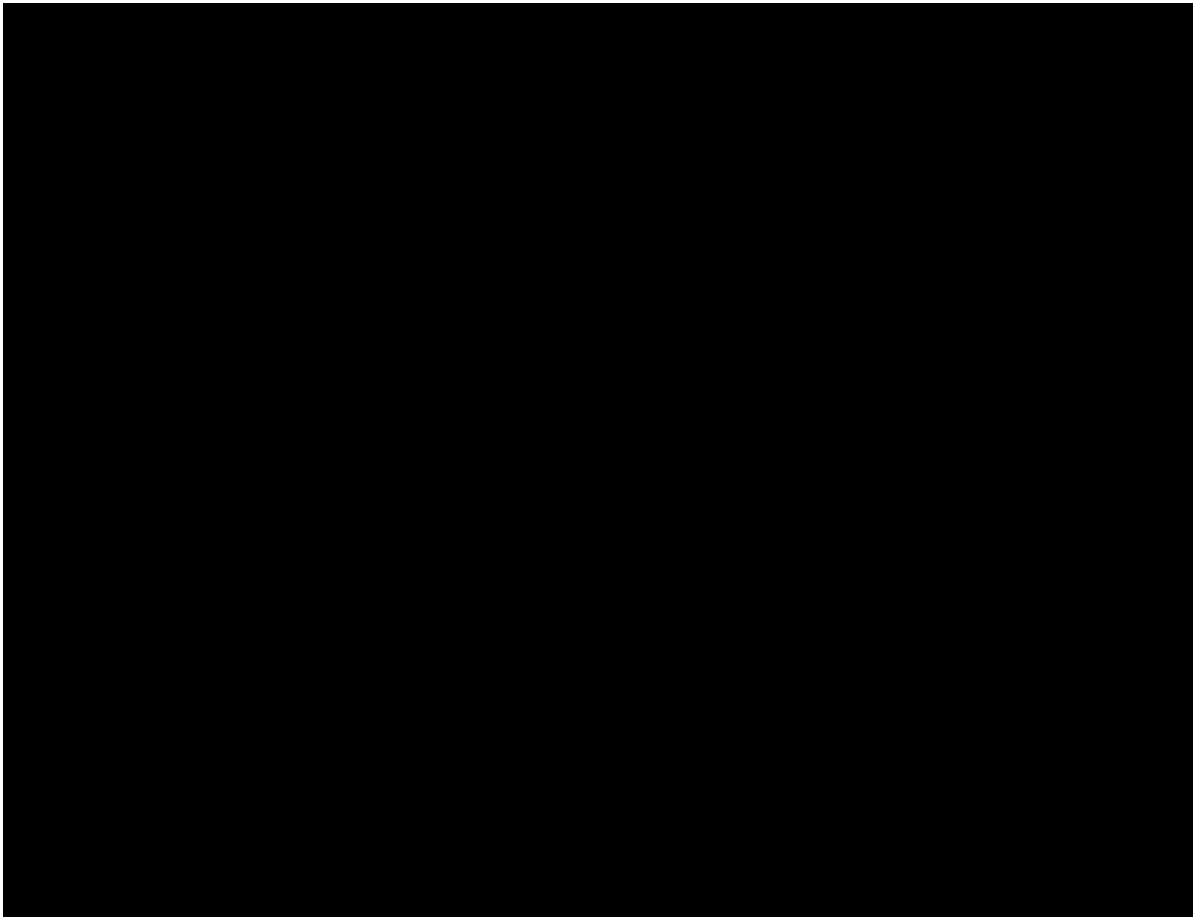


Notification and call-out of tactical team:    Emergency situation.



#### **4.     RESPONSIBILITIES:**

The patrol supervisor at the scene, to the best of his/her ability, and the time prior to arrival of the team, will establish:





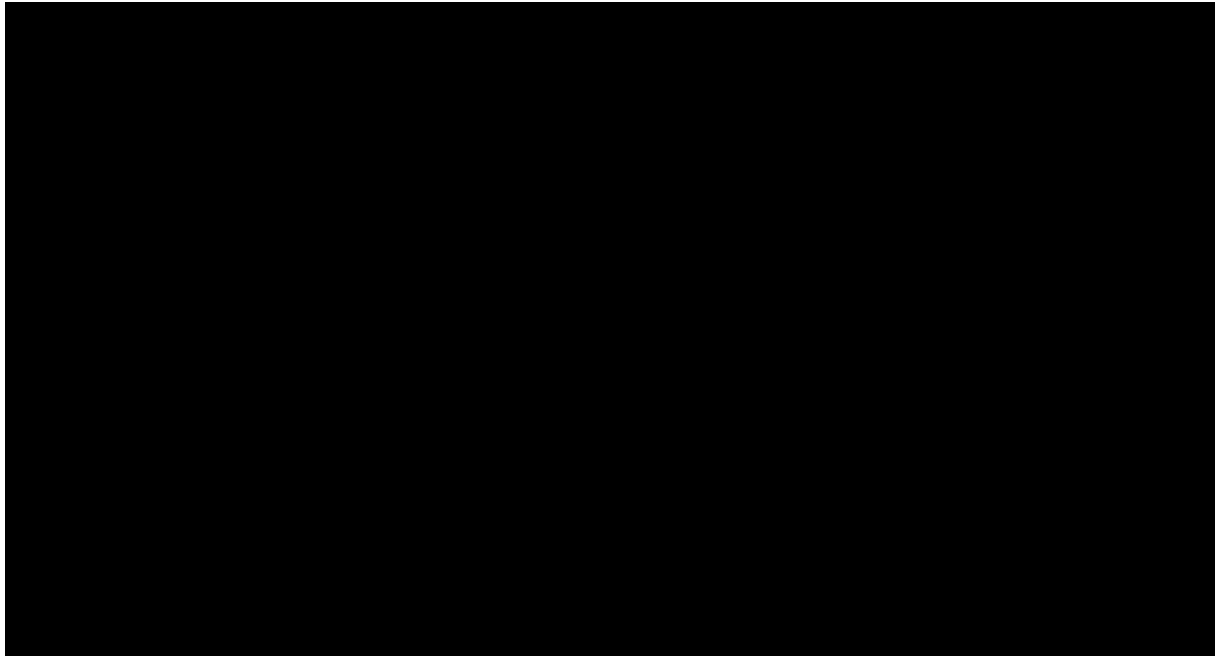
## Elko Special Response Team

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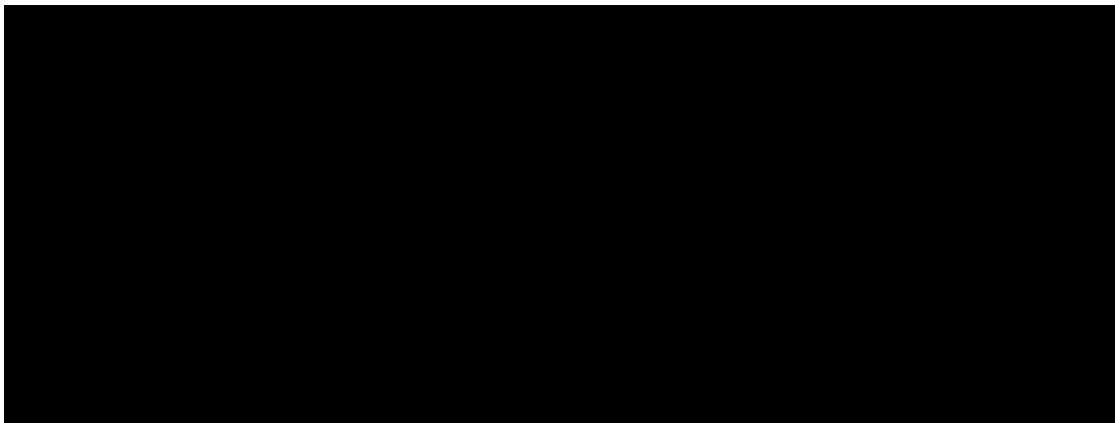
### **5. PREPARATION PRIOR TO THE ARRIVAL OF THE E.S.R.T.**

In order to ensure a coordinated effort with minimum expenditure of time, it is suggested that the following preparations be made prior to the arrival of the team:



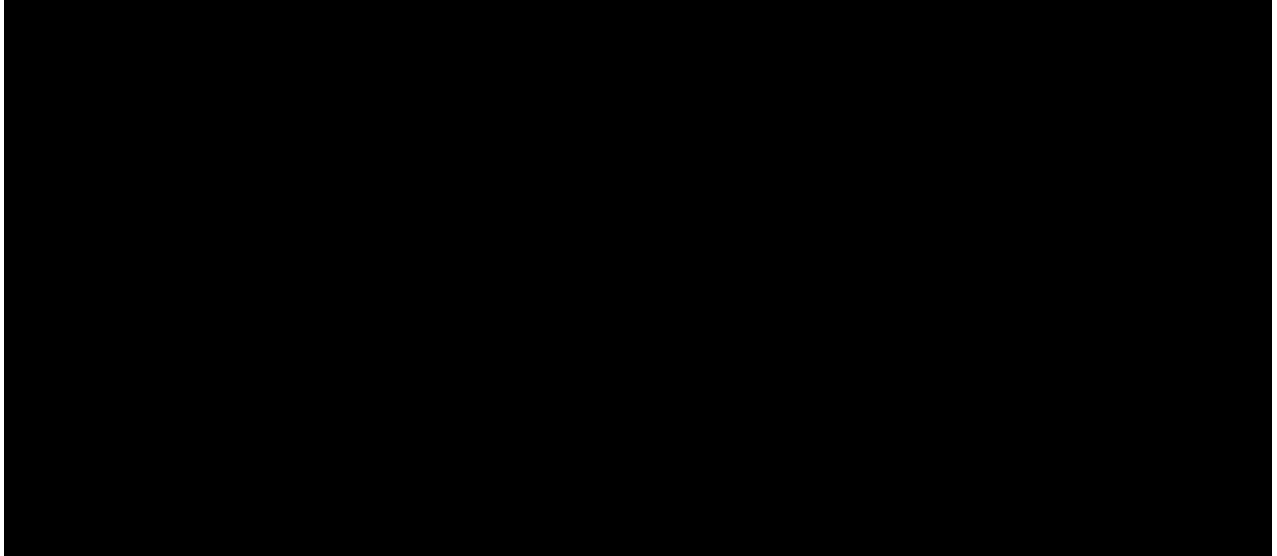
### **6. MUTUAL AID:**

Other law enforcement agencies may request assistance from the E.S.R.T. When this occurs, the Captain shall inform their representatives of our policies and the following operational guidelines:

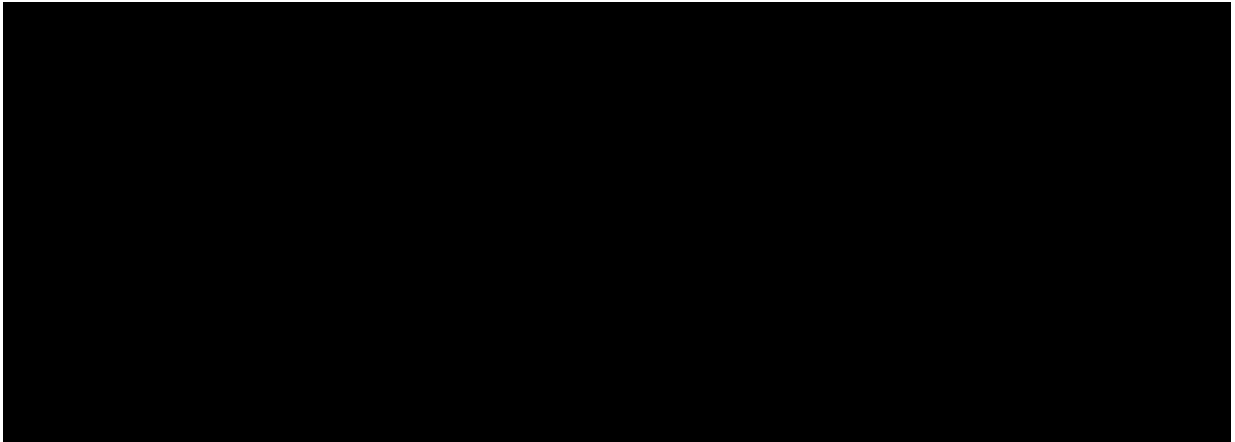


## Elko Special Response Team

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### 7. TEAM MEMBERS RESPONSIBILITIES



shall take effect at the time of both signatures being affixed hereto;

  
Ty Trouten  
Police Chief

\_\_\_\_\_  
Don Zumwalt  
Chief of Police, Elko Police Department

\_\_\_\_\_  
Jim Pitts  
Sheriff, Elko County Sheriff's Office

Date\_\_\_\_\_

Date\_\_\_\_\_

Revision Date: February 2, 2011

Revision Date: October 1, 2013

# **Elko Police Department**

## **Emergency Action Plan**

*Revised as of August 17, 2016*

### **Responsibilities:**

It is the responsibility of **Supervisors** to ensure a copy of this plan is made available to his/her subordinates. It is also the responsibility of the **Supervisor** to ensure yearly training and familiarization of this plan unless the Police Chief or his designee mandates the training be completed on a different basis.

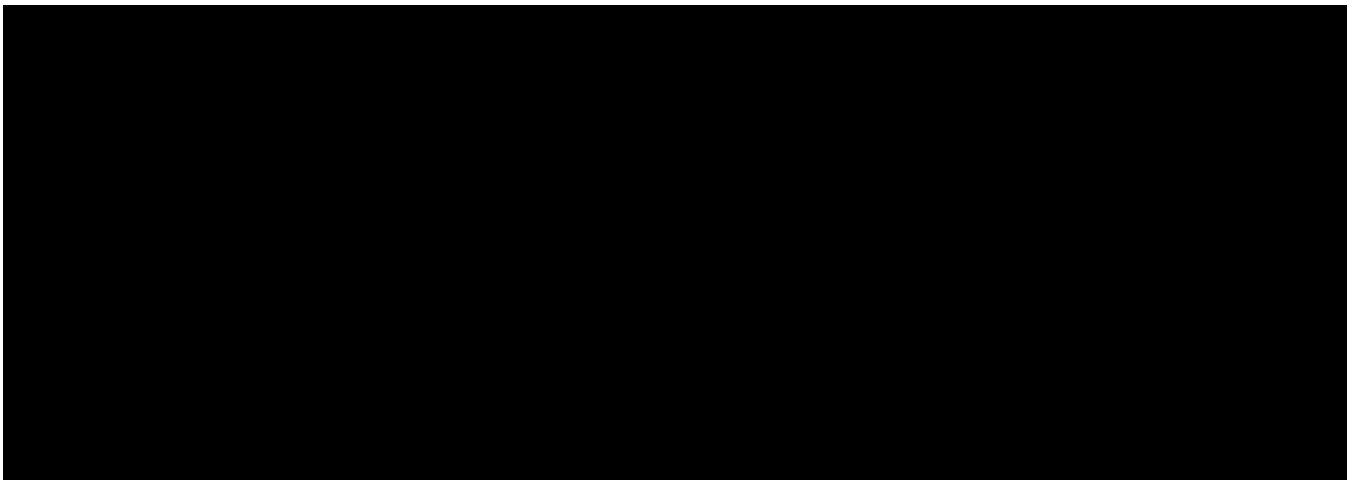
It is the responsibility of the **Employee** to be familiar with the emergency action plan, the locations of fire extinguishers, AEDs, exits, and assembly areas.

Employees should also familiarize themselves with the City of Elko emergency action plan as anything not covered in this plan will be covered in the city's plan.

### **Purpose:**

The purpose of this plan is to minimize the risk to life and property during emergency situations.

### **Assembly Areas:**



## **Evacuation Coordinators**

Supervisors or the most senior person *present at the facility* from each unit/area, i.e. patrol, records, detectives, and administration, shall be the evacuation coordinator for that area.

The evacuation coordinators should check their entire area to ensure employees have evacuated, coordinate a walkthrough of the entire facility to ensure no one is left inside, confirm all personnel on site are present at the assembly area, and coordinate emergency response.

## **General Emergency Guidelines:**

Employees should familiarize themselves with a primary and secondary exit for their respective work space.

Employees are encouraged to take actions only for emergencies that they have been trained in.

During evacuations employees shall stop work immediately and locate the nearest exit.

## **Fires/Fire alarms:**

For situations where there is a fire alarm with no reported visible smoke/fire or where a fire has been put out, employees will evacuate to assembly area 1. During evacuation employees should be cognizant of any people or vehicles in the area as they may be testing our response or be potentially hostile.

For situations where there is visible smoke/fire employees shall evacuate to assembly area 2.

## **Earthquakes:**

In the event of an Earthquake employees shall find the nearest piece of cover and remain there until it has stopped. Examples of suitable cover are underneath desks or in doorways.

Supervisors should then conduct a complete check of the facility and grounds to ensure no one is injured and to check for broken utility lines.

## **Bomb Threats**

Packages: The package/note should not be handled once the threat is determined.

The patrol supervisor should be notified, who will then activate the bomb squad if necessary.

Calls: The taker of the call should keep the caller on the line as long as possible.

Try to get detailed information on the location and description of the device as well as the time of when it will detonate.

Unless it is determined there is an actual device in the building by the bomb squad or a supervisor, all employees should shelter in place.

Until it is determined that the threat is not credible, employees should limit the use of radio transmissions in the area.

## **Active Shooter**

Sworn personnel will execute their predesignated evacuation [REDACTED]  
[REDACTED]

Sworn personnel will advise dispatch if possible and move toward the threat.

Anyone non-sworn that is found while the threat is still active should be told to shelter in place.

Once the threat is no longer active employees should:

Look for secondary threats

Coordinate with medical personnel to treat the wounded

Locate any non-sworn personnel [REDACTED] and consolidate them in a single area.

Inform employees [REDACTED] that it is safe to come out.