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ORDER NUMBER 06-34

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE POLICE MISSION			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/16/06	DATE EFFECTIVE 03/16/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 1: TITLE: POLICE MISSION

I. PURPOSE

To describe the organization's purpose and reason for existence. To identify the goals of the organization to those outside the organization as well as to members of the organization.

II. POLICY

The mission of the Suffolk County Police Department is to provide and maintain a safe environment in which people can live and work. Every member of the Service acknowledges his or her obligation to provide professional services by rendering aid to those in need, providing an environment free from fear, bringing to justice those who violate the law, and protecting all persons and property in accordance with legal and ethical standards.

- A. Vision - Provide professional police services to all.
- B. Mission - To serve and protect all the citizens, while enforcing the law with impartiality, respect, and compassion.
- C. Goal - Protect the lives and property of the people we serve.
- D. Guiding Principles - The following guiding principles assist us in maintaining our focus on our mission and vision:
 - 1. Integrity - The Suffolk County Police Department pledges the highest standards of ethical behavior by all its members.
 - 2. Professionalism - Suffolk County Police Department employees will act professionally when interacting with each other and members of the public.

3. Respect - Members of the Department will treat everyone with dignity and respect.

4. Knowledge - Members of the Department will be provided with continuous training throughout their careers. They will be supported in the pursuit of knowledge.

5. Standard for performance - The following Standard for Performance is referred to as the "Five E's" and should be embraced by all Department members.

a. Energy (Vigor - Work Ethic)

b. Enthusiasm (Lively Interest & Passion for the police profession)

c. Efficiency (Acting Effectively - Working Smart)

d. Effectiveness (Producing Results)

e. Ethics (Doing the Right Thing)

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

N/A

VII. ACCREDITATION STANDARD REFERENCES

CALEA
NYSLEAP

VIII. INDEX

Mission Statement 1/1
Values Statement 1/1

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ADDCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-90

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE
 RULES & PROCEDURES, FAMILIARIZATION/ENFORCEMENT

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 11/13/07	DATE EFFECTIVE 11/13/07	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 2: TITLE: RULES & PROCEDURES, FAMILIARIZATION/ENFORCEMENT

I. PURPOSE

To assign the responsibility of familiarization and enforcement of the Department Rules and Procedures.

II. POLICY

A. The Rules and Procedures Manual is intended to provide Department members with a clear understanding of the constraints and expectations relating to the performance of their duties.

DISCLAIMER

The directives contained within this Rules and Procedures manual are for Departmental administrative use only and, to the extent that they constrain conduct otherwise permissible under law, shall not apply in any criminal or civil proceeding. The Suffolk County Police Department policy should not be construed as creating a higher standard of safety or care, in an evidentiary sense, with respect to third party claims. Violations of these rules will only be used as the basis for Departmental administrative sanctions.

B. The Rules and Procedures Manual is distributed as directed by the Police Commissioner or the Chief of Department and is the property of the Suffolk County Police Department. The Manual must be surrendered upon the Department's request and it may not be reproduced in any manner, wholly or in part, for any reason, except when authorized by an appropriate Department official in conjunction with official departmental business or legal mandate of the court. Individuals outside the Department who wish to obtain the manual or parts thereof should utilize the procedures initiated under the Freedom of Information Law and submit the request to the Research and Development Section for consideration.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Rules and Procedures, Familiarization With - A member of the Department is to study these Rules and Procedures, as well as other manuals that apply to his assignments, and thoroughly familiarize himself with the applicable provisions.

1. He is held responsible for maintaining these Rules and Procedures, as well as other manuals that apply by keeping them up to date with such amendments that may be provided from time to time and in the prescribed manner.

B. Rules and Procedures Enforcement - Division commanders, commanding officers and supervising officers are responsible for the enforcement of these Rules and Procedures and all authorized orders. They are also responsible for the critical supervision of their subordinates and their strict compliance to these Rules and Procedures and all authorized orders.

VI. PROCEDURES

N/A

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

N/A

END



ORDER NUMBER 05-64

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE LEGAL STRUCTURE				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/03/05	DATE EFFECTIVE 06/03/05	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 3: TITLE: LEGAL STRUCTURE

I. PURPOSE

To provide that information which delineates the legal structure of the Police Department.

II. POLICY

N/A

III. DEFINITIONS

A. The terms "Police Department", "Police Force" and "Department" mean the Department of Police of the County of Suffolk, New York.

B. A member of the Department is any employee of the Police Department, County of Suffolk, New York.

C. A member of the Service is a member of the Department who is a sworn officer of the Police Department, County of Suffolk, New York.

IV. REFERENCES

The Police Department, County of Suffolk, New York was created on 1 January 1960 by Chapter 278 of the Laws of 1958, known as the Suffolk County Charter.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. The Police Department operates as two units. Headquarters and Police

District, each with separate budgets.

1. The Headquarters unit functions on a county-wide basis and is divided into offices, divisions, bureaus, sections and units.

2. The Police District renders services to the territory within the County which consists of: the towns of Babylon, Huntington, Islip, Smithtown and Brookhaven; and incorporated villages of Lindenhurst, Babylon, Patchogue, Brightwaters, the Branch, Old Field, Poquott, Port Jefferson, Belle Terre, Shoreham, Bellport and Lake Grove. The Police District is divided into zones, precincts, sectors and posts.

B. Jurisdictions - There are areas within the Suffolk County Police District where the Suffolk County Police Department is not the primary agency responsible for police services. These areas are policed by other government agencies. Such jurisdictions within Suffolk County include but are not limited to:

1. The Metropolitan Transportation Authority (MTA) has primary policing responsibilities, both patrol and investigative, on all train track right of ways, trains on such right of ways, rail yards, inside passenger train stations, platforms adjacent to the stations, pedestrian cross walks across and over track right of ways and inside any buildings owned or used by the Long Island Rail Road (LIRR), a division of the MTA. The MTA Police Department will handle both criminal and non-criminal incidents occurring at the aforementioned locations. The MTA Police Department shall also handle all suicides and attempted suicides occurring at the aforementioned locations. The Suffolk County Police Department retains primary investigative responsibility in all criminal incidents where the victim(s) dies or is likely to die.

Suffolk County Police personnel shall be available to assist Metropolitan Transportation Authority personnel, when requested, with MTA headed investigations.

- The Suffolk County Police Department has primary patrol and investigatory policing responsibilities at parking facilities used by commuters.

- Special Situations - There are certain times in addition to criminal incidents where the victim dies or is likely to die when a member of the Suffolk County Police Department should handle an incident that occurred on LIRR property. Additionally, these same rules will apply for MTA Police Officers within the Suffolk County Police jurisdiction. The situations are as follows:

- Emergency Non-Criminal Incidents, whether assigned or observed, will be handled by the first agency at the scene if the agency with primary responsibility is not able to respond in a timely

manner. This is to ensure the public receives a timely and professional response from the police agencies serving them.

- Arrests - When a member of either agency makes a summary arrest and the arresting officer observed the commission of the offense or made the arrest shortly after the commission of the offense, the member's department will be the agency responsible for processing of the prisoner, report preparation and any necessary subsequent investigations. (If a MTA Police Officer requests assistance with processing the arrestee, members of the Department shall assist as specified in chapter 16, section 1, subsection VI. I. of the Rules and Procedures titled, Assisting Another Authority.)

When a member of the Suffolk County Police Department makes an arrest for the commission of an offense occurring in the MTA Police Department's jurisdiction the member's command shall notify the MTA Police.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

N/A

END



ORDER NUMBER 09-13

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE ORGANIZATIONAL STRUCTURE				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 04/14/09	DATE EFFECTIVE 04/09/09	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 4: TITLE: ORGANIZATIONAL STRUCTURE

I. PURPOSE

To enumerate those offices, divisions, bureaus, sections and units which comprise the organizational structure of the Police Department.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

The following offices, divisions, bureaus, sections and units are established and maintained:

A. Office of the Police Commissioner

1. Organized Crime Bureau

a. District Attorney Section

b. Criminal Intelligence Section

2. Office of Homeland Security and Anti-Terrorism

a. Emergency Management Section

b. Special Projects Section

3. Electronic Investigations Bureau

B. Office of the Deputy Police Commissioner

1. Medical Evaluation Bureau

2. Internal Affairs Bureau

a. Field Auditing Section

3. Pistol Licensing Bureau

4. Risk Management Bureau

C. Office of the Chief of Department

1. Planning and Operations Bureau

a. Research and Development Section

b. Applicant Investigation Section

c. Information Technologies Section

d. Court Liaison Section

2. Recruitment and Community Outreach Bureau

a. Recruitment Section

b. P.A.L. Section

c. Crime Stoppers Section

d. Public Information Section

e. Employee Assistance Section

f. Chaplains Section

D. Office of the Chief of Patrol

1. Precinct Patrol

a. First Precinct Bureau

(1) Patrol Section

(2) Precinct Crime Section

(3) Community Oriented Police
Enforcement Section (COPE)

b. Second Precinct Bureau

(1) Patrol Section

(2) Precinct Crime Section

(3) Community Oriented Police
Enforcement Section (COPE)

c. Third Precinct Bureau

(1) Patrol Section

(2) Precinct Crime Section

(3) Community Oriented Police
Enforcement Section (COPE)

d. Fourth Precinct Bureau

(1) Patrol Section

(2) Precinct Crime Section

(3) Community Oriented Police
Enforcement Section (COPE)

e. Fifth Precinct Bureau

(1) Patrol Section

(2) Precinct Crime Section

(3) Community Oriented Police
Enforcement Section (COPE)

f. Sixth Precinct Bureau

(1) Patrol Section

(2) Precinct Crime Section

(3) Community Oriented Police
Enforcement Section (COPE)

g. Seventh Precinct Bureau

(1) Patrol Section

(2) Precinct Crime Section

(3) Community Oriented Police
Enforcement Section (COPE)

2. Patrol Support

a. Special Patrol Bureau

(1) Canine Section

(2) Aviation Section

(3) Emergency Service Section

(4) Crime Scene Section

(5) Airport Operations Section

b. Highway Patrol Bureau

(1) Motorcycle Section

(2) Motor Carrier Safety Section

(3) SAFE-T Section

c. Marine Bureau

(1) Marine Patrol Section

d. Domestic Violence and Elder Abuse Bureau

e. Patrol Special Operations Team Bureau

3. Warrant Enforcement Section

4. District Commander

5. DWI Enforcement Section

E. Office of the Chief of Detectives

1. Major Case Investigations Unit

2. Hate Crimes Unit

3. Precinct Detective Bureau

a. First Squad Section

b. Second Squad Section

c. Third Squad Section

- d. Fourth Squad Section
- e. Fifth Squad Section
- f. Sixth Squad Section
- g. Seventh Squad Section
- h. Property Recovery Section

4. Special Services Bureau

a. Technical Investigations Section

- (1) Identity Theft Unit
- (2) Computer Crimes Unit
- (3) Polygraph Unit

b. Identification Section

c. Fugitive/Missing Persons Section

5. Major Crimes Bureau

a. Homicide Section

b. Special Victims Section

c. Arson Section

d. Vehicle Theft Section

e. Narcotics Section

(1) Customs Task Force Unit

(2) Asset Forfeiture Unit

F. Office of the Chief of Support Services

1. Staff Services Bureau

a. Transportation Section

b. Quartermaster Section

c. Facilities Management Section

2. Administrative Services Bureau

a. Budget Section

b. Finance Section

3. Communications and Records Bureau

a. Communications Section

(1) Receiving, Dispatching and Teletype Unit

b. Central Records Section

(1) Reports Control and Maintenance Unit

(2) Arrest Records Unit

(3) Arrest Processing Unit

c. Technical Services Section

4. Police Academy Bureau

a. Recruit Training Section

b. In-Service Training Section

c. Firearms Training Section

5. Human Resources Bureau

a. Personnel Section

b. Payroll Section

6. Property Bureau

a. Property Section

(1) Impound Unit

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

END



ORDER NUMBER	09-14
	09-19
	09-20

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE COMMAND DUTIES AND RESPONSIBILITIES
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DISTRIBUTION	DATE ISSUED	DATE EFFECTIVE	DATE TO BE REVIEWED
ALL MEMBERS OF THE DEPARTMENT	04/14/09	04/09/09	N/A
	05/14/09	05/14/09	
	05/14/09	05/14/09	

RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 5: TITLE: COMMAND DUTIES AND RESPONSIBILITIES

I. PURPOSE

To set forth the duties and responsibilities which are specific to individual organizational components.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Office of the Police Commissioner - The Police Commissioner has jurisdiction and control over government, administration, disposition and discipline of the Police Department, the Police Service, and the members thereof. During the prolonged absence without means of contact, or disability of the Police Commissioner, such member of the Service as the Police Commissioner may designate, possesses all the powers and performs all the duties of the Police Commissioner except the power of making appointments. Any officer, acting as the Police Commissioner carries out the orders of the Police Commissioner previously given. Except in extreme emergency, these orders are not countermanded or set aside. When an order is countermanded or set aside a report stating the reasons is made

to the Police Commissioner. The officer acting on behalf of the Police Commissioner assists in administrative matters as directed from time to time by the Police Commissioner. When an unforeseen emergency arises and the Police Commissioner, because of an incapacity, is unable to designate such officer, the order of succession to possess all the powers and perform all the duties of the Commissioner is as enumerated in these Rules and Procedures. The Special Assistant to the Police Commissioner acts as a liaison between community groups and leaders and the Police Commissioner, addresses community issues, conducts necessary research and prepares responses to inquiries from community groups and members, and represents the Police Commissioner at community meetings, as directed by the Police Commissioner.

1. **The Organized Crime Bureau** - Is a staff unit responsible for the administration and supervision of the District Attorney Section and Criminal Intelligence Section.

a. **The District Attorney Section** - Performs such duties as may be assigned by the District Attorney and coordinates the law enforcement efforts of the Police Department with that of the District Attorney's Office. This section is responsible for performing the following services and investigations:

(1) Gathers evidence leading to the arrest and prosecution of persons involved in organized crime, including street gangs and terrorist activities, vice and gambling in Suffolk County.

(2) Assists the Precinct Detective, Special Services, and Major Crimes Bureaus, and all other law enforcement agencies that request assistance in these types of investigation.

(3) Gathers intelligence information relating to organized crime and other vice and gambling offenses and maintains files in reference to these areas of investigation.

(4) Conducts sting operations, provides expert testimony and training as it applies to organized crime, vice and gambling activities.

(5) Conducts investigations relating to corruption of government and/or political officials.

b. **The Criminal Intelligence Section** - Is responsible for the compilation, analysis, storage, and dissemination of data concerning the history, activities, associates, etc., of persons known or suspected to have connections with organized crime, Street Gangs, Motorcycle Gangs, other miscellaneous criminal groups and terrorist organizations in or affecting the County of Suffolk.

This Section will maintain liaison with federal, state and other local law enforcement agencies for the mutual exchange of criminal intelligence and terrorist-related information.

This Section is also charged with the duty of conducting threat assessments, investigations, gathering information and analyzing data relating to subjects considered a risk to public officials or public safety.

This Section is further charged with proactively investigating suspected terrorist activity occurring in or affecting the County of Suffolk.

This Section maintains a criminal intelligence file and a public security file, which will be independent and separate from all other Departmental files.

This Section shall evaluate and maintain a database to catalog all inquiry search responses received from Immigration and Customs Enforcement (ICE), and perform any necessary follow-up investigation in conjunction with ICE personnel.

This Section will be responsible to forward copies of any written report relative to a criminal or non-criminal incident directed against or perpetrated by a person claiming diplomatic or consular immunity, or their families, including incidents against their property, to the U.S. Department of State, Diplomatic Security Service, or, if appropriate, to the U.S. Mission to the United Nations. This Section will also maintain liaison with the U.S. Department of State, U.S. Mission to the United Nations, and consular officials as required.

This Section will disseminate homeland security and other information deemed appropriate to businesses and other community organizations.

This Section, when notified of a Personal Radiation Detection alarm incident, shall submit to New York State a radiation anomaly report of such incident.

This Section will maintain a multi-agency intelligence center. This Section will encourage local law enforcement agencies to participate in the center for the purposes of sharing relevant intelligence.

CIS shall establish a database to capture, store and analyze data related to school or school-related incidents and incidents involving houses of worship and/or related facilities. The Commanding Officer of CIS, or designee, is authorized to exclude any data entry that is not appropriate for the objectives of these programs. Intelligence gained, and patterns of activity that are identified, shall be shared with the Chief of Patrol, Chief of Detectives or the Deputy Chief of Homeland Security and disseminated within the Department as deemed necessary.

It will also be the responsibility of the Commanding Officer of this Section to plan, organize and direct the security details which will be provided for public officials and/or visiting dignitaries.

2. Office of Homeland Security and Anti-Terrorism - Coordinates all Counter Terrorism and Homeland Security initiatives within the Police Department. Works closely with commands in each division to ensure that the Department's comprehensive terrorism strategy is implemented, concentrating on prevention, detection and deterrence of terrorist acts through intelligence gathering and dissemination. Organizes target hardening initiatives, communications interoperability plans, and frequent response drills. Encourages both public and law enforcement terrorism education programs. Coordinates and oversees all terrorism grant funding. Confers with each division to conduct an annual Homeland Security needs analysis. Prioritizes terrorism equipment, supply, vehicle, command & control, communications, and training expenditures. Periodically reviews response and recovery plans and ensures they are updated. Supervises bi-annual updates of identified sensitive sites and critical infrastructure. Provides direct command and supervision of the Emergency Management Section and the Special Projects Section. Acts as the primary Homeland Security liaison with all government agencies including the Suffolk County Department of Fire, Rescue, and Emergency Services, Suffolk County Department of Health, United States Department of Homeland Security, New York State Office of Homeland Security, as well as all State, County and local law enforcement agencies. The Commanding Officer of the Office of Homeland Security and Anti-Terrorism shall serve as the Co-Chair of the Suffolk Terrorism Task Force and also as the Suffolk County Police representative on the New York State Zone One Committee on Counter Terrorism.

a. **Emergency Management Section** - Directs law enforcement emergency preparedness efforts, coordinating directly with the Suffolk County Department of Fire, Rescue and Emergency Services regarding current trends and conditions. Ensures disaster plans are reviewed and updated regularly. Keeps the Office of Homeland Security and Anti-Terrorism advised of all emergency management, response and recovery policies, procedures and training programs adopted by Federal, State, or County Departments of Civil Defense or Homeland Security. Represents the Suffolk County Police Department and staffs the Suffolk County Emergency Operations Center whenever activated. Maintains the Suffolk County Sensitive Site/ Vulnerable Entity/ Critical Infrastructure data base and updates all listings bi-annually. Facilitates distribution of anti-terrorism personal protective equipment to members of the Service. Coordinates the Department's Auxiliary Police program to provide additional public safety protection, especially in the event of a disaster or national emergency. Maintains an Auxiliary Police training program and instructs volunteer Auxiliary Police Officers.

b. **Special Projects Section** - Is responsible for the development of special projects as may be assigned. This includes planning, unit coordination, and implementation of all such projects. A special emphasis will be on technological projects. Special Projects Section staff members study technological programs and practices in the field of policing and criminal justice to determine possible adaptability into Department operations; coordinate special technology related projects with both internal and external entities; serve in an advisory capacity to technology vendors selected to develop Departmental programs; develop policies regarding technology

implementation; and assist commands with technological training issues. Additionally, a supervisory member of the Special Projects Section shall be designated by the Commanding Officer of the Office of Homeland Security and Anti-Terrorism as the Department's Infrastructure Security Officer responsible for computer and network monitoring and telecommunications oversight. The Infrastructure Security Officer also maintains and protects Office of Homeland Security and Anti-Terrorism computer data bases. The Infrastructure Security Officer shall report any detected breaches in network security and unauthorized computer or telecommunications usage to the Commanding Officer of the Office of Homeland Security and Anti-Terrorism.

3. **Electronic Investigations Bureau** - Maintains and operates the investigative sound, recording and technical devices of the Department. Also responsible for the installation and maintenance of the Suffolk County Police panic/intrusion alarm system. When not engaged in this function, the Bureau carries out special assignments as directed by the Office of the Police Commissioner.

B. **The Office of the Deputy Police Commissioner** - The Deputy Commissioner shall act for and assist the Commissioner as directed by him in such matters as, but not limited to the following: acts as liaison officer for the Police Commissioner in matters relating to the public and criminal justice system, meets with individuals, groups, associations, organizations and commissions on behalf of the Police Commissioner.

1. **The Medical Evaluation Bureau** - Is responsible for the processing of all claims related to injured employees and will assist injured employees in obtaining care and benefits, coordinate the efforts of other involved agencies and arrange for the medical review of injured employees to determine their progress and capability for assignment. The Medical Evaluation Bureau oversees the duties and responsibilities of the Police Surgeon and maintains liaison with the Police Commissioner regarding employees absent from duty due to job related injuries. In addition, this Bureau must implement programs and systems that are mandated by the Occupational Safety and Health Administration (OSHA).

2. **The Internal Affairs Bureau** - Investigates allegations of misconduct against members of the Department, conducts internal investigations as directed by the Police Commissioner and performs ongoing inspections of Department personnel and equipment. The Internal Affairs Bureau is also mandated to identify and seek correction of unclear or inappropriate agency procedures and organizational conditions that may contribute to misconduct or inefficiency.

a. **Field Auditing Section** - Conducts inspections and audits of Department members to ensure compliance with State and local laws and the Department's Rules and Procedures as they relate to line of duty injury leave and sick leave.

3. **Pistol Licensing Bureau** - Will have the duties and responsibilities of Pistol Licensing. It will be responsible for the investigation and licensing of pistol permit applicants, pistol manufacturers, pistol dealers and gunsmiths. The bureau will maintain the

pistol records of members of the Service. It will also be responsible for reporting to the New York State Police any changes in the status (i.e., sale, acquisition, destruction, transfer) of handguns of licensees and will record these changes in both the Department's and the individual officer's handgun inventory. The Pistol Licensing Bureau may review or confiscate and conduct investigations on handguns received as enumerated in chapter 24, section 8.

4. **Risk Management Bureau** - Responsible for review of procedures, policies, and processes of this Department and other organizations, both public and private, with the goal of enhancing Department services provided to the public. Responsible for other duties as assigned by the Police Commissioner, Deputy Police Commissioner, or Chief of Department.

C. **The Office of the Chief of Department** - The Chief of Department exercises line and staff command of all personnel and operations of the Police Department. This office is responsible for command and control authority, performs management services required to ensure the Department performs its operations in an efficient and effective manner, and keeps the Police Commissioner informed of all important matters and of any action taken pertaining to same. The Office of the Chief of Department also acts as liaison to state and local probation and parole agencies and to federal, state and local adult and juvenile correctional agencies. Members of the Service assigned to this office, or any other member of the Service designated by the Chief of Department, will maintain the physical integrity of the Police Headquarters building and the surrounding parking areas, and further provide emergency police services to the occupants of that building as needed.

1. **The Planning and Operations Bureau** - This bureau is responsible for directing the activities of the Research and Development Section, the Applicant Investigation Section, the Information Technologies Section and the Court Liaison Section. The bureau gives direction toward addressing a particular problem or project by utilizing the resources within one of the Department's three major divisions, through the Research and Development Section, or through a form of coordination between these entities. The bureau performs the function of coordinating the independent efforts of each division so that the results of such efforts conform to the broader needs of the Department. The direction which the bureau provides to guide the Department's problem solving efforts is shaped by the mandates and guidance it receives from the Chief of Department.

a. **The Research and Development Section** - Is responsible for the following:

- Updating the Department's Rules and Procedures Manual as necessitated by the issuance of Department general orders.

- Issuing Department Written Directives which shall include their numbering, distribution and maintenance of the archives of all issued Department Written Directives.

- Providing assistance to other commands for the

resolution of problems through the development of policy and procedure.

- Reviewing Department manuals, as directed by the Chief of Department; maintaining a copy of all Department manuals issued including archives of previously issued Department manuals.

- Completing questionnaires and surveys received by the Department.

- Other duties, including plan, policy and system development and analysis, as directed by the Chief of Department.

- Receiving monthly statistical reports from designated commands, prepared in compliance with New York State Executive Law and analyzing these statistics and disseminating these reports to the New York State Division of Criminal Justice.

- Answering inquiries from the public regarding Department statistics.

- Reviewing statistical reports generated by the Department's reporting system and identifying observed trends.

- Receiving a copy of all regular or routine statistical reports prepared by commands and reviewing such reports to insure they agree with other reports containing comparable statistics. In cases where there is a disagreement in statistical information reported, will determine the cause(s) of such difference for the purpose of correcting the inadequate statistical report and identifying the error (s) that exist in the method used to collect those statistics.

b. **The Applicant Investigation Section** - Conducts investigations into the background of all police and civilian candidates for appointment to the Police Department, County of Suffolk, New York and candidates for the Auxiliary Police Program administered by the County Department of Fire Rescue and Emergency Services. This unit also provides assistance to other local, state and federal law enforcement agencies in conducting employee investigations.

c. **The Information Technologies Section** - Is responsible for overseeing the installation and operation of all computer related and telecommunicating services, including the Criminal Justice Information System. This section also oversees the forms control system which entails the performing of feasibility studies on all requests for new forms and amendments to present forms, reviewing the contents of Department pamphlets and other printed matter prepared for general distribution for the purpose of insuring that it accurately states Department policies and procedures and that the topic is appropriate for the Department to comment about or give advice or information.

d. **The Court Liaison Section** - Acts as liaison between this Department and the courts of this County, and other governmental agencies, as directed by the Police Commissioner. It will also aid

the District Court in executing warrants issued by the Traffic Section. It acts as a liaison between the courts, the Traffic Violations Bureau and the Police Department, providing the scheduling of police officers for court appearance. This section will notify the appropriate section of the Detective Division of any juvenile offender case removed to Family Court.

2. **Recruitment and Community Outreach Bureau** - Is a staff unit responsible for the administration of the Recruitment Section, P.A.L. Section, Crime Stoppers Section, Public Information Section, Employee Assistance Section, Chaplains Section and their related duties. It is responsible for the accreditation function of the Department. It acts as a liaison between the Department and community groups and/or leaders and also implements and coordinates projects pertaining to community issues.

a. **The Recruitment Section** - Is responsible for recruiting qualified candidates for the position of police officer with particular emphasis on minorities and women, maintaining liaison with various sources of referral, such as colleges, community groups, etc.; to provide appropriate reports to concerned governmental agencies.

b. **P.A.L. (Police Athletic League) Section** - Coordinates and supervises the activities of the Suffolk County Police Athletic League, Inc. It will be the responsibility of this command to promote the principles of good sportsmanship and citizenship by encouraging participation in various sport programs, handicrafts and outdoor activities.

c. **Crime Stoppers Section** - Answers 1-800-220-TIPS telephone line regarding criminal activity while assuring informant anonymity when requested. Forwards any information to the appropriate investigating command and maintains records of the information obtained. Maintains liaison between the investigating commands and the Crime Stoppers of Suffolk County, Inc., and prepares and presents cases for caller reward consideration to the Reward Committee of Suffolk County Crime Stoppers, Inc. The Section prepares, delivers, and participates in various media events (e.g., Most Wanted cablevision broadcast, Crime of the Week cable, radio and news broadcast, Telecare cable broadcast, etc.)

d. **Public Information Section** - Disseminates information and acts as liaison to the public and the news media. When necessary, will handle walk-in complaints and perform appropriate referrals to other commands or agencies for follow-up investigation or further assistance. When required, members assist Crime Stoppers Section with the 1-800-220-TIPS telephone line. This section also prepares the Department's Annual Report.

e. **The Employee Assistance Section** - Provides counseling, information and referral assistance to members of the Department seeking help with personal problems, dealing with substance abuse, finances, marriage, family emotional difficulties;

or referral as a result of poor job performance. The restoration of an individual to a high level of job performance is the primary goal of this command.

f. **The Chaplains Section** - Maintains liaison with the Department's chaplains.

PATROL DIVISION

D. **The Office of the Chief of Patrol** - The Patrol Division is headed by the Chief of Patrol, who is responsible for all patrol and related services in the Suffolk County Police District. The Chief of Patrol keeps the Police Commissioner informed of all important matters, and of any action taken pertaining to same. The Office of the Chief of Patrol acts as liaison between this Department and the Board of Elections during all special and general elections. It is the function of the Patrol Division to enforce all applicable state and local laws, prevent crime, deter criminal activity, apprehend offenders, aid in the recovery and return of stolen property, identify and report hazardous conditions, preserve the public peace and reduce fear in the community. The division shall provide services vital to public safety including emergency services, traffic control, crash investigation and assistance to other state and local agencies. The responsibilities of the District Commanders are a function of the Office of the Chief of Patrol. Communication of information, both intra and inter-divisional, shall be coordinated through staff meetings, roll calls, multi-divisional conferences, crime and incident reports and daily bulletins. The Office of the Chief of Patrol shall be the command responsible for coordinating the Department's response to requests from television or film production companies for a uniformed police presence due to anticipated crowd control issues at the scene of television or film productions within the Police District.

1. **The Precinct Patrol District** - Consists of a number of precincts in the Police District each of which is geographically defined and manned by personnel of the uniformed force. It is the responsibility of these personnel to execute the police mission within their given area.

a. **The First Precinct Bureau** - Renders patrol and other police service to the political subdivisions of the Town of Babylon, including the incorporated villages of Lindenhurst and Babylon.

b. **The Second Precinct Bureau** - Renders patrol and other police service to the political subdivisions of the Town of Huntington.

c. **The Third Precinct Bureau** - Renders patrol and other police service to the political subdivisions of the Town of Islip (West), including the incorporated village of Brightwaters.

d. **The Fourth Precinct Bureau** - Renders patrol and other police service to the political subdivisions of the Town of Smithtown and the incorporated villages of the Branch, Islandia, and Lake Grove. Included in this precinct area are certain border areas of the Towns of Huntington, Islip and Brookhaven.

e. The Fifth Precinct Bureau - Renders patrol and other police service to the political subdivisions of the Towns of Brookhaven (South) and Islip (East) and the incorporated villages of Patchogue and Bellport.

f. The Sixth Precinct Bureau - Renders patrol and other police services to the political subdivisions of the Town of Brookhaven (North) and the incorporated villages of Old Field, Poquott, Belle Terre, and Port Jefferson.

g. The Seventh Precinct Bureau - Renders patrol and other police services to the political subdivisions of the Town of Brookhaven(east).

2. The Precinct Patrol Sections - The following sections will be maintained by each of the seven precincts:

a. The Patrol Section - Is responsible for the operation of patrol and related services as directed to accomplish the police mission.

b. The Precinct Crime Section - Is responsible for, but not limited to, the investigation and resolution and/or proper referral of the following police tasks.

(1) Misdemeanor and violation investigations not investigated by a Detective Squad or Hate Crimes Unit.

(a) When appropriate, copies of all paperwork are forwarded to a concerned Detective Squad, i.e., Misdemeanor Narcotics Violations to Narcotics Squad.

(2) Warrants excepting felony warrants.

(3) Investigations of violations or regulations and laws regarding premises licensed by the State Liquor Authority.

(a) Maintenance of precinct file that notes routine premises check performed by uniformed personnel and incidents occurring on licensed premises.

(4) Special patrols and stakeouts.

(5) Conducts investigations into attempted suicides not resulting in serious physical injury (as defined in Article 10 of the Penal Law) and non-life threatening drug overdoses.

(6) Conducts and handles various assignments as directed by the precinct commanding officer.

(7) Investigates all incidents of issuing a bad check in amounts of \$1000 or less. Those checks with a value

greater than \$1000 shall be referred to the Precinct Detective Bureau.

(8) Investigates the misdemeanor crime of Arson in the Fifth Degree, but only those that are routine in nature. Arson Fifth Degree incidents which involve extenuating circumstances shall be referred to the Arson Section for investigation. The Precinct Crime Section investigating routine Arson fifth Degree incidents will forward to Arson Section a copy of the incident report after it is first received, and another copy upon the completion of the investigation. If warranted, updates on an investigation should also be provided to the Arson Section.

c. **The Community Oriented Police Enforcement (COPE)**

Section - Is responsible for the operation of specialized patrols as directed to accomplish the police mission and to provide instructors for the Drug Abuse Resistance Education programs (D.A.R.E.), Stop Anti-Semitism and Racism Everywhere program (S.T.A.R.E.), and Summer Youth Programs. COPE Sections shall meet with local community groups and leaders, maintain an open line of communications and carry-out community relations policies consistent with those established by the Recruitment and Community Outreach Bureau.

3. **Patrol Support**

a. **The Special Patrol Bureau** - Consists of the following sections:

(1) **The Canine Section** - Consists of the assigned members of the Service and specially trained dogs whose functions are the protection of life and property, the prevention of crime, the detection and arrest of criminals and locating missing or wanted persons.

(a) Each dog of the Canine Section is under the control of an assigned handler both on and off duty.

(b) Dogs, when not on assignment, are housed at the home of the assigned handler.

(c) Handlers are responsible for the physical well-being and humane treatment of the animals.

(d) Each handler will exercise the utmost caution to ensure the safety of persons coming in contact with his dog.

(e) Vehicles assigned to handlers remain in their custody both on and off duty and prescribed Department maintenance procedures will be observed.

(2) **The Aviation Section** - Is charged with the

enforcement of all laws and ordinances. Pilots assigned to this section are responsible for the proper inspection and servicing of Department aircraft and perform such other duties as necessary. Pilots detailed to flight duty are in charge of and responsible for the proper conduct of each flight as well as for the safe handling and care of the Department aircraft to which assigned. Pilots perform duties in accordance with the authorized duty chart. The Aviation Section is further responsible for the proper and efficient maintenance and repair of all Department aircraft and related equipment, as well as for maintenance of the necessary records thereof and performance of related duties. NOTE: The Communications Section duty officer is authorized to assign any flight mission to render assistance in an emergency or disaster. The aircraft pilot may refuse any flight, when in his judgment, conditions exist which make the flight unsafe. His decision may not be countermanded by any officer, regardless of rank.

(3) **The Emergency Service Section** - Assists the uniform and investigation divisions at emergency situations requiring specially trained police officers. This section will perform the following duties:

(a) Extrication of trapped victims.

(b) Assisting the uniform division at incidents requiring special weapons and tactics.

(c) Removal and disposal of suspected packages of explosives, military ordnance, explosive or incendiary devices and nuclear materials.

(d) Assisting the Arson Section in collecting physical evidence at scenes of suspected crimes by explosion.

(e) Assisting the Hostage Negotiating Team at barricaded subject and hostage situations.

(f) This section will also perform other duties as assigned by the commanding officer of the Special Patrol Bureau.

(4) **The Crime Scene Section** - Primary responsibility is to render assistance to investigating commands requiring specialized services in the area of evidence recovery. Crime Scene officers will accomplish this by searching for and evaluating items found. Items deemed to have evidential value shall be photographed, collected and submitted by the Crime Scene Section officer to the Identification Section, the Medical Examiner, Crime Laboratory, or the Property Section. This process will also include documentation of the crime scene through photographs and diagrams as needed. Crime Scene Section officers shall respond to the following incidents:

(a) motor vehicle crashes involving death or serious physical injury likely to result in death.

(b) motor vehicle crashes involving serious physical injury, where probable cause exists that one or more operators is in violation of any subdivision of section 1192 of the New York State Vehicle and Traffic Law.

(c) motor vehicle crashes involving a police vehicle at which:

(i.) there exists at the least, an injury requiring emergency medical treatment.

(ii.) the investigating supervisor is of the opinion that photographs would serve a useful purpose.

The Crime Section Officer shall document the scene by taking photographs and rendering a detailed diagram.

(5) Airport Operations Section - Provides police services to the Long Island MacArthur Airport Complex including the air operations area, terminals, parking areas, and buildings within the boundaries of the airport. The section also provides assistance to and maintains a liaison with Town of Islip Officials, Federal Law Enforcement Agencies, and businesses operating within the airport complex. Responsibilities include the protection of people and property, the prevention and detection of crime, answering calls for police service and rendering aid as necessary. This section will perform the following duties:

(a) Assist members of the Detective Division

and other investigative commands and agencies with criminal investigations occurring at Long Island MacArthur Airport.

(b) Performs perimeter checks, both interior and exterior, of the airport grounds as required.

(c) Assist personnel from the Transportation Security Administration (TSA) in the enforcement of Federal Regulations regarding aviation security.

(d) This section will also perform other duties as assigned by the commanding officer of the Special Patrol Bureau.

b. The Highway Patrol Bureau - Is responsible for the

administration and supervision of the Motorcycle Section, the Motor Carrier Safety Section, and the SAFE-T Section.

(1) **Motorcycle Section** - Is the primary command for escorts, including visiting dignitaries, funeral motorcades, large/heavy equipment, building moves, and other unique situations that require a police escort. The Motorcycle Section is responsible for training officers in the operation of RADAR and Laser speed measuring equipment and in the operation of the police motorcycle. The Motorcycle Section will train officers to testify at Traffic Violations Bureau. This section will periodically calibrate the speedometers of police vehicles, either through the use of a dynamometer or by use of other speed measuring equipment. This section will perform school crossing guard surveys to determine the necessity of posting school crossing guards within the police district. This section is responsible for the purchase and distribution of RADAR and Laser speed measuring equipment and for the continuing calibration of this equipment. This section is also responsible for the selective enforcement of Vehicle and Traffic Laws at high crash locations, when not engaged in other duties.

(2) **The Motor Carrier Safety Section** - Is responsible for the enforcement of all laws and regulations relating to the operation of commercial vehicles, with particular attention to transporters of hazardous materials and wastes. The Motor Carrier Safety Section will conduct routine inspections of commercial vehicles in order to promote an atmosphere of compliance within the County concerning federal, state and local laws and regulations governing the operation of commercial vehicles. The Motor Carrier Safety Section maintains all equipment essential to the enforcement of vehicle weight law and regulations. The Motor Carrier Safety Section shall also investigate the transportation of actual or suspected radioactive materials, by any vehicle.

(3) **The Selective Alcohol Fatality Enforcement Team (SAFE-T Section)** - Is responsible for the selective enforcement of Section 1192 of the Vehicle and Traffic Law in order to reduce crashes, injuries and fatalities caused by alcohol or drug impaired drivers. The SAFE-T section will promote traffic safety by working closely with select community interest groups whose goals include highway safety. The SAFE-T Section will conduct random roadside sobriety checkpoints in order to promote an atmosphere of compliance within Suffolk County concerning driving while intoxicated and driving while impaired prohibitions. The SAFE-T Section will also assist in the education of other Members of the Service in techniques and methods to detect and remove impaired drivers from the roads of Suffolk County, while stressing the importance of this endeavor.

c. **The Marine Bureau** - Is charged with the operation of boats on the navigable waters under the jurisdiction of the Police District, and is further charged with the protection of persons and

property on, and adjacent to said waterways including islands therein, barrier beach, and the enforcement of all laws, regulations and ordinances in these areas. The bureau is also responsible for the repair and maintenance of all vehicles and specialized equipment assigned to them.

Renders service to the area of land that lies on the southern boundary of the Police District and is known as Fire Island, or the Barrier Beach. This island is approximately thirty two miles long and varies one half to one mile in width. Within this area there are several subdivisions that will not be patrolled by the Barrier Beach Section. These being the Robert Moses State Park, U.S. Coast Guard Installation, National Park Service areas, Suffolk County Park at Smith Point and the Incorporated Villages of Ocean Beach and Saltaire.

Is responsible for the enforcement of specialized laws relating to shellfish violations and other crimes related to the waterways under the jurisdiction of the Suffolk County Police Department.

(1) **The Marine Patrol Section** - Is responsible for the operation of boats on navigable waters, and patrol of islands in these waters, and adjacent land areas and the enforcement of all laws, regulations and ordinances in these areas.

d. **The Domestic Violence and Elder Abuse Bureau** Is responsible to coordinate activities related to domestic violence; disseminate information regarding procedures to be followed in family offense cases; follow up on action taken by commands in each offense, provide assistance and referral to victims of domestic violence; act as liaison with other levels of government and private sector organizations; maintain statistical data on domestic incidents, domestic violence, and family offenses reported within the Police District; any other related duties as required.

e. **Patrol Special Operations Team Bureau** – Is responsible to assist and support Patrol Division Commands in actively suppressing violent crimes, assaults, illegal weapons possession and other crimes that adversely affect the quality of life within communities. This bureau will establish and maintain a dialogue with residents of communities that are adversely impacted by increased crime and respond to any incident or situation as directed by the Chief of Patrol.

4. **Warrant Enforcement Section** - Is responsible for securing the appearance of defendants at First District Court, who have not appeared to answer pending charges. This Section will work closely with the District Attorney's District Court Bureau to target defendants who have avoided prosecution by failing to appear for scheduled Court dates.

5. **District Commander** - Is a Command staffed by members of the Service who hold the rank of Captain and are responsible for the direction of the Police Mission during those times when Commanding Officers are normally not on-duty. Specific duties and responsibilities are more clearly defined in Chapter 1, Section 9, of these Rules and Procedures.

6. **DWI Enforcement Section** - Is responsible for the operation of specialized patrols as directed by the Office of the Chief of Patrol to accomplish the police mission.

DETECTIVE DIVISION

E. The Office of the Chief of Detectives - Exercises line command over all personnel and operations of the Detective Division and staff responsibility over all detective matters within the Police Department. The Chief of Detectives keeps the Police Commissioner informed of all important matters, and of any action taken pertaining to same. This office maintains insofar as the business of the Detective Division is concerned, the coordination of police activities between sections and units of the Department and with other Police Departments and agencies. In addition, this office is responsible for the maintenance of the division correspondence files and the Field Interrogation Reports. The Detective Division is also responsible for, but not limited to, the investigation of all felonies. Further, the following offenses and incidents that may be classified as felonies, misdemeanors or violations are included within the detective's scope of responsibility for investigation:

- All attempted suicides resulting in serious physical injury(as defined in Article 10 of the Penal Law) as well as those attempts which, after medical evaluation, are determined to be potentially life threatening. Suicides or attempted suicides which occur along the Long Island Rail Road or within its stations will be investigated by Metropolitan Transportation Authority personnel.
- Sex Offenses
- Gambling Offenses
- Weapons offenses, including weapons that come into the possession of the Department (see chapter 9, section 8 and chapter 24, section 8).
- Motor Vehicle Theft
 - Child abuse as defined in Article 10 of the Family Court Act
 - Boat and/or marine engine theft.

1. **Major Case Investigations Unit** - Is responsible for conducting investigations as directed by the Chief of Detectives. When directed by the Chief of Detectives, this unit will be charged with investigating and coordinating major cases within the Detective Division. This unit will also be responsible for the investigation of:

- a. Robbery and Grand Larceny by extortion occurring at banks and financial institutions that are insured by the Federal government.
- b. Burglary, including attempts occurring at banks and financial institutions that are insured by the federal government.
- c. Robbery and/or Larceny from an armored car.
- d. Burglary of collectable fine art and or art objects (museum quality and value), particularly from art galleries and museums.

- e. Burglary and/or Larceny of a truck with the value of its contents over \$100,000.
- f. Robbery of a truck and contents by hijacking.
- g. All robberies in a warehouse depot or similar location where the object of the crime is a truck or its contents.
- h. Cold case files as directed by the Chief of Detectives.
- i. Robbery from check cashing establishments that are duly licensed by the New York State Banking Department.
- j. Robbery from jewelry stores or manufacturers, including jewelry salespersons and couriers involved in the transport of jewelry to a jewelry store or manufacturer.

The Major Case Investigations Unit will act as the Detective Division liaison with federal, state, and local law enforcement agencies, and will provide investigative assistance to these associated agencies when requested, and exchange intelligence information related to robbery and other incidents with these agencies. Additionally, the Major Case Investigations Unit will act as the business based community police representative to the corporate loss-prevention and security community, particularly in the financial, transportation, and major retail markets. Members of this unit will provide guidance, training, or assistance in response to this community's concerns as directed by the Chief of Detectives.

2. **The Hate Crimes Unit** - Is responsible for the investigation and case preparation of all violations of law perpetrated primarily due to a belief or perception regarding race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation, except for cases involving death or serious physical injury that may result in death. This shall include incidents relating to houses of worship and/or related facilities. This shall further include incidents involving the etching, painting, or drawing of a Swastika on any building or other real property without the permission of the owner or operator, as well as setting fire to a cross in public view. This command shall also keep files and statistics relative to such offenses.

The Hate Crimes Unit assumes responsibility of all incidents upon determining the incident fits criteria as prescribed by the Hate Crimes Act 2000 of New York State, pursuant to Section 485.05 of the Penal Law. The incidents will be investigated to determine the hate crime element committed by factors outlined in the Hate Crimes Act established by New York State as well as existing case law and experience. The Hate Crimes Unit Commanding Officer will be responsible for properly identifying the incident as a hate crime and ensure this information is reported monthly, as accurately and correctly as possible under UCR standards, to the Department of Criminal Justice.

3. **The Precinct Detective Bureau** - Performs investigation services within designated geographic areas. Each of the seven Precinct Detective Bureau Squads also contains a Neighborhood Enforcement/Special Operations Team (NE/SOT). These teams will perform, but not be limited to, some of the following narcotic related functions based on conditions

within each squad's jurisdiction: investigate and combat street drug sales and possession; investigate and combat the sale of drugs from structures (i.e. crack houses); work cooperatively with Narcotics Section personnel in arranging for them to conduct buy/bust operations (Note: NE/SOT personnel are not permitted to purchase any controlled substance or marijuana.); gather intelligence and develop information concerning street level narcotics operations and develop local strategies to minimize illegal drug activity; execute search warrants in conjunction with Emergency Service Section, Detective, and Patrol personnel; provide personnel to perform field drug tests as needed; act upon the complaints and information provided to the Squad Commanding Officer by Precinct Commanders, Crime Section Commanders, and the public; and perform special operations and investigations as directed by the Detective Squad Commanding Officer.

The Precinct Detective Bureau performs the required police processing when it is determined that a perpetrator is actually under the age of 16 years old, or at the time of the commission of the crime was under the age of 16. However, the Precinct Detective Bureau will notify other responsible detective commands to process juvenile arrests when juveniles are arrested for crimes outside the scope of the Precinct Detective Bureau. All juvenile arrest paperwork, once approved by a supervisor, will be forwarded by the investigative command to the Fugitive/Missing Persons Section for subsequent distribution to the Probation Department and Family Court. When a child is sheltered for court, the investigative command will forward a copy of the paperwork with the juvenile.

The Precinct Detective Bureau also supervises the property recovery duties and responsibilities of the Property Recovery Section.

- a. **The First Squad Section** - Includes that area in the First Precinct, including the village of Amityville and those portions of the Great South Bay and Barrier Beach within the Town of Babylon.
- b. **The Second Squad Section** - Includes that area in the Second Precinct, including the villages of Lloyd Harbor, Huntington Bay, Asharoken and Northport.
- c. **The Third Squad Section** - Includes that area in the Third Precinct, including those portions of the Great South Bay and Barrier Beach within the Town of Islip.
- d. **The Fourth Squad Section** - Includes that area in the Fourth Precinct, including the villages of Head of the Harbor, Nissequogue and Lake Grove.
- e. **The Fifth Squad Section** - Includes that area in the Fifth Precinct, including those portions of the Great South Bay and Barrier Beach that are within the Town of Brookhaven (west), as well as the hamlets of Oakdale, Bohemia, West Sayville, Sayville and Bayport located within the Town of Islip.
- f. **The Sixth Squad Section** - Includes that area of the Sixth Precinct.

g. **The Seventh Squad Section** - Includes that area of the Seventh Precinct, including those portions of the Great South Bay and Barrier Beach that are within the Town of Brookhaven (east).

h. **Property Recovery Section** - conducts property recovery investigations. This Section is responsible for maintaining a reporting and checking system with second-hand dealers, jewelers and precious metal exchanges for lost or stolen property. This Section also checks all reports and bulletins which detail lost, stolen and recovered property, and takes necessary measures to locate such property and determine ownership of same. Also, this Section is responsible for forwarding descriptions of lost, stolen and recovered property to the following:

- (1) Nassau County Police Department
- (2) New York City Police Department
- (3) National Stolen Property File (FBI)
- (4) Other interested police agencies

The Property Recovery Section also maintains the transaction records submitted by second-hand dealers and precious metal exchanges to the Department, conducts investigations as to the good character of applicants for Exchange Licenses in cooperation with the Department of Consumer Affairs, and inspects the transaction records maintained by precious metal exchanges and second-hand dealers.

4. **The Special Services Bureau** - Is a staff unit responsible for the administration and supervision of the Technical Investigations Section, the Identification Section, and the Fugitive/Missing Persons Section. This bureau assists the Precinct Detective Bureau, the Major Crimes Bureau, and the Organized Crime Bureau in the investigation of crime and the detection and arrest of perpetrators.

a. **The Technical Investigations Section** - consists of the following units:

(1) **Identity Theft Unit** - Investigates crimes involving the unlawful use of the identity or other identifying information of a person. This Unit maintains a database for all identity theft crimes occurring within the Police District. In addition, this Unit acts as a liaison with federal, state and local agencies, as well as commercial entities, so as to coordinate investigations concerning identity theft crimes.

(2) **Computer Crimes Unit** - Investigates crimes requiring special equipment, skill and authority, committed through the use of computer technology, including the sexual exploitation of children via computer, performs forensic analysis of seized computers and provides technical and investigative assistance to other commands. The unit also acts as liaison with other law enforcement agencies involved in investigating computer crimes. Conducts investigations as directed by the Chief of Detectives. This unit also coordinates the activities of the Identity Theft

Unit.

(3) Polygraph Unit - This unit administers polygraph examinations for the Suffolk County Police Department, the District Attorney's Office, the Suffolk County Probation Department and associated police agencies within Suffolk County. It may also provide polygraph services to agencies outside Suffolk County with the approval of the Chief of Detectives or his designee.

b. The Identification Section - Maintains and operates a police photographic laboratory. Makes, processes and distributes such photographs, photostats, sketches and other pictorial reproductions as the operation of the Department may require including, but not limited to the photographic service to various commands within the Department for public relations purposes. Locates, preserves, and records latent fingerprints at the scene of a crime and prepares such prints for introduction as evidence in criminal proceedings. Supervises the taking, classification and control of fingerprints. Makes such searches and comparisons as required. All request for copies of photographs and fingerprint comparisons or data are forwarded to this section for processing. This section also maintains the following files: Fingerprint - Civil; Fingerprint - Criminal; Latent Fingerprints; Photographic Gallery. Section personnel will be available to give testimony in court proceedings in regard to their duties.

c. The Fugitive/Missing Persons Section - Performs a variety of tasks focusing on fugitive duties, juvenile liaison issues, and missing persons investigations as detailed in subsequent paragraphs.

Concerning the fugitive role, the section receives and records warrants forwarded by Central Records Section for execution, executes same, and makes proper disposition of these arrested persons. Files, as detainers, warrants issued for persons already in custody. Makes necessary preparations in extradition and rendition cases and assists other authorities in the lawful apprehension and removal of persons wanted for crimes in other jurisdictions. This section maintains the following warrants: felonies, persons residing outside Suffolk, persons wanted FOA.

Concerning the juvenile and missing persons role, the section will be responsible for maintaining a liaison with associated agencies involving juvenile issues. The section will assist members of the Department with questions involving the processing of juveniles. The section will also be responsible for forwarding juvenile paperwork to the Probation Department and Family Court when it is received from the investigative command. The section conducts follow-up investigations and maintains files concerning missing persons.

5. The Major Crimes Bureau - Is a staff unit responsible for the administration and supervision of the Homicide, Special Victims, Arson,

Vehicle Theft, and Narcotics Sections. This bureau is responsible for the immediate notification to the Chief of Detectives of the occurrence of any of the following:

- Murder, suspected murder, and non-negligent manslaughter.
- Assault, where death is likely to result.
- Major disasters.
- Injury to a member of the division.

a. **The Homicide Squad Section** - Investigates the deaths of human beings under circumstances requiring the attention of the Medical Examiner. In deaths classified as cause unknown, accidental, criminal or other than natural, the Homicide Squad Section will assume full responsibility for the investigation, including the preparation of all reports as prescribed. This section is responsible for conducting investigations into all incidents involving the discharge of a firearm by any law enforcement officer within the Police District that results in any physical injury or death. This section assists the Precinct Detective Bureau in the investigation of accidental or criminal acts which are likely to result in death and will maintain liaison with the Medical Examiner's Office.

b. **The Special Victims Section** - As the investigative arm of the Child Abuse Task Force, the Special Victims Section investigates sexual contact and physical abuse offenses against a child where the victim is a child less than eighteen years old and the offender is one of the following:

- A parent or other relative(s) as defined in Section 225.25 P.L., i.e.: "Ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece."

- A person not related to the victim, but who lives with the victim in a family relationship.

- A guardian, custodian, or any other person legally responsible for the child's care at the relevant time, such as babysitters, daycare providers, teacher, bus driver, and coaches.

- A person living in the same household at the time of the offense, such as a boarder or overnight guest.

- A health care provider or mental health care provider, (as defined under Section 130.00.12,13 of the New York Penal Law), where the victim is a client or patient of such provider and the sexual contact or physical

abuse occurs during a treatment session, consultation, interview or examination.

The Special Victims Section is also responsible for the investigation of any sexual assault or physical abuse allegation at the direction of the Chief of Detectives, and is available to assist Precinct Detective Squads in the investigation of sexual and physical abuse offenses. The Special Victims Section will maintain liaison with the Precinct Detective Bureau and associated agencies in the investigation of sexual and physical abuse offenses. The Special Victims Section is responsible for maintaining the files and records of registered sex offenders in accordance with the Sex Offender Registration Act, as described in Chapter 25, Section 10 of the Rules and Procedures. The Special Victims Section is also further responsible for the administration and oversight of the Sexual Assault Nurse Examiner (SANE) Program.

c. **The Arson Section** - Is responsible for the investigation, collection of evidence, case preparation and expert court testimony for felony crimes of arson, and certain misdemeanor crimes of arson when extenuating circumstances are evident. The Arson Section is also responsible for the investigation, collection of evidence, case preparation and expert court testimony for all crimes involving explosives other than fireworks. The Arson Section is not responsible for the removal of undetonated explosives. This task will be accomplished by the Emergency Services Section as outlined elsewhere in the Rules and Procedures. The Arson Section is also responsible for the investigation of all Weapons of Mass Destruction incidents and all criminal incidents involving the use of radioactive materials. The Arson Section maintains files which pertain to the crime of arson.

d. **The Vehicle Theft Section** - Primarily responsible for investigations of auto and marine theft rings, auto and marine insurance frauds, odometer frauds, other vehicle and marine related frauds, and vehicle dismantlers, dealers and persons engaged in the transfer or disposal of junk and salvage vehicles licensed under Article 16 of the Vehicle and Traffic Law. In addition to these core duties, this unit also performs the following functions:

- (1) Assist Precinct Detective Squads in the investigation of auto and marine grand larcenies, stolen or altered VIN/HIN plates and numbers, and abandoned automobiles, boats and motors.
- (2) Assist Arson Squad in the investigation of vehicle arsons.
- (3) Provide auto and marine examinations for the purpose of determining true identification of vehicles and boats.
- (4) Obtain copies of required documents from New York State DMV, motor vehicle offices of other states, and the National Insurance Crime Bureau.
- (5) Cooperate with the insurance industry and agencies of the federal, state and local governments in the exchange of information regarding auto and marine thefts and related offenses.

(6) Receive copies of lost/stolen vehicle, boat, and trailer reports, and maintain a file relative to this data. In addition, copies of recovery reports will be forwarded to this section.

e. **The Narcotics Section** - Investigates or assists the Precinct Detective Squads to investigate all narcotic law violations. This section maintains a liaison which exchanges information with federal, state and all other involved agencies. Files and statistics of known illicit distributors, transporters, and known addicts are also maintained by this section. The Narcotics Section also coordinates the activities of the Customs Task Force Unit and the Asset Forfeiture Unit.

(1) **Customs Task Force Unit** - Works directly with the U.S. Customs Service and other federal and local law enforcement agencies in conducting investigations into narcotics smuggling and international money laundering operations which have an impact on the Long Island area.

(2) **Asset Forfeiture Unit** - Pursuant to, or in conjunction with, criminal investigations performed by other investigative commands, the Asset Forfeiture Unit identifies assets that are used to facilitate criminal activities or assets that are proceeds of such activities, and assists in any forfeiture proceedings concerning such assets.

SUPPORT SERVICES DIVISION

F. **The Office of the Chief of Support Services** - Exercises command over all personnel and activities of the Support Services Division. The Chief of Support Services keeps the Police Commissioner informed of all important matters and any action taken pertaining to same.

1. **The Staff Services Bureau** - Is a staff unit responsible for the administration and supervision of the Transportation Section, Quartermaster Section, Facilities Management Section, and their related duties. It is responsible for ensuring that all Departmental equipment and property receive the required preventive maintenance and are maintained in a state of operational readiness.

a. **The Transportation Section** - Is responsible for preparing specifications for and accounting for all Suffolk County Police vehicles; acts as liaison between the General Service/Fleet Service Administration and the Police Department, ensuring quality maintenance and repair of police vehicles; maintains a police motor pool; processes police motor vehicle crashes; maintains an inventory of roof lights and decals; and assigns all police vehicles;

b. **The Quartermaster Section** - Is responsible for the procurement of all equipment, supplies and materials and all other sundry items, necessary for the operation of the Department, through the Department of Purchase, Suffolk County, New York. It also

maintains an inventory of all Department property, keeps the necessary records thereof, and insures the operational readiness of agency property. Duties include the receipt, storage and distribution of all uniform wearing apparel and accessories. Is responsible for the procurement of orders and requisitions, distribution and maintenance of adequate inventories of supplies and materials including, but not limited to, forms, publications, computer supplies, first aid supplies, vehicle emergency equipment, office supplies, etc.

c. **The Facilities Management Section** - Is responsible for the inspection and maintenance of all buildings and properties owned or leased by the Department. Operates a maintenance shop for repair and maintenance of said facilities.

2. **The Administrative Services Bureau** - A staff unit responsible for the administration and supervision of the Budget Section and the Finance Section. An individual designated by the Administrative Services Bureau acts as the Department's bereavement officer. Upon the death of a member of the Department the survivor(s) of the deceased will be contacted by this individual to explain benefits, prepare a written summary, and assist survivors in applying for and obtaining benefits. This individual also acts as the Department's liaison officer with the New York State Retirement System and performs individual retirement counseling sessions with sworn members of the Department.

a. **Budget Section** - Is responsible for the preparation of the Department's operating and capital budgets. This unit is also responsible for the researching, acquiring, and processing of grants.

b. **Finance Section** - Is responsible for the payment of authorized operative expenses incurred by the Department and its members and is responsible for exercising administration of all monies allotted to the Department and its members.

3. **The Communications and Records Bureau** - Is a staff unit responsible for the administration and supervision of the Communications Section, Central Records Section, Technical Services Section, and their related units.

a. **The Communications Section** - Is responsible for maintaining compliance with current FCC Rules and Regulations and consists of the following units:

(1) **The Receiving/Dispatching and Teletype Unit**
- Receives telephone requests for police services, assigns members of the Department to respond to such requests, and operates a telephone complaint reporting system. Receives, transmits and records all authorized messages through the Department Teletype System.

b. **The Central Records Section** - Is responsible for maintaining the centralized information and filing systems of the Department and consists of three units:

(1) **The Reports Control and Maintenance Unit** - This unit processes

all paperwork received by Central Records, which includes sorting and coding, and ensuring that the primary reporting document (i. e., Field Report, incident Report, etc.) contains the required information for the specific type of incident reported. These reports are then checked for central complaint number accuracy and corrections are made as needed; they are then sent to a data entry vendor for pickup of required data. When the reports come back from the vendor, they are filed. The tapes produced by the data entry vendor are used to update Soundex and to compile department incident statistics and Uniform Crime Reporting (UCR) statistics. Copies of reports which are required by law enforcement personnel for official business are provided on request unless restricted by law. In addition, certified copies of documents maintained in Central Records files are provided to the public on request either in person or by mail, as required under the Freedom of Information Law (FOIL). A Mail Room and Courier service is provided to pick up and deliver all intra-department mail, plus all mail coming from and going to the U.S. Post Office. Pickups and deliveries are also made to selected County and State buildings within the police district. This unit also maintains liaison with, and forwards required reports to, the New York State Department of Motor Vehicles and the Traffic Division of the Suffolk County Department of Public Works. The Reports Control and Maintenance Unit processes court dispositions and court orders to seal records; they then send copies of these documents and/or letters of notifications to all appropriate commands. Whenever fingerprints and/or photographs have been taken, a copy of the sealing order is sent to the identification Section so that they can either return the items to the defendant or destroy them as required by law. The Warrant Control group which makes entries, updates, and removals in the County Warrant System, and maintains the warrant files in Central Records, is also a part of the Reports Control and Maintenance Unit. In addition, the Reports Control and Maintenance Unit includes the Microfilm Area which is responsible for microfilming all documents sent to Central Records for permanent retention.

(2) **Arrest Records Unit** - This unit handles all criminal history checks, warrant checks, PIN searches, PIN assignments, and other searches and duties required for police arrests. This unit also performs arrest record searches, as authorized by law, for other agencies and the private sector. In addition, a check is made for aliases, duplicate PINs, etc., to detect and correct errors in the manual arrest records system and in CHASE. This unit works seven days a week, twenty-four hours a day to provide service to Suffolk County Police and other criminal justice units and County agencies, including the District Attorney's Office, the Probation Department, the Sheriff's Department, Department of Social Services, and the courts.

(3) **Arrest Processing Unit** - Is the central arrest processing facility responsible for the entry of the Arrest Worksheet and the Field Appearance Ticket into the CHASE (Criminal History and Suspect Evaluation) module of CJIS (Criminal Justice

Information System). It maintains booking and arrest information, records charges, builds criminal histories, and generates an arrest package. This unit also is responsible for the entry of UR 18s and its associated computer edit. The Arrest Processing Unit provides 24 hour, 7 day a week coverage.

c. **The Technical Services Section** - This command plans, designs and implements two-way radio communication systems for the County Police Department and major integrated two-way radio communication systems for the County government and participates as an official liaison to the FCC for governmental radio communications planning, for regional areas within the eastern seaboard. The command also installs, services, maintains and repairs the radio system and its component parts and equipment, closed circuit television systems, master clock systems, 911 dispatch equipment, electronic sirens, radar guns, department alarms, emergency generators, and other department electrical/electronic equipment.

4. **The Police Academy Bureau** - Conducts the instruction and training for all members of the Department. The Academy Bureau is also responsible for coordinating and making appropriate notifications and invitations to departmental functions including funerals, memorial services, awards ceremonies, promotions, graduation and swearing-in of new police recruits. The Police Academy Bureau maintains the following sections:

a. **The Recruit Training Section** - Is responsible for the entry level training of probationary police officers in accordance with the mandate of the Municipal Police Training Act of the State of New York.

b. **The In-Service Training Section** - Is responsible for the continual retraining of police officers as well as specified departmental training such as supervisory and criminal investigation courses and is responsible for the development of audio visual training programs pertinent to local and state laws and departmental procedures, and provides audiovisual support to other commands and agencies.

c. **The Firearms Training Section** - Is responsible for the annual firearms qualifications of all members of the Service. Issues ammunition and weapons to members of the Service and various commands as directed. This unit repairs, assembles and tests Department issued weapons. A stock is maintained of weapons, claybirds and ammunition. It is the responsibility of the commanding officer of the unit to report any changes (sale, acquisition, issuance, destruction, transfer) in the Department's handgun inventory to the commanding officer of the Pistol Licensing Bureau. This report will list the following information: manufacturer's name, caliber, serial number, model, type and who weapon was acquired from. This unit is also responsible for reporting to the Pistol Licensing Bureau, via appropriate forms, any changes in the Department issued handgun inventory of a member of the Service.

5. **Human Resources Bureau** - Is responsible for the Personnel Section and

Payroll Section.

a. **The Personnel Section** - Is responsible for employee records which include, but are not limited to, leave of absence, retirements, resignations, injuries, attendance, and other terminations in accordance with law. Maintains the disciplinary records with the exception of Command Discipline Reports of all members of the Department. Completes the personnel history and personnel forms of all members of the Department. Inspects and files documentary papers relating to birth, military records, marital status and education of all members of the Department.

b. **The Payroll Section** - Is responsible for auditing and maintaining payrolls for all members of the Department, including Crossing Guards.

6. **The Property Bureau** - Is a staff unit responsible for the administration and supervision of the Property Section. In order to ensure adherence to all procedures related to the control of property, the Executive Officer of the Support Services Division shall cause an inspection to be conducted, to include sample inventories, of the Property Section at least twice a year and whenever there is a change in the Commanding Officer of the Property Section. A record of these inspections will be filed and maintained by the Property Bureau.

a. **The Property Section** - Supervises and is responsible for the operations of recovered property, and oversees the Impound Unit.

(1) **The Impound Unit** - Is responsible for all vehicles impounded for evidence and non-evidentiary impounds as outlined in the Rules and Procedures, Chapter 20.

VII. **ACCREDITATION STANDARD REFERENCES**

- A. CALEA
- B. NYSLEAP

VIII. **INDEX**

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-32

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE POLICE OFFICER DUITES AND RESPONSIBILITIES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 04/25/07	DATE EFFECTIVE 04/25/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 6: TITLE: POLICE OFFICER DUTIES AND RESPONSIBILITIES

I. PURPOSE

To affirm the general duties and responsibilities common to all police officers.

II. POLICY

The duties of a police officer are defined by legislative statutes, judicial interpretations, the Rules and Procedures and the orders of the Police Commissioner. The police officer while in the performance of his or her duties, however, must bridge the gap between the theoretical and the practical. The accomplishment of this purpose is of paramount consideration and only to this end would he or she go beyond the limitations of the Rules and Procedures in their determination of what action to take. This applies to ALL sworn members of the Service.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Police Mission - A Police Officer is responsible for the accomplishment of the police mission on his/her post and he or she constantly directs their best efforts toward the intelligent and efficient accomplishment of that end. All sworn members of the Service are required to be fit to perform the full duties of their position.

B. Authority for Mission - As per Article XIII, Section C13-1 of the Suffolk County Charter, "Within the county, the County Police Department and members thereof shall exercise all rights, privileges, duties and responsibilities of peace officers and law enforcement officers, as provided in the Penal Law, the Code of Criminal Procedure and other laws of the state and county."

C. General Duties - Police Officers have the general duties and responsibilities prescribed for all members of the Police Department and such specific duties as are prescribed in various sections of these Rules and Procedures as well as in division and command general orders. General duties necessitate the carrying of firearms and the operation of Department vehicles, and the demonstrated ability to do these duties safely and skillfully.

D. Prevention of Crime - It is the responsibility of all sworn members to take every lawful means to prevent the commission of crime and suppress all forms of commercialized vice and gambling and the illegal use and distribution of drugs on his post. Summary arrests are made whenever possible.

E. Police officers should exercise discretion in enforcement activities and arrest situations based on the seriousness of a violation and the probability of subject's appearance in court. In such situations there are often several alternatives the officer may consider before making an arrest (verbal warning, mediation referral, summons, field appearance ticket). When the use of discretion is necessary, officers should rely on their experience, training and good judgment. It is of the utmost importance that all officers, when exercising discretion, maintain the highest values, standards and objectives of this Department and are governed by Department Rules and Procedures and prevailing laws. Discretion may also be regulated by Department personnel in supervisory positions.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 7: TITLE: STANDARDS OF SUPERVISION

I. PURPOSE

To outline the Department's expectations for those who serve in a supervisory role.

II. POLICY

A. The Department is organized along military lines of authority and responsibility. Accordingly, supervision is the means by which Department objectives are accomplished.

B. Each supervisor is responsible for the performance and conduct of his subordinates. As such the supervisor is granted commensurate authority to fulfill these responsibilities and is held accountable for his use of this authority.

C. A supervisor by virtue of his rank is placed in a leadership role and as such is not expected to engage in routine enforcement activities except in a command or supervisory capacity. The supervisor's primary responsibility is to influence and direct his subordinates in the accomplishment of the police mission.

D. The supervisor's position within the Department is critical to the accomplishment of the police mission, none more so than the first line supervisor who has the responsibility of ensuring that the job is done properly.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Whatever the supervisor's position, there are certain tasks and responsibilities that are fundamental to his leadership role. The following are some but not all of these tasks and responsibilities:

1. Decision Making - Evaluate a situation, utilize good judgement to positively effect the situation and provide appropriate leadership to subordinates.
2. Inspection - The supervisor is responsible for ensuring compliance with the Rules and Procedures, and all authorized orders. This is accomplished by keeping his subordinates informed and through the use of positive or, when necessary, negative discipline.
3. Communicating - The supervisor must communicate effectively. The maintenance of effective communications is the key to conveying the objectives and goals of the organization and coordinating the activities of subordinates.
4. Personnel Development - The supervisor must be a teacher and mentor to subordinates thereby ensuring that performance standards are maintained. In addition the supervisor offers advice and counseling to subordinates who wish to enhance their professional development.
5. Planning - The supervisor must plan activities and events to ensure that policing of these events is conducted using the most efficient methods available. The supervisor must critically assess operations with a view toward recommending change when necessary.
6. Example - The supervisor must serve

as a role model to his subordinates as well as others in the Department. A supervisor should make every effort to exhibit excellence, and thereby epitomize the virtues associated with professional policing: integrity, courage, loyalty, selflessness, honesty and honor.

VI. PROCEDURES

N/A

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

N/A

END



ORDER NUMBER 08-01

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE COMMANDING OFFICER DUTIES AND RESPONSIBILITIES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 01/04/08	DATE EFFECTIVE 01/04/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 8: TITLE: COMMANDING OFFICER DUTIES & RESPONSIBILITIES

I. PURPOSE

To provide specific requirements and guidelines for supervisory personnel assigned to the position of commanding officer.

II. POLICY

A commanding officer has responsibility and accountability for every aspect of his/her command. Commensurately, within policy guidelines and legal constraints he/she has the authority to coordinate and direct assigned personnel and other allocated resources in achieving his/her organizational objectives. In so doing, he/she must perform the full range of administrative functions, relying upon policy, direction, training, and personal initiative to guide him/her and his/her command in achieving the highest level of performance possible.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Responsibilities

1. Administration - The commanding officer exercises control over all members of his/her command. He/she is held responsible for the accomplishment of the police mission through the effective administration and operation of his/her command.

2. Deployment of Personnel - He/she assigns members of his/her command in such a manner as to effectively accomplish the police mission in the area under his/her command in full compliance with the Rules and Procedures. He/she is empowered to redeploy his/her personnel in accordance with workload requirements, to maintain a distribution of his/her force among shifts, in proportion to the workload.

3. Statistical Analysis - He/she analyzes departmental statistics to ascertain troublesome areas in his/her command and takes proper remedial action.

4. Discipline and Efficiency - He/she is responsible for the maintenance of discipline and efficiency of the personnel of his/her command and their full compliance with the Department Rules and Procedures, appropriate manuals, and all orders of the Police Commissioner or his deputies, or any other superior officer.

5. Department Property and Equipment - He/she is responsible for the maintenance of the good order and sanitary conditions of all departmental buildings and parts thereof under his/her command and is accountable for the furnishings and equipment assigned thereto, making frequent inspections and promptly reporting such items in need of replacement or repair to the proper authority. In like manner he/she inspects and reports all departmental vehicles, weapons, and other special equipment assigned to the command in need of replacement or repair.

6. Complaints Reported - The Commanding Officer is expressly required to ensure that all reported complaints received by the command are properly investigated, in a timely manner, with appropriate action taken when and where necessary, and,

a. shall ensure acknowledgement of receipt of the complainant is made via a letter to the complainant which shall contain the following:

- 1) Acknowledgement of receipt of the complaint and the date it was received, and,
- 2) assurance that a thorough investigation will be performed, and,
- 3) the name and telephone number of the Department member designated as the point of contact.

7. Computer Terminals - To ensure the security of our use

of the NYSPIN system, commanding officers are responsible to monitor computer terminals in their command to ensure that there are not breaches of security (e.g., security numbers posted on computer terminals, members giving their access number to other partners, members accessing information for other than authorized police business, etc.).

B. Duties

1. Assignment Changes - He/she reviews and approves, or directs such changes in assignments of personnel under his/her command as deemed advantageous to the accomplishment of the police mission.

2. He/she requests, when conditions warrant, the aid of the division commander for such additional temporary manpower as deemed necessary to meet the current or anticipated emergency.

3. He/she insures that, all members of his/her command are provided with a copy of the Department Rules and Procedures and appropriate manuals and are properly instructed in the contents thereof. He/she checks their knowledge of their duties as to best accomplish the police mission.

4. He/she insists that all members of his/her command comply with standard operating procedures, giving special attention to those failures that may jeopardize the safety of his/her subordinates, the rights and liberties of private persons and the reputation of the Police Department.

5. Instruction on Conduct - He/she instructs or causes to be instructed, the members of his/her command in regard to their conduct, both on and off duty, in order to avoid actions deemed detrimental to the good order and efficiency of the Police Department.

6. He/she makes frequent inspections in the area under his/her command at irregular times noting all violations of laws and ordinances, especially those pertaining to gambling, vice, narcotics, public morals, alcoholic beverages, and other conditions requiring attention. He/she makes tours of inspection, at unannounced and unusual hours, of officers on duty to establish that their duties are being properly performed. He/she takes such remedial action as required to correct any such violations noted.

7. He/she refers to the proper command all requests by outside jurisdiction for police assistance.

8. Line of Duty Death - He/she carefully investigates the reported death of any member of the Police Department or Force while acting in the discharge of duty within his/her command and forwards, through official channels, a written report in full detail to the

Police Commissioner.

9. Department Recognition - He/she submits a comprehensive written report to the division commander when a member of his/her command, or of another command if brought to his/her attention, performs any exceptional act, or deed of particular merit which in his/her opinion is worthy of official recognition. He/she also, in like manner, reports those instances in which a civilian has rendered assistance to the Department, in the apprehension of a criminal, or in an emergency.

10. In the event of riots, bombings, explosions, destruction of property or other forms of violence growing out of labor or industrial disputes or minority tensions, or any other unusual incidents reasonably deemed of importance to the Police Commissioner or his staff or the news media, he/she promptly notifies the division commander and the Communications Section.

11. He/she makes decisions as to action to be taken in cases referred to him/her by the Communications Section duty officer.

12. He/she reviews the circumstances of the arrest of each person arrested by members of his/her command to ascertain that all are legally detained.

13. He/she decides questions relative to the action to be taken on arrests made by members of his/her command and by other members of the Department whose commanding officer is not available for decision.

14. He/she communicates frequently with his/her command when making inspections in the area under his/her command and when absent keeps the command informed where he/she may be found. He/she frequently tests the knowledge of personnel assigned to his/her command as to conditions within the area of their responsibility, persons residing or doing business there, and the nature of business being transacted.

15. Equipment, Termination of Service - He/she obtains all Police Department property in the possession of a member of the Department or School Crossing Guard who is suspended, resigns, retires, is dismissed, has been given a leave of absence for a period of over thirty (30) days or during active military leave. He/she also obtains from the above-mentioned persons all revolvers and pistols in their possession. He/she immediately obtains all Police Department property and all revolvers and pistols from the effects of a deceased member or other employee. He/she promptly has all items acquired as above invoiced as listed in the prescribed manner to the Quartermaster Unit. Firearms will be invoiced to the Armorer Unit.

a. Crossing Guards are authorized to retain their

badges and uniforms upon completion of the school term. In the event they do not return for employment upon the reopening of school the following term, it shall be the responsibility of the precinct commanding officer to obtain the issued equipment.

16. Excuse from Duty, Court - He/she may excuse members of his/her command below the rank of captain, on duty from 0001 hours to 0800 at 0400, who are under proper subpoena or other notification, compelling their appearance before 1200 the same day.

17. He/she may grant permission to members of his/her command performing similar duty to exchange tours, relieve early or late, when agreeable to both, and will not interfere with police service. This privilege is not granted in conjunction with leaves of absence or in allowing members affected to perform two consecutive tours of duty. The names of the members concerned and particulars are entered on the appropriate duty charts and the attendance information is noted as outlined by these Rules and Procedures.

18. Crime Scene Investigation - He/she requires members of his/her command to carefully preserve crime scenes intact, prohibiting the entrance into the area of all unauthorized persons pending the arrival of Detective Division personnel, and coordinates the crime investigation efforts of the members of his/her command with those of the Detective Division.

19. Liaison with Local Government - He/she shall endeavor, through close association and cooperation with local boards of government and civic groups to foster a relationship mutually beneficial to this Department and the general public.

20. Meals for Extended Duty Tactical Specialists

In exigent extended duty circumstances a Supervisor, at the rank of Captain or above, may authorize a basic sustenance meal for Officers involved in an incident of intense, unplanned and unexpected length. This meal will be procured and vouchered from the same precinct location as meals for prisoners are obtained. This policy will not affect an Officer's regular contractual meal rights.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 06 - 27

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE DISTRICT COMMANDER DUTIES AND RESPONSIBILITIES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/08/06	DATE EFFECTIVE 03/08/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 9: TITLE: DISTRICT COMMANDER DUTIES AND RESPONSIBILITIES

I. PURPOSE

To ensure the presence of a ranking member of the Department, on duty, in uniform, during other than normal business hours.

II. POLICY

It shall be the policy of the Suffolk County Police Department to assign members of the Service at the rank of Captain to act as District Commanders, from 2000 - 0400 hours in order to provide a ranking officer to oversee the operations of commands working during those hours and to help ensure the effectiveness of the Department as a whole through critical supervision of all members, both individually and on a command level. District Commanders will coordinate among precincts and bureaus as necessary, lend support to the officers and supervisors on duty and shall provide timely information and notifications regarding incidents and conditions throughout the Police District.

III. DEFINITIONS

A. District Commander - A member of the Service holding the rank of Captain who is responsible for the direction of the Police Mission during those times when commanding officers are normally not on duty.

IV. REFERENCE

NA

V. RULES AND REGULATIONS

NA

VI. PROCEDURES

A. District Commander Responsibilities - Unless there is a superior officer of higher rank at a command or incident, District Commanders will be in charge of the Police Mission and the good order of the Police Department. They will direct the efforts of all personnel within the Police Department toward the fulfillment of the Police Mission and shall coordinate the efforts of the Department.

When two Captains are sharing District Commander duty, they will split geographical areas of coverage and responsibility, unless one of them is assigned to an unusual or major incident. Nothing will preclude both Captains from being at one incident if circumstances dictate the necessity.

B. District Commander Duties

1. Travel throughout the Police District - District Commanders will observe conditions and personnel deployment in order to ensure that Department resources are being utilized to their maximum advantage. In addition, District Commanders will visit precincts, will attend roll call inspections, and will visit other Department commands, including Headquarters and Detective commands.

2. Supervise Procedures - District Commanders will offer critical advice and take remedial measures when deviations from accepted Departmental policies and procedures are noted and when, under such circumstances, immediate action is deemed advisable. In other cases, the observations and recommendations are to be reported via Internal Correspondence to the Chief of Department. For lesser deviations, these incidents may be reported directly to the appropriate Precinct, Bureau, or Section Commander.

3. Liaison - District Commanders will maintain constant liaison with the Communications Section Duty Officer while on duty.

4. Response to Incidents - District Commanders will respond to incidents within the Police District (and when appropriate, outside the Police District) which, by their nature, may indicate the advisability of the presence of a ranking officer and assume command when and where necessary.

5. Assist at Emergencies - District Commanders will provide assistance and direction at emergencies and implement existing plans as necessary.

6. Homeland Security and Emergency Management - District Commanders

shall take command of disasters and Homeland Security critical incidents, until relieved by a higher ranking supervisor. They shall act as Incident Commanders and manage all incidents in accordance with the National Incident Management System (NIMS). District Commanders must remain familiar with the Patrol Alert Readiness Procedure, CAT Team Mobilization and Suffolk Law Enforcement Coordinated Response Group (SCLERG) deployment procedures and shall make recommendations with regard to modifying the **Alert Level** when conditions warrant. They shall ensure that required notifications are made to the Duty Officer, Chief of Patrol, and Deputy Chief of Homeland Security.

7. Coordination of Field Operations - District Commanders will coordinate field operations involving more than one command, particularly when such operations involve commands from different divisions.

8. Notifications - District Commanders will notify the Chief of Patrol and / or other ranking members of the Department of details regarding any incident of such serious nature that, in their opinion, would require immediate notification, **over and above** the Department's other provisions regarding such notifications.

9. Evaluation of Procedures - District Commanders will evaluate existing policies, procedures and assignments within in the Police Department and make recommendations to the Commissioner via the Office of the Chief of Department.

10. Administrative Responsibilities - District Commanders will accept administrative responsibility in the absence of a superior.

11. Line-of-Duty Injuries - District Commanders will respond to assist, however possible, at the scene of any incident in which a Department member may be seriously injured in the line of duty.

12. Discipline and Morale - District Commanders will investigate matters of discipline and morale within the Police Department.

13. Inspection of Personnel and Records - District Commanders may inspect personnel and examine records within the Department at irregular intervals for conformity with the Rules and Procedures.

14. Installations and Equipment - District Commanders may inspect installations and equipment for serviceability, cleanliness and sufficiency.

15. Public Relations - District Commanders will maintain a high level of community relations with the public and the news media.

16. Ensure the Flow of Information - District Commanders will ensure that prompt and detailed information is received by the Director of

Public Information or the Public Information Section, regarding serious, unusual, or newsworthy incidents.

17. Tour Report - District Commanders will prepare a report at the completion of each tour of duty detailing all actions taken during the tour. Copies of these reports will be forwarded via e-mail to the Police Commissioner, Deputy Police Commissioner, Chief of Department, Division Chiefs, Assistant Chiefs and Deputy Chiefs. When a confidential incident occurs, especially of a personal or criminal nature involving a member of the Department, an entry of "Confidential Incident - see attached report" should be entered on the District Commander's report. Details concerning the incident shall be recorded on a separate Internal Correspondence, marked "Confidential" and submitted to the Chief of Department.

18. Additional Duties - Additional duties may be assigned to District Commanders by the Commissioner, Chief of Department, or Chief of Patrol.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-08

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE SPECIAL BOARDS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 01/11/08	DATE EFFECTIVE 01/11/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 1: TITLE: ORGANIZATION AND PHILOSOPHY OF THE DEPARTMENT

SECTION 10: TITLE: SPECIAL BOARDS

I. PURPOSE

To define the missions, duties and powers of special boards within the Department.

II. POLICY

Special Boards are formed and engendered with specific oversight and regulatory powers in furtherance of the police mission. The Police Commissioner and/or designee can authorize the initial formation and continued existence of Special Boards.

A. Formation

1. A Department Special Order shall be issued to authorize the formation of a Special Board.
2. The objectives, duties, operational procedures and powers of the Special Board shall be clearly described within this Special Order or as contained within this section of the Rules and Procedures.
3. Members of Special Boards are appointed and replaced via Department Personnel Order, if not specified in the Special Order.

B. Dissolution

1. Special Boards may be dissolved upon issuance of a subsequent Department Special Order.

III. DEFINITIONS

A. Special Board - An appointed body of members of the Department with a specific oversight focus and regulatory powers.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Critical Incident Board

1. Objective: The Board shall be convened by the Police Commissioner, or designee, to review the following Critical Incidents:

- a. Police Vehicle Crashes.
- b. Police Vehicle Pursuits involving injury.
- c. Emergencies.
- d. Response to large scale incidents.
- e. Tactical operations.
- f. Homeland Security issues.
- g. Any incident deemed appropriate by the Police Commissioner.

2. General Duties: The Critical Incident Board shall thoroughly review all incidents for which the Board is convened and submit a report to the Police Commissioner. This report shall identify any potential faulty, inappropriate or outdated Departmental procedures. The Critical Incident Board shall also identify any additional training needs for the Department and provide recommendations to the Police Commissioner to improve and enhance the police mission.

3. Board Members: The Critical Incident Board Chairperson shall be assigned by the Police Commissioner, or designee. The Board will also include the Commanding Officer of the Police Academy Bureau, the Commanding Officer of the appropriate Training Section, (for example if reviewing a police vehicle crash, the Commanding Officer of the EVOC unit of the In Service Training Section), and the current board of Captains that comprise the Accident Review Board.

- a. The presence of the Chairperson, or designee, and two board members, will constitute a quorum.

4. Police Vehicle Crash Criteria for Review:

- a. Provide a central review point for all Police Vehicle Crashes which do not involve a Police Vehicular Pursuit with physical injury.

5. Police Vehicle Crash Review Parameters - Review to include, but not limited to, the following:

- a. All paperwork regarding Police Vehicle Crashes is forwarded from the various commands to the Transportation Section. The Transportation Section then collects the information and creates a separate packet for each crash. These packets should be forwarded, as soon as possible, to the Board for review.

b. The paperwork compiled on each Police Vehicle Crash shall be distributed to, and divided among, members of the Board prior to each meeting for independent review.

c. During each meeting, members of the Board discuss the crashes which they have reviewed. Each member should then specifically note their concurrence or non-concurrence with the existing classification, preventable or non-preventable, assigned to each crash.

d. Identify Police Vehicle Crash patterns.

e. Identify faulty, inappropriate and outdated procedures leading to or exacerbating crashes.

f. Identify patterns of vehicle flaws relative to makes and models.

g. Provide a record of each member's vehicle operation history to ensure that special needs for training and/or discipline are identified upon that member's first involvement in a Police Vehicle Crash.

h. Provide a general review of all supervisory actions subsequent to Police Vehicle Crashes to ensure that thorough investigations and accurate evaluations of contributing factors are conducted.

6. Police Vehicle Crash Review Findings - Make recommendations to the Police Commissioner in the following areas:

a. Identify additional training needs.

b. Provide a general guide for future modifications to the emergency vehicle operations course.

c. Compile statistics relative to Police Vehicle Crashes.

7. Board Powers Involving Police Vehicle Crashes:

a. The Board may change the existing classification of a Police Vehicle Crash upon review and as a result of a Board vote with concurrence from the Chief of Department.

b. The Board may revise any Department paperwork affected by a change in the classification of a Police Vehicle Crash. This may come as a result of the Board's review of said crash.

8. All other Critical Incidents will be reviewed as they present themselves and in the manner deemed appropriate by the Chairperson.

B. Departmental Automation Policy Board

1. Objective

(a) The Departmental Automation Policy Board shall review technological changes which have been, or which are about to be, implemented and determine what policies need to be established.

2. Duties

(a) Establish policy for the numerous technological advancements that have been accomplished, including but not limited to the Automatic Vehicle Locator History, Electronic Mail, Automated Precinct Bulletins and bureau Newsletters.

(b) Develop implementation policy and procedures for new programs made viable through technology, including but not limited to the reintroduction of the "No Report" (10-60) program and the "Gone on Arrival" (10-19) without a written report.

3. Procedures

(a) The Board shall be comprised of the Deputy Chiefs from each of the three Divisions, the Inspector from the Office of the Chief of Department, the Supervisor of the Research and Development Section, and the C.O. of the Communications and Records Bureau.

(b) The Chief of Department shall select the Chairperson.

(c) The Board shall convene on a regular basis as determined by the Chief of Department.

(d) Individuals with particular subject matter expertise may be called as needed.

(e) Any policy changes or recommendations shall be submitted through the proper channels to the Office of Chief of Department.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Boards, Special 1/10
Critical Incident Board 1/10
Departmental Automation Policy Board 1/10
Special Boards 1/10

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER	08-05
	08-25
	08-44

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE
 RULES OF CONDUCT

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 01/09/08 03/11/08 06/26/08	DATE EFFECTIVE 01/09/08 03/11/08 06/26/08	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 1: TITLE: RULES OF CONDUCT

I. PURPOSE

To set forth rules which govern the conduct of members of the Department in specific situations.

II. POLICY

As most police work is necessarily performed without close supervision, the responsibility for the proper performance of an Officer's duty lies primarily with the Officer. Officers carry with them a responsibility for the safety of the community and their fellow Officers. They discharge that responsibility by the faithful and diligent performance of their assigned duties. Anything less violates the trust placed in the Officer by the people, and nothing less qualifies as professional conduct.

III. DEFINITIONS

- A. Chemical Test - The analysis of a collected sample for the purpose of determining the existence and quantity of alcohol, drugs or steroids.
- B. Drug - As defined in section 3302 of the New York State Public Health Law and/or the Code of Federal Regulations, Schedule of Controlled Substances Schedule III.
- C. Intoxicant - Alcohol, drugs or steroids.
- D. Practitioner - As defined in section 3302 of the New York State Public Health Law.
- E. Unauthorized Drug - Any controlled substance, marijuana or concentrated cannabis as defined in section 220.00 of the New York State Penal Law and/or the Code of Federal Regulations, Schedule of Controlled Substances Schedule III., which is possessed or used without a prescription from a licensed Practitioner.
- F. CBA - The Collective Bargaining Agreement currently in effect for members of the Department, as negotiated by their respective Collective

IV. REFERENCE

- A. Family and Medical Leave Act 29 USCA 2601, et seq.
- B. Mandatory Guidelines for Federal Workplace Drug Testing Programs
- C. NYS Penal Law Section 220.00
- D. NYS Public Health Law Sections 3302 and 3306
- E. NYS Vehicle and Traffic Law Article 31
- F. 49 Code of Federal Regulations, Part 40

V. RULES AND REGULATIONS

A. Fitness for Duty and Capacity for Duty - The position of Police Officer is a vigorous position requiring the carrying of firearms and operation of Department vehicles. All sworn members of the Service are required to be fit to perform the full duties of their position.

1. General - Permanent physical incapacity, mental incapacity or other permanent inability to perform full police duties can be cause for dismissal from the Police Department, if such incapacitated member refuses or delays voluntarily terminating his or her services.

2. Off-Duty Injury, Condition, or Illness - Any sworn member who incurs an off-duty injury, illness or condition that prevents him/her from performing full police duties will not be allowed to work until such time said Officer is able to perform full police duties. For the purposes of this entire section, "Fitness for Duty and Capacity for Duty," a sworn member who presents, to her Commanding Officer and the Police Surgeon, a Doctor's Note indicating that she is pregnant and no longer fit to perform full duty due to said pregnancy, is exempted. Any sworn officer who presents such a Doctor's Note and who requests limited duty assignment will be accommodated with limited duty in an administrative position during the remainder of her pregnancy. The location and nature of such limited duty, which may not be at the sworn member's assigned Command, is at the sole discretion of the Police Commissioner.

3. Unavailability of Protective Vest/Body Armor Equipment - Any sworn member who is otherwise able to perform full police duties, but who is experiencing a temporary physical condition that in the sole discretion of the Department prevents or precludes Department-issued protective vest/body armor equipment from being available to him/her, whether such physical condition occurs on or off-duty, is eligible for limited duty for a period up to three consecutive months per condition.

a. A member requesting eligibility for limited duty pursuant to this paragraph shall submit an Internal Correspondence to his/her Commanding Officer describing the condition that precludes the wearing of the Department-issued protective vest/body armor equipment. The member's Commanding Officer shall forward a copy

of the Internal Correspondence via the chain of command to the Chief of Department for review. Work assignments, including transfers, of members approved for limited duty will be at the sole discretion of the Police Commissioner.

B. Intoxicants: A member of the Department shall not report for duty, or be on duty, while their ability to perform their duty is impaired by the use of any Intoxicant.

1. Responsibilities of Members of the Department:

a. A member of the Department will not report for duty emitting the odor of any substance that is commonly identified with being an Intoxicant.

b. A member of the Department will not bring, or permit to be brought, any Intoxicant into a Departmental building, booth, vehicle, aircraft or boat, except in the performance of police duty, or when required for prompt administration of a medication which has been legally prescribed by a licensed practitioner.

c. A member of the Service, while on duty, does not enter any premises used for the manufacture, storage, shipping or sale of Intoxicants, except in the performance of a police duty or for the purpose of eating a meal in a duly licensed hotel or restaurant.

d. A member of the Department, while on duty or in uniform, shall not consume or otherwise ingest any Intoxicant, unless:

(1) Specifically granted advance express permission by their Commanding Officer to consume an alcoholic beverage in connection with an undercover assignment or training exercise.

(2) The Intoxicant is a medication which was legally prescribed for a member of the Department by a licensed practitioner for the treatment of an illness or ailment, providing that the consumption or ingestion of medication does not impair the member's ability to perform their assigned duty.

(3) The Intoxicant is an "over-the-counter" medication being used for the treatment of an ailment and that the consumption or ingestion of the medication does not impair the member's ability to perform their assigned duty.

e. Members of the Department are strictly prohibited from possessing or using (consuming or otherwise ingesting) any unauthorized drug or steroid, whether on or off duty, unless possession by the member is required in the course of official duties.

2. Responsibilities of a Supervisor - At any time a Supervisor reasonably suspects that a member of the Department has reported for duty in an unfit condition, or while otherwise on duty is unfit for duty, by reason of the use of an Intoxicant, and the Supervisor can clearly

articulate the reasons, the Supervisor will:

a. Immediately relieve the member of the Department of normal duty and place the suspected member on a modified assignment for the duration of that tour of duty, pending the completion of chemical testing.

b. Contact the Internal Affairs Bureau. The IAB will supervise the chemical testing of the member. (In cases where the incident occurs during non-working hours of the IAB, the supervisor will contact the Communications Section Duty Officer. The Duty Officer will notify the Commanding Officer of IAB.)

c. Notify the Commanding Officer of the suspected member, as well as their own Commanding Officer of events "a." and "b." above.

3. Chemical Testing - The results of any chemical test taken from any member of the Department which indicates the presence of any Intoxicant will constitute presumptive evidence that the member has possessed and ingested said substance.

a. Members of the Department are required to submit to directed chemical tests when ordered to do so by a Supervisor, for the purpose of determining the Intoxicant content of the member's blood and/or urine. Members of the Service are required to submit to random chemical testing as specified in their respective CBA.

b. Members of the Department are considered unfit for duty if their Blood Alcohol Content (B.A.C.) is .04 or greater.

c. The collection and testing of samples will be performed in accordance with the standards set forth in the respective CBA of each member of the Department. If a specific chemical testing protocol is not referenced in a member's CBA, The Internal Affairs Bureau will follow the same procedures as are in effect with members of the Service.

4. Discipline for Positive Chemical Testing - Members of the Department testing positive for Intoxicants will be disciplined by procedures set forth in the CBA that covers their employment. If a disciplinary procedure has not been established by a specific CBA, these Rules & Procedures, Chapter 5 Section 1, will be used for members of the Service and Chapter 5, Section 4, will be used for civilian personnel, to determine the Department's disciplinary actions.

a. Any member of the Department found to be using alcohol on duty, using or possessing any unauthorized drugs or steroids anytime, or abusing prescription drugs and "over the counter" medications while on duty, (except for possession by a member when required in the course of official duties) will be immediately suspended and charged in accordance with their respective CBA or if not specifically covered by their CBA, these Rules and Procedures. An exception will be made for

members who have decided to utilize the rehabilitation provisions outlined in Chapter 2, Section 1, Subsection V.B.5, of these Rules and Procedures, provided that all conditions set forth in that section are fulfilled.

5. Rehabilitation - In the event a member of the Department believes they have a substance abuse problem, such member shall be permitted to utilize their personal sick leave and other authorized leave to secure professional assistance for this problem, providing all of the following conditions are met:

a. The member must notify the Department via the Commanding Officer of the Medical Evaluation Bureau, or in his absence the Commanding Officer of the Administrative Services Bureau, that the member is seeking professional assistance for a substance abuse problem and that he or she wishes to take advantage of the provisions of this section. The Commanding Officer above who is notified will then notify the Commanding Officer of the Internal Affairs Bureau and the Commanding Officer of the Employee Assistance Bureau.

b. At the time notification is made to the Department that such assistance is being sought by the member:

(1) a discovery by the Department of the member's use or possession of an unauthorized drug must not have had occurred, and;

(2) a documented investigation into the member's use or possession of an unauthorized drug must not have been commenced (regardless of such member's knowledge or lack of knowledge regarding such investigation), and;

(3) selection of such member for a forthcoming random or directed drug screening test by the Department must not have occurred, and;

(4) such member must have satisfactorily completed his or her probationary period.

c. The member shall execute a written agreement as prepared by the Department, prior to the commencement of the authorized leave provided hereunder, whereby the member acknowledges, understands and agrees:

(1) to the provisions of paragraphs "a." through "l." of this rehabilitation procedure; and

(2) that in the event this assistance program is not satisfactorily completed and rehabilitation not accomplished within one year of commencement of authorized leave, a report of Violation of these Rules and Procedures may be prepared and served upon the member charging a violation of Chapter 5, Section 1, Subdivision VI; and

(3) that upon completion of, or termination from the chosen professional assistance program, the member will be subject to drug screening by the Department, without prior notice, at any

time and frequency, at the sole discretion of the Department, without the necessity of reasonable suspicion or cause for a period of three (3) years.

d. The Medical Evaluation Bureau of the Suffolk County Police Department shall be authorized to approve and monitor the member's participation in the professional assistance program selected. The member shall execute and deliver to that Bureau appropriate Authorizations and Releases to facilitate such monitoring of the member's participation and completion of the program.

e. A member taking leave hereunder shall, before such leave commences, surrender his or her firearms and all Department property and equipment until such member is determined to be medically fit to return to full duty, or as otherwise provided by law.

f. During leave hereunder, the member shall comply with all Department directives, as is the case for all members on leave.

g. In no event shall authorized leave hereunder extend for more than one calendar year. All professional assistance sought must result in rehabilitation within one year of the commencement of authorized leave utilized for this purpose.

h. Except as otherwise provided herein, no investigation or disciplinary action shall be commenced regarding the prior possession and use of unauthorized drugs for which assistance hereunder is sought; However, appropriate action may be commenced concerning any other violation of law, or of the Rules and Procedures of the Suffolk County Police Department.

i. A member on authorized leave hereunder will not be subject to random drug testing by the Department.

j. The results of any drug tests performed as part of the member's rehabilitation assistance program for determining the member's compliance with that program will not be used by the Department for the purpose of disciplinary action or termination proceedings.

k. The Commanding Officer of the Medical Evaluation Bureau shall review the progress of the member during the member's period of rehabilitation as herein provided, and must concur that the member has successfully completed the pre-approved substance abuse program prior to that member's return from authorized leave.

l. A member shall be entitled to the benefits of this rehabilitation provision only one time. In no event shall a member be permitted to seek rehabilitation for drug abuse more than once during the period of his or her employment with the Suffolk County Police Department.

C. Availability for Duty - A member shall not be required to notify his commanding officer of his whereabouts while on vacation. There will be an exception to this in that the Police Commissioner can request an employee's whereabouts when he deems necessary.

D. Respect - Members of the Service are respectful in their contact with superior officers and all other persons, within and outside the Police Department and give their rank, name, shield number and command to any person who requests same.

E. Decorum - Members of the Service directed to report to the office of any officer of this Department above the rank of lieutenant, or at the Department trial room, or to any court or hearing within the County of Suffolk, New York, in regard to any departmental matter, does so in uniform, excepting members permitted to wear civilian clothing or as otherwise directed.

F. Ownership of Invention, Copyright, Trademark, etc. - Members of the Department who create any invention, copyright, trademark, patent, computer program, technique, process, idea, design, development, or other intellectual property in the scope of their employment do so as employees of the County. These creations may also occur off duty when they arise while acting in an official capacity, or from assignment relating to actual or anticipated official Police Department business. It is presumed that said creations are the sole property of the County.

Any member of the Department who has an invention, copyright, trademark, etc., created entirely off duty, and without the use of Department equipment, supplies, facilities, computer programs and/or any other proprietary or confidential Department information, and not otherwise included above, shall notify the Commissioner of same. The Commissioner shall then cause an evaluation to be made whether the creation was made as a result of the member's scope of employment and whether exclusive ownership interest of said invention, copyright, trademark, etc., is in conflict with the ownership interests of the County, the Suffolk County Code of Ethics or these Rules and Procedures. Such evaluation may be made internally or by a suitable outside party, whichever is deemed, in the opinion of the Commissioner, to be appropriate for the circumstances. The Commissioner shall then make a determination whether the member of the Department may retain ownership interest of the invention, copyright, etc.

G. Confidential Department Business - A member of the Department treats as confidential all official business of the Police Department. A member of the Department does not use any information obtained from Department computers, records, or other Department sources for any reason other than in the performance of official duties. He does not give to any other person confidential codes or inform unauthorized individuals how to access information, records, etc. from Department computers, other Department sources or other agencies. Unauthorized access, use or release of any information obtained through any source is prohibited and is grounds for departmental discipline. A member of the Department does not talk for publication, nor be interviewed, nor make public speeches, nor impart information relating to the official business of the Department to anyone except:

1. Under due process of law.

2. As directed by, or with the permission of the Police Commissioner.

3. As directed by the Rules and Procedures.

4. As directed by departmental orders.

H. Official Capacity - A member of the Department does not use his/her official capacity to obtain information from any source for any reason other than in the performance of authorized Department business.

1. Members of the Department are prohibited from taking photographs or video recordings while in the performance of his/her official duties, except for the taking of photographs or video images by personnel assigned to commands that, due to the nature of the command's duties and responsibilities, specifically require photographs or video recordings. Any such photographs or video recordings shall be for official Department use only, and shall not be disclosed to unauthorized personnel.

2. A member of the Department, during the course of his/her official duties, does not use any device capable of recording sound to make an audio recording of another member of the Department without the permission of one of the following individuals:

- a. Police Commissioner;
- b. Office of the Deputy Police Commissioner;
- c. Chief of Department;
- d. His/her Division Chief; or
- e. Commanding Officer of Internal Affairs.

I. Gratuities, Receipt of - A member of the Department shall not ask for, receive, consent or agree to receive any emolument, gratuity or reward or any promise of the same, or any personal advantage; nor shall he solicit, contribute, cause to be solicited, contributed or paid directly or indirectly, any money or valuable offering upon an agreement or understanding that his vote, opinion, judgment, action, decision or exercise of discretion as a member of this Department will thereby be influenced.

1. The selling or giving of any tickets, objects or promises by any group or individual representing this Department or by a Department member when on Department business or on Department property is prohibited, except if authorized by the Police Commissioner. This does not apply to membership dues or assessments, paid to authorized Department organizations or for other authorized purposes.

J. Personal Recommendation - A member of the Department does not recommend or suggest to anyone the employment or name of any person, firm, partnership, company or corporation, or their representatives as attorney, counsel, bondsman, undertaker or funeral director, garage service station or towing service; nor does any member inform any of the foregoing directly or indirectly of any details respecting any case or individual that are police matters, except that nothing herein contained is construed as restricting the rights of members of the Department

in connection with the administration of their private affairs, or in prohibiting authorized official notifications in aided cases.

K. Payment Consent and Advise - A member of the Department does not consent to the payment by any person of money or any other valuable items to a pawnbroker, or to any other person, in order to regain possession of property stolen, nor does he advise such payment except by permission of his commanding officer.

L. Testimonial Dinners - A member of the Department is not given official sanctions to accept testimonial dinners proposed to be tendered them for any purpose by a civic or other organization, body or individual, except by permission of the Police Commissioner.

M. Personal Advertisement - A member of the Department does not authorize the use of a photograph of himself in connection with any testimonial or advertisement of any commodity or commercial enterprise; nor does he, in his official capacity, endorse or subscribe any testimonial or advertisement; nor is he to authorize any mention to be made of his official title, rank or membership in the Police Department in connection with such testimonial or advertisement.

N. Appearance in Television or Film Productions - A member of the Department is not authorized to appear in his/her Department uniform or to display Department vehicles and equipment in non-Departmental television or film productions, except by permission of the Police Commissioner.

1. Members of the Department are directed to refer to Chapter 26, Section 2, titled "News Media", of the Rules and Procedures manual for information on policies specific to news media protocol.

O. Services of Entertainers - A member of the Department neither employs, engages, solicits nor obtains, nor causes to be employed, engaged, solicited, nor obtained, whether directly or indirectly, either with or without compensation, the services of any artist, entertainer or performer in connection with any dinner entertainment, or other function sponsored by the individual member of the Department, or organization, or group composed of or including members of the Department, without written permission of the Police Commissioner. Nothing herein is construed as restricting the rights of members of the Department in the regulation of their personal affairs, which are strictly private in nature.

P. Co-signing Prohibited - A member of the Department does not sign any note or other instrument as co-maker, guarantor, or endorser, for any money borrowed by any other member of the Department.

Q. Issuing Card, Shield, etc. - A member of the Service, individually, or representing a police organization, is prohibited from issuing to any person any card, shield, button or other device, without permission of the Police Commissioner.

R. Payments of Debts - A member of the Department promptly pays just debts, and does not incur liabilities which he is unable or unwilling

to discharge.

S. Interference with Citizens - A member of the Department does not unjustifiably interfere with, nor attempts to influence, the lawful business of any person.

T. Transfer of Information - Members of the Department, regardless of assignment or duty, cooperate with each other. When a member of the Department obtains information which may be of value to a unit other than his own, he reports the facts to his commanding officer, who transmits the information to the command affected.

U. Personal Use of Department Vehicles - No member of the Department, except the Police Commissioner, may use any Department vehicle for his/her personal use.

V. Methadone Clinic - No member of the Department will enter a Methadone Clinic in an undercover or uniform capacity for the purpose of interviewing informants or health service staff (without prior appointment) or for the purpose of seeking suspects or wanted subjects. This directive does not apply to close pursuit situations or those instances when clinic employees or clients call for police services or assistance.

1. If a situation arises where a member of the Service enters a Methadone Clinic contrary to the above limitations, the staff at that facility has been instructed to contact the duty officer. The duty officer's responsibility will be to advise the member(s) concerned of the existence of Department regulation at issue, and to apprise the Commander of the Precinct of occurrence, his/her designee, or the District Commander, if follow-up action is necessary.

2. It will be the responsibility of the Commander of the Precinct of occurrence, or the District Commander, to investigate and report any violation of this section to the appropriate Division Chief.

W. Association with Criminal - No member of the Service is to associate or fraternize with persons known to have been convicted of any misdemeanor or felony under the laws of this state or any similar conviction under the laws of any other state or under the federal law. A conviction under this rule shall not mean a conviction for any offense under the Vehicle and Traffic Law or a violation of an ordinance of a political subdivision of the state. It shall be the responsibility of a member of the Service to notify the Police Commissioner through the proper chain of command if legitimate circumstances (marriage, relatives, etc.) place him in violation of this section. The Police Commissioner will decide on a case-by-case basis if a dispensation of this rule should be granted.

X. Smoking in Uniform - A member of the Service, while in uniform, does not smoke in public or in any other place prohibited by law.

Y. Games of Chance on Duty - A member of the Department does not indulge in games of cards or chance while on duty.

Z. AIDS Related Illness, Personal Conduct - Over the past several years the AIDS virus has become a major concern in our nation. Several laws have been enacted prohibiting discrimination against anyone infected by the Acquired Immune Deficiency Syndrome (AIDS) or other AIDS related illnesses. The Surgeon General of the United States, as well as the medical community in general, have determined that AIDS is not transmitted by casual contact. This means that the AIDS virus can not be spread by merely working along side of someone who has contracted AIDS or even by sharing restrooms or lunch facilities, etc. In order for the AIDS virus to be spread, it requires that intimate physical contact occur. It is the purpose of this section to set forth the legal responsibilities of all members of the Department toward fellow employees or any person who may have AIDS, an AIDS related illness or who has tested positive for the HIV antibody.

1. In accordance with law, no member of this Department shall deny any reasonable safe aid or assistance to any person with Acquired Immune Deficiency Syndrome (AIDS), AIDS related illnesses or persons with a positive HIV antibody blood test.

2. This provision does not prevent any member from taking any appropriate reasonable, safe precaution to prevent the spread of AIDS or any other disease while attending to the needs of someone afflicted with any illness that can be communicated to another.

3. Whenever a member of the Department gains knowledge that another person within or without (outside) the Department has AIDS or and AIDS related illness or has tested positive for the HIV antibody, such member shall not disclose this information to anyone, either verbally or on a written record (i.e., Prisoner Activity Log, Arrest Worksheet, etc.). This prohibition also extends to recording the fact that an individual is taking the type of medication (e.g. AZT) which may be prescribed for HIV or AIDS. Members shall record only the prescription number of the medication, pharmacy where prescription was prepared and name of prescribing physician. The only exception to this rule of non-disclosure is when the patient or arrestee has signed a written authorization allowing the release of this confidential information.

AA. Smoking Outside the Police Headquarters Building, the Property Section Building, and the Quartermaster Section Building - All members of the Department, both sworn and civilian personnel, shall refrain from smoking within fifty (50) feet of all entrances and exits of the Police Headquarters Building, the Property Section Building, and the Quartermaster Building.

BB. A member of the Service does not provide a character reference or offer any verbal or written support for a defendant in any criminal action or for any individual appearing before a Parole, Probation or other government hearing involving prior criminal charges, without the express permission of the Police Commissioner. This does not include requests that come from governmental agencies, such as the Suffolk County Probation Department, seeking information regarding a subject for sentencing and/or adjudication purposes.

VI. PROCEDURES

N/A

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

N/A

END



ORDER NUMBER	09-07
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE MISCELLANEOUS REGULATIONS			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 02/06/09	DATE EFFECTIVE 02/06/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 2: TITLE: MISCELLANEOUS REGULATIONS

I. PURPOSE

To provide members of the Department with a series of assorted regulations to which all members are accountable.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

- A. New York State Penal Law Sections 265.20 and 400 subd. 12
- B. Suffolk County Standard Operating Procedure H-01, dated 7-27-98.
- C. Suffolk County Resolution 565-1989.

V. RULES AND REGULATIONS

A. A member of the Department applies for an interview with the Police Commissioner through official channels in writing, unless extenuating personal circumstances or the good of the Department warrants direct contact with the Police Commissioner for permission.

B. A member of the Service makes application for a desired change of detail or assignment to the Police Commissioner through official channels, typewritten on official designated forms. The member does not permit anyone else to do so, for, or in his behalf.

C. Release of Address and Phone Number - A member's residence address, mailing address or telephone number is not released to the public without the authorization of the Police Commissioner or express written consent of the member. However, such information may be released to a governmental agency when formally requested in furtherance of its official function or when mandated by court order.

D. Release of Confidential Information - An employee of the State of New York or the County of Suffolk Civil Service Commission, upon being properly identified, may be furnished with such information which, in the opinion of a superior officer, may be necessary to aid those commissions. Information concerning applicants for positions in the Federal Service may be given to properly identified representatives of the United States governments.

E. Freedom of Information Law (Sec. 88 P.O.L.) - Inspection of records of the Department are subject to the mandate of Section 88 of the Public Officers Law of the State of New York and are administered under procedures established by the Commissioner.

F. Organization Membership - A member of the Service is prohibited from affiliating with any organization with a constitution or regulations, with the exception of the National Guard or Military Reserves, which would in any way exact prior consideration and prevent the member from performing police duty. A member of the Department who joins the National Guard or Military Reserves is required to notify his or her Commanding Officer, via an Internal Correspondence (PDCS-2042), of such enlistment, as per procedures contained in Chapter 3, Section 1, VI.B.8 through 8e.

G. Political Affiliation - The right of every member of the Service to entertain political or partisan opinion and to express the same freely when such expression does not concern the immediate discharge of his official duties, and also the right of the elective franchise is deemed sacred and inviolate.

1. Members of the Service may join and contribute financially to political organizations. However, the solicitation of funds for political purposes is forbidden.

2. Upon the days of election for public offices, held under the laws of the state, the member of the Service, whether specially assigned to attend the polls or otherwise, does all that is necessary to preserve the peace, protect the integrity of the ballot box, enforce the rights of lawful voters, and prevent illegal and fraudulent voting.

a. All members of the Service are governed by pertinent sections of the Election Law.

b. A member of the Service shall notify the Police Commissioner, in writing, of his intention to accept an appointment or allow his name to be placed on a ballot for public office.

H. Liability Against County - A member of the Department does not incur any unauthorized liability chargeable against the County.

I. Liability, Admission of - A member of the Department does not admit any liability of the Police Department, County of Suffolk, New York, or any other governmental jurisdiction, nor does he make any recommendations as to the collection of claims, except as specifically provided herein. This applies, but is not limited to, formal, informal, oral or written admissions. The term admissions includes, but is not limited to, direct statements affixing responsibility or any statement, in any form which could be used in any legal proceedings against the Department or

any other governmental jurisdiction.

J. Legal Actions to County Attorney - A member of the Department who becomes involved in an injury or damage case in any manner, upon request, advises the person involved to write a letter or go in person to the office of the County Attorney, Suffolk County, New York, setting forth his claim.

K. Legal Action Institution - A member of the Service is not deprived of the right to institute legal action against a third party. Whenever such action would involve this Department, in any manner, said member is to advise the Police Commissioner, in writing, prior to the commencement of such action.

L. Business Cards - A member of the Department of the rank of lieutenant or above, a member of the Internal Affairs Bureau regardless of rank, or a member or command receiving written authorization, may use Department business cards.

1. A Department member or command commanding officer, on behalf of the command, may make a written request to the appropriate division chief to use business cards. Commands above the division level will submit requests to the Chief of Department.

2. On receipt of authorization, the requestor will submit a requisition for business cards and a copy of the authorization to the Supply Section.

3. Business cards will be used when on Department business only and will not be used for any other purpose.

M. Retirement Notification - Members of the Department must notify the Police Commissioner in writing prior to the time such member files for any type of retirement with the New York State and Local Retirement System. Additional information regarding the retirement of sworn and civilian members is located on the Departmental Intranet in the posted Retirement Outline.

N. Social Status and Residence Notifications - Members of the Department shall immediately notify the Personnel Section via a Report of Change form (PDCS 2039) whenever there is a change in marital status, number of dependents, person to be contacted in the event of an emergency, legal name, phone number, residence, or mailing address.

O. Residence Address - members of the Department must furnish the Personnel Section with their actual place of residence upon first joining the Department and at any time thereafter when their residence changes. The use of a post office box is prohibited. The residence address must include house and apartment number when appropriate, street, hamlet, and zip code.

P. Completion of General Reporting Forms Requiring a Member's Residence Address - Members of the Department completing any general reporting forms requiring their home address and/or telephone number shall enter the address and/or telephone number of their assigned command in the applicable spaces. This requirement does not include forms for Personnel Section use, such as the Report of Change form, PDCS 2039.

Q. Employee Withholding Certificates - When a payroll change is to be made regarding federal and state withholding taxes a Federal Employee's Withholding Certificate is forwarded to the Human Resources Bureau, Payroll Section.

R. Driver License - Members of the Department may not drive a County vehicle or their own vehicle on County business, without a valid NYS Driver License. Any member of the Department experiencing a change in their Driver License status must immediately notify their Commanding Officer in writing. When the Suffolk County Department of Civil Service receives a NYS DMV License Event Notification in regard to a member of the Department, Civil Service notifies the Commissioner and the Human Resources Bureau. Upon this notification the following procedure will be followed:

1. The Human Resources Bureau will notify the member's Commanding Officer of the DMV notification and request an explanation within 24 hours.
2. The Commanding Officer, or designee, will respond to the Human Resources Bureau with appropriate proof of a valid Driver License or describe the corrective action being taken and when the situation will be resolved.
3. The Human Resources Bureau will notify the Department of Civil Service and the Commissioner, with details concerning the final disposition of the DMV notification, such as license reinstatement, disciplinary action taken, clerical error, etc.

S. Meal Period - A member of the Service is entitled to a sixty (60) minute meal period during each tour of duty.

T. Marching - A member of the Service in charge of other members, forms and marches in the manner prescribed in the United States Infantry Drill Regulations.

U. General Firearms Safety Procedures - The following rules shall be adhered to in order to safely and effectively handle, unload or discharge a firearm:

- Always assume the weapon is loaded.
- Always point the firearm in a safe direction.
- Fingers shall be kept off the trigger until ready to shoot.
- Be sure of the backstop behind the target of any shot.
- Note anything in the surroundings that may interfere with the handling of the weapon and/or render a discharge unsafe to a bystander or the person handling the firearm.

1. Unloading Firearms - A member of the Department unloading a firearm at a police facility shall do so out of doors, not inside the building. Members already indoors shall exit the building prior to unloading any firearm. Members are further directed to utilize any device designed to enhance the safety of others while unloading a firearm, such as a sand filled barrel, when such a device is provided at the facility.

V. Pistol License - No member of the Service, except for those within seven days of retirement, shall possess a valid New York pistol license. Police officers are exempted from licensing requirements under New York State Penal Law Sections 265.20 and 400 subd. 12. Valid New York pistol licenses shall be surrendered to the Pistol Licensing Bureau upon being sworn in as a member of the Service.

W. Auctions Held by Suffolk County - A member of the Department, as well as his or her spouse or children under eighteen years of age, are prohibited from bidding on or purchasing goods at an auction held by Suffolk County or any unit of the County.

X. Acceptance of Gifts - Only the County Executive has the authority to accept gifts on behalf of the County without legislative resolution. Therefore, any Member of the Department, sworn or civilian, to whom a gift for the County or Department is offered shall not accept such gift but instead coordinate with the Office of the Police Commissioner via the chain of command to initiate the acceptance process. The Office of the Commissioner shall be responsible for the preparation and submission of the legislative resolutions.

1. Cash gifts to Drug Abuse Resistance Education (D.A.R.E.) Program have been exempted by the Suffolk County Legislature, and the Police Commissioner (or his designee) is authorized to receive, expend and utilize cash donations for the furtherance of the D.A.R.E. Program.

Y. Resignation/Termination of Service - Members of the Department may resign/terminate his/her service by completing departmental form entitled "Resignation of Member" (PDCS-1038) and submitting it to his/her commanding officer. Upon receiving the form, it shall be the responsibility of the commanding officer to immediately fax a copy to the Personnel Section. The commanding officer shall also be responsible for any and all department equipment issued to the resigning employee as per these Rules and Procedures.

Z. Use of Department Name, Uniforms, Emblems or Insignia - Members are prohibited from using the Department name, or the likeness of any Department uniforms, emblems or insignia, for other than official Department purposes, unless permission for such use is obtained from the Police Commissioner. Requests for permission to use the Department name, or the likeness of any Department uniforms, emblems or insignia, shall be submitted in writing to the Police Commissioner via the member's commanding officer.

AA. Carrying Departmental Firearms While Off Duty - It shall be optional for a member of the Service to carry his/her departmental firearm when not on duty. Only lawful department issued ammunition designed for the specific weapon being carried may be used.

BB. The Alcoholic Beverage Control Law prohibits police officers from having any interest in the sale or manufacture of alcoholic beverages (ABCL, 128). Police Officers are prohibited from working for a licensed premises. This includes employment as security, both inside and outside the establishment. Under Section 128-a, a Police Officer may:

1. work in an establishment with an off-premises beer license as long as

the officer has the written permission and consent of his or her Commanding Officer; or

2. work solely as a security guard or direct traffic for a volunteer firefighter's organization that holds a temporary beer and wine permit.

CC. Duties required by N.Y.S. Public Officers Law Article 4 and/or N.Y. S. General Municipal Law, Article 18-

This law imposes several affirmative duties of Public Officers, including:

1. Disclosure of any interest in any contract or dealing with the employing government.
2. Disclosure of the fact that a municipal or State employee has an interest in any real property for which an application for any sort of variance is made.
3. Effective January 1, 1991, annual filing of financial disclosure forms will be required of certain employees.

DD. The Racing, Wagering and Breeding Law (RWBL, 107) prohibits police officers from holding any office or employment with any firm that:

- is licensed to conduct pari-mutual racing; or
- conducts its business at racetracks where pari-mutual race meets are conducted; or
- owns or leases to a licensed entity racetrack at which pari-mutual racing is conducted; or
- participates in the management of any licensee conducting pari-mutual racing.

EE. Order of Protection - A member of the Department shall immediately notify his/her Commanding Officer of the existence of any temporary or permanent order of protection in which they are the respondent/defendant via an Internal Correspondence (PDCS-2042). Members of the Department must make this notification regardless of whether or not this temporary or permanent order of protection is related to a domestic incident. A copy of the order must be attached to this initial notification. Members of the Department must also immediately notify their Commanding Officer via an Internal Correspondence whenever they become aware of any change to the order, (e.g., order vacated, order expired, order modified, etc.).

1. The Commanding Officer shall immediately cause a copy of the Internal Correspondence related to the existence or change to a temporary or permanent order of protection to be sent to the Internal Affairs Bureau via facsimile. Commanding Officers must make these notifications regardless of whether or not the order is related to a domestic incident.

FF. Arrest of Department Member - Any member of the Department arrested by any means, including physical arrest, or an arrest accomplished by criminal summons or appearance ticket, shall immediately notify his or her Commanding Officer and provide information and/or written reports pertaining to the date, time and location of the arrest, the offense or offenses charged and the name of the arresting agency. This notification is required regardless of incident location or arresting agency and must be made in addition to other notifications required by Chapter 23, Section 5, of the Rules and Procedures. No notification is required for a

traffic ticket unless the traffic offense is a misdemeanor or felony, according to the laws of the State in which the ticket was issued.

GG. Department Member named as Criminal Suspect - Any member of the Department who learns that he or she is a suspect in any criminal investigation shall immediately notify his or her Commanding Officer and provide information regarding the nature of the investigation, as well as the offense or offenses the member is suspected of committing. Commanding Officers, or their designees, will immediately notify the Internal Affairs Bureau of the circumstances.

HH. General Harassment - Members of the Department are entitled to work in an environment that is free of all forms of harassing, intimidating, threatening or coercive behavior, directed towards them by a fellow member. The offended member, or any member of the Department who becomes aware of such behavior being directed towards the offended member, shall immediately bring this matter to the attention of a supervisor. This reporting action is mandatory, independent of the personal wishes of the offended. The reporting process is as follows:

1. Notify a supervisor.
 2. The supervisor shall submit a PDCS-2042 to the commanding officer detailing the incident.
 3. The supervisor shall obtain an Internal Affairs Alert Number.
 4. If the behavior is criminal in nature, the supervisor shall ensure a Central Complaint Number is assigned and the necessary police reports are prepared.
 5. The Supervisor shall commence a criminal or administrative investigation as directed by the commanding officer.

Specific procedures regarding Sexual Harassment and Discrimination are detailed in the Rules & Procedures Chapter 5, Sections 7 and 8 respectively.

VI. PROCEDURES

N/A

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP 20.5A, 14.3

VIII. INDEX

add: Resignation of Service 2/2
Termination of Service 2/2
Orders of Protection- Reporting of, All
Department Members 2/2
Arrest of Department Member, Reporting of 2/2
Department Member Named as Suspect, Reporting of 2/2

END



ORDER NUMBER 06- 13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE GROOMING REGULATIONS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 01/26/06	DATE EFFECTIVE 02/01/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 3: TITLE: GROOMING REGULATIONS

I. PURPOSE

To establish grooming regulations for members of the Service.

II. POLICY

A well groomed appearance contributes significantly to the professional image projected by the Suffolk County Police Officer.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Grooming Regulations, Male - Hair will be neat, clean, trimmed and present a well groomed appearance. Male personnel's hair will not exceed one inch in thickness as measured from the scalp, shall be tapered, will not extend below mid collar and should not cover the top of the ear. Hair shall not be dyed or cut/worn so as to appear outstanding from the general population or to present a nonprofessional image.

1. If a member chooses to wear sideburns, they will be neatly trimmed. Sideburns will measure not more than 1/2 of an inch in width and will not extend below the ear.

2. A neatly trimmed mustache may not extend beyond or below the mouth.

3. Beards, goatees and ponytails will not be allowed. A waiver may be granted for medical reasons at the discretion of the division chiefs.

4. Wigs or hairpieces will not be worn while on duty in uniform except for cosmetic reasons to cover natural baldness or physical disfigurement. If under these conditions a wig or hairpiece is worn, it will conform to Department standards.

5. While in uniform, male officers shall not wear any items of jewelry which constitute a safety hazard. In addition, excessively ornate jewelry shall not be worn (e.g. large medallions, bracelets, etc.). One ring may be worn per hand. All jewelry, such as pins or rings, worn as "piercings" on any area of exposed skin, are prohibited. Earrings are also prohibited.

6. Fingernails shall not exceed 1/4 inch, measured from the fingertip. Nail polish is prohibited.

7. Effective February 1, 2006, members of the Service shall not obtain any tattoo, branding, cutting or any other decorative marking to their skin or decorative metal to their teeth that is visible while a member is dressed in any Departmental uniform. Pre-existing visible tattoos shall not be offensive, obscene, or excessive (covering more than 30% of an exposed body part). The Police Commissioner shall be the arbiter as to the offensiveness and obscenity of any skin marking. Pre-existing excessive markings, or those determined to be offensive or obscene, shall be covered by Department issued apparel that adequately conceals such markings while on duty. Established uniform of the day protocol is superceded by these regulations.

8. Division chiefs will have the authority to waive these standards to meet the individual needs of special assignments.

B. Grooming Regulations, Female - Hair will be clean, neatly shaped, and arranged in a professional style. When in uniform, hair styles with a maximum of two braids may be worn. Faddish and exaggerated styles are prohibited. Ponytails and pigtails are not permitted. Hair on the back of the head will not extend below mid collar. Afro, natural, bouffant and other similar hair styles which do not interfere with the proper wearing of head gear are permitted. The bulk of the hair shall not exceed two inches. Bulk is defined as the distance that the mass of the hair protrudes from the scalp. Long hair, including braids, must be neatly and inconspicuously fastened, pinned, or secured to the head and may not dangle free at any time. Hair may be styled in an upward sweep or bun, and may exceed two inches in bulk provided that the upward sweep or bun does not interfere with the proper wearing of head gear.

1. Non-uniform female officers may wear their hair in any style which presents a neatly groomed and professional image.

2. Faddish and outrageous multicolor hair is not authorized for female officers.

a. Wigs or hairpieces will not be worn while on duty in uniform, except for cosmetic reasons to cover natural baldness or physical disfigurement. If under these conditions a wig or hairpiece

is worn, it will conform to Department standards.

b. Makeup, if worn, is to be worn in moderation.

c. Uniform members on duty shall not wear any items of jewelry which constitute a safety hazard. Rings may be worn only one finger of each hand. Excessively ornate jewelry or earrings shall not be worn (e.g. large medallions, bracelets, etc.). Non-ornamental earring studs may be worn in pierced ears. All other jewelry, such as pins or rings, worn as "piercings" on any area of exposed skin, are prohibited.

d. Fingernails shall not exceed 1/4 inch, measured from the fingertip. Nail polish may be worn by female employees; however, faddish and exaggerated colors are prohibited.

3. Effective February 1, 2006, members of the Service shall not obtain any tattoo, branding, cutting or any other decorative marking to their skin or decorative metal to their teeth that is visible while a member is dressed in any Departmental uniform. Pre-existing visible tattoos shall not be offensive, obscene, or excessive (covering more than 30% of an exposed body part). The Police Commissioner reserves the right to make determination as to the offensiveness and obscenity of any skin marking. Pre-existing excessive markings shall be covered by Department issued apparel that adequately conceals such markings while on duty. Established uniform of the day protocol is superceded by these regulations.

4. Division chiefs will have the authority to waive these standards to meet the individual needs for special assignments.

VI. PROCEDURES

N/A

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 4: TITLE: FIREARMS ABOARD AIRCRAFT

I. PURPOSE

To establish procedures regarding the carrying of firearms on commercial aircraft and in air carrier facilities.

II. POLICY

Members of the Force are normally required to carry a firearm in the performance of their duties, however, under certain specific circumstances it may be necessary to make alternate arrangements for transporting or securing the firearm while traveling on an aircraft or entering a restricted area of an air carrier facility.

III. DEFINITIONS

N/A

IV. REFERENCES

A. United States Code Title 49, section 1472L

V. RULES AND REGULATIONS

A. Members of the Force will abide by the following procedures concerning the carrying of loaded or unloaded firearms aboard commercial aircraft and in air carrier facilities.

VI. PROCEDURES

A. Routine Assignments - If the member is on an assignment not specifically requiring that he carry a firearm (such as mere transportation to the assignment) he will, prior to boarding, identify himself to a responsible representative of the air carrier by displaying his credentials. He will advise

the representative that his mission does not require a firearm on his person during the flight and he will comply with the instructions and procedures of the air carrier regarding the safe keeping of his firearm during flight.

B. Non-Routine Assignments - If the assignment is of the nature that makes it necessary for the member of the Force to be armed he will, prior to boarding, identify himself to a responsible representative of the air carrier, i.e., the duty supervisor in charge of the passenger counter, or the duty supervisor in charge of passenger service in the case of larger stations, or the station manager or acting station manager in that case of smaller stations. He will then notify the representative that his mission requires him to carry a loaded firearm aboard the aircraft. He is not required to explain the details of his assignment but should provide the information required for confirmation such as name and phone number of his commanding officer.

C. Mace Prohibited - A member of the Force will not carry mace, tear gas, or similar devices aboard aircraft.

D. Air Security Notifications - A member of the Force will inquire if any F.A.A. Air Security Specialists are to be aboard and if so advise the airline representative to notify such specialists of his seat location.

E. Hi-Jacking - A member of the Force is to take no action during a hi-jacking attempt unless requested to do so by the Captain of the aircraft.

F. Possession of Firearms at Air Carrier Facilities - Members of the Force who are carrying a firearm are cautioned to check with a responsible representative of the air carrier prior to entering restricted areas of a facility (i.e., gate area), whether on or off duty. Some air carrier facilities permit entrance to restricted areas upon proper identification, however, air carriers reserve the right to refuse entrance. Members will abide by the direction of air carrier personnel.

G. Transporting Firearms Aboard Aircraft, Off-duty - Members of the Force wishing to transport firearms while off-

duty must do so in accordance with F.A.A. regulations and must conform to regulations which are in effect at the member's destination.

VII. ACCREDITATION REFERENCE STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 5: TITLE: OFF-DUTY ARREST/POLICE ACTION

I. PURPOSE

To provide guidelines for all members of the Force regarding acceptable criteria for taking police action and/or making an arrest while off-duty, and for reporting same.

II. POLICY

N/A

III. DEFINITIONS

A. Personally Involved - Where an off-duty officer, a family member, or a friend becomes engaged in a dispute or incident with the person to be arrested or any other person connected with the incident.

B. Petty Offense - A violation or a traffic infraction.

C. Crime - A misdemeanor or a felony.

IV. REFERENCES

New York State Penal Law, Article 10.

New York State Criminal Procedure Law, Articles 1 and 140.

V. RULES AND REGULATIONS

A. It shall be the responsibility of all off-duty members to report suspected or observed unlawful activities to on-duty police personnel as soon as possible.

B. Off-duty officers shall not take police action or arrest individuals for petty offenses or for matters in which they are personally involved. Members should instead contact on-duty officers about matters deemed to require some police

action, and the on-duty officer or on-duty supervisor shall decide upon the appropriate course of action under the circumstances.

C. Off-duty members shall not exercise their police powers nor make official arrests while engaged in off-duty employment where the member's actions are only in furtherance of the interests of the off-duty employer.

D. If off-duty members have reasonable cause to believe that a crime has been or is about to be committed, or if members observe a crime being committed within New York State an arrest can be made if:

1. The safety and welfare of the officer or another person is in question, or

2. The need to immediately apprehend the criminal suspect is necessary to assure prosecution of the crime.

IV. PROCEDURES

A. Arrests Off-Duty - If an arrest is made by an off-duty member in his official capacity, the member shall abide by all department policies and reporting procedures (where applicable) regarding the arrest and:

1. The arresting officer shall notify his or her commanding officer or the commanding officer's designee without unnecessary delay, regardless of the location of the arrest.

B. Incident Off-Duty - If an off-duty member becomes involved in an incident of significant nature and the member acts within his or her capacity as a police officer, the member shall, without unnecessary delay, notify his or her commanding officer, or the commanding officer's designee. This will apply to incidents occurring within or outside the Suffolk County Police District.

C. The commanding officer or his designee shall, when

notified by a member of the command of the fact that the officer made an off-duty arrest or performed a police function while off-duty, obtain the following information:

1. Name, rank, shield and squad (if applicable).
2. The crime for which the subject was arrested.
3. The location of the arrest.
4. The circumstances leading to the arrest.
5. If the arrest or incident occurred inside the Suffolk County Police District, the name and rank of the superior officer on duty and the name and rank of the investigating officer assigned to the case (if applicable) and the central complaint number.
6. If the arrest or incident occurred outside of the Suffolk County Police District, in addition to the above information, the name, address and phone number of the law enforcement agency that has jurisdiction over the incident location and any case or reporting number assigned to the arrest.

VII. ACCREDITATION REFERENCE

- A. CALEA 1.2.1
- B. NYSLEAP N/A

VIII. INDEX

Off-duty Arrests
Arrests, off-duty
Off-duty Incidents
Off-duty Police Action

END

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 6: TITLE: DRUG FREE WORKPLACE

I. PURPOSE

To establish a Department requirement that members of the Department performing services under funding of a federal grant are personally informed of the mandates set forth in federal legislation on a drug free workplace.

II. POLICY

It shall be the policy of the Suffolk County Police Department to comply with the requirements of the Drug Free Workplace Act of 1988 enacted by the federal government.

III. DEFINITIONS

N/A

IV. REFERENCES

A. Drug Free Workplace Act of 1988 (41 - USC 701, subtitle D)

B. Suffolk County All-Department Heads memorandum 26-90 dated 4/20/90 (Requirements of the Drug Free Workplace Act of 1988)

V. RULES AND REGULATIONS

A. The project director of any grant where the funding source is directly from the federal government shall distribute a copy of the Suffolk County Policy regarding a Drug Free Workplace to all Department members working under the grant.

B. Members of the Department who are working under a federal grant or contract (federal agency funding directly to a grantee) shall comply with the provisions of the Drug Free

Workplace Act of 1988.

VI. PROCEDURES

A. At the start of the operation or at anytime a member of the Department begins work under a grant funded by the federal government, the project director shall be responsible for insuring that all such members receive a copy of the Suffolk County Policy providing a Drug Free Workplace. Copies of the Policy can be obtained by contacting the Research and Development Section.

B. If a member of this Department is working under a federally funded grant under the auspices of another agency it shall be the responsibility of that member's commanding officer to ensure that the member is provided with the Suffolk County Policy providing for a Drug Free Workplace.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Drug Free Workplace Act of 1988
Federal Grants, Drug Free Workplace Act of 1988
County Policy Statement, Drug Free Workplace Act of 1988

END



ORDER NUMBER 08-13
 08-31
 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE VEHICULAR PURSUITS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/18/08 03/28/08 06/16/08	DATE EFFECTIVE 01/18/08 03/28/08 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 7: TITLE: VEHICULAR PURSUITS

I. PURPOSE

To more clearly define Department policy on vehicular pursuits.

II. POLICY

The following shall be the policy of the Suffolk County Police Department:

A. When a member of the Service initiates a vehicular pursuit his/her primary concern shall be to insure the safety of the public and the police officer(s) involved.

B. New York State Vehicle and Traffic Law exempts authorized emergency vehicles involved in emergency operations from some restrictions of the Vehicle and Traffic Law. This exemption, however, shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others (Vehicle and Traffic Law 1104-4e).

C. During a vehicular pursuit, members of the Service shall drive with due regard for the safety of all persons. Members shall avoid engaging in or shall terminate any vehicular pursuit when conditions indicate that the safety of the officer and/or the public is in jeopardy or as instructed by his/her supervisor. The officer must continually evaluate the risks involved in initiating or continuing a pursuit.

III. DEFINITIONS

Vehicular Pursuit - An attempt by a police officer operating an emergency equipped police vehicle to apprehend the occupant(s) of another motor vehicle, whose operator fails to comply with a lawful direction to stop and who attempts to flee by means of a vehicle.

Violent Felony - A violent felony offense is a class B violent felony offense, a class C violent felony offense, a class D violent felony offense, or a class E violent felony offense, defined as follows:

(a) Class B violent offense: an attempt to commit the class A-I felonies of murder in the second degree as defined in section 125.25, kidnapping in the first degree as defined in section 135.25, and arson in the first degree as defined in section 150.20; manslaughter in the first degree as defined in section 125.20, rape in the first degree as defined in section 130.35, sodomy in the first degree as defined in section 130.50, aggravated sexual abuse in the first degree as defined in section 130.70, kidnapping in the second degree as defined in section 135.20, burglary in the first degree as defined in section 140.30, arson in the second degree as defined 150.15, robbery in the first degree as defined in section 160.15, criminal possession of a dangerous weapon in the first degree as defined in section 265.04, criminal use of a firearm in the first degree as defined in section 265.09, aggravated assault upon a peace officer as defined in section 120.11, and intimidating a victim or witness in the first degree as defined in section 215.17.

(b) Class C violent felony offenses: an attempt to commit any of the Class B felonies set forth in paragraph (a); aggravated sexual abuse in the second degree as defined in section 130.67, assault in the first degree as defined in section 120.10, burglary in the second degree as defined in section 140.25, robbery in the second degree as defined in section 160.10, criminal possession of a weapon in the second degree as defined in section 265.03, and criminal use of a firearm in the second degree as defined in section 265.08.

(c) Class D violent felony offenses: an attempt to commit any of the class C felonies set forth in paragraph (b); assault in the second degree as defined in section 120.05, sexual abuse in the first degree as defined in section 130.65, criminal possession of a weapon in the third degree as defined in subdivisions four and five of section 265.02, criminal sale of a firearm in the first degree as defined in section 265.12, and intimidating a victim or witness in the second degree as defined in section 215.16.

(d) Class E violent felony offenses: an attempt to commit any of the felonies of criminal possession of a weapon in the third degree as defined in subdivisions four and five of section 265.02 as a lesser included offense of that section as defined in section 220.20 of the criminal procedure law.

Dispatcher - Communications Section radio operator.

Field Supervisor - Appropriate available supervisor on patrol.

Primary Pursuit Unit - The officer operating the police vehicle in close proximity to and immediately following the suspect vehicle.

Secondary Pursuit Unit - The officer operating the police vehicle trailing or otherwise actively participating in the pursuit.

IV. REFERENCES

Vehicle and Traffic Law, Title VII, Article 23, section 1104 (Rules of the Road).

CPL, Section 140.55 (Uniform Close Pursuit Act).

Penal Law, Section 70.02 (Definition of a violent felony offense).

V. RULES AND REGULATIONS

A. A member of the Service shall not initiate or participate in a pursuit while transporting a prisoner or when a civilian passenger, including a civilian member of the Department or a Suffolk County Police Explorer, is present in the police vehicle. However, this shall not include a sworn officer of another law enforcement agency.

B. The procedures that follow set forth the requirements that are rules and, as such, must be observed by all members of the Service.

VI. PROCEDURES

A. Initiation of Pursuit

1. It is the primary responsibility of a police officer initiating a pursuit to insure the safety of the public and the police officer(s) involved. A pursuit shall only be initiated when a law violator:

a. Clearly exhibits the intention of avoiding arrest.

or

b. Presents a clear and immediate threat to the safety of other motorists.

or

c. Has committed or is in the course of committing or is attempting to commit a violent felony.

or

d. Has committed an offense less than a violent felony but the necessity of immediate apprehension outweighs the risk of danger created by the vehicular pursuit as in the case of a person operating a vehicle in an intoxicated condition.

In order to lessen the violator's temptation to attempt evasion, officers intending to effect vehicular stops shall endeavor to be in close proximity to the violator's vehicle before activating emergency equipment.

B. Notification to Communications Section

1. Immediately upon initiation of a pursuit, the Communications Section dispatcher will be notified and provided with the following information;

- a. Police unit radio call sign.
- b. Location, speed and direction of travel.
- c. Vehicle description, including the license number if known.
- d. Specific reason for the pursuit, including known laws violated.
- e. Number of occupants.
- f. Traffic and weather conditions.

2. The Communications Section dispatcher will notify the duty officer. The duty officer will monitor each pursuit and make a note of the pursuit in the Duty Officer's Confidential Log.

C. Actual Pursuit

1. Emergency equipment (red lights and siren) will be activated not only to warn the pursued but also to protect fellow officers, pedestrians and motorists. The pursuit shall be limited to the initial unit and a secondary unit. All other units shall stay clear of the pursuit. The only exceptions to this criteria are as follows:

a. If the pursuit is initiated by an officer operating a police vehicle other than a marked sedan with emergency lights attached to the roof- i.e., motorcycle, truck, van, sport utility vehicle, "low-profile" marked sedan, unmarked vehicle, etc. - the officer shall abandon the pursuit when a marked sedan with emergency lights attached to the roof is in a position to continue the pursuit. If the suspect is apprehended, the initiating officer shall proceed to the location where the pursuit was terminated.

b. The field supervisor may request additional units to join the pursuit if he deems it necessary. The amount of units will be determined by:

- (1) Nature of the offense.
- (2) Number of suspects
- (3) Whether the participating units have more than one officer.
- (4) Other obvious and clearly articulated facts that would warrant the increased hazard.

D. Pursuit Control

1. The first responsibility of the unit initiating (primary

unit) the pursuit is the apprehension of the suspects without unnecessary danger to himself/herself or other persons. If the primary unit is unable to continue the pursuit the secondary unit shall become the primary unit.

2. Unless relieved by a supervisor, the officer in the primary unit shall be responsible for the broadcasting of the progress of the pursuit, controlling the pursuit tactics and deciding if the pursuit should be abandoned.

3. If the primary unit contains two officers, unless relieved by a supervisor, the senior officer in the primary unit shall be responsible for deciding if the pursuit should be abandoned. The passenger officer (senior or not) shall be responsible for broadcasting the progress of the pursuit and controlling the pursuit tactics.

4. The officer or the officers in the secondary unit shall make the necessary notifications to the Communications Section dispatcher to assure that no additional units join the pursuit.

5. The secondary unit shall maintain a safe distance behind the primary unit but be close enough to render backup assistance if and when required.

6. If the primary unit becomes disabled, the secondary unit will become the primary unit. The Communications Section dispatcher shall be notified and the dispatcher shall in turn notify the field supervisor and other units that a new backup unit is needed and the next unit to join the pursuit will be designated the secondary unit.

7. The secondary unit is responsible for notifying the dispatcher of any foot pursuit resulting from the vehicular pursuit and rendering any further assistance required by the operator of the primary unit.

E. Pursuit Driving Tactics

1. In the course of pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in motion shall be prohibited, unless such actions are specifically authorized by the field supervisor. Such actions may be approved only when the use of deadly force would be authorized. Reckless or hazardous driving maneuvers shall not be engaged in by any pursuing police vehicle.

a. There shall be no caravanning of units paralleling the pursuit or attempting to join the pursuit unless direction to do so is given.

b. Officers involved in a pursuit shall not attempt to pass other units unless directed to do so by the primary unit or the supervisor.

c. There shall be no paralleling of the pursuit route by

unassigned police units unless the pursuit passes through a unit's assigned area. The paralleling unit shall not be operated under emergency conditions (red lights and siren).

d. The primary and secondary units shall be the only units operating under emergency conditions (red lights and siren) unless other units are assigned to the pursuit.

e. All units in pursuit, whether the vehicle in front of the unit is the suspect vehicle or another police vehicle, shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows or turns.

f. No more than two police vehicles shall become actively involved in a pursuit, unless specifically directed otherwise by the field supervisor. Other officers should be alert to the pursuit progress and location.

g. Officers operating unmarked vehicles (provided the vehicle is equipped with emergency lights and siren) may engage in vehicular pursuit only when the fleeing vehicle presents an immediate and direct threat to life or property. Whenever a marked vehicle becomes available to take over the pursuit, the unmarked vehicle shall withdraw from active pursuit. If the suspect is apprehended, the initiating officer shall proceed to the location where the pursuit was terminated.

h. Officers shall not pursue suspects the wrong way on interstate or other controlled access highways or divided roadways unless specifically authorized by the field supervisor.

i. The use of a roadblock must be authorized by the field supervisor. Generally, a roadblock will be employed only as a last resort. The use of a roadblock must be directly associated with the seriousness of the crime for which the suspect is wanted. The roadblock must be clearly visible and provide adequate warning to allow vehicles to come to a safe stop. The roadway shall not be completely blocked unless the use of deadly force would be authorized.

j. Extreme caution must be used whenever officers disregard traffic signs or signals; even though statutes specifically permit such conduct. Officers shall make use of all available warning devices to alert other motorists and pedestrians.

k. The responsibility for the decision to overtake a pursued vehicle rests with the individual officer. In arriving at this decision the officer must carefully consider all factors involved, including the seriousness of the offense, the possible consequences and, most importantly, the safety of others.

F. Discharging of a Firearm

1. Discharging a firearm at or from a moving vehicle is prohibited except as the ultimate measure of self defense or defense of

another when the officer reasonably believes the occupants are using deadly force against the officer or another, by means other than the vehicle. (This prohibition is as is presently stated in chapter 2, section 12 of the Rules and Procedures.)

G. Tire Deflation Device

1. The "Stop Stick" tire deflation device shall be the only tire deflation device authorized for use by Members of the Service.

2. The Stop Stick SHALL NOT be used to stop MOTORCYCLES or ALL TERRAIN VEHICLES (ATV's).

3. When a vehicular pursuit is authorized as per these Rules and Procedures, members of the Service that are equipped and trained to use the Stop Stick are authorized to deploy the Stop Stick against the pursued target vehicle. Such deployment shall be in accordance with Department training and the manufacturer's recommended use.

H. Intra-Jurisdictional Pursuits

1. The field supervisor who initially undertakes responsibility for monitoring a vehicular pursuit shall retain monitoring responsibility throughout a pursuit entering another precinct or command area within the Police District unless he/she explicitly is relieved by a higher ranking supervisor.

a. If a higher ranking supervisor engages in radio transmissions directing the actions of the primary and secondary units involved in the pursuit, he/she shall be deemed to be relieving the initial supervisor. The higher ranking supervisor is now responsible for subsequent monitoring of the pursuit.

b. Supervisors of equal rank to the initial field supervisor who has responsibility for monitoring the pursuit shall not engage in radio transmissions specifically directing the actions of the primary and secondary units. Supervisors of equal rank to the initial monitoring field supervisor may direct the actions of their personnel when the pursuit is entering, passing through, or terminating in their precinct or command area. However, the initial monitoring field supervisor retains responsibility for oversight of the primary and secondary units.

2. The supervisor responsible for monitoring the pursuit may request that another supervisor assume responsibility for monitoring the pursuit. Situations where the monitoring field supervisor may consider delegating monitoring authority to another supervisor can include, but not be limited to, the following: the pursuit enters an adjoining precinct or command area within the Police District and another supervisor from that precinct/command has indicated that he/she is in close proximity to the pursuit; the initial monitoring field supervisor is experiencing vehicular or communication equipment problems, etc.

3. The field supervisor who is monitoring the pursuit at the point of

pursuit termination shall be the individual responsible for preparing the necessary reports as described within subdivision VI. L. of this section titled "Responsibility of the Supervisor."

I. Interjurisdictional Pursuits

1. When it becomes apparent that the pursuit will enter another jurisdiction, the field supervisor shall request a notification to be made via the headquarters communications dispatcher to the jurisdiction being approached for purposes of proper coordination.

This notification shall include the description of the vehicle and occupants being pursued, direction and speed of travel and the reason the vehicle and occupant is wanted.

a. Unless for special cause and approved by the field supervisor, entry into another jurisdiction during a pursuit shall be limited to the primary unit, secondary unit and field supervisor.

b. Officers shall not become involved in another agency's pursuit when it enters our jurisdiction unless specifically authorized by the field supervisor, or unless it is clearly demonstrated that a unit from an associated agency is unable to request assistance, or the emergency nature of the situation dictates the need for assistance. In these instances all departmental pursuit policies and procedures are adhered to.

J. Helicopter Assistance

1. When the pursuit is assisted by a police helicopter the following shall apply:

a. The helicopter unit shall advise the primary unit that the helicopter has joined the pursuit.

b. The ground unit shall relay all necessary information to assist the helicopter unit.

c. The helicopter unit, when practicable, shall advise the ground unit of upcoming traffic congestion, road hazards, and other factors which might endanger the safety of the pursuing unit or others.

d. When the helicopter unit has visual contact of the pursued vehicle the primary unit should consider discontinuing emergency operation (red light and siren) and allow the helicopter unit to continue surveillance of the suspect and assume the responsibility of directing the ground units so as to apprehend the suspects without the dangers involved in a pursuit.

e. When the pursuing police units lose sight of the pursued vehicle or the pursuit terminates and the suspect flees on foot, the helicopter unit shall continue the search and if the vehicle or suspect is observed, broadcast information which may assist ground

units.

K. Communications

1. After an alarm is given as to the location and other information indicating the vehicle has been lost or the vehicular pursuit terminated, the units which have been involved shall take the steps necessary to coordinate the search for the pursued vehicle or suspect fleeing on foot.

L. Responsibility of the Supervisor

1. A field supervisor will be responsible for control of the pursuit. If no field supervisor is available, the Communications Section duty officer will assume the role of controlling supervisor. The supervisor will evaluate the ongoing pursuit situation and ensure that the criteria of safety, necessity and good judgment are adhered to. The field supervisor should verify the following:

- a. No more than the required or necessary units are involved in the pursuit.
- b. Proper radio frequency is being utilized.
- c. Affected allied agencies are being notified.
- d. Aerial assistance, if available has been requested.

2. The field supervisor will continue to direct the pursuit and approve or order alternative tactics such as use of roadblocks, and maintain control until the pursuit is terminated. In the absence of adequate information from the primary or secondary unit; or in the interest of safety, the field supervisor may order termination of the pursuit. As with any tactical field problem, it is not necessary that the field supervisor be physically present in order to begin coordination and assert control of the pursuit.

3. Upon termination of the pursuit, the assigned field supervisor will request a Field Report from the officer initiating the pursuit. The field supervisor shall additionally prepare, on-line, a Vehicular Pursuit Report, even if the pursuit was controlled by the duty officer. This report will contain pertinent facts regarding the events leading to the pursuit, occurring during the pursuit and its termination.

- a. The Vehicular Pursuit Report shall be recorded on-line and is located under the programs link within the SCPD Intranet page. It shall be recorded manually on the PDCS-2149b when the intranet is not available.

4. The original copies of these reports, as is standard, will be filed at the Central Records Section, a copy shall be retained at the command, and a copy shall be forwarded to the commanding officer of the Police Academy Bureau. The commanding officer of the Police Academy Bureau shall have the member of his staff responsible for the Emergency

Vehicle Operation Course (E.V.O.C.) training review each pursuit to collect and maintain the following data:

- a. Number of pursuits
- b. Nature of pursuits
- c. Officer involved
- d. Suspect involved
- e. Incident characteristics
- f. Outcome of pursuit
- g. Disciplinary actions resulting, when appropriate
- h. Civil claims, when appropriate

An annual report should be submitted to the Chief of Department and all division chiefs concerning this information.

M. Vehicular Pursuits Resulting in Property Damage or Injury

1. Whenever a vehicle pursuit is commenced that results in any property damage and/or injury to a civilian or member of the Department, the commanding officer of the command involved in initiating the pursuit, or his/her designee, (precinct commanders shall designate captains) shall conduct an investigation to determine if the actions of the involved officers(s) complied with requirements outlined in the Rules and Procedures, Chapter 2, Section 7. The investigating member shall prepare a report on his/her findings.

a. The investigation and subsequent report shall include a review of all previously submitted reports related to the pursuit, as well as a review of audio transmissions and Computer Aided Dispatch (CAD) records. Officer interviews shall also be conducted, as necessary. As part of the investigation, commanding officers shall ensure that the following items are evaluated and included in the report:

- (1) Date(s), times, and locations where the pursuit started and terminated
- (2) The identification of all officers involved in the pursuit, the radio call signs for each vehicle, and a description of their participation (i.e. primary vehicle, secondary vehicle, supervisor, etc.)
- (3) Weather and road conditions
- (4) Reason for the pursuit
- (5) Pursuit distance from start to finish
- (6) Maximum speed of suspect's vehicle and pursuit vehicles corresponding to the type of roadway where maximum speeds were reached (i.e., highway or residential road)
- (7) Duration of the pursuit

- (8) How the pursuit was terminated
- (9) Identification of assisting commands, including Aviation
- (10) Description of damages to any property, including departmental, private, etc.
- (11) Description of injuries to officers or civilians
- (12) Suspect's identification, criminal charges, and traffic tickets issued
- (13) Evaluation of supervisory adherence to pursuit policies contained within Chapter 2, Section 7, of the Rules and Procedures
- (14) A description of any unmarked vehicle involvement in the pursuit
- (15) Compliance with Rules and Procedures

b. The report shall also include any remedial action taken as a result of the pursuit, including counseling, remedial training, or other disciplinary action.

c. The report shall be submitted to the Division Chief of the investigating command within (20) calendar days of the incident.

d. A copy of the report shall also be forwarded to the Internal Affairs Bureau for review.

2. In instances where a non-patrol command utilizing an unmarked vehicle initiates a pursuit, but is quickly relieved by marked Patrol Division units, the follow-up investigation may be conducted by a Precinct Commander designated by the Chief of Patrol or his/her designee.

3. Vehicular police pursuits resulting in injury to any person shall be reviewed by the Departmental Critical Incident Board as stated in Rules and Procedures Chapter 1, Section 10. Therefore, a copy of the investigating officer's report shall be forwarded by the respective Division Chief to the Departmental Critical Incident Board when the vehicular pursuit under review involved injury to any person.

4. Vehicular police pursuits resulting in property damage to any Department vehicle(s) due to a motor vehicle crash shall be reviewed by the Police Vehicle Crash Review Board. Therefore, a copy of the investigating officer's report shall be forwarded by the respective Division Chief to the Transportation Section for inclusion in the vehicle crash file. A copy of the investigating officer's report shall then be subsequently supplied by the Transportation Section to the Police Vehicle Crash Review Board. Rules and Procedures Chapter 1, Section 10, provides information on the duties and responsibilities of the Police Crash Review Board.

5. The respective Division Chief shall also forward a copy of the investigating officer's report to the Commanding Officer of the Police Academy Bureau, who shall then have the member of his/her Police Academy staff responsible for the Emergency Vehicle Operation Course (E.V.O.C.) training review the report to collect data necessary to compile the annual report on vehicle pursuits as explained in subsection VI. L. of Rules and Procedures Chapter 2, Section 7.

N. Vehicular Pursuits Which Do Not Result in Property Damage or Injury

The commanding officer, or the respective designee in the commanding officer's absence, of the field supervisor completing the Vehicular Pursuit Report (PDCS-2149b) shall prepare an Internal Correspondence to his/her Division Chief indicating that a review of the completed Vehicular Pursuit Report has been conducted. A copy of the Internal Correspondence and a copy of the corresponding Vehicular Pursuit Report shall also be forwarded to the Internal Affairs Bureau for review. The commanding officer shall indicate on the Internal Correspondence if he/she believes proper protocol as per Rules and Procedures Chapter 2, Section 7, was followed or if any corrective action (i.e., counseling, remedial training, other disciplinary action, etc.) was taken at the command level. A copy of this correspondence shall be forwarded by the respective Division Chief to the Commanding Officer of the Police Academy Bureau for subsequent dissemination to the Emergency Vehicle Operation Course (E.V.O.C.) representative designated with compiling the annual report on vehicle pursuits as explained in subsection VI. L. of Rules and Procedures Chapter 2, Section 7.

O. Responsibility of the Dispatcher

1. The dispatcher shall immediately upon being notified of a vehicular pursuit:

a. Receive and record all incoming information on the pursuit and the pursued vehicle.

b. Notify the appropriate field supervisor or alternate if the field supervisor for the unit is not available when a pursuit is initiated. If the dispatcher is unable to contact an appropriate field supervisor, the duty officer will take control of the pursuit.

c. Clear radio channel of any unnecessary traffic and advise all other units that a pursuit is in progress, providing all relevant information. If the pursuit interferes with heavy radio traffic, encompasses multiple precincts etc., have pursuing units switch to channel 9.

d. Notify pursuing unit(s) to "use caution - do not unreasonably endanger the lives of the public or officers".

e. Perform relevant record and motor vehicle checks.

f. Control all radio communications during the pursuit.

g. Coordinate assistance under the direction of the field supervisor.

h. Continue to monitor the pursuit until it has been terminated.

i. Draw a separate central complaint number entitled,

"vehicular pursuit", no matter how the pursuit was initiated, and assign such to the unit initiating the pursuit. This number will not be voided to a prior incident, but will be cross-referenced to the original incident if a central complaint number was assigned.

P. Loss of Pursued Vehicles

1. When the pursued vehicle is lost, the primary unit or, in his absence, the secondary unit, will broadcast the information necessary to assist other units in locating the vehicle suspects or to direct that no further search is required and to return to normal duty.

Q. Arrest of Suspect(s) at the Termination of the Pursuit

1. The officer in the primary unit is responsible for the arrest of the suspect(s) when the suspect voluntarily terminates the pursuit, or becomes involved in a traffic crash. The operator of the primary unit should transmit or know that another unit is transmitting the exact location and if observable and not already given, a brief description of the occupant(s). Such occupant(s) should always be considered dangerous. If the suspect voluntarily terminates the pursuit, felony stop techniques, as taught by the Police Academy Bureau, should be utilized. That is, never approach the vehicle, order the subject(s) to exit the vehicle, backing up to the officer's position of cover where the arrest is when effected.

If the pursued vehicle is involved in a motor vehicle crash and the operator or passenger cannot exit the vehicle on their own, the operator of the primary unit should only attempt to physically remove the occupant(s) if assistance is at the scene.

Operators of other units at the scene should exit their vehicles in such a manner as to cover the first officer's approach to the stopped vehicle, being especially careful not to place themselves in the line of fire between a fellow officer and the suspect or suspects. One officer should radio conditions as they develop and notify the dispatcher of any need for additional assistance. The original field supervisor or, if unable, another appropriate supervisor should respond to the scene regardless of the need for additional assistance.

R. Discontinuing the Pursuit Considerations

1. An officer involved in a pursuit must continually question whether the seriousness of the violation and other factors reasonably warrant continuation of the pursuit. All officers involved in vehicular pursuits shall be held accountable for the continuation of a pursuit when circumstances indicate the pursuit should be discontinued.

In considering this, all officers should recognize all factors, some of which are as follows:

a. A pursuit shall be discontinued when there is an exceptional danger to the pursuing officers or the public and this danger outweighs the necessity for immediate apprehension. Example:

When the speeds dangerously exceed normal traffic flow or when pedestrians or vehicular traffic necessitates unsafe maneuvering of the vehicle.

b. The pursuing officers must consider present danger, seriousness of the crime, length of pursuit and the possibility of identifying the suspect at a later time when determining whether or not to continue the pursuit. The element of personal challenge shall not enter into the officer's decision whether or not to pursue or terminate the pursuit.

c. The pursuing officer knows, or is reasonable certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or a non-serious felony and the safety factors involved are obviously greater than a juvenile can cope with.

S. Reinitiating the Pursuit

1. The termination of a pursuit does not prohibit the following of a vehicle at a safe speed, or remaining in an area to reinitiate the pursuit if the opportunity and conditions permit.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-30

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE LEAVING POLICE JURISDICTION					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 03/28/08	DATE EFFECTIVE 03/28/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 8: TITLE: LEAVING POLICE JURISDICTION

I. PURPOSE

To specify requirements for leaving the Suffolk County Police Department jurisdiction by on-duty members of the Service.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Permission to Leave County - A member of the Service does not leave the County on police business except by the authority of a Superior Officer or while engaged in close pursuit.

B. Notification Leaving the County - A member of the Service whose availability is controlled by the Communications Section dispatcher, i.e., Precinct, Highway Patrol, etc., upon leaving and also upon returning to the County in a Department vehicle must notify the Communications Section dispatcher each time as to the vehicle call number and destination. Such notification will be made via police radio unless extenuating circumstances indicated the use of telephone communications.

1. All other members of the Service who leave the County in Department vehicles must utilize the Locator Sheet, which is maintained at the Officer's command.

C. Leaving County in Uniform - A member of the Service while on duty does not leave the County in uniform in any event, except in close

pursuit, extreme police emergency, or as otherwise directed by a Superior Officer.

VI. PROCEDURES

N/A

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 9: TITLE: FIREARMS TRANSACTION, MEMBERS OF THE SERVICE

I. PURPOSE

To establish a firearms transaction procedure to be followed by members of the Service.

II. POLICY

The Department maintains records on all firearms both issued and personally owned by members of the Service in accordance with New York State Law and internal Department regulations.

III. DEFINITIONS

N/A

IV. REFERENCES

A. New York State Penal Law Sections 265.20 and 400 subd. 12

V. RULES AND REGULATIONS

A. No member of the Service, except for those within seven days of retirement, shall possess a valid New York pistol license. Police officers are exempted from licensing requirements under New York State Penal Law Sections 265.20 and 400 subd. 12. Valid New York pistol licenses must be surrendered to the Pistol Licensing Bureau upon being sworn in as a member of the Service.

VI. PROCEDURES

A. Obtaining Authorization for Personal Pistol or Revolver Transactions - Members of the Service shall, at least five (5) working days prior to purchasing, from a person other than a

licensed gun dealer, or the selling or disposing of any pistol or revolver (shall mean any firearm for which a license to possess is required as per Article 265 of the Penal Law), prepare and submit to the Pistol Licensing Bureau an Employee Weapon Record form (PDCS-1029) completing sections 1, 2 and the firearm information portion of section 3. The form will be reviewed by the Pistol Licensing Bureau and returned to the member giving authorization to proceed with the transaction, or denying authorization for the transaction with an accompanying explanation of the denial. (This procedure does not apply to transactions made as a duly licensed gun dealer.)

1. When a member of the Service has completed an authorized purchase of a pistol or revolver, the member submits to his supervisor for inspection the weapon and all copies of the Employee Weapon Record form (PDCS-1029). The supervisor verifies the accuracy of the information about the weapon as listed on the form. If accurate he completes the certification portion of section 3 and forwards all copies of the form to the Pistol Licensing Bureau. The commanding officer of the Pistol Licensing Bureau, or his designee, will perform a final review of the transaction and return the appropriate copy of the form to the member distributing other copies as specified on the form and notify the New York State Police of the transaction.

B. Obtaining Out-of-State Pistol Licenses - Members of the Service shall comply with the following when obtaining an out-of-state pistol license:

1. Members of the Service will notify the Pistol Licensing Bureau via the Employee Weapon Record (PDCS-1029) within ten (10) business days of all out-of-state sales or purchases of handguns. Members of the Service must make this notification even if the handgun is sold or purchased in a "no license" state.
2. Members of the Service will not place their Department issued handgun on the out-of-state pistol license.
3. Members of the Service must provide the Pistol

Licensing Bureau with photocopies of the receipts of the sale or purchase of the handgun and the out-of-state pistol license.

4. Members of the Service may not place a privately owned handgun on their Department shield and the out-of-state pistol license concurrently.

C. Exceptions - Any member of the Service who acquires any pistol or revolver by means other than purchasing (i.e., inheritance or gift) is exempt from the 5 day rule, but the member must, without unnecessary delay, notify the Pistol Licensing Bureau upon receiving the firearm by preparing an Employee Weapons Record form (PDCS-1029) and submitting as outlined in this section.

D. Reporting Department Issued Pistols and Revolvers - The Employee Weapon Record Form (PDCS-1029) and any other relevant paperwork, (i.e. Property Section Invoice-Receipt (PDCS-4201), Supplementary Report (PDCS-1084), etc.), must be completed and forwarded to the Pistol Licensing Bureau within three (3) days when any command takes possession of a sworn member's Department weapon and/or personal handguns for any reason. This also applies when the Armorer Unit within the Firearms Training Section takes possession of a sworn member's Department weapon for any reason, including, but not limited to, the member failing to meet minimum requirements for annual range qualification. This does not apply in cases where the Armorer Unit issues a pistol or revolver as a short-term replacement. The form is completed and verification is done by a member of the Armorer Unit then forwarded to the Pistol Licensing Bureau. The form is reviewed and endorsed by a member of the Pistol Licensing Bureau. The appropriate copy of the form shall then be returned to the member of the Service assigned the pistol or revolver. Notifications to the Pistol Licensing Bureau may be initially made via facsimile machine at 852-6670.

E. Safekeeping of Weapons - Members of the Service are responsible for the safekeeping, good care, proper maintenance and serviceable condition of all firearms issued to them by the Department and all pistols or revolvers personally purchased and possessed.

F. Licensed Dealers - Members of the Service who are duly licensed gun dealers and who have notified the Police Commissioner on the prescribed Department form, Outside Employment Record (PDCS-2055), are required only to report those firearms issued to them and/or personally owned.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Pistol License Surrender
License, Surrender of Pistol, Members of the Service

END

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 10: TITLE: RESTITUTION

I. PURPOSE

To inform members of the Force that they shall not act as an intermediary for a complainant who wishes restitution instead of prosecution of the offender.

II. POLICY

While it is the responsibility of members of the Force to investigate complaints of offenses in an effort to arrest the person or persons responsible and, where appropriate, to recover stolen property it is contrary to the role and responsibility of a police agency for members to act as an intermediary for a complainant seeking restitution instead of the prosecution of the offender.

III. DEFINITIONS

Offense - Conduct for which a sentence to a term of imprisonment or to a fine is provided by any law of this state or by any law, local law or ordinance of a political subdivision of this state, or by any order, rule or regulation of any governmental instrumentality authorized by law to adopt the same.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Members of the Force shall not act as an intermediary for a complainant who wishes restitution instead of prosecution.

B. Members of the Force shall not act as intermediary with any legal settlement a complainant may wish to make on his or

her own.

VI. PROCEDURE

A. When a complainant desires restitution, a member of the Force:

1. Advises the complainant that the Department involvement is only to investigate the alleged offense and identify and arrest the guilty party.

2. Advises the complainant that he, the complainant, may personally negotiate a settlement.

3. Advises the complainant that he may sue civilly, or

4. May direct the complainant to the Community Mediation Center of Coram (Except for prohibited referrals as stated in chapter 9, section 5) by preparing a Community Mediation Center Referral Notice.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA - 26.1.1

B. NYSLEAP - N/A

VIII. INDEX

Restitution - 2/10

Intermediate for a Complainant - 2/10

END



ORDER NUMBER 08-32
 08-42
 08-54
 08-71

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE USE OF PHYSICAL FORCE			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 05/19/08 06/16/08 08/07/08 12/17/08	DATE EFFECTIVE 05/19/08 06/16/08 08/07/08 12/17/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 11: TITLE: USE OF PHYSICAL FORCE

I. PURPOSE

To establish guidelines for the use of physical force.

II. POLICY

Members of the Service shall use only the force necessary to effect lawful objectives. Members shall use the least amount of force necessary to effect cooperation and control of a situation which requires police intervention, and then only when all other reasonable alternatives have been exhausted or are not available.

III. DEFINITIONS

Instrument - Any article, device, object, apparatus, implement or tool used to effect cooperation and control by forceful means.

Restraining Force - Is the use of a minimal amount of physical strength or energy exerted to hold, restrain, control etc., required to overcome resistance or reluctance to obey the direction of an officer.

Physical Force - Is the striking, kicking, fighting or any other physical or violent confrontation and force greater than restraining force not amounting to deadly physical force.

Deadly Physical Force - Physical force which is readily capable of causing death or other serious physical injury.

Physical Injury - Is the impairment of physical condition or substantial pain.

Serious Physical Injury - Physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

IV. REFERENCES

Article 35 of the New York State Penal Law.

V. RULES AND REGULATIONS

A. Physical force, when used, shall be the minimum force necessary for a given situation and shall be reasonable in degree to the extent that it is necessary to effect cooperation and control of the situation.

1. No member of the Service shall exceed the limits of his/her authority under Article 35 of the New York State Penal Law known as the Defense of Justification.

B. Only issued or approved equipment shall be used when applying physical force, except in emergency situations when it may be necessary to use any instrument at the disposal of the officer(s) involved.

C. Whenever a person or persons are engaged in passive resistance demonstrations, "Pain Compliance" come along holds shall not be used against a person involved in passive resistance demonstrations, unless specific authorization has been given to use such holds by a member of the Service above the rank of Inspector. This limitation applies only to passive resistance demonstrations and is not a restriction upon an officer's authority to use reasonable force when the officer is any way endangered, is the subject of an attack or is confronted by someone actively resisting arrest as opposed to passive non-cooperation.

VI. PROCEDURE

A. Physical force may be used when it is lawful and when the exercise of persuasion, advice and/or warning is found to be insufficient to obtain cooperation and control.

B. If it has been necessary to use physical force, the Officer shall immediately determine if the person requires medical treatment.

1. If the person has suffered a physical injury and/or complains of injury or pain, the person shall be transported to a hospital emergency room.

C. A Supervisor shall be notified whenever physical force, including deadly physical force, has been used. Whenever physical force results in serious injury, this Supervisor will respond to the incident, assess the situation and when necessary:

1. Ensure the member receives medical treatment and the Injured Employee Report is completed.

2. Ensure the prisoner receives medical treatment and the Subject Resistance Report (PDCS-1040) is completed.

3. Notify the Detective Division.

4. Notify the Internal Affairs Bureau (IAB) in cases resulting in serious physical injury. When the incident occurs during non-working hours of the IAB, the Supervisor will contact the Communications Section Duty Officer. The Duty Officer will notify the Commanding Officer, or designee, of the IAB.

D. Use of Force Reporting - Except for those use of force cases investigated by the Homicide Section (i.e., police shootings resulting in physical injury or death, death in custody, etc.), when a member of the Service uses physical force, including deadly physical force, whether an arrest is made or not and/or in any case where a person is charged with Resisting Arrest (205.30 N.Y.S. P.L.) wherein any level of force is used, all involved officers shall, as soon as practical, prepare a Subject Resistance Report, (PDCS-1040), to detail their respective involvement and submit this report to the supervising sergeant of the zone of occurrence. If that member is incapacitated, his or her immediate supervisor shall prepare and submit the Subject Resistance Report. The supervising sergeant of the zone of occurrence shall compile and submit the Subject Resistance Reports for appropriate distribution.

E. Submission of the On-Line Use of Force Report - The supervising sergeant of the zone of occurrence shall review the Subject Resistance Reports from said officers and is responsible to submit, as soon as possible or practical, the On-Line Use of Force Report on the SCPD Intranet. This responsibility shall apply to the supervising sergeant of the zone of occurrence even if he or she is involved in or is a witness to the use of physical force.

1. The On-Line Use of Force Report will be completed on the SCPD Intranet by following the instructions provided under the "Programs Menu." The completed On-Line Use of Force Report will be forwarded electronically via the Intranet to the Internal Affairs Bureau.

2. The completing sergeant shall forward printed copies of the On-Line Use of Force report to the Command Administrative staff for inclusion into the case file, review of the Commanding Officer, and distribution to Central Records, the respective Division Chief and the Police Academy.

F. Required Photographs - Photographs will be taken if a person is subjected to any force, including restraining force, or is charged with Resisting Arrest, whether or not the person is injured or alleges injury. The required photographs are taken in addition to mug shots. The photographs will clearly depict the following body areas of the person:

- a. Overall front and back areas.
- b. Close-ups of all exposed areas.
- c. Close-ups of all injured areas.
- d. Close-ups of all areas alleged by the person to be injured.
- e. Upon consent of the person, close-up photographs of the following unclothed body areas: front and rear torso (male), rear of torso (female), legs and feet. No efforts shall be made to compel or force a person to submit to any photographs of the foregoing

body areas.

1. Photographs will be taken of the scene and any evidence pertaining to the person's injury / alleged injury, if applicable.

2. The Precinct Crime Section or Crime Scene Section will take the photographs, whenever possible. Digital cameras or 35mm. film cameras will be used. If the Precinct Crime Section or Crime Scene Section is not available, any personnel and/or equipment may be used.

3. The photographs of the person subjected to force will be documented on a Supplementary Report, (PDCS-1084), by the Officer taking the photographs.

G. Use of Force Investigations Conducted by the Homicide Section -

In cases when an investigation is being conducted by the Homicide Section concerning the use of force by a member of the Service, the Subject Resistance Report, (PDCS-1040), shall not be completed. Instead, the Commanding Officer of the Homicide Section, or the Commanding Officer's designee, shall prepare and submit an Internal Correspondence (PDCS-2042) to the Commanding Officer of the Internal Affairs Bureau within 10 days of the initiation of the investigation. The correspondence shall include the following information:

1. The name, rank, and command of the officer.
2. The date and time of occurrence.
3. Type of force used.
4. Pedigree of the Use of Force subject.
 - a. Date of birth.
 - b. Personal Identification Number (PIN).
 - c. Gender and race.
 - d. Address, home and cell phone numbers.
5. Indicate if the subject was engaged in unlawful activity and if so, what type.
6. Describe the subject's injury.
 - a. Physical injury.
 - b. Serious physical injury.
 - c. Death - Has the Medical Examiner determined the manner and cause of death?

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA - 1.3.1, 1.3.7, 1.3.13, 26.1.1
- B. NYSLEAP - 20.1, 20.2, 20.3, 20.6, 20.7, 21.2

VIII. INDEX

Force, Use of Physical 2/11
Physical Force, Use of 2/11
Use of Physical Force 2/11

END

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 13: TITLE: BAIL ENFORCEMENT AGENTS

I. PURPOSE

To provide a procedure for recording the intended activities of Bail Enforcement Agents and to guide members of the Department in determining when to assist Bail Enforcement Agents.

II. POLICY

The Department makes every effort to ensure that all Bail Enforcement activities comply with Section 70 of the New York State General Business Law and that any attempt at bail enforcement will not endanger the lives or property of Suffolk County residents.

III. DEFINITIONS

"Bail Enforcement Agent" shall mean and include only the business of bail enforcement and shall also mean and include, separately or collectively, the engaging in the business of enforcing the terms and conditions of a person's release from custody on bail in a criminal proceeding, including locating, apprehending and returning any such person released from custody on bail who has failed to appear at any stage of a criminal proceeding to answer the charge before the court in which he may be prosecuted.

IV. REFERENCES

Section 70, General Business Law of the State of New York.

V. RULES AND REGULATIONS

- A. Members of the department who are approached by a Bail Enforcement Agent seeking to make notification as required by Section 70a of the General Business Law, shall direct said agent to the nearest precinct.

VI. PROCEDURES

A. When a Bail Enforcement Agent seeks to make notification at a Precinct, the precinct desk officer shall notify the precinct desk supervisor and record the following Bail Enforcement Agent information on a Field Report form (PDCS-1053), entitling the report, "Bail Enforcement Notification":

1. Agent's Name
2. Address
3. Bail Enforcement License Number
4. Agent's Motor Vehicle
Registration Number
5. Local address of enforcement

B. The precinct desk supervisor will determine what action by the department, if any, is needed. The precinct desk supervisor shall consider whether the person is wanted for reasons which empower a Suffolk County Police Officer to make an arrest or there is reasonable cause to believe that members of the public may be endangered by the Bail Enforcement Agent's action and police presence is required to safeguard the general public.

END



ORDER NUMBER	08-18
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE MEMORANDUM BOOKS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 02/01/08	DATE EFFECTIVE 02/01/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 2: TITLE: GENERAL REGULATIONS

SECTION 14: TITLE: MEMORANDUM BOOKS

I. PURPOSE

To provide guidelines for uniformed members of the Service regarding the proper completion of Memorandum Books.

II. POLICY

It is the policy of the Suffolk County Police Department to have members prepare and maintain a permanent record of their activities during their assigned tours of duty.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Memorandum Books are prepared by members of the patrol division below the rank of lieutenant, except those members who for their tour of duty are assigned to a Special Patrol Bureau helicopter, clerical duties, or administrative duties. Members assigned to a Special Patrol Bureau helicopter will document their activities in accordance with current Special Patrol Bureau Directives and current federal aviation regulations. Police Recruits while assigned to the Police Academy shall maintain Memorandum Books as directed by their Commanding Officer.

B. The Memorandum Book will be used to record all activities, duties, and actions performed by the member. A member is required to make entries at the time the pertinent information is received or an incident/event occurs. All entries are made in chronological order and they are made accurately, completely, and extensively enough to retrieve the information at a later date. NOTE: Although partial information from the Memorandum Book does appear subsequently on departmental forms, the assigned member must recognize that he/she must record sufficient pertinent information to ensure recollection of the facts of the activity, action or service rendered, which may be required at anytime during his/her police career.

C. The Memorandum Book is to be presented to a supervising officer for certification and is to be produced when required by the police commissioner, by court order, or for inspection by a superior officer.

D. All members preparing Memorandum Books are required to maintain thirty (30) working days of entries in their issued leather bound memorandum book cover along with sufficient blank insert sheets to record the required current data. Completed pages older than thirty (30) working days are to be preserved by the member and produced as required by these Rules and Procedures. All inserts provided by the department are to be preserved by the individual member for future reference. The Memorandum Book will be kept in a neat and orderly fashion.

E. In the event that a Memorandum Book Page is rendered unusable it must be retained in the Memorandum Book in proper sequence, and the next page started right after it. If it is mutilated to such an extent that keeping it is impractical, then the damaged page shall be submitted to his/her immediate supervisor along with a Voided Memorandum Book Report - PDCS-1098. The supervisor will verify the report and ensure that the report and the Memorandum Book Page, if one exists, are filed in the member's command personnel jacket.

F. Any completed Memorandum Book page that is lost, destroyed or damaged is to be reported without delay, in an Internal Correspondence (PDCS-2042), via the immediate supervisor to the commanding officer.

G. All Memorandum Book entries will be made on a Memorandum Book Page (PDCS-1088f). This form is serially numbered and the member to whom it is issued must account for each page.

H. A member maintaining a Memorandum Book is responsible for making all entries, either hand printed or hand written, whichever is more legible and understandable, using a blue-black or black ink ball point pen. Both sides of the insert page may be used and when doing so the officer will enter the notation on the last line of the first side "CONTINUED ON REVERSE". If additional space is required, additional pages may be used and marked page 1 of__ corresponding

with any additional pages.

I. If subpoenaed to court the member is responsible to produce only those Memorandum Book Pages which are relevant.

J. Errors in Memorandum Book - entries will be corrected by drawing one line through the error and initialing the error.

K. Authorized department abbreviations may be used when preparing Memorandum Books.

L. On all arrests (including F.A.T. and civilian arrests), a copy of the arresting officer's Memorandum Book page, valid for the tour on which the arrest is made, shall be forwarded to the Court Liaison Section with the arrest paperwork for subsequent submission to the District Attorney's Office.

VI. PROCEDURES

A. Upon reporting for a tour of duty, members of the Service required to fill out a Memorandum Book will start a new Memorandum Book Page (PDCS-1088f) for each tour of duty day. All entries will utilize military (24 hour) time.

B. The Memorandum Book Page has two areas: the heading area and the body area.

1. **Heading:** At the beginning of each tour, the assigned individual member completes the appropriate parts of the page heading as follows: The name and rank of the member, precinct number or command, day of the week, date, tour of duty, squad, post assigned, vehicle fleet number, starting mileage (if assigned patrol vehicle), radio serial number, weather conditions, road conditions, date of last speed certification, date of last vehicle state inspection, check box for quantity of road flares (full or half full), check box for condition of fire extinguisher (full or empty), quantity of oxygen, condition of tires, condition of steering and brakes, return date for 1st District Court, enter name of road supervisor. At the end of a tour of duty the finishing mileage is entered.

2. **Body:** The first entry in the body area will indicate the time on duty, who the member notified regarding his/her on duty status, what member was relieved by the oncoming member (if any), and any member who may be doubled with or partnered with the member for that tour. The following additional entries on the Memorandum Book Page will be placed in the body area in chronological order:

a. **Assignments** - the member will record all assignments received, or obtained through patrol pick up, listing the time received. The member will place the "10" code signal for the type of assignment, location, the time of arrival at the assignment location, pertinent information regarding the assignment, and the time the

assignment was completed. The member will also indicate the time back in service.

b. Meals- members will list the location of their meals and the time of the meal period. Upon completion of the meal, the member will list the time back in service.

c. Absence from Post - members will list whenever they are absent from their assigned post or place of assignment.

d. Traffic/Enforcement Stop - members will list the summons number if issued or, if a summons is not issued, the following:

- (1) Time and location of the stop.
- (2) Vehicle operator's name and DOB.
- (3) Plate/vessel number.
- (4) Reason for the stop.

e. Escorts/Transports - members will list all times when a non-member of the Service is escorted or transported in a police vehicle/vessel. The starting mileage, starting location, destination, and ending mileage will be listed by the member. The starting time and ending time of the escort/transport will be listed. The member will list a description, including name and address of any and all non-members of the Service escorted or transported.

f. Post Conditions/ Information - a member is responsible for recording departmental business and other information as directed by a superior officer or as required to effectively perform the police function. Additionally he/she is responsible for recording observations as to street light, traffic signal, and railroad crossing signal malfunctions and any and all dangerous conditions along with reporting same to the precinct and/or dispatcher.

g. Pre-Screening Breath Device - members responsible for completing a Memorandum Book will make an entry whenever a pre-screening breath device is requested or administered.

h. Orders of Protection -Notification to Sheriff's Department Order of Protection Registry - members will make a Memorandum Book Entry when notifying a defendant/respondent of the existence of an order of protection or providing an escort related to an order of protection.

i. Department Issued Cell Phone Use - members possessing a Department issued cell phone and working in assignments where a Memorandum Book is utilized to record activities shall document the following information in their Memorandum Books when a call is received or placed on the Department issued cell phone: phone number of the incoming call (when available) or outgoing call; individual/command/agency calling or individual/command/agency contacted; purpose of call; and duration of call. For major incidents (i.e. Hostage/barricaded subject, fatal motor vehicle, etc.) one entry with the central complaint number assigned to the incident and the total number of telephone calls made will suffice.

j. Tasks Performed - the member will list all other tasks performed not included in "a" through "i" above. The times of these tasks and all other pertinent information will be included.

k. End of Tour/Off Duty - the member will list when his/her

tour is completed and he/she is off duty and will list by whom relieved, if applicable. After completing this entry, the officer will sign his/her police signature and date on the last line of entry for that tour/calendar day. Immediately after the last entry a diagonal line is to be drawn from the officer's signature to the bottom of the page.

C. Supervisory Responsibility:

1. A supervising officer inspects at least once each tour of duty, the Memorandum Books of members on duty. The supervising officer certifies that a full and accurate record of duty performed, alarms, and all other necessary information has been entered therein, as well as checking that there are no unaccounted for missing pages. The supervising officer certifies same, entering date, time, location and signature.
2. The immediate supervisor or superior officer writes or prints (except signature) in the subordinates Memorandum Book Page on the current insert sheet directly after the last entry made by the member when checking or inspecting the Memorandum Book. The supervising officer reviews any previous page in the Memorandum Book that is not certified (signed by a supervisor) and adheres his/her signature to the bottom of those pages, certifying the inspection and proper completion of the Memorandum Book on those previous dates.

3. The inspection and certification (signature) by the immediate supervisor or a superior officer signifies that the assigned individual officer has maintained his memorandum book and insert pages as outlined by these Rules and Procedures and has done so since last inspected and so certified by any other immediate supervisor or superior officer. However, if the inspection shows that the memo book is not being maintained correctly, this will be noted in lieu of the certification entry. Additionally, the immediate supervisor or a superior officer may record

pertinent information in the subordinate's Memorandum Book at the time of and relevant to the inspection which he/she feels might be necessary

4. Upon endorsing an officer's memo book, the supervisor is validating that the officer presents a neat and professional appearance, has all Department authorized equipment, and is maintaining his or her patrol vehicle in a orderly and serviceable condition.

D. Duplicate Memorandum Book Pages

1. A Memorandum Book Page that has been partially completed may be duplicated under the following circumstances:

- (a) If any error is made that cannot be readily corrected thereon.
- (b) If illegible or rendered unsuitable for use due to damage.

2. In the event that a Memorandum Book Page is duplicated, the

member will make the following entry on the first line of the new Memorandum Book Page: "DUPLICATE COPY", followed by the serial number of the Memorandum Book Page that is to be replaced. The member will then correctly transpose the information from the original page to the replacement page.

3. After the information is copied onto the new Memorandum Book Page, the member will follow the procedure for voiding a Memorandum Book Page as outlined below.

E. Voided Memorandum Book Pages

1. A Memorandum Book Page may be voided under the following circumstances:

- (a) If rendered unsuitable for use.
- (b) If lost or completely destroyed (eg., fire, water damage).

(c) If a duplicate Memorandum Book Page is deemed necessary.

2. Members of the Service must account for all Memorandum Book Pages issued to them. The voiding of a Memorandum Book Page will be accomplished by the completion of a "Voided Memorandum Book Page Report" (PDCS-1098). The voided Memorandum Book Page shall be attached to the affidavit (except as indicated in paragraph 1(b)).

3. All voided Memorandum Book Pages with attached Voided Memorandum Book Page Reports are submitted to the member's immediate supervisor. If found justified, the report is signed by the supervisor and forwarded to the commanding officer for concurrence and signature.

4. All voided Memorandum Book Pages with attached Voided Memorandum Book Page Reports are kept at the member's command.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

Memorandum Book:

Duplicate Memorandum Book Pages, 2/14

Responsibilities, 2/14

Supervisor Responsibilities, 2/14

Voided Memorandum Book Pages, 2/14

END

RULES AND PROCEDURES

CHAPTER 2: GENERAL REGULATIONS

SECTION 15: PROHIBITION OF POSSESSION OF CERTAIN WEAPONS

I. PURPOSE

To establish guidelines for members of the Force regarding the possession of certain weapons other than while on-duty and in the performance of a governmental function.

II. POLICY

The NYS Penal Law Section 265.20, sub 1.6 stipulates an exemption for Police Officers regarding possession of those firearms and other dangerous weapons described therein. It shall be the policy of the Suffolk County Police Department to limit the types of weapons that an off-duty member of the Force may possess as described in subsection V. entitled "RULES AND REGULATIONS".

III. DEFINITIONS

As defined in NYS Penal Law Section 265.00

IV. REFERENCES

NYS Penal Law Article 265

V. RULES AND REGULATIONS

Members of the Force, while off-duty, shall not possess any of the following weapon types:

1. "sawed off" weapons;
2. electronic dart gun;
3. electronic stun gun;
4. armor piercing bullets;
5. bullets with explosives;

6. bomb;
7. bombshell;
8. silencer; or
9. machine gun.

VI. PROCEDURE

N/A

VII. ACCREDITATION REFERENCE STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Weapons

Weapons, off duty

END



ORDER NUMBER 08-55

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE ABSENCE AND ATTENDANCE				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 09/10/08	DATE EFFECTIVE 09/10/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 3: TITLE: ADMINISTRATIVE MANAGEMENT PROCEDURES

SECTION 1: TITLE: ABSENCE AND ATTENDANCE

I. PURPOSE

To establish regulations relating to the absence and attendance of members of the Department.

II. POLICY

Regulations regarding absence and attendance of members of the Department shall be in conformance with applicable law, contractual labor agreements and Department Rules and Procedures.

III. DEFINITIONS

N/A

IV. REFERENCES

Workmen's Compensation Law of the State of New York
 New York State Policemen's & Firemen's Retirement System
 Current Contracts of: Patrolmen's Benevolent Association
 Superior Officer's Association
 Association of Municipal Employees

V. RULES AND REGULATIONS

The procedures that follow set forth requirements that are rules and, as such, must be observed by all members of the Service.

VI. PROCEDURES

A. Absence of Duty

1. Notification of Absence - Requests for permission to be absent from duty not outlined in this chapter must be submitted through the commanding officer, respective division chief and the Police Commissioner for approval. Members of the Service absent from duty for

any cause must report or cause a report to be made immediately to their command stating the reasons for their absence.

2. Leave Without Pay - Commanding officers may grant leave of absence without pay for one day to any member of his command in the case of extraordinary emergency, when application has been made and approval cannot be obtained in time. The commanding officer is responsible for notifying the Payroll Section, Human Resources Bureau.

3. Medical Examination - At the direction of the Police Commissioner, physicians and/or police surgeons may at any time examine any member or employee of the Police Department, County of Suffolk, to determine the employee's or member's physical or mental fitness. Appropriate action will be taken where a member fails to qualify for the rank or position he holds.

4. Workmen's Compensation - Members are covered by Workmen's Compensation and are entitled to the benefits provided for in the Workmen's Compensation Law of the State of New York.

5. Retirement System - Members of the Service are members in the New York State Policemen's and Firemen's Retirement System. All matters pertaining to retirement benefits are under sole jurisdiction of the New York State Policemen's and Firemen's Retirement System.

6. Social Security - Members of the Service, if enrolled, are covered by the Social Security System.

B. Permissible Leave

1. Personal Leave Days - Upon written application, leave of absence with full pay may be granted to a member of the Service for personal business, including religious observance, without charge against accumulated vacation, overtime or sick leave as outlined in the current contract.

2. Death in Family - A member, upon application to his commanding officer, shall be granted three (3) working or four (4) calendar days leave of absence with full pay, whichever is greater, in case of death in his "immediate family" which shall be defined as his wife, husband, child, father, mother, brother, sister, parent-in-law, stepparent, grandparent, grandparent-in-law and grandchild. An employee shall be granted one (1) working day leave of absence in case of death of his son-in-law, daughter-in-law, foster parent, foster child, nieces, nephews, uncles, aunts, half-brother and half-sister.

3. Commendation Leave - The Police Commissioner may allow extra time off for Departmental recognition of an act or deed performed by a member of the Service. Commanding officers forward, through channels, a complete report of the member of the Service who makes an arrest of more than usual importance or who, in the line of duty, performs independently some act or deed of particular merit.

4. Holiday Leave - A member of the Service is entitled to those

holidays enumerated in the Labor Law of the State of New York and the additional holidays specified in the contracts presently in force between the County of Suffolk and the line organization bargaining units.

a. A member who actually works on a day observed as a holiday that is his regularly scheduled workday, shall receive in addition to his regular day's pay and holiday pay for all hours worked, any additional compensation as outlined in the current contracts.

5. Blood Donation Leave - As per contractual agreement, certain members of the Department who have donated blood are excused for a tour of duty at a mutually agreed upon time provided they have submitted to their commanding officer certification of a blood donation. The number of blood donations for which a member may receive a day off is reflected in the current contract.

6. Veteran's Days - Members of the Service entitled to "Veteran's Days" shall be awarded same only if they are required to actually work the designated Veterans Days. Any member scheduled to work such days may at the discretion of his commanding officer be ordered not to report to work on that day. In such cases, the member will not be entitled to another day off.

7. Maternity Leave - A female police officer with one (1) year or more of service, shall be granted maternity leave of eighteen (18) months duration from the date of pregnancy. This leave shall be no longer than nine (9) months after the birth of the child. She shall return to duty without loss of seniority and longevity provided she notifies her commanding officer after six (6) months of leave that she intends to return. Longevity and seniority, however, shall not accrue during such leave. A doctor, either employed by or performing contract services for the County or the Police Department, shall upon request by the Medical Evaluation Bureau, consult with the employee's physician to determine when the employee is no longer able to properly perform her duties. The employee, at her sole discretion, may use sick leave, vacation, personal days or compensatory time before being taken off the payroll. Such time shall be part of the eighteen (18) months. An Application for Leave of Absence shall be submitted only for that portion of the eighteen (18) months which the employee opts as unpaid leave. In all cases, an Internal Correspondence shall be submitted to the member's commanding officer advising the following: date of commencement of maternity benefit, accrued time to be used, and expected date of return to active duty. A copy of this correspondence shall be forwarded to the Human Resources Bureau Supervisor. It will be the responsibility of the member's commanding officer to ensure that the duration of the leave is within current contractual limits. Prior to commencement of leave, the member shall submit a doctor's note indicating the date she is no longer able to work. Upon returning from said leave, the member must submit a doctor's note indicating that she is fit for duty. The member shall be returned to service in the same rank, but not necessarily to the same assignment.

8. Military Leave - Members of the Department who join the National Guard or Military Reserves are required to notify the Department,

via an Internal Correspondence (PDCS-2042) to their commanding officer, as soon as possible. Members belonging to the Military Reserve or National Guard are entitled to annually absent themselves from work for a total of thirty (30) calendar days or twenty two (22) work days, whichever is greater, with pay when ordered to attend military duty. Any time utilized for military reserve functions extending over the allowable annual entitlement may be taken by the member in the form of accrued leave time or leave without pay, whichever is specified by the officer._

a. Notification of Military Leave - If a member should obtain a yearly schedule of military duty, it is requested that the member provide a copy of the schedule to his/her commanding officer along with an Internal Correspondence (PDCS-2042) indicating the military duty dates which conflict with scheduled work days. To avoid misunderstandings, it is requested that the member advise his/her commanding officer of any changes in this duty schedule. If the member does not receive such a schedule, or if there is to be leave not included in the schedule, it is requested that his/her commanding officer be informed of this or any other impending military leave time via Internal Correspondence (PDCS-2042).

These notifications and any other pertinent paperwork shall be filed at the member's command and retained for a six year period. If a member is transferred to another command all such notifications and related paperwork shall be forwarded to the member's new command. Members who work a scheduled duty day and attend a Reserve/Guard meeting after or before duty within the same day need not notify the Department.

b. When a member chooses to take leave without pay to attend military duty, the member should inform his/her commanding officer before the leave time is taken. The commanding officer shall then notify the Payroll Section, via Internal Correspondence (PDCS-2042), of those dates.

c. On return from military leave of absence the member will present to his/her commanding officer an Internal Correspondence (PDCS-2042) which will certify attendance at the military duty. Such Internal Correspondence will state the name of the member, the date(s) of attendance, and the location and military unit of assignment. It shall be filed with the original notifications of military leave presented by the officer.

d. After completion of military duty, members must return to work within a certain period of time:

1) For military service of fewer than 30 days, members of the Department are granted at least 8 hours from the termination of military duty before they must return to work. Members must return for their next scheduled tour of duty after the 8 hour time period.

2) For military service of 31 to 180 days, members must return to work within 14 days of the termination of the military duty.

3) For military service of 6 months or more, members must return to work within 90 days of the termination of the military duty.

Members who do not return for their scheduled tours of duty within these time periods will be considered absent without leave. Any tours of duty which fall within these time periods and are not worked by the member must be taken as military leave time or as accrued leave time or leave without pay, whichever is specified by the officer.

e. Commanding Officers will forward copies of all paperwork relating to personnel joining the National Guard or Military Reserves and personnel making military leave notifications immediately to the Personnel Section.

9. Leave of Absence - Up to one (1) year without pay may be granted by the Police Commissioner, upon application of a member of the Service. Upon return from such leave of absence, the member shall be returned to service in his permanent Civil Service rank, but not necessarily to the same position.

10. Absence with Approved Leave in Excess of Available Accruals - Any member of the Department applying for deductible leave time such as personal, vacation, compensatory, sick, etc. must have said leave time accrued. If a member is granted such leave in excess of his or her actual accruals at the time of the leave, they will have their subsequent paycheck reduced by an amount equal to the value of the leave time taken. The member's commanding officer shall advise the Payroll Section, via Internal Correspondence, PDCS 2042, to reduce the member's next available paycheck by the appropriate number of hours. The Internal Correspondence should state the member's name, rank or title, social security number, the number of hours to be docked from member's pay and the reason for the docking of pay. A duplicate copy will be given to the employee.

11. Leave of Absence Under the Family and Medical Leave Act - The Family and Medical Leave Act of 1993 requires that employers grant up to 12 weeks per year of unpaid leave to eligible employees, and to return those employees to the exact or an equivalent position upon their return. The Family and Medical Leave Act (FMLA) permits any eligible employee to take leave for the birth, adoption or placement in foster care of a child, the care of a seriously ill child, spouse, or parent, or the employee's own serious illness. Prior to an employee becoming eligible for leave under the FMLA, he or she must have been employed for at least 12 months and must have completed at least 1,250 hours of work during the 12 months immediately prior to the leave.

a. If a member of the Department wishes to utilize this leave, the member must submit an Internal Correspondence (PDCS-2042) through the chain of command to the Commissioner. This correspondence must state the reason for the leave, the duration of the leave, and the starting and ending dates of the leave. If the leave is to be based on the serious health condition of the member or the member's legal spouse, child, or parent, the application must be accompanied by a Medical Certification Statement (County Form WH-380) which must be completed

by the applicable health care provider. Applications for this leave are required to be submitted at least 30 days before the leave is to begin. If, due to urgent circumstances, the leave must begin in less than 30 days, the member must state this in the Internal Correspondence to the Commissioner and must personally notify the Suffolk County Labor Relations Office.

b. The member's commanding officer, upon receiving the request for leave, shall immediately forward the request through the chain of command to the Commissioner, who shall in turn forward the request to the Suffolk County Labor Relations Office for determination as to whether or not the leave is to be granted. The commanding officer shall also forward a copy of the request to the Personnel Section.

For any further information reference Family and Medical Leave, please refer to the Suffolk County Family and Medical Leave Act Policies and Procedures Manual.

C. Vacation

1. Vacation Period - The authorized annual vacation period is from the first of January until the thirty first of December, inclusive. Vacation periods for all ranks below that of captain are granted without interruption except by permission from the commanding officer when a justifiable reason exists. Members may split their vacation into one week intervals.

2. Accumulated Vacation - Members of the Service shall have the right to accrue unused annual vacation time up to a maximum specified in the current contract. Additional accrual shall be at the discretion of the Police Commissioner.

3. Vacation Seniority - Vacations are chosen by members of the Service as outlined in the current contract.

4. Vacation Lists Submitted - Commanding officers are responsible for the submission of vacation lists to their respective division commanders not later than December 15 of each year. No changes are permitted except to fill in a vacancy period or by mutual consent of the members of the Service affected, with the approval of the commanding officer.

a. Prior Transfer - If a member of the Service is transferred not by choice prior to the commencement of his scheduled vacation period, his previously selected vacation schedule will be maintained. Thereafter, his vacation period is scheduled in the prescribed manner.

b. Transfer While on Leave - If a member of the Service is on authorized vacation or authorized leave of absence and is transferred, he remains on vacation or absence and at the termination of the vacation or absence, he reports to his new command unless otherwise directed by the Police Commissioner.

c. Vacation/Sick Time - If a member of the Service is on sick report, the duration of which is likely to extend into his scheduled vacation period, his scheduled vacation period or unused part (s) thereof is rescheduled upon the request of the member by his commanding officer as not to conflict with any other member's scheduled vacation period.

d. Vacation/Major Illness - Members of the Service who have a major illness or injury while on vacation, may use their sick leave for the remainder of the illness, and have their vacation time adjusted, provided proper notice is given and a doctor's certificate is presented, and provided further, the police surgeon at the option of the Commissioner shall examine such member and provided further that the Commissioner approves the adjustment.

5. Vacation Schedule - Commanding officers are to arrange the vacation schedule so that the smallest practical percentage of the members are on vacation at the same time. Vacation schedules will be conspicuously posted by January 1 of each year.

6. Vacation Address Required - A member shall not be required to notify his commanding officer of his whereabouts while on vacation. There will be an exception to this in that the Police Commissioner can request an employee's whereabouts when he deems necessary.

7. Authorized Annual Vacation - The authorized annual vacation periods granted to members of the Service are as specified in the current contracts.

8. Continuous Police Service - The continuous police service time is computed as follows:

a. From the certified date of appointment as a peace officer, and who then was approved for transfer directly to the Police Department, County of Suffolk, New York, by the Civil Service Commission, County of Suffolk, New York and with no interruption in service time or such continuous service time as was then determined by the Police Department, County of Suffolk, New York.

b. From the certified date of appointment as a police officer in the Police Department, County of Suffolk, New York.

c. From the certified date of reinstatement as a police officer in the Police Department, County of Suffolk, New York.

9. Successive Vacation Days - Vacation periods are taken in successive days, including normal days off, holidays and those dates designated as Veterans days. Vacation days may be terminated at the discretion of the Police Commissioner.

10. Terminated Vacation Pay - When a member of the Service terminates his service by retirement or resignation, he receives a lump sum payment in lieu of any unused authorized vacation. In the case of death of an active member of the Service, his beneficiary or estate is to

receive this payment.

D. Overtime Compensation

1. Overtime - Any overtime compensation earned by members of the Department for time worked as specified in the appropriate collective bargaining agreement shall be reported, without unnecessary delay, on the prescribed Department form. The applicable member of the Department shall then submit the Record of Overtime form to his/her supervisor for approval. (Note: In all cases, the Record of Overtime must be submitted to, and approved by, the next level of supervision.) Any overtime not reported within two (2) working days from the date the overtime was worked shall be accompanied by a written explanation, addressed to the member's commanding officer on an Internal Correspondence, in addition to the Record of Overtime form. The member's commanding officer shall carefully review the reason or reasons for such delay in reporting overtime and determine whether the delay in reporting is reasonable. Lack of timely submission without a valid explanation justifying such delay shall constitute cause for a member not to be compensated for such overtime.

2. Compensatory Time - Compensatory time is time compensated by one and one-half hours of compensatory time for each hour of overtime worked.

3. Paid Overtime - Are those overtime hours in which a member receives one and one-half hours pay for each overtime hour worked.

a. All ranks above detective captain may at the discretion of the Commissioner of Police, in concurrence with the County Executive, receive pay or compensation for overtime work.

4. Minimum Compensatory Time Granted - Compensatory time may be taken at a minimum of four or more hours at any one time, at times to be mutually agreed between the Department and the member.

5. Maximum Overtime which may be accrued and credited to any member is outlined in the current contract.

6. Prohibiting Compensatory Time - A member attending his own disciplinary proceeding, award or promotional ceremonies will not receive any overtime because of hours directly or indirectly involved therein.

E. Sick Leave

1. The health and welfare of members of the Department is of paramount importance. When a member of the Department suffers from a non-line of duty illness or injury, the member may utilize his/her accrued sick leave. Concurrently, the Department recognizes its need to provide service to the public and for members to utilize sick leave afforded by current contracts in a non-abusive way.

Sick leave shall be granted to a member of the Service who notifies the Department that he/she has a non-line of duty illness or injury that prohibits the member from performing the full duties of the

position held by the member. Any other use of sick leave is impermissible and may subject the member to disciplinary action.

Sick leave is granted to all members of the Service as follows:
Unless otherwise directed by the Police Commissioner:

a. for uninterrupted police service after January 1, 1960, each employee shall be entitled to whatever sick leave is specified in force under current contract.

b. Upon reinstatement to the Service, sick leave is granted on a prorated basis. If reinstated within one (1) year, all prior accumulated sick leave is credited.

2. Accumulated Sick Leave - Cannot exceed the amount specified in the current contracts.

3. Severance from Service - For disciplinary reasons terminates all sick leave credit.

4. Calendar Year - Is from the first day of January to the thirty first day of December inclusive.

5. Family Illness - A member may use that amount of sick days specified in the current contracts in each calendar year in the event that his spouse or any member of his immediate family living in the household cannot take care of themselves or take care of the children of such member for which the member has the responsibility of a parent.

6. Line of Duty Injuries - Any leave due to injuries received in the performance of police duty is not charged as sick leave.

7. Full Pay is Granted - For injuries received in the line of police duty, when it can be conclusively shown that disability was actually received while a member was performing police duty, and that no negligence on the member's part contributed thereto. Such payment is made in accordance with the statutes applicable thereto.

8. Notification of Sickness - A member, if unable to report for duty, notifies the command to which he/she is assigned no less than one (1) hour before the scheduled tour of duty. When making such notification, the following information is to be given:

a. Name, rank, shield number, squad.

b. Duty assignment (if known).

c. If the duration of illness is to exceed three (3) successive tours of duty, the name, address and phone number of attending physician.

d. If confined to a hospital, the name, address and phone number of the hospital.

e. If not in residence, the location where the member will be staying.

f. Notification of scheduled court, trial or agency appearance precluded by the absence.

9. Recording Sick Leave, Patrol Division - The precinct desk officer, or administrative officer of the command to which the member reporting ill is assigned, is responsible for the recording of required information on a Sick Report Form.

a. The officer receiving such notification shall, if the command in question maintains a Daily Journal (blotter), make an appropriate journal entry concerning the absence, record the line entry number on the Sick Report Form, and sign the form.

b. The Sick Report will then be forwarded to the command supervisor who will review and counter sign the form and make the necessary assignment changes on the duty chart.

c. The report will be sent to the administration/attendance officer to ensure that the absence has been properly entered in the member's attendance record and after this check is made the form will be placed in the Sick Report File.

10. Recording Sick Leave, Non-Patrol Division - When such reporting member is assigned to other than the Patrol Division, the commanding officer of the command to which he is assigned is responsible for the proper notation on the member's Attendance Record.

11. Notification Responsibilities - In addition, the commanding officer of the command to which the member is assigned is responsible to make the necessary provisions for the adjournment or rescheduling of his court, trial or agency appearances as dependent upon the probable duration of absence. The member is notified accordingly.

12. Physician's Note - A member of the Service on sick leave is not required to provide a physician's note unless the member has been absent for at least three (3) consecutive working days and then only if the member's Commanding Officer, or designee, makes a personal request to the member, during said absence, for a physician's note. All such physician's notes are to be forwarded to the Personnel Section for insertion in the member's Service record.

13. Work Prohibited While Sick - A member of the Department does not work or engage in any other business or occupation while on sick leave or leave due to injuries received in the performance of Department duty.

14. Notification of Long-Term Illness/Injury - Whenever any sworn or civilian member of the Department develops a serious non job related medical condition, and upon it being known, the member's commanding officer shall cause prompt notification of the member's condition to the Medical Evaluation Bureau. A police surgeon shall then contact the member, or the member's family, and assist in any way to help ensure that the medical needs of the member are met. Should a Department member remain off duty or on restricted duty for more than thirty (30)

consecutive calendar days due to a non-work related illness or injury, his commanding officer will immediately notify the Personnel Section via Internal Correspondence of this status. This correspondence shall include the nature of the illness or injury, expected duration of recovery and a recent medical certificate as required at thirty (30) day intervals. A separate communication shall be prepared for each member.

a. Should a Department member's sick leave time deplete to an accrual of thirty (30) days or less, his commanding officer will immediately notify the Personnel Section of this fact in writing, outlining the reason for time loss. A separate communication shall be prepared for each member. The Personnel Section will then take appropriate action.

F. Attendance Record

1. The Attendance Record - is used to record daily attendance information and other required data regarding a member of the Service.

2. Recording Procedure - The Attendance Record is completed by the commanding officer or his designee on a daily basis, when possible. If daily recording is not possible, the Attendance Record must be completed as soon as practical. The attendance information is to be recorded in black or blue-black ink using the appropriate schedule codes listed on the Attendance Record form.

3. Altering Code Entries - Once Attendance Codes are recorded, no changes or alterations will be made without the written approval of the commanding officer.

G. Release of Employees Due to Weather or Emergency Conditions

1. County Policy - The County has established a formal policy regarding the release of employees during business hours due to severe weather or emergency conditions. This policy applies to all officials and employees of the Suffolk County government and relates to:

a. Release due to uncomfortable temperatures, either extreme hot or cold, which may exist inside any building where County employees are working.

b. Release due to inclement weather or an emergency condition during anytime County employees are at their jobs.

2. Release Due to Uncomfortable Temperatures at the Worksite - Employees working inside a building where the cooling or heating system is not functioning properly may, at the discretion of the Police Commissioner or his designee, leave work earlier than their normal quitting time. Work time not completed shall be deducted from the employee's accrued leave time, or if the employee so wishes, placed on leave without pay.

3. Release Due to Severe Weather or Emergency Condition Employees at their jobs during severe weather or any other emergency condition, wherein no danger exists in the workplace may, with the

approval of the Police Commissioner or his designee, leave work earlier than their normal quitting time. Work time not completed shall be deducted from the employee's accrued leave time, or if the employee so wishes, placed on leave without pay.

4. Request to be Absent from Work - Employees who do not report for work because of a malfunction in the heating/cooling system in the building in which they work or due to an emergency condition, wherein no danger exists in the workplace, may telephone their command offices to request permission to be absent from work using accrued leave time due, or if the employee so wishes, leave without pay. The decision as to whether such a request shall be granted shall be that of the Police Commissioner or his designee which shall be the employee's commanding officer.

5. Non Deductible Leave Time - During severe weather or other emergency conditions, authority to excuse employees from coming to work or to release employees from work earlier than usual, without charging time off against their accumulated leave, is that of the County Executive or Chief Deputy County Executive only.

6. Emergency Evacuation from a Department Building - If a situation occurs which may require that employees be evacuated from a Department building due to an unforeseen emergency, such as asbestos disturbance, flood, fire or any other situation which requires immediate action, the Police Commissioner will make the proper decisions to ensure the safety of Department employees and the visiting public; and as soon as possible to contact the Chief Deputy County Executive or alternate.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 07-13

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE INJURED EMPLOYEE REPORTING PROCEDURES				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/23/07	DATE EFFECTIVE 03/23/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 3: TITLE: ADMINISTRATIVE MANAGEMENT PROCEDURES

SECTION 2: TITLE: INJURED EMPLOYEE REPORTING PROCEDURES

I. PURPOSE

To provide a specific procedure for investigating and reporting incidents regarding injured employees, including carbon monoxide injuries.

II. POLICY

The health, well being, and availability for duty of all Department personnel is of paramount importance. In order to ensure that members receive timely and appropriate treatment for job related injuries, the Department must be kept apprised of the status of the injured employee. To this end, it is imperative that there be strict compliance with the following procedures.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Absence from Duty - If the injured member is to be further absent from duty as a result of the original injury, the member of the Department, unless otherwise advised, shall furnish his command with the hospital emergency room report (not patient instruction form) within ninety-six (96) hours.

B. Extended Absence (30 days) - Members of the Department absent in excess of thirty days will submit a current doctor's certificate at thirty

(30) day intervals, unless otherwise directed by the Medical Evaluation Bureau. The doctor's certificate shall include: diagnosis, prognosis and anticipated date of return to duty and extent of disability.

C. Long Term Absence - Under normal circumstances, members of the Department likely to be absent in excess of two (2) months shall be transferred to the Medical Evaluation Bureau after thirty (30) days have elapsed from the date of injury. Transfers are made for administrative purposes and to ensure that the member's medical needs are being met. Commanding Officers will have the authority to retain members in their commands beyond the thirty (30) day period. In such cases, an Internal Correspondence shall be forwarded to the Deputy Commissioner, containing the reason(s) why the member is being retained and for what period of time the retention is expected to be.

D. Leaving Residence - A member of the Service (sworn) who is on leave from duty as a result of illness or injury, sustained in the line of duty, will advise his commanding officer, in writing, in situations where the member will be away from his residence for a period exceeding four (4) days. The correspondence is to state the amount of time the member will be away and the location at which he may be contacted. In addition, it should be noted that it is the right of the Commissioner of Police, in individual cases, to direct otherwise.

E. Aggravating the Injury - Members of the Department who are absent from work or performing limited duty assignments, as a result of a line of duty injury or illness, shall not participate in any activity which could tend to aggravate or worsen the injury or illness.

VI. PROCEDURE

A. Member's Responsibility - Whenever a line of duty injury is sustained by a member of the Department, he/she will comply with the following:

1. As soon as possible notify his supervisor of the injury and request his response to appropriate location (incident location or hospital emergency room).

2. Respond immediately to the nearest hospital emergency room for emergency medical treatment.

3. Complete the Release of Medical Records for Injured Employees form (PDCS 2060) and the appropriate section of the Injured Employee Report form.

4. In case of injury where a member is incapacitated and not able to report his injury, it will be the responsibility of the first officer on the scene to notify the appropriate supervisor.

5. If a member expects to be absent from work due to an injury, unless the member has been admitted to a medical facility as

a result of the injury, it will be the member's responsibility to telephone the office of the Medical Evaluation Bureau on the next business day after the injury occurs. During said telephone call an appointment will be made for the member to see the Police Surgeon within 48 hours of the injury.

Note: The hours between 1700 Friday and 0900 Monday are not to be counted as part of the "48" hour deadline since the Medical Evaluation Bureau office is not open during these hours.

B. Doctor's Certificate - Members will submit to their commanding officer the hospital emergency room report for line of duty injuries. If the member receives additional or follow-up treatment, he must submit a doctor's certificate for such treatment which shall include diagnosis, prognosis, date of injury, date of examination, projected date of return to duty and extent of disability. (NOTE: In case of recurrence where the member can be treated by his/her treating physician within twenty-four (24) hours, a doctor's certificate will suffice. See section I herein.)

C. Availability for Examination - Members who are injured in the line of duty will make themselves available for examination by a police surgeon or physician designated by the County at the direction of the Medical Evaluation Bureau. Failure to respond to a scheduled examination at the Medical Evaluation Bureau or other designated facility, unless excused by the Medical Evaluation Bureau commanding officer, may subject such member to disciplinary action.

D. Supervisor's Duties - Upon notification of a member's line of duty injury, the assigned supervisor shall promptly respond to the incident location and proceed as follows:

1. Assure that the member's welfare needs are met. If possible, information relating to the incident should be elicited for report purposes at this time.

2. Assure that the injured member is treated as soon as possible at the nearest hospital emergency room.

3. Request that a Central Complaint Number be assigned to report the injury. Said number shall not be the same as the one assigned to any other element of the situation.

4. Investigate the circumstances and facts involved in the incident.

- a. Inspect location where injury occurred.

- b. Interview injured member.

- c. Interview all witnesses to the incident, and record their names on the Injured Employee Report.

(1) When a witness is a member of the Department, his or her observations shall be documented on an Internal Correspondence. If the member of the Department is present at the scene of a line of duty injury but indicates that he/she did not see or hear anything pertaining to the injury in question, this shall be reflected by the member of the Department in an Internal Correspondence.

(2) When a witness is other than a member of the Department, obtain a statement from said witness to substantiate facts. If the witness present at the scene indicates that he/she did not see or hear anything pertaining to the injury in question, this shall be reflected in the statement. If a witness refuses to sign the statement, the word "Refused" shall be written in the signature space accompanied by the supervisor's signature next to the word "Refused."

d. Photographs shall be taken of any visible injuries. Additionally, photographs shall be taken of any contributing factors at the scene.

e. Complete the Injured Employee Report.

(1) If the investigating supervisor did not witness how the injury occurred, the supervisor's descriptive details in the Injured Employee Report shall indicate this point. Therefore, phrases such as "according to the employee or witness" or "the employee reports" shall be utilized.

(2) Evidence of contributing factors or the absence of such factors shall be documented on the Injured Employee Report.

f. Cause Emergency Medical Reports to be submitted.

g. Notify the duty officer. In the event of life threatening or serious injury, the duty officer shall be notified as soon as possible.

h. Ensure that a Daily Journal Entry is made. In a situation where an injured member was relieved of duty prior to the end of the tour, the supervisor will ensure that the appropriate sign-off time and reason thereof, is placed on the command duty chart.

5. The investigating supervisor shall send, via the facsimile network, a copy of the Injured Employee Report, and all other pertinent paperwork (i.e., doctor's note, signed release of

medical records, hospital emergency room report, Internal Correspondence, etc.) to the Medical Evaluation Bureau prior to the end of the supervisor's tour of duty in which the injury is reported, no matter what tour of duty or day of the week. The investigating supervisor shall note whether a loss of work time is anticipated on the Injured Employee Report. In addition, as part of their investigation, supervisors will telephone the Medical Evaluation Bureau a 2-6021 to report the incident. Between the hours of 1700 and 0900, and on weekends and holidays, the message will be recorded electronically. The supervisor will be required to provide the following information:

- Central Complaint Number
- Name/Rank/Title/Shield Number/Command of Member
- Date/Time of injury (indicate original or recurrence)
- Brief description of injury sustained
- If it is anticipated that time will be lost

E. Commanding Officer's Responsibility - It is the responsibility of the commanding officer to:

1. Ensure that an investigation is conducted in each and every report of an injured member.

2. Ensure that every injured or ill member of his/her command receives prompt emergency medical treatment at an appropriate hospital emergency room. Any deviation from this requirement should be explained via Internal Correspondence addressed to the commanding officer of the Medical Evaluation Bureau.

3. If an investigation of an incident is still active, it shall be indicated on the Injured Employee Report. Additional reports concerning the investigation will be submitted to the Medical Evaluation Bureau via Internal Correspondence, as soon as completed, without unnecessary delay.

4. Review all reports pertaining to the incident and make a determination whether he/she agrees or disagrees with the findings of the investigative supervisor, as stated on the Injured Employee Report.

5. If the commanding officer believes that a member's injury or details of the occurrence are questionable or the injury leave is excessive, the commanding officer shall be responsible to notify the commanding officer of the Medical Evaluation Bureau and to initiate a further investigation. If such investigation reveals any circumstances regarding the injury or leave time are fraudulent or misrepresented, the commanding officer shall submit an Internal Correspondence documenting the findings to his division chief who shall, when appropriate, forward the findings to the Internal Affairs Bureau for any additional investigation and follow-up and to the

commanding officer of the Medical Evaluation Bureau for subsequent appropriate action.

6. Ensure that the Injured Employee Report is forwarded to the Medical Evaluation Bureau within three (3) business days.

7. If a member has missed any work days, the commanding officer will notify the Medical Evaluation Bureau in writing when a member has returned to work. He will also attach a copy of the Record of Attendance indicating the time lost due to the injury.

8. The commanding officer will review all correspondence notifying him that a member on leave resulting from line of duty illness or injury will be away from his residence for a period exceeding four (4) days and forward a copy of same to the Medical Evaluation Bureau.

9. In the event of an extended absence due to an injury or illness sustained in the performance of duty, it is the commanding officer's responsibility to ensure that the member submits an updated doctor's certificate at thirty (30) day intervals, unless otherwise advised by the Medical Evaluation Bureau.

10. The commanding officer, or his designee, will cause periodic visits to be made to any member who becomes ill or injured while in the performance of duty, to ascertain his medical progress, welfare, etc., and to notify the appropriate fraternal organizations, if any assistance is required.

11. At any time that the commanding officer believes a member on leave due to an illness or injury sustained in the line of duty should have his illness or injury medically reevaluated, he shall immediately notify the Medical Evaluation Bureau via phone and follow such notice with an Internal Correspondence reporting same to the Medical Evaluation Bureau.

12. For the purposes of attendance, the Attendance Record of the member will be marked code 301 in pencil from the date of occurrence of such injury or illness until confirmation as an on-duty injury or illness is made by the commanding officer of the Medical Evaluation Bureau at which time code 401 will be penned in the appropriate dates beginning with the next scheduled tour of duty following the injury/illness.

F. Internal Affairs Bureau Responsibility - It will be the responsibility of the Internal Affairs Bureau to perform investigations of injured employees as requested by a division chief or the commanding officer of the Medical Evaluation Bureau.

G. Medical Evaluation Bureau Responsibility - The Medical Evaluation Bureau will be responsible for:

1. Accepting and processing all paperwork regarding employees who have sustained an illness or injury while in the performance of duty.

2. Acknowledging receipt of injured employee claims and after review, instructing the reporting command concerning the appropriate attendance codes.

3. Arrange examinations by the Police Surgeon and/or other medical professionals to ascertain the progress of the ill or injured employee, to determine the ill or injured employee's capability for assignment.

4. Notifying the Police Commissioner when a member assigned to the Medical Evaluation Bureau is absent from duty for one year or more, due to a job related injury.

5. In the event a member of the Department suffers a life threatening line of duty injury (i.e.; gunshot, stabbing, serious MVA, etc.) or a serious line of duty injury the police surgeon, or in his absence the commanding officer of the Medical Evaluation Bureau, or his designee, will be notified by the duty officer. When the injuries are life threatening the police surgeon or his designee will respond to the hospital to assess the nature of the injuries and to ensure that the highest level of medical surgical care is being provided. The police surgeon or his designee will keep the Police Commissioner and the Chief of Department fully informed of all developments and changes in the condition of the injured employee.

If the injuries are serious line of duty injuries (not necessarily life threatening) the police surgeon or his designee will make the determination to respond to the hospital or not.

H. Duty Officer's Responsibility - The duty officer will make entries on the Duty Officer's Log Sheet on reports of injuries sustained in the line of duty, noting the Central Complaint Number, nature of injury, date, time and circumstances of injury and if injury was a result of assault on a police officer.

1. When the injury suffered by the member necessitates hospitalization, the duty officer shall make the appropriate Department notifications.

I. Recurrence - The following procedure shall be used in instances of recurrence of an illness or injury originally sustained in the line of duty:

1. A member reporting a recurrence shall use the original Central Complaint Number and follow the same provisions as outlined for original incidents, with the following exception: The member suffering a recurrence of an original injury may respond to his

personal physician, when such physician is the treating physician for the original injury and when such appointment is within twenty-four (24) hours of the recurrence of such injury or to the nearest hospital emergency room. It shall be considered a continuance of the original injury if the employee ends the tour of duty that the injury occurs on, and then is unable to work the following day. Members are reminded that it is necessary to establish a causal relationship between the recurrence and the original injury.

2. Members suffering a recurrence of an original injury must submit a doctor's certificate containing the following:

- (a) date of examination
- (b) diagnosis
- (c) prognosis
- (d) extent of disability
- (e) anticipated time lost
- (f) causal relationship of current injury to original injury by date.

3. A supervisor shall handle a recurrence following the same reporting procedure as if it were an original injury/illness and using the original central complaint number.

4. The Medical Evaluation Bureau, upon receipt of a recurrence injury report, will determine whether the recurrence is a direct result of the original injury.

J. Appeal Procedures - If the injury claim of a member is denied, the Medical Evaluation Bureau shall contact the member and provide written options for appeal.

K. Carbon Monoxide Injury - When a member of the Department becomes ill while operating a Department vehicle and carbon monoxide poisoning is suspected, the "Injured Employee Procedure" as outlined in this section will be followed.

1. The affected Department member will seek treatment at a hospital. If it is suspected that carbon monoxide poisoning is causing the illness, a blood test will be taken.

2. The vehicle suspected of causing the carbon monoxide injury will be immediately removed from service. The Department's Transportation Section will be notified and will test the vehicle's exhaust system for a malfunction.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Extended Absence 3/2

Transfer: Extended Absence 3/2

END



ORDER NUMBER 06-52

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE COMMUNICABLE DISEASE PROCEDURES				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 06/30/06	DATE EFFECTIVE 07/03/06	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 3: TITLE: ADMINISTRATIVE MANAGEMENT PROCEDURES

SECTION 3: TITLE: COMMUNICABLE DISEASES PROCEDURES

I. PURPOSE

To provide a specific procedure for investigating and reporting incidents regarding employees who have experienced an exposure to HIV or HBV or a contact with another communicable disease while in the line of duty.

II. POLICY

The health, well being, and availability for duty of all Department personnel is of paramount importance. In order to ensure that members receive timely and appropriate treatment for job related injuries or illness the Department must be kept apprised of the status of the injured employee. To this end, it is imperative that there be strict compliance with the following procedures.

III. DEFINITIONS - As per OSHA Standards

A. Contact Incident - Is a close contact with an individual who is suspected of having a communicable disease. For the purposes of this directive, a communicable disease is defined as Hepatitis A, C, or D, Tuberculosis, lice, measles, mumps, meningitis, rabies or any other contagious disease except the Hepatitis B virus (HBV) and HIV.

B. Exposure Incident - Is a specific eye, mouth, nose or non-intact (broken) skin contact with blood or other infectious material that results from the performance of a member's duties. Exposure may be direct or via piercing of skin by a needlestick, human bite or blood contaminated sharp object. Other potentially infectious materials include certain body fluids and any unfixed human tissue or organ (example - a severed body limb). An exposure incident is limited, by definition, to contact with the Hepatitis B virus (HBV) or Human Immunodeficiency Virus (HIV).

C. Designated Officer - The commanding officer of the Medical Evaluation Bureau is the officer designated by the Department to conduct follow-up investigations with medical facilities regarding communicable diseases.

IV. REFERENCES

A. Ryan White Comprehensive AIDS Resources Emergency Act of 1990.

B. OSHA Standard 1910.1030.

C. Suffolk County Police Department Exposure Control Plan.

D. Suffolk County Police Department Pamphlet: HIV/AIDS AND OTHER INFECTIOUS DISEASES FOR LAW ENFORCEMENT OFFICERS, OFFICERS HANDBOOK.

V. RULES AND REGULATIONS

A. The following procedure is to be used in conjunction with the injured employee reporting procedures; chapter 3, section 2 of these Rules and Procedures.

VI. PROCEDURE

A. Exposure Incident - An exposure incident can occur in a variety of police situations, including aided cases, arrests and evidence gathering. Ordinarily, an exposure incident has not occurred if a member is wearing personal protective equipment (specialized clothing or equipment such as disposable gloves, masks, etc.) unless the personal protective equipment and/or skin is penetrated. Whenever a member of the Department is involved in an exposure incident as defined above, he shall immediately notify his immediate supervisor.

1. Upon receiving such notification, the investigating supervisor will complete the Contact/Exposure Report form and Injured Employee Report form indicating the date, time, location, member involved, the source individual's name (that person whose blood or body fluids the member has contacted), source individual's location and medical condition, where that information is obtainable and not prohibited by law, and any other pertinent information. The Contact/Exposure Report form and Injured Employee Report form will then be immediately faxed to the Medical Evaluation Bureau office at 852-6268. These forms will be included with other pertinent injured employee report forms for submission to the Medical Evaluation Bureau. When possible, the supervisor shall include the following information on the Contact/Exposure Report form and the Injured Employee Report form:

a. Name, d/o/b and address of the source individual.

b. Name, address and telephone number of the source individual's treating physician.

c. Name of hospital to which the source individual was transported or at which he was recently treated.

In addition, the supervisor should attempt to obtain a signed Consent for Release of Medical Records and when the source is hospitalized or treated in a hospital emergency room, request the source individual to submit to blood testing. If consent cannot be obtained, this will be noted in the supervisor's report and no further action will be taken with regard to the source individual.

2. All Contact/Exposure Report forms will be reviewed by a Police Surgeon to determine the appropriateness of counseling or further medical testing or treatment.

3. When required, the Infectious Control Evaluation Request form will be completed by the commanding officer of the Medical Evaluation Bureau and forwarded to the medical facility involved for further evaluation.

4. A member who has been involved in an exposure incident will respond immediately to the nearest hospital emergency room for evaluation and treatment. At the hospital, the following procedures should be followed:

a. Immediate examination in the emergency room to determine type and extent of exposure.

b. Drawing of initial blood work by attending physician when appropriate.

c. If determined by attending physician to be appropriate, Hepatitis B Immune Globulin injection followed by Hepatitis B vaccine (if not previously vaccinated).

d. If determined by attending physician to be appropriate and the member consents, prophylactic AZT or other appropriate treatment, including an explanation of the benefits and side effects will be commenced. If treatment is offered, consent or refusal must be documented on the appropriate consent form.

e. If the member elects to receive AZT or other appropriate treatment, the procedure will follow medically approved standards.

(1) The member should follow-up with his or her personal physician for any baseline testing and counseling.

(2) The member will report all test results to the Medical Evaluation Bureau.

5. Should any discrepancies or questions concerning treatment arise, the affected member will contact the Medical Evaluation Bureau for consultation and referral as necessary.

6. In the event that a confirmed diagnosis of HBV or HIV is not available, the affected member will contact the Medical Evaluation Bureau. The member will be guided by the instructions of the Police Surgeon on the appropriate medical procedures to be followed.

7. In all instances which a member is involved in an exposure incident, as defined above, a complete investigation will be conducted whether or not there is positive diagnosis of either the member or the source individual. A member's Injured Employee Report will be prepared in accordance with existing procedures.

B. Contact Incident - Whenever a member of the Department is involved in a contact incident, as defined above, he shall immediately notify his supervisor. Upon receiving such notification the investigating supervisor shall immediately complete injured employee paperwork pursuant to Rules and Procedures chapter 3, section 2.

1. In cases of a contact incident it is not mandatory for the member to obtain immediate medical treatment beyond prescribed hygiene precautions after occurrence. The investigating supervisor shall obtain the date, time, location, member involved, the source individual's name, location, and medical condition, name and location of treating physician, signed Release of Medical Records, when possible, and any other pertinent information. He shall then contact the Medical Evaluation Bureau which shall attempt to ascertain a diagnosis of the source individual from appropriate authorities at the medical facility or physician involved. A blood test of the source individual is not required.

2. The Contact/Exposure Report form will be completed by the investigating supervisor regardless of diagnosis and immediately faxed (prior to end of tour) to the Medical Evaluation Bureau office.

3. Negative Diagnosis of Communicable Disease - In the event the diagnosis is negative, the Medical Evaluation Bureau shall advise the affected member.

4. Positive Diagnosis of Communicable Disease - Upon receiving a positive diagnosis of a communicable disease in either the source individual or member involved, the Medical Evaluation Bureau shall immediately notify the member and schedule an appointment with the designated County physician. The designated County physician will be responsible for determining the proper

medical procedure to be followed. The member shall keep the Medical Evaluation Bureau apprised of all follow-up treatment received and the results thereof.

5. Confirmation of Communicable Disease is Unavailable - In the event that confirmed diagnosis of disease is not available, the member will be guided by the instruction of the Police Surgeon as to appropriate medical procedures to be followed.

C. Information Availability - When an exposure incident or a contact incident has occurred and after appropriate medical treatment has been given, members may obtain further information and counseling regarding the disease and courses of treatment from the Police Surgeon or Employee Medical Review. This service is intended to provide members with timely and current information to address concerns about personal and family health and well-being.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 3: TITLE: ADMINISTRATIVE MANAGEMENT PROCEDURES

SECTION 4: TITLE: DEVELOPMENT OF GOALS AND OBJECTIVES

I. PURPOSE

To establish procedures to guide the Department's annual development of Department and command goals and objectives.

II. POLICY

It is the policy of the Suffolk County Police Department to annually:

A. Formulate, revise and distribute to its members goals and objectives for the Department.

B. Involve all members of the organization in the development of Department goals and objectives.

C. Ensure that the Police Commissioner is informed of the progress toward achieving established Department and command goals and objectives.

III. DEFINITIONS

Goal - The end toward which an organizational effort is directed.

Objective - An event or accomplishment that has been planned to bring the organization toward a specified goal.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. The Police Commissioner shall annually solicit input from all levels and members of the Department for the development of the Department's goals and objectives.

B. The goals and objectives of the Department shall be distributed to all members of the Department.

C. The Chief of Department, Deputy Commissioner and division chiefs shall be responsible for ensuring that every effort is made by the commands under their jurisdiction to achieve the objectives set forth by the Department.

VI. PROCEDURES

A. Simultaneous with the preparation of the annual budget for the following year, the Department's goals and objectives shall be developed and submitted.

1. Goals must be specific, measurable and quantifiable.

B. Commanding officers shall be responsible for soliciting recommendations, suggestions and comments from the members of his or her command for the development or revision of the Department's goals and objectives. The commanding officer shall also submit a report enumerating the results made by the command in meeting the previous year's Department goals and objectives.

C. The commanding officer shall present both the recommendations, suggestions, and comments offered as support for the formulation or revision of the Department's goals and objectives and an assessment of the command's efforts to meet the Department's goals and objectives in a clear and concise manner in an Internal Correspondence addressed to his or her division chief, or in case of commands under the Chief of Department or Deputy Commissioner, to their respective superior.

D. It shall be the responsibility of the division chiefs, Chief of Department, and Deputy Commissioner to ensure that after reviewing, and where appropriate, commenting on the Internal Correspondence containing recommendations etc. for

consideration in preparing the Department's goals and objectives and the commanding officer's assessment of the command's efforts for the prior year, without unnecessary delay, forward to the Police Commissioner.

E. The division chiefs, Chief of Department and Deputy Commissioner shall also review, and when acceptable, approve the goals and objectives for the commands under their jurisdiction for the subsequent year.

F. Prior to the beginning of the year a written announcement of Department goals and objectives for the coming year, as well as a final report on the progress made toward achieving the goals and objectives of the previous year, shall be issued to all members of the Department.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA 1.1.2
- B. NYSLEAP 1.2, 1.3

VIII. INDEX

Goals, Department 3/4
Objectives, Department 3/4

END

RULES AND PROCEDURES

CHAPTER 3: TITLE: ADMINISTRATIVE MANAGEMENT PROCEDURES

SECTION 5: TITLE: DEPARTMENT STAFF MEETINGS

I. PURPOSE

To establish procedures for conducting Department staff meetings, in order to ensure and enhance effective verbal communication among all members of the Department.

II. POLICY

It shall be the policy of the Suffolk County Police Department to provide for regularly scheduled Department staff meetings. These meetings shall cover a broad spectrum of issues as they pertain to departmental directives, goals and objectives.

III. DEFINITIONS

A. Departmental Staff Meeting - A formal gathering of Departmental personnel headed by a Department supervisor, to enhance successful cooperation and positive feedback among all personnel.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. The staff meeting shall inform all divisions of Departmental issues which may affect the Department as a whole, or divisions individually.

1. Staff meetings may be conducted by any

level of command on an as needed basis.

B. Command supervisors will conduct, at a minimum, one staff meeting per calendar quarter.

1. The frequency of the staff meetings shall depend upon subject material as it relates to a particular Department division, or as the needs of the supervisor or focus of the meeting dictates.

2. Criteria for discussion may include current Departmental events and updates, proposed changes in policy and procedures, proposed divisional changes, Department goals and objectives, or other appropriate information.

3. Minutes of the proceeding may be prepared so that policy determinations, solutions to operational or other problems, and group discussions may become a matter of record.

4. Supervisors should be able to obtain maximum results from the meetings by systematically leading personnel to the fulfillment of objectives utilizing, but not limited to the following guidelines:

a. Incorporation of appropriate introductions;

b. Descriptions of procedures to be followed if necessary;

c. Presentation of issues in positive terms;

d. Motivation of personnel participation and involvement;

e. Guide discussions toward a productive conclusion.

C. Each meeting will be attended by those personnel one

rank below and under the direct supervision of the supervisor and may include other personnel to invoke participation among the members of the Department.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA 1.1.2, 12.1.6

B. NYSLEAP 1.2

VIII. INDEX

Staff Meetings 3/5

Department Staff Meetings 3/5

END



TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE ADMINISTRATIVE REPORTING SYSTEM				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 11/1/05	DATE EFFECTIVE 11/1/05	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 3: TITLE: ADMINISTRATIVE MANAGEMENT PROCEDURES

SECTION 6: TITLE: ADMINISTRATIVE REPORTING SYSTEM

I. PURPOSE

To enumerate the reports required for the Department Administrative Reporting System.

II. POLICY

The Department generates and distributes various daily and monthly reports as well as an annual report for the purpose of providing information on the activities of the Department. Utilization of this data in the decision making process is beneficial in predicting workloads, determining resource needs and budget preparations, as well as keeping personnel apprised of significant occurrences relative to the police mission.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Daily Reports

1. Precinct Bulletins - Precinct Commanders are responsible for causing a report to be generated three (3) times a week and having it posted on the Department Intranet webpage. It includes, but is not limited to, items such as stolen motor vehicles

of special interest, stolen property of any nature that can be readily observed by patrols, missing and/or wanted persons, notification to precinct personnel from teletype or other sources. The name of the member who prepares it must appear after the last entry. Upon completion, the bulletin must be reviewed and approved by a supervisor. The Precinct Commanding Officer is responsible for the context of the Precinct Bulletin in all instances.

a. The Precinct Bulletin will be printed out and retained at each precinct for one year from date of publication.

b. The Precinct Bulletin will be distributed to appropriate commands as determined by the respective division chiefs. Commanding Officers may provide copies of the Precinct Bulletin outside the Department at their discretion after ensuring that all protected information is removed.

2. Duty Officer's Confidential Log - The duty officer is responsible for maintaining a daily log of significant incidents to include, but not be limited to:

a. Weapons discharge;

b. Incidents involving serious physical injury to a member of the Force;

c. Major crimes;

d. Child abuse referrals;

e. Emergency prisoner incidents;

f. Racial religious incidents;

g. Suspicious deaths;

h. Major incidents;

i. Any noteworthy incident.

Additionally, the following administrative data is to be recorded:

(1) Attorney inquiries;

(2) Call outs for overtime;

(3) Press releases.

This report is disseminated to the offices of the Commissioner, Chief of Department, division chiefs and as otherwise directed by the Chief of Support Services.

3. Daily Journal - Each precinct will maintain a daily journal of all pertinent police operations to include information as directed by the Chief of Patrol.

4. Patrol Division Availability Report - the platoon commander of a precinct will post the duty assignments of platoon personnel and as soon as the platoon is posted, he completes one copy of the Patrol Division Availability Report and promptly transmits a copy via facsimile network to the Communications Bureau, Teletype Unit. He implements assignment changes and notifies the duty officer if any changes are made throughout the tour of duty.

5. Tour Reports - The platoon commander of the precinct will prepare a tour report for the commanding officer.

B. Monthly Reports

1. Operational Reports - Operational commands will generate monthly activity reports as directed by their respective division chief.

2. Incident Reports - The Research and Development Section shall disseminate the computer generated incident reports and uniform crime reports to appropriate commands as listed on the monthly distribution list.

3. Crime Index Report - Division Chiefs will generate monthly reports containing specific index categories, as directed by the Police Commissioner, and submit them to the Research and Development Section no later than the 10th day of the following month.

C. Annual Report

1. The Research and Development Section shall compile data from the monthly reports for publishing in:

a. The Department's Annual Report.

b. The Department's Year End Crime Index Report.

VII. ACCREDITATION REFERENCE STANDARDS

A. CALEA 13.1.1, 13.1.2

B. NYSLEAP - N/A

VIII. INDEX

N/A

END



ORDER NUMBER	06-24
	06-35
	06-82

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE PRESCRIBED UNIFORM/EQUIPMENT, DESIGNATED INSIGNIA			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 02/28/06 03/16/06 12/07/06	DATE EFFECTIVE 02/28/06 03/16/06 12/07/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 4: TITLE: UNIFORMS AND EQUIPMENT

SECTION 1: TITLE: PRESCRIBED UNIFORM/EQUIPMENT, DESIGNATED INSIGNIA

I. PURPOSE

To enumerate the specific requirements regarding the proper wearing and use of uniforms, equipment and designated insignia.

II. POLICY

Members of the Service wear at all times while on duty the uniform and articles of equipment as prescribed by the Police Commissioner unless otherwise directed. Members of the Service will not wear their uniform while off duty except to and from work, as prescribed by Department Rules and Procedures, or as directed by a superior officer and no part thereof is worn at any time in conjunction with civilian clothing.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Shield, Carrying of - Members of the Service carry their shields at all times, except by direction of the member's commanding officer.

1. When in uniform, the shield is worn on the outermost garment over the left breast in the place provided.

2. When not in uniform, the shield is displayed on the outermost garment when it is necessary for a member of the Service to establish his official identity.

B. Protective Vest, Wearing of - All sworn members of the Department, unless directed by their Commanding Officer, must wear a Department issued protective vest when performing patrol duties or duties that involve enforcement activities.

1. Sworn members who are otherwise able to perform full police patrol or enforcement duties, but experience the unavailability of a protective vest/body armor due to a temporary physical condition occurring on or off-duty are directed to refer to Rules and Procedures Chapter 2, Section 1, Rules and Regulations subdivision V. A. 3.

C. Nameplate, Wearing of - All sworn members of the Department, unless directed by their Commanding Officer, must wear a Department issued nameplate on the outermost uniform garment at all times while dressed in any Department issued uniform. When the outermost garment is the Department issued short or long sleeve dress shirt, the nameplate will be worn centered over the right breast pocket just touching the top pocket seam. The nameplate will not be worn while dressed in plain clothes.

D. Prescribed Uniform

1. Uniform, Detectives, Plainclothes - Members of the Service detailed to detective and/or plainclothes duties are members of the uniform service and as such maintain all uniform clothing and articles of equipment as prescribed for their rank.

2. Uniform of the Day - The Chief of Department establishes the uniform of the day by the promulgation of special orders to this effect. Division commanders are authorized to direct members of the Service to wear the required class uniform necessary for the member's function within their respective divisions.

a. At the direction of the Chief of Department, an optional uniform period will be designated during the spring and fall seasons of each year. During this period officers, at their discretion, may have the option of wearing the authorized summer, intermediate, or winter uniforms. Members of the Service will be notified when the optional uniform period begins and ends via a Departmental order.

b. Members of the Service assigned to indoor duty shall have the option of wearing the authorized summer uniform any time of the year.

3. The uniform is maintained in a neat, clean and

serviceable condition.

4. Black socks are worn in conjunction with the uniform of the day.

a. A member of the Service may be excused from wearing black socks with the uniform of the day if he has a physician's written statement certifying that he be permitted to wear white socks because of medical reasons filed in the member's Force Record.

5. Class "A" Uniform

a. Summer Uniform

(1) All members of the Service - blue short sleeve shirt, trousers, black shoes, eight (8) point patrol cap and rainwear for inclement weather.

b. Intermediate Uniform

(1) Sergeant and police officer - Blue long sleeve shirt, black tie, short intermediate jacket, trousers, black shoes, eight point cap and rainwear for inclement weather. Police officers and sergeants will be permitted to remove the uniform short intermediate jacket when weather conditions are unseasonably warm.

(2) Lieutenant and above - blue long sleeve shirt, black tie, blouse, trousers, black shoes, eight point cap, and rainwear for inclement weather.

(3) Lieutenants and Captains assigned to patrol duty - blue long sleeve shirt, black tie, short intermediate jacket, trousers, black shoes, eight point cap, and rainwear for inclement weather.

c. Winter Uniform

(1) Sergeant and Police officer - either blue long sleeve shirt and black tie or blue long sleeve shirt and SCPD embroidered turtleneck, trousers, leather jacket (if issued), three-season jacket (if issued), black shoes, eight point cap, optional navy blue sweater, and rainwear for inclement weather. Police Officers and sergeants will be permitted to remove the leather jacket when weather conditions are unseasonably warm.

(2) Lieutenant and above - either blue long sleeve shirt and black tie, or blue long sleeve shirt and SCPD embroidered turtleneck, blouse, trousers, black

shoes, eight point cap, optional navy blue sweater, officers' London Fog overcoat, or three-season jacket (no blouse) and rainwear for inclement weather.

d. Wearing of Eight Point Cap

Unless directed otherwise by a superior officer, a Patrol officer is required to wear the eight point cap whenever he/she is out of the patrol vehicle for an extended period of time. This includes assignments to foot posts, special assignments, directing traffic, conducting accident investigations and while performing duties at major scenes.

6. Class "C" Uniform

a. Summer - patrol utility short sleeve twill shirt, patrol utility trousers, department issued footwear, issued patrol cap, white or navy blue T-shirt if T-shirt is worn.

b. Intermediate - patrol utility long sleeve twill shirt, patrol utility trousers, short intermediate jacket, department issued footwear, issued patrol cap, white or navy blue T-shirt if T-Shirt is worn. Police officers and superior officers will be permitted to remove the uniform short intermediate jacket when weather conditions are unseasonably warm.

c. Winter - patrol utility long sleeve twill shirt, patrol utility trousers, department issued footwear, "SCPD" embroidered turtleneck, blue zippered parka and issued patrol cap or optional winter field cap.

7. Class "D" Uniform - gray shirt, gray trousers, black tie, black shoes, eight point cap.

8. Class "E" Uniform

a. Summer - dungarees, short sleeve chambray shirt, department issued footwear, issued patrol cap, white or navy blue T-shirt if T-shirt is worn.

b. Intermediate - dungarees, long sleeve chambray shirt, department issued footwear, blue zippered jacket, issued patrol cap, white or navy blue T-shirt if T-shirt is worn.

c. Winter - dungarees, long sleeve chambray shirt, department issued footwear, "SCPD" embroidered turtleneck, blue zippered parka and issued patrol cap or optional winter field cap.

9. Dress Uniform

a. Sergeant and Police Officer - eight point cap, blouse, trousers, blue shirt, black tie, black socks, black shoes, white gloves.

b. Lieutenant and above - eight point cap, blouse, trousers, white shirt, black tie, black shoes, black socks, white gloves.

c. Standard leather goods will not be worn with the Dress Uniform. The weapon will be concealed by the blouse unless otherwise directed by the Police Commissioner. The Dress Uniform will be worn by all members of the Service on occasions such as parades, funerals or other ceremonies, or as directed by the Commissioner.

d. A Modified Dress Uniform can be authorized by the Police Commissioner for extremely warm weather conditions. The Modified Dress Uniform shall be the same as the standard dress uniform described above; however, the blouse and white gloves will not be worn. Instead, members of the Service will wear the long sleeve blue or white shirt, depending on rank. Standard leather goods will be worn with the Modified Dress Uniform.

10. Highway Patrol Bureau - Members of the Service assigned to the Highway Patrol Bureau will wear the uniform as outlined and directed by the Chief of Patrol. The class of uniform worn by individual members will be determined by the section the member is assigned to and/or the function being performed by that member at a given time.

11. Marine Bureau - Members of the Service assigned to the Marine Bureau wear the Class "C" Uniform. Marine Bureau Officers and Supervisors are granted the option of wearing Department issued nylon bicycle shorts during the summer uniform period when appropriate for weather conditions and assignment.

12. Bicycle Patrol Officer - members of the Service on the days they are assigned to Bicycle Patrol will wear the uniform as directed by the Chief of Patrol and outlined below; on all other days they report for duty in the uniform of the day:

a. Summer- Knit short sleeve shirt, nylon bicycle shorts, baseball cap/helmet, black bicycle gloves, department issued footwear, black socks (white ankle height socks permissible) and rainwear for inclement weather.

b. Intermediate- Knit long sleeve shirt, nylon bicycle pants, baseball cap/helmet, black bicycle gloves, department issued

footwear, black socks and rainwear for inclement weather.

c. Winter- Knit long sleeve shirt, nylon bicycle pants, nylon patrol jacket, black bicycle gloves, department issued footwear, black socks and rainwear for inclement weather.

13. Gloves - Members of the Service while in uniform wear plain black leather gloves except when wearing summer uniform or directing traffic.

a. Members of the Service, when directing traffic, wear white gloves.

b. Members assigned to operate motorcycles wear black leather gloves as prescribed or otherwise directed.

14. T-Shirt - When members of the Service wear T-shirts or undershirts that are visible under the Class "A" Uniform, such shirts must be solid white or solid navy blue in color.

E. Designated Insignia

1. Members of the Service wear Department insignia on the right and left sleeve of all prescribed uniforms except raincoats of any type. The top center of this insignia is worn one half inch below the shoulder seam in line with the center of the sleeve. Other special insignia is worn as directed.

a. Crossing guards wear an insignia entitled "Crossing Guards" on the right and left sleeve of all uniforms directly centered below and touching the Suffolk County insignia.

2. Members of the Service wear the prescribed insignia designating their rank on all uniforms, except raincoats issued to members of the Service below the rank of Lieutenant.

a. Chief of Department - Four gold stars evenly spaced and centered on the epaulet, one half inch from the shoulder seam with one point of each star directed to the rear on each shoulder on the winter and intermediate uniform, and four miniature gold stars evenly spaced on the summer and winter shirt centered between top and bottom edges of the collar with one point of each star directed toward the neckline, one half inch in from the forward edge of the collar and parallel to the neckline. The visor of the cap prescribed for this rank is adorned with embroidered raised gold leaf clusters.

b. Division Chief - Three gold stars evenly spaced and centered on the epaulet, one half inch from the shoulder seam with one point of each star directed to the rear on each shoulder on the winter and intermediate uniform, and three miniature gold

stars evenly spaced on the summer and winter shirt centered between the top and bottom edges of the collar with one point of each star directed toward the neckline, one half inch in from the forward edge of the collar and parallel to the neckline. The visor of the cap prescribed for this rank is adorned with embroidered raised gold leaf clusters.

c. Assistant Chief - Two gold stars evenly spaced and centered on the epaulet, one half inch from the shoulder seam with one point of each star directed to the rear on each shoulder on the winter and intermediate uniform, and two miniature gold stars evenly spaced on the summer and winter shirt centered between the top and bottom edges of the collar with one point of each star directed toward the neckline, one half inch in from the forward edge of the collar and parallel to the neckline. The visor of the cap prescribed for this rank is adorned with embroidered raised gold leaf clusters.

d. Deputy Chief - One gold star on each shoulder, centered on the epaulet, one half inch from the shoulder seam with each star point directed to the rear on the winter and intermediate uniform, and one miniature gold star on the summer and winter shirt centered between top and bottom edges of the collar with one star point directed toward the neckline, one half inch in from the forward edge of the collar and parallel to the neckline. The visor of the cap prescribed for this rank is adorned with embroidered raised gold leaf clusters.

e. Inspector - One raised gilt metal spread eagle displayed with eagle facing forward, head up and talons down with wings parallel to each shoulder seam and centered on the epaulet, with talons one half inch from shoulder seam of the winter and intermediate uniform, and one miniature raised gilt metal spread eagle facing forward, head up and talons down on the summer and winter shirt centered between top and bottom edges of the collar, one half inch in from the forward edge of the collar and wings parallel to the neckline. The visor of the cap prescribed for this rank is adorned with embroidered raised gold leaf clusters.

f. Deputy Inspector - One raised gilt metal oak leaf with stem one half inch from the shoulder seam and centered on the epaulet, pointing toward the shoulder seam on each shoulder of the winter and intermediate uniform, and one miniature raised gilt metal oak leaf with stem facing downward on the collar on the summer and winter shirt, centered between the top and bottom edges and one half inch from the forward edge of the collar. The visor of the cap prescribed for this rank is adorned with embroidered raised gold leaf clusters.

g. Captain - Two raised gilt metal bars, centered on the epaulet, one half inch from the shoulder seam and

displayed parallel to the front edge of each shoulder seam on the winter and intermediate uniform, and two miniature raised gilt metal bars on the summer and winter shirt centered between top and bottom edges of collar, one half inch in and parallel to the forward edge of the collar.

h. Lieutenant - One raised gilt metal bar, centered on the epaulet, one half inch from the shoulder seam and displayed parallel to the front edge of each shoulder seam on the winter and intermediate uniform, and one miniature raised gilt metal bar on the summer and winter shirt centered between top and bottom edges of collar, one half inch in and parallel to the forward edge of the collar.

i. Sergeant - One three stripe chevron displayed on each sleeve six inches below the shoulder seam, the upper point of the chevron in line with the lower point of the Departmental insignia.

3. Braid Sleeve and Trousers - All ranks above sergeant wear on the prescribed uniform coats a band of lustrous black mohair braid one and one quarter inch wide placed with its lower edge three and one half inches above the bottom of the sleeve; a black mohair braid, one and one quarter inch wide covers the outside vertical seam of the prescribed uniform trousers.

a. The sergeant wears a black mohair braid three eighths of an inch wide which covers the outside vertical seam of the prescribed uniform trousers.

4. Gold Chin Strap - The prescribed uniform cap for the rank of sergeant and above is furnished with a gold colored chin strap.

5. Service Stripes - Sergeants and police officers who have served five (5) years wear on the left sleeve of the blouse/short intermediate jacket a diagonal stripe, two inches in length, blue with a white outline placed on the front sleeve three and one half inches above the bottom of the sleeve. A similar stripe is added for each additional five (5) years of service.

6. Collar Insignia - Sergeants and police officers wear the designated collar insignia as issued by the Quartermaster Section on the winter and summer shirts, worn with or without a tie, centered between the top and bottom edges of collar, one half inch in and parallel to the forward edge of the collar.

7. Breast Bar Award - Members of the Service who are recipients of awards are awarded a metal breast bar and wear same at all times while in uniform except on raincoats of any type and specialized apparel. The bar is worn horizontally, one half inch

above the shield and centered.

8. Marksman - Insignia for marksmanship is worn one half inch above shield, centered and is worn in conjunction with Departmental recognition insignia. When more than one (1) insignia is worn, the order of precedence is: highest departmental recognition bar (top), marksmanship insignia, directly above shield.

9. American Flag Emblem - Those members wishing to display an American Flag emblem on their uniform may do so. However, to maintain uniformity and dignity of both the uniform and the flag the following guidelines will be adhered to:

a. The emblem must not be more than one (1) inch square.

b. It will be a bona fide replica of the American Flag with nothing superimposed upon it and of metal composition.

c. It will be worn centered over the breast shield, with the bottom thereof one half inch above the top of the shield or one quarter inch above the top of the uppermost authorized breast award.

10. Specialized Detail Bar - Members of the Service performing a specialized duty will wear a specialized detail bar, as established by the Police Commissioner. The approved bar will be worn one half inch over the right breast pocket, or one half inch above name plate, if worn.

11. Breast Shield Bereavement Cover - Members of the Service, upon the death of a fellow officer, or as otherwise directed, are authorized to wear the Breast Shield Bereavement cover whenever the breast shield is displayed on the uniform or civilian clothing. The cover, a three quarter inch wide black elastic band, is worn horizontally over the central portion of the breast shield as follows:

a. On the death of a member of the Service not killed in the performance of duty, from the time of death to sunset on the day of the funeral.

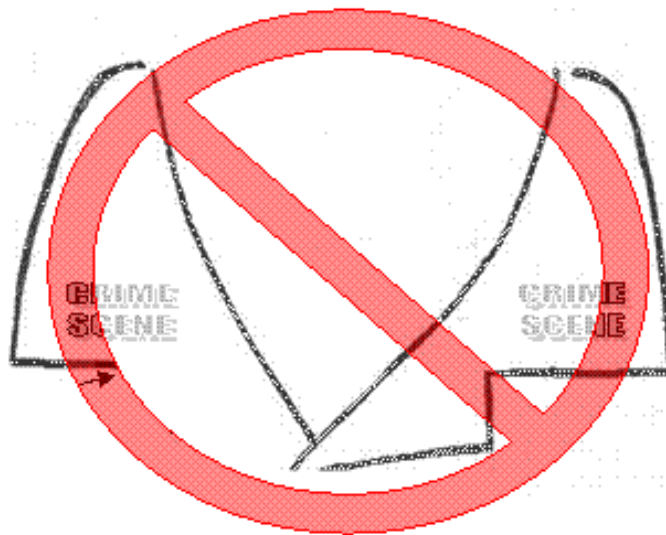
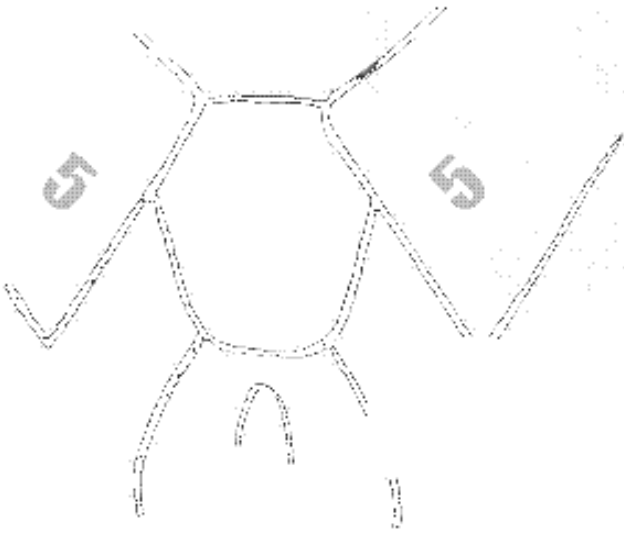
b. On the death of a member of the Service killed in the performance of duty for a period of 30 days commencing from the time of death.

12. Name Plate - Members of the Service above the rank of sergeant wear a gold name plate above and parallel to the top seam of the right breast pocket of the uniform blouse and uniform summer shirt.




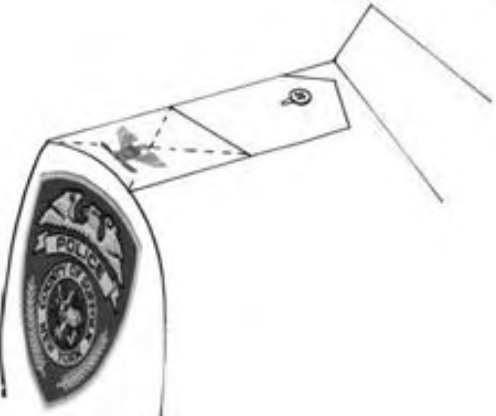
Note: The following illustrations are provided for visual

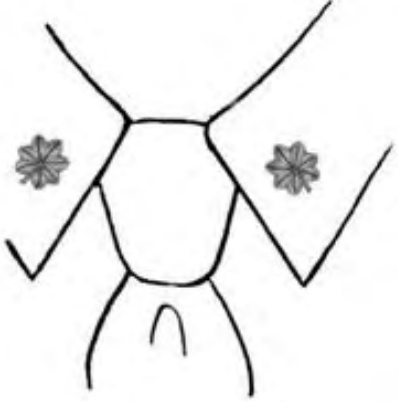

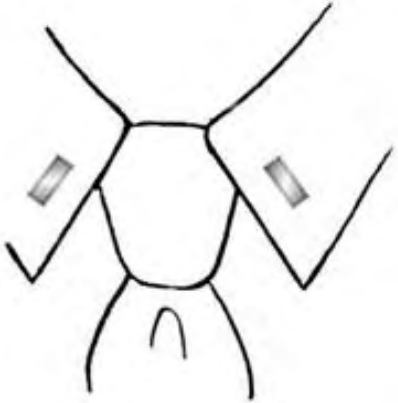
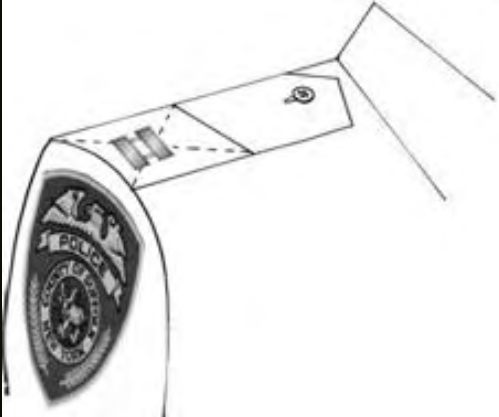
reference regarding the proper positioning of rank and command insignia:

Shirt collar brass - will be worn centered between the top and bottom edges of the collar and 1/2 inch from the front edge. Text or numerals should be parallel the top edge of the collar (as if the top of the collar was the top of a printed page). This placement is the same on summer and winter shirts (worn with or without a tie).



Department members holding the rank of Lieutenant and above - will display rank insignia rather than command designations. There are two sizes of rank insignia; the smaller size is worn on the shirt collar, and the larger on uniform outerwear (blouse, officer's raincoat, etc). Specific guidelines for each rank are listed and illustrated in the table below:

	Illustrations	
Rank	Shirt Collar	Outerwear (right shoulder view)
Positioning Information	Centered between the top and bottom edge of the collar, 1/2 inch from the front edge.	Centered on the epaulet, 1/2 inch from the shoulder seam.
Chiefs One point of the star(s) directed toward the neckline of the shirt or to the rear on outerwear.		
Inspector Both eagles face forward, head up and talons down, wings parallel to the top of the shirt collar or the shoulder seam on outerwear.		

	Illustrations	
Rank	Shirt Collar	Outerwear (right shoulder view)
Positioning Information	Centered between the top and bottom edge of the collar, 1/2 inch from the front edge.	Centered on the epaulet, 1/2 inch from the shoulder seam.
Deputy Inspector The oak leaf stem points down on the collar and towards the shoulder seam on jackets.		
Capt/Lt Bars are worn parallel to the front edge of the shirt collar or the shoulder seam of outerwear.		

F. Prescribed Equipment

1. On Duty Equipment - Members of the Service, unless otherwise directed, are required to carry on duty, in serviceable condition, the following equipment:

a. Patrol Division

(1) A Glock Model 19 semiautomatic, fully loaded to magazine capacity plus one chambered round. No weapon may be substituted without the written permission of the Police Commissioner.

(2) Two fully loaded Department issued magazines.

(3) Holster with belt.

(4) Pepper Mace/O.C. with holster of the

prescribed type.

(5) Memorandum book (as outlined in these Rules and Procedures).

(6) Ballpoint pen.

(7) Handcuffs and key.

(8) Traffic whistle.

(9) Flashlight.

(10) Baton (nightstick).

b. All other members of the Service, unless otherwise directed, carry the following:

(1) A Glock Model 19 or 26 semiautomatic, fully loaded to magazine capacity plus one chambered round. No weapon may be substituted without the written permission of the Police Commissioner.

(2) A suitable holster.

(3) Pepper Mace/O.C.

(4) Handcuffs and key.

(5) Ballpoint pen.

(6) Memorandum Book - unless otherwise directed in these Rules and Procedures.

(7) Baton (nightstick) may be carried in Department vehicles when on duty but shall not be taken from vehicle unless needed.

c. Second Handgun on Duty - Members of the Service are authorized to carry a second handgun while on duty. If a second handgun is carried it must be either a .38 caliber revolver or a 9mm semiautomatic pistol with magazine capacity of 15 rounds or less. Any second handgun carried on duty must be approved by the Firearms Training Section Armorers, and must be carried in a manner not visible to the public.

d. Cartridge Specifications - 9mm+P+ cartridges carried by members of the Service when on duty means 124 grain hollow point ammunition issued by this Department. This is the only ammunition to be used in the Glock 19. Ammunition used in a second on duty weapon may not exceed the above cartridge

specifications.

e. Special Assignments - Members of the Service on special assignment, whether in uniform or not, carry such weapons and special equipment as directed by the commanding officer making such assignment. For the purpose of this section, "special assignment" is meant to be those assignments of temporary nature, out of the realm of an officer's normal duties, that necessitate the use of weaponry and equipment other than that prescribed by the Police Commissioner for every day on duty purposes. It is the responsibility of the commanding officer to ensure that the termination of a special assignment, officers again carry only weapons and equipment authorized by the Police Commissioner for normal on duty purposes.

f. Batons (nightsticks) - shall be possessed by members of the Service assigned to patrol duties in the following manner:

(1) Foot Patrol - carried hanging from belt via koga ring.

(2) Vehicle Patrol - carried in vehicle and may be worn from belt via koga ring when exiting vehicle to perform a patrol function or handle an assignment.

g. Expandable Baton - Members of the Service that are assigned to a command that is authorized by the Police Commissioner to carry a departmentally issued expandable baton shall do so, provided that they are trained by certified Police Academy Bureau instructors in the use of the expandable baton.

h. Taser - Members of the Service that are assigned to a command that is authorized by the Police Commissioner to carry and utilize a departmentally issued Taser shall do so, provided that they are properly trained in the appropriate use of the device as specified by the manufacturer and the Department.

2. Pepper Mace/O.C. - All members of the Service are issued Pepper Mace/O.C. - nonlethal weapon (Pepper Mace is a trademark for a non-lethal aerosol subject restraint containing oleoresin capsicum).

a. Members of the Service are issued a Pepper Mace/O.C. weapon (M.K.VI. size) with holster.

b. All members of the Service, except when in an undercover capacity, are required to carry the issued Pepper Mace/O.C. weapon when on duty.

c. When a Pepper Mace/O.C. weapon is exhausted or inoperative, it is turned into the Firearms Training Section for

replacement. Replacement will be made upon the written requisition of the member's division commanding officer.

3. Tasers

a. Members authorized to utilize the Taser are responsible to ensure that the Taser assigned to them is secure and accessible for the duration of their tour of duty.

b. Only Department-issued Tasers shall be utilized by Department personnel.

c. When a Taser is used against another person said Taser shall be brought to the Firearms Training Section within 24 hours, or the next tour that the Firearms Training Section personnel are working, to be inspected and the data in the Taser downloaded.

d. Any Taser that indicates that the unit has dropped to 25% of its battery life shall be returned to the Firearms Training Section as soon as possible for replacement.

VI. PROCEDURES

N/A

VII. ACCREDITATION REFERENCE STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE QUARTERMASTER ISSUE/REQUISITION PROCEDURES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 02/21/06	DATE EFFECTIVE 02/21/06	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 4: TITLE: UNIFORMS AND EQUIPMENT

SECTION 2: TITLE: QUARTERMASTER ISSUE/REQUISITION PROCEDURES

I. PURPOSE

To provide procedures to be followed for the requisition of uniforms and equipment from the Quartermaster Unit.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Quartermaster Issue

1. Quartermaster Issue Only - The prescribed uniform, shield, cap device or other prescribed insignia and articles of equipment are as issued by the Quartermaster Unit.

a. All shields and numbered cap devices are assigned by personnel order. A shield or numbered cap device will not be issued or replaced by the Quartermaster Unit without a personnel order authorizing the issuance.

b. The Quartermaster Unit is responsible for maintaining a ledger for the control of Departmental shields. The

ledger will contain but not be limited to the following: shield number, date issued and to whom issued, and personnel order number.

2. Property of Department - All clothing and articles of equipment issued by this unit is at all times the property of the Police Department and is subject to recall, inspection and disposition at any time.

3. Termination of Service - When members of the Department terminate their service in any manner, their Commanding Officers are responsible for the return of all clothing and articles of equipment issued to them, as listed in the prescribed manner by the Quartermaster Section. In some instances, at the discretion of the Police Commissioner, a member may retain some items of clothing and/or articles of equipment after separation from the Department. Any such items retained shall remain the property of the Department and are subject to surrender at the behest of the Commissioner, at any time.

4. Recall of Issue - When a member of the Department is transferred, or promoted and certain articles of clothing and equipment are no longer required by that member to function in his new assignment or rank, these articles of clothing and equipment are recalled by the Quartermaster Unit as listed in the prescribed manner. It is the responsibility of the member's former commanding officer to see that this recall of articles is effected.

5. Quartermaster Notification - The Personnel Section notifies the Quartermaster Unit of all personnel changes in order that all the above may be effected.

6. Description of Issues - Articles of clothing include, but are not limited to, all types of uniforms and wearing apparel, specialized or otherwise. Articles of equipment include, but are not limited to, shield, cap device, insignia of rank, Departmental identification card, Rules and Procedures, memorandum books and all inserts (completed during that member's service), firearms, and any or all other specialized equipment.

7. Equipment Lost/Damaged - Members of the Force are to immediately report to their supervising officer the loss, damage to, or unserviceable condition of their uniforms and articles of equipment as outlined by these Rules and Procedures.

B. Quartermaster Requisition Procedures

1. Issuance of New Uniforms and Equipment - Initial issuance of any and all uniform equipment will be done in person at the Quartermaster Unit. Thereafter, any items requiring replacement due to loss or wear will be processed as follows:

2. Issuance of Replacement Uniforms and Equipment to On Duty Personnel - Each individual requiring replacement of an item due to wear will complete a typed or printed Supply Requisition form in original and two copies listing items needed, including proper size and description.

The requesting individual will sign his official police signature on the next line after the items requested. The individual will present the completed form and the worn equipment to the precinct commanding officer or his "designated representative".

3. Responsibilities of the Designated Representative are as follows:

a. The "designated representative" will countersign the completed Supply Requisition form in the block titled "commanding officer authorized requisition".

b. Each requisition shall be assigned a local requisition number by the designated representative, utilizing a sequential format similar to that presently in effect for the Central Complaint Numbers. This number is to be entered in the upper right hand corner of the requisition form, above the word "INSTRUCTIONS". A record of these numbers will be maintained in a bound ledger along with the following information: requestor's last name, rank, shield number, date requisition picked up by Quartermaster courier, date delivered by Quartermaster couriers, and date "FINAL DELIVERY" was made. Initial supply of these ledgers will be made by the Quartermaster Unit with the current ledger being kept in the precinct storage locker provided by the Quartermaster Unit. Replacement ledgers are to be requisitioned as needed through standard office supply procedures.

c. The designated representative will then place the requisition form and the equipment in packaging material provided by the Quartermaster Unit and staple the package closed. The requestor's last name and command will be printed on the outside of the package. When more than one package is needed, each package will be marked with the individual's name and command number. The individual package number and total number of packages will be indicated on each package with the requisition form being placed in package number one. The designated representative will place the package(s) in the precinct storage lockers and will be responsible for security.

4. Number of Packages - Individuals should anticipate their needs and not exceed two packages at any one time.

5. Pick Ups - Will be made on a weekly basis by the Quartermaster courier van with deliveries made the following week.

Package number one of the delivered packages will have one copy of the requisition form stapled to its outside. The designated representative will sign this form in the block titled "issued by" and return it to the Quartermaster courier as a delivery receipt. The sealed package(s) will then be placed in the precinct storage locker pending final receipt by the requesting individual.

6. Pick Up by Requesting Individual - Upon final delivery, the

requesting individual will open the package(s) and compare the items received with the requisition form. Discrepancies will be noted on the form and the form will be signed by the requesting individual in the block titled "received by". This form will then be forwarded to the Quartermaster Unit via the daily courier.

7. Lost Items - Not referred to in the section of this chapter titled "Department Property Lost/Stolen" will be reported in the following manner: An Internal Correspondence will be prepared in accordance with the Rules and Procedures. The approved Internal Correspondence will then be attached to the requisition. All stolen items will be reported in the manner prescribed in the section "Department Property Lost/Stolen".

8. Lost and Replacement Items - May be processed on the same requisition.

9. Measurable Items - Received which do not fit must be returned in person to the Quartermaster Unit for exchange/alteration. Permission to respond to the Quartermaster Unit must be granted by a supervisor.

10. Items Not Delivered - Will be marked "0" in the "delivered" column and will show an anticipated date of receipt by the Quartermaster in the "remarks" column, at which time the individual may resubmit. Items turned in but not replaced will be credited to the individual's record. An individual's reorder request must include the statement "previously turned in" in the remarks column of the requisition.

11. Non-Precinct Personnel - Other than Yaphank facility personnel, will process their paperwork/equipment through the precinct of their choice. They must indicate in the body of their requisition "request delivery at _____ Precinct". Large commands not having access to a nearby precinct may utilize the same system of Quartermaster courier delivery. Any such command must call the Quartermaster Unit for pick up arrangements.

12. Off Duty Personnel and Yaphank Facility Personnel - May continue to conduct business on an over-the-counter basis at the Quartermaster Unit.

13. Emergency Issue - Will be handled over-the-counter but will require prior approval of a superior officer.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-37

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE DEPARTMENT PROPERTY AND EQUIPMENT				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 05/19/08	DATE EFFECTIVE 05/19/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 4: TITLE: UNIFORMS AND EQUIPMENT

SECTION 3: TITLE: DEPARTMENT PROPERTY AND EQUIPMENT

I. PURPOSE

To provide regulations and procedures regarding the use, care and disposition of Department property and equipment.

II. POLICY

The use of Department property, vehicles, equipment, telecommunication devices, computers, publications or any other Department item is regulated by Department rules and regulations, policy and directives. Unless specifically directed by a superior officer, a member of the Department shall not use Department property, vehicles, equipment, telecommunication devices, computers, publications or any other department item except in connection with official police business.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Department Property and Equipment - A member of the Department shall be responsible for the safekeeping, good care, proper maintenance and serviceable condition of Department property issued for or assigned to his/her use and for personally owned handguns. The member shall immediately report to his/her commanding officer any loss of, damage to or unserviceable condition of such property, vehicles, equipment, telecommunication devices, computers, publications or an other Department items. If such loss or damage results from carelessness or negligence, it may become cause for Departmental charges. A member shall not alter police equipment by changing in any way, except in cases

of emergency or as otherwise ordered by the Police Commissioner.

1. Department Property, Littering - A member of the Department does not litter with refuse any Departmental property, building, booth, vehicle, boat or aircraft.

2. Department Vehicles Operations - A member of the Department operates a Department vehicle in a careful and prudent manner at all times even though responding to an emergency or engaged in close pursuit. A member is required to use a seat belt, where provided, and instruct passengers to do the same. However, a member with a physically disabling condition whose physical disability would prevent the use of such safety belt is exempt from the required use of the belt. Such condition must be duly certified by a physician who shall state in writing the nature of the disability as well as the reason the seat belt is inappropriate.

3. Equipment, Care of - A member of the Department is responsible for the proper care and condition of equipment contained in any Department building, booth, vehicle, boat or aircraft.

4. Communication Equipment, Removal - Whenever a police vehicle is not under the control of a member of the Department because of an accident or mechanical reasons; or is to be sent to any outside vendor, garage, or repair shop, it is the responsibility of the operator of that police vehicle to remove:

- All portable radios.
- All radio microphones that have a threaded connector.
- All radio trays.

Said equipment will be properly marked for reinstallation and safely secured at the operator's assigned command.

a. Whenever damage, loss or theft occurs to communications radio equipment; including, but not limited to, all portable and fixed radio equipment, pager receivers, speakers, antenna systems, electronic sirens, etc., a copy of all necessary reports used to account for the incident (Field Report, Internal Correspondence, etc.) will be directed through proper channels to the Communications and Records Bureau, Technical Service Section.

b. In the event the police vehicle operator is unable to remove the above mentioned equipment, due to his being disabled, the officer's supervisor is responsible to perform this function and follow the above reporting procedure.

5. Department Property Possession - A member of the Department does not use or have in his possession any Departmental property unless its use or possession is authorized by proper authority.

6. Requisition Supplies - A member does not requisition supplies from the Quartermaster Section without the certified approval of his commanding officer, or his designee, on the appropriate form.

7. Designated Equipment Only - A member of the Department carries only designated equipment when in the performance of police duty.

8. Department Property, Unauthorized Presence - A member of the Department does not permit anyone other than members of the Service or Department to enter or remain in a Departmental building, booth, vehicle, boat or aircraft except on official business or as otherwise directed.

B. Department Property Lost/Missing - A member of the Department whose identification card, shield, cap device, pepper mace, Department issued firearm, other Department issued equipment or personally owned handgun is lost or missing, notifies his commanding officer immediately. The member will prepare a Field Report and a Supplementary Report in triplicate fully explaining the circumstances surrounding said loss. When such loss occurs outside of the jurisdiction of this Department, the police department of jurisdiction will be notified. The member's supervisor will notify the Internal Affairs Bureau.

1. The member's supervisor will authorize the transmission of a message to the New York State Police Information Network, as outlined in chapter 23, which will include the manufacturer's serial number and/or the Department's assigned I.D. number, if applicable. Other reports are forwarded as prescribed in Department procedures.

C. Department Property, Stolen - A member of the Department whose identification card, shield, cap device, pepper mace, Department issued equipment or personally owned handgun is stolen, notifies his commanding officer immediately. The member will prepare an Internal Correspondence in triplicate fully explaining the circumstances surrounding said incident. The member will also report the incident to the police department of jurisdiction. The member's supervisor will notify the Internal Affairs Bureau. The Internal Correspondence is submitted to the member's commanding officer who will forward the report, verified by his signature, as follows: Original to the Division Commander, duplicate retained at the command, triplicate to the commanding officer of the Quartermaster Section or to the Identification Section as circumstances warrant.

1. The member's commanding officer will confirm that the required message to the New York State Police Information Network, as outlined in chapter 23, was transmitted and that the message included the manufacturer's serial number or the Department's assigned I.D. number, if applicable.

2. The Quartermaster Section or the Firearms Training Section are authorized to issue a replacement mace or, when appropriate, a firearm, upon written requisition of the member's commanding officer. The Identification Section is authorized to issue a new identification card upon the written requisition of the member's commanding officer. The member's commanding officer will investigate the incident and follow reporting regulations as outlined under command discipline procedures.

D. Incapacity to Safeguard - A member of this Department who for any reason (e.g., sick report, injured, hospitalized or extended

military activation), in the judgment of his commanding officer, immediate supervisor or designee, cannot properly safeguard his weapon, shield, cap device, I.D. card and any other equipment shall surrender these articles to his commanding officer, supervisor or their designee. The officer to whom these articles are surrendered prepares a Field Report and a Supplementary Report in triplicate to fully explain the circumstances. The Field Report is forwarded as prescribed in the Rules and Procedures. The Supplementary Report is forwarded as follows: Original to Central Records and duplicates to the division commander. All copies of this report must bear the endorsement of the member's commanding officer. Said articles are promptly invoiced on the appropriate form, a General Receipt, presented to the member and said articles delivered to the Quartermaster Section with the exception of Department issued weapons, which will be delivered to the Firearms Training Section. Any personal handguns owned by such officer will be surrendered to a delegated superior officer who will invoice the weapon(s) on a Property Invoice Receipt form and will submit the handguns directly to the Property Section unless extenuating circumstances require examination by the Crime Laboratory. In such instance the weapons will be submitted to the Crime Laboratory with appropriate paperwork. After examination procedures are performed, the Crime Laboratory will invoice the weapon(s) to the Property Section. When the member is deemed fit for duty, the commanding officer certifies as to such fitness on the appropriate form which authorizes the release of said surrendered articles and weapons to the member.

E. Off-Duty Weapon Restriction - In all instances in which, pursuant to a court order, a member's possession of firearms is restricted to when said member is on duty, the procedure below is to be followed:

1. All off duty firearms, rifles, and shotguns owned by the subject member shall be secured according to Chapter 4, Section 3, V. D.
2. When the subject member is not on duty, the member's issued firearm shall be locked in a location designated by his/her commanding officer. The key to this locked location shall not be accessible to the subject member.
3. The transfer of the member's firearm at the beginning and end of each shift shall be transacted by a member of higher rank and documented via a Miscellaneous Entry in the electronic Precinct Daily Blotter.

F. Return of Safeguarded Weapons/Property - All safeguarded weapons and property may only be returned to a member of the department in accordance with the following conditions:

1. Those Sworn members whose firearms have been either surrendered or seized for psychological/behavioral reasons may only have those firearms returned when:
 - a. The member has been evaluated by the Police Surgeon Psychologist; and
 - b. The Police Surgeon Psychologist has approved the return

of the weapons; and

c. A member of the Service above the rank of Inspector has signed the appropriate form authorizing the release of said surrendered/safeguarded firearms to the member.

2. For members whose firearms have been removed for disciplinary reasons other than the above, said firearms may only be returned with the dual approval of the Commanding Officer of the Internal Affairs Bureau and the member's Commanding Officer.

3. For members whose firearms have been removed due to a physical incapacity to safeguard or due to extended military activation, said firearms shall be returned with the approval of the member's Commanding Officer.

4. For members whose possession of firearms, rifles, and shotguns has been restricted by a court order, said restriction shall be lifted upon termination of the court order, completion of a psychological evaluation, and with the approval of the member's Commanding Officer.

G. Authorized Shield - A member of the Service or Department neither wears, uses, displays, nor has in his possession, a police shield or other similar object except as authorized by the Police Commissioner.

H. Identification Card - A member of the Department is to carry at all times the authorized Police Department County of Suffolk, New York laminated identification card, unless otherwise directed by the member's commanding officer. The identification card is issued to the members of the Police Department by direction of the Police Commissioner and identifies the member by name, rank or title, signature, date of birth, numerated and bar coded employee personal identification number (PID), shield (sworn), retirement number (sworn), Department Seal (civilian), height, weight, color of eyes, date card was issued, photograph, and Department shoulder patch. All identification cards have a holographic overlay containing the Suffolk County Seal. Civilian personnel to have a card with a red top and bottom border, Sworn personnel to have a card with a blue top and bottom border. At no time will a member of the Department possess more than one Department I.D. card.

1. Headquarters Identification - All Department members in plainclothes attire, upon entering and until leaving Police Headquarters, will display their issued identification cards in such a way that they can be readily seen.

2. Restricted Identification Card - In all cases where it is deemed appropriate to remove an officer's weapon(s) and have a restricted identification card issued to the member, the member's commanding officer will remove such and submit an Internal Correspondence, along with the confiscated identification card, to the Human Resources Bureau Supervisor directing that a restricted identification card be issued. This Internal Correspondence will include the date and time the weapon(s) and identification card were removed and/or restricted, the name of the officer responsible for the removal and/or restriction, and the central

complaint number assigned to the incident. The Human Resources Bureau Supervisor will forward an Internal Correspondence, along with the confiscated identification card, to the Identification Section, which upon receipt, will issue a restricted identification card to the member. A copy of this Internal Correspondence is forwarded to the member.

a. Restricted - No Firearms - The restricted identification card is the same in all respects to the standard identification card with the exception that it has the words "Restricted - No Firearms" printed in prominent boldface type, red in color, on the face of the card. Any officer issued a "Restricted No Firearms" identification card will not be authorized by this Department to carry, possess or purchase any firearm, rifle, or shotgun.

b. Restricted - No Firearms, Extended Military Leave - The restricted identification card issued to members on extended military leave is the same in all respects to the standard identification card with the exception that it has the words "Extended Military Leave" printed in prominent boldface type, black in color, on the face of the card, and the words "Restricted - No Firearms" printed in prominent bold face type, red in color, on the face of the card. Any officer issued a "Restricted No Firearms, Extended Military Leave" identification card will not be authorized by this Department to carry, possess or purchase any firearm.

c. Restricted - No Firearms, Off Duty - The restricted identification card is the same in all respects to the standard identification card with the exception that it has the words "Restricted - No Firearms Off Duty" printed in prominent boldface type, red in color, on the face of the card. Any officer issued a "Restricted No Firearms Off Duty" identification card will not be authorized by this Department to carry or possess any firearm, rifle, or shotgun while not on duty.

3. Restoration of Non-restricted Status - When it is deemed appropriate to restore a non-restricted identification card to a member, the member's commanding officer will submit an Internal Correspondence to the Human Resources Bureau Supervisor directing that the member's non-restricted identification card be reissued. A copy of this correspondence will be sent to the Firearms Training Section. The Human Resources Bureau Supervisor will forward an Internal Correspondence (with a copy to the affected member of the Service) to the Identification Section which will, upon receipt, reissue the non-restricted identification card. The issuance and exchange of the identification cards will be conducted in person at the Identification Section.

4. Recruit Identification Card - All recruit police officers will be issued a temporary recruit identification card. This identification card will remain in effect while the recruit officer is attending the Police Academy. The recruit identification card is the same in all respects to the standard identification card with the exception that it has the word "Recruit" printed in boldface black type on the face of the card and the words "Restricted - No Firearms Purchase" printed in prominent boldface red type on the face of the card. Recruit officers

issued such a card will not be authorized by this Department to purchase any firearm while attending the Police Academy. Recruit officers are authorized to carry and possess only Department issued firearms while attending the Police Academy training. Upon graduation from the Police Academy the temporary recruit identification card will be turned into the Identification Section and a standard police identification card will be issued to the Academy graduate.

5. SCPD Non-Employee Identification Card - Non-employee personnel assigned to work for this Department having the title of Flight Paramedic, Precinct Advocate, Community Outreach Advocate or, DPW employees assigned to work in SCPD facilities, having approved access to Department facilities, will be issued a Non-Employee Identification Card. Vendor representatives that require frequent access to Department facilities will also be issued a Non-Employee Identification Card. An employee of the Department of Civil Service who is temporarily assigned to the Department will be issued an SCPD Non-Employee Identification Card denoting "Temporary Employee" across the bottom border. This card identifies the non-employee by name, photograph, title, location of employment or access, date of birth, height, eye color, date the identification card was issued, expiration date and bar coded identification number. All Non-Employee Identification Cards have a holographic overlay containing the Suffolk County Seal. Non-employee personnel are to have a card with a yellow top and bottom border. Within the top border will be printed "SUFFOLK COUNTY" and within the bottom border will be printed the individual's job title or, as in the case of a Civil Service employee temporarily assigned to the Department, the phrase "TEMPORARY EMPLOYEE". Upon expiration of the identification card or termination of employment of such non-employee, it will be the responsibility of the commanding officer of the command where such non-employee is assigned to retain the Non-Employee Identification Card and forward same to the Personnel Section as soon as practicable. No individual will be issued a Non-Employee Identification Card until a background investigation of the individual has been completed by the Applicant Investigation Section.

a. A Non-Employee Identification Card shall not be issued for more than a one (1) year period. In the event that a non-employee remains longer than one (1) year, a new card shall be issued with a new projected date of expiration.

6. Display of Identification Card - All SCPD non-employee personnel assigned to this Department upon entering and until leaving their location of assignment will display their issued identification card in such a way that they can be readily seen.

7. SCPD EMT Clinical Student - All police recruits assigned to work in a hospital as part of their EMT training, will be issued a Non-Employee Identification Card by direction of the Police Commissioner. This card identifies the recruit by name, photograph, and title. Also displayed on the face of the card are the expiration date, the Suffolk County Seal, and the Emergency Medical Service Symbol. All EMT Clinical Student Identification Cards have a holographic overlay containing the Suffolk County Seal. Police recruit EMT Clinical Students, are to have a

card with a yellow top border and a blue bottom border. Within the top border will be printed "SUFFOLK COUNTY" and within the bottom border will be printed "EMT CLINICAL STUDENT". Upon expiration of the identification card or termination of employment of said recruit, it will be the responsibility of the commanding officer of the command where such member of the Department is assigned to retain the identification card and forward same to the Personnel Section as soon as practicable.

8. SCPD Auxiliary Police Identification Card - All SCPD Auxiliary Police personnel, who volunteer their time to this Department, will be issued an SCPD Auxiliary Police identification card by direction of the Police Commissioner. This card identifies the SCPD Auxiliary Police Officer by name, photograph, title, date of birth, height, eye color, weight, date the identification card was issued, bar coded employee identification number, County Seal, shield number, and SCPD Auxiliary Police shoulder patch. All SCPD Auxiliary Police Identification Cards have a holographic overlay containing the Suffolk County Seal. SCPD Auxiliary Police personnel are to have a card with a yellow top and bottom border. Within the top border will be printed "SUFFOLK COUNTY" and within the bottom border will be printed "AUXILIARY POLICE".

9. Renewal of Identification Card - All sworn members of the Department must renew their Identification Card in the event of a status change such as: a new rank, name, shield number, or designation (i.e., Detective, Detective Sergeant, etc.). In addition, all members of the Department, both sworn and civilian, must renew their Identification Card once every five years when no status change has occurred. Sworn members, with the exception of those assigned to undercover duties, must have their Identification Card renewal photograph taken while in uniform. Members of the Department are to contact the Identification Section to make arrangements for an Identification Card renewal photograph.

10. SCPD Affiliate Organizations - The Department shall request organizations having affiliation with the Department and requiring access to SCPD facilities to submit proposed membership card designs to the Department for approval by the Commissioner.

VI. PROCEDURE

A. Disposal of Department Property, Quartermaster Section - The Quartermaster Section is responsible for the purchase, lease, rental and disposal of all Department property, other than police vehicles and related automotive equipment such as decals, winches, tires and automotive parts, through the Suffolk County Department of Purchase and maintains inventory and associated records for that property.

1. Notification to Quartermaster Section - Commands having Department property to be disposed of (condemned, destroyed, auctioned) will notify the commanding officer of the Quartermaster Section via Internal Correspondence. A complete description of the property will be submitted including make, serial number, Department inventory control number and exact location of the property. This procedure does not apply to the Transportation Section when disposing of police vehicles and related automotive equipment such as decals, winches, tires and automotive

parts.

2. Suffolk County Form, Property Transfer or Inventory Change, Form AC 103 - The Suffolk County form titled Property Transfer or Inventory Change form is to be used for all items of equipment exceeding \$50.00 replacement cost; whether added, deleted or transferred to or from Department inventory. It is to be completed by the commanding officer of the Quartermaster Section for his signature or the signature of the Police Commissioner at the time of transfer or inventory change following the instructions on the back of the form.

a. The Police Commissioner, as Department Head, must sign the Property Transfer or Inventory Change form if the property is scheduled to be auctioned, condemned, destroyed, is surplus, disappears mysteriously (lost or stolen), is in the possession of Internal Affairs as the result of an investigation, or is to be transferred to another County agency.

3. Pickup and Disposal of Department Property - After all necessary paperwork is completed, the commanding officer of the Quartermaster Section will arrange for pickup and disposal of the property. He will also contact the Suffolk County Department of Purchase for instructions as to where the property will be stored. This information will be recorded on the Property Transfer or Inventory Change form.

4. Disposal of Department Property, Transportation Section - The Transportation Section is responsible for the accounting, maintenance, repair and disposition of all Department and designated County agency vehicles, as well as maintaining the necessary records.

5. Suffolk County Department Vehicle Request Form, SCIN Form 174 - The Suffolk County Department Vehicle Request Form is to be completed when a vehicle is purchased, leased, decommissioned, reassigned, replaced or transfer/change in appropriation to which vehicle is charged. The commanding officer of the Transportation Section is designated by the Police Commissioner to sign this form in the space allocated for Department Head or designee.

6. Authority and Procedure for Decommission and Disposal of Department Vehicles - Refer to County Standard Operations Procedure F-03, 8/1/83 for this procedure.

7. Intra-Department Transfer of Property - The Quartermaster Section is responsible for the coordination of all Department property, other than vehicles and related equipment, to be transferred between Department commands. The transfer of property from one command to another will be complete when:

a. A Property/Vehicle Transfer or Inventory Change, PDCS 2037, is submitted to the commanding officer of the Quartermaster Section from the commanding officer of the command making request.

b. Upon approval of the transaction, the commanding

officer of the Quartermaster Section will send a written notice to the commanding officer of the requesting command and a copy to the commanding officer of any other command(s) involved. The signed copy of the PDCS 2037 will serve as a receipt.

c. Equipment destroyed or damaged by a prisoner and retained as evidence will be invoiced to the Property Section and circle deletion on the PDCS 2037.

d. Upon final disposition of the case, it is the responsibility of the command whose property was damaged to notify the Property Section, which in turn will notify the Quartermaster Section, so that a decision can be made as to the disposal or repair of equipment.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-38

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE WARRANTLESS SEARCH OF DEPARTMENT ISSUED EQUIPMENT					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 05/04/07	DATE EFFECTIVE 05/04/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 4: TITLE: UNIFORMS AND EQUIPMENT

**SECTION 4: TITLE: WARRANTLESS SEARCH OF DEPARTMENT
 ISSUED EQUIPMENT**

I. PURPOSE

To establish procedures for the search of Department issued property and equipment.

II. POLICY

Members of the Suffolk County Police Department may be assigned departmentally owned vehicles, lockers, desks, cabinets and cases for the mutual convenience of the Department and its personnel. Locks or security devices other than those authorized by the Department shall not be used to secure Department issued property. All personnel are advised that the retention of personal items in such containers or facilities is at the risk of the member and the Department will not be responsible for any losses. Such equipment is subject to entry and inspection without notice even if the member has placed a personally owned lock on departmental property.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Routine warrantless searches of a member's Department issued equipment will not be conducted.

VI. PROCEDURES

A. Warrantless Search Procedures - When it becomes necessary through the course of an investigation to conduct a warrantless search of a member's Department issued equipment, authorization for the search will be verbally sought from the member's (subject of search) bureau commander. In the absence of the bureau commander, authorization will be sought from the Division Chief, his/her designee or the District Commander.

1. Internal Affairs personnel may forego the above procedures as long as approval from the Police Commissioner is obtained and probable cause to search exists.

B. Emergency Searches - Warrantless emergency searches may be conducted by an officer in charge or his designee providing reasonable cause to believe exists that a potentially hazardous material or condition exists within Department issued equipment or that evidence is in imminent danger of destruction.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 4: TITLE: UNIFORMS AND EQUIPMENT

SECTION 5: TITLE: SPECIAL EQUIPMENT INSPECTIONS

I. PURPOSE

To require monthly inspections of Department equipment used in unusual occurrence situations to ensure the operational readiness of such equipment.

II. POLICY

It is the policy of the Suffolk County Police Department to maintain the operational readiness of all Department equipment to ensure the proper response to all emergencies and unusual occurrence situations.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Every commanding officer, or his designee, responsible for equipment used in unusual occurrence situations will make monthly inspections of such equipment to ensure its operational readiness. Such equipment shall include:

1. Emergency generators at precincts and headquarters (the Department of Public Works is responsible for the actual testing of generators, but the commanding officer of Facilities Management will

ensure that such tests are conducted).

2. Suffolk County Police Department Mobile Command Post.

3. Suffolk County Police Department Mobile Command Post trailers and other emergency communications equipment.

4. Suffolk County Police Department buses.

5. All Special Services Section vehicles.

6. Stretchers.

7. Any other equipment which might be used in unusual occurrence situations.

B. The commanding officer will maintain a record of all such inspections conducted by his command.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA - 46.1.8

B. NYSLEAP - N/A

VIII. INDEX

Inspections, Equipment Monthly 4/5

Commanding Officer Responsibility 4/5

END

RULES AND PROCEDURES

CHAPTER 4: TITLE: UNIFORMS AND EQUIPMENT

SECTION 6: TITLE: WEAPON EXCHANGE, MEMBERS OF THE SERVICE

I. PURPOSE

To establish a weapon exchange system to be followed by members of the Service.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. When a service weapon assigned to a member of the Service must be removed from service for any reason, the officer shall obtain a replacement from the Firearms Training Section, as outlined in this procedure.

1. When the Firearms Training Section is in operation, the weapon shall be transported to the section and exchanged for a temporary replacement weapon. However, in the case of an officer involved shooting, the weapon used shall be turned over to the investigating officer for submission to the Medical Examiner's Crime Lab. The involved officer will then follow normal procedures, as outlined in this section,

to secure a replacement weapon.

The Firearms Training Section is open Monday through Friday. During the months of January through March and November through December, the command is open from 0800 hours to 1600 hours. During the months of April through October, the command is open from 0800 hours to 2400 hours.

2. During times when the Firearms Training Section is not in operation, the member shall notify his/her supervisor who shall inform the Communications Section duty officer that a replacement weapon is needed. The duty officer will then contact the commanding officer of the Firearms Training Section, or his designee, to make the necessary arrangements for the weapon exchange.

B. When issuing a temporary replacement weapon, the member of the Firearms Training Section issuing same shall:

1. Issue the officer the same type weapon as the one being replaced.

2. Complete one (1) Employee Weapon Record, PDCS 1029, form for the newly issued weapon completing as follows.

In section 1, put the name of the officer who is receiving the replacement weapon. The officer's home address must be used. Check "acquisition of a firearm" in the block marked "type of transaction".

In section 2, check "issued by". In area, "Name of other party," list SCPD inventory followed by name of member of the Firearms Training Section issuing weapon. List SCPD Headquarters address in address area.

In section 3, note pertinent information for the weapon being issued. Supervisor from Firearms Training Section shall sign in supervisor's box.

Section 4 should be completed by the Pistol Licensing Bureau.

All copies of the form are sent to the Pistol Licensing Bureau for dissemination.

3. Complete one County Issued Weapon Card, PDCS 4307. This is to be filled out and signed by the officer receiving the newly issued weapon.

4. Complete a Work Order Form, PDCS 4315. This should be done by the officer whose firearm is to be repaired.

5. When a weapon is turned in and determined to be nonrepairable and therefore will be permanently taken out of service, all of the aforementioned steps must be taken and forms completed. Additionally, an Employee Weapon Record, PDCS 1029, must be completed by the member of the Firearms Training Section receiving the weapon to be taken out of service. The member of the Firearms Training Section completes the Employee Weapon Record, PDCS 1029, and forwards all copies to the Pistol Licensing Bureau for dissemination.

VII. ACCREDITATION REFERENCE STANDARDS

N/A

VIII. INDEX

Firearms, Replacement Weapons 4/6

END

RULES AND PROCEDURES

CHAPTER 4: TITLE: UNIFORMS AND EQUIPMENT

SECTION 7: TITLE: DISINFECTING PROCEDURE FOR VEHICLES, UNIFORMS AND EQUIPMENT

I. PURPOSE

To establish cleaning procedures for Department vehicles, uniforms and equipment contaminated by blood or body fluids.

II. POLICY

Periodic contamination of Department vehicles, uniforms and equipment is inevitable due to the very nature of police services provided. Health risks which may be associated with such contamination can be minimized by strict adherence to the safety precautions in the following procedure.

III. DEFINITIONS

N/A

IV. REFERENCES

A. Suffolk County Police Department pamphlet: AIDS Facts for Police Officers.

B. For additional information regarding disinfection procedures, refer to the Suffolk County Police Department Exposure Control Plan.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Disinfection Procedure for Department Vehicles, Uniforms and Equipment:

1. Bandage any cut or scrape on hands or lower arms before beginning procedure, change when wet or soiled.

2. Personnel will wear protective equipment when involved in procedures in which they are likely to come into contact with blood or other body substances. If for any reason an item of personal protective equipment is torn or damaged, remove and replace it immediately before continuing.

3. Absorb any accumulated material with disposable items such as paper towels or surgical dressings, place in red bag for disposal.

4. Wash the area with soap and water solution.

5. Wipe contaminated areas with a disinfectant solution. A suitable disinfectant is a 1 in 10 dilution of 5.25% sodium hypochlorite (1 part household bleach in 10 parts water). If vehicle has a fabric interior use a commercial upholstery cleaner in place of bleach.

6. If stains from body fluids remain after washing, apply peroxide, this will break up any proteins in the material; wipe again with disinfectant solution.

7. A "red bag" will be used to collect all contaminated cleaning materials, e.g., absorbent towels, gloves and coveralls.

8. Discard soiled items directly into the red bag as you work.

9. The area to be disinfected should be vented (due to bleach odor), and any obvious deposits of body fluids should be absorbed and discarded.

10. In the case of police vehicle

contamination the entire passenger area should be washed, disinfected and allowed to air dry. If a mop is used, thoroughly wash and rinse it and then soak it in a 1:10 bleach solution for two hours. The used soapy water and disinfectant solution should be poured into a drain or sewer since the mixture of bleach and soapy water will have neutralized any contamination.

11. When a mechanical resuscitator has been used, the face mask and the one-way air port should be cleaned thoroughly with a disinfectant solution before using again.

12. Disposable gloves will remain on until the washing procedure is over and all articles are contained in the red bag.

13. The final step in the procedure will be to remove the disposable gloves (pull inside out) and deposit them in the red bag. At this point the red bag will be closed and secured by ties provided.

14. The member of the Department completing this procedure will then WASH his hands in the prescribed manner.

15. If any part of a member's uniform becomes significantly contaminated with blood or other bodily fluids, it shall be removed as soon as possible and placed into a "red bag" for disposal. Significant contamination means a large area of the uniform item has been soaked through with blood or other body fluids. It does not include situations where body fluids have simply come into contact with or been splattered on the material. Shields, name plates, cap devices and other impervious articles should be removed prior to placing uniforms in "red bags". Such articles, if contaminated, may be cleaned with a solution of one (1) part bleach to ten (10) parts water followed by cleaning with soap and water. Prior to disposing of uniforms, a supervisor will document the uniform contamination and prepare a written report to

the commanding officer detailing the circumstances of the contamination including the reasons appropriate personal protective clothing was not utilized. A copy of the supervisor's report will accompany the request for replacement of uniforms or equipment addressed to the Quartermaster Section.

Uniforms which are not significantly contaminated should be removed as soon as practical. Dry cleaning is an acceptable method of cleaning clothing contaminated by blood or body fluids as long as the laundry utilizes universal precautions. It is generally recommended that contaminated uniform items not be laundered at home, since normal laundering is not considered an acceptable method of sanitizing the contaminated clothing.

16. The "red bag" with contaminated cleaning articles can be dropped off at a local hospital or the Medical Examiner's office for proper disposal.

NOTE: All blood spills should be treated with universal precautions and with the procedures contained herein.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Blood Contamination
Body Fluids, Cleaning
Contamination, Department Vehicles/Equipment
Disinfection Procedures

END



ORDER NUMBER 08-35

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE COMPUTER PROCEDURES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 05/19/08	DATE EFFECTIVE 05/19/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 4: TITLE: UNIFORMS AND EQUIPMENT

SECTION 8: TITLE: COMPUTER PROCEDURES

I. PURPOSE

The purpose of this order is to establish Department policy and procedures concerning the acquisition, installation, removal, maintenance, and use of computer hardware, software and data. These procedures are intended to minimize problems with computer equipment by verifying that all hardware and software installations are compatible with existing and anticipated hardware and software, as well as to ensure the security of system data. These procedures are also to ensure that Department computer resources are utilized in a professional manner and for official Department purposes only.

II. POLICY

The availability and use of computers within the work environment provides many opportunities for the enhancement of productivity and effectiveness. These technologies also increase the opportunities for rapid transfer and broad distribution of sensitive information that can have damaging effects on this Department, its members, and the public, if not managed properly. Therefore, it is the policy of the Suffolk County Police Department that all members adhere to the rules and procedures set forth herein regarding Department computer hardware, software and data.

III. DEFINITIONS

- A. Authorized User - An individual authorized by the Suffolk County Police Department, through the Director of Information Technologies, Information Technologies Section, to utilize department computers, or to access department databases. Individuals may be authorized by the very nature of their training or assignment.
- B. Computer Resources - Any County and/or Department computers and/or network(s), and all appurtenances and subsystems thereto, including, but not limited to: host computers, desktop computers, file servers, application servers, communication servers, mail servers, fax servers, web servers,

workstations, peripheral equipment, removal media, stand-alone computers, laptops, software, data files, and all internal and external computer and communications networks (i.e., intranets, internet commercial online services, value-added networks, e-mail systems, etc.), that may be accessed directly or indirectly from the County and/or Department computer network.

C. Downloads - Copies of files obtained from another computer via a network or through removable media.

D. Electronic Mail (e-mail) - An electronic message sent via computer from one person or location to another.

E. Log-on (Sign-on) - Accessing the Department computer network, applications, files, and/or data by entering a user name and security password.

F. Log-off (Sign-off) - The removal of access to the Department computer network, applications, files and/or data by entering a notation that the user no longer requires access.

G. Network - A system of interconnected computers that allows for the sharing of software, data and peripheral equipment.

H. Peripheral Equipment - Any equipment that is attached to the computer network (i.e., scanners, printers, cameras, CD-ROM drives, etc.).

I. Removal Media - Any device that stores information that can be removed from one computer and moved to another (i.e., floppy disks, CD-ROM disks, USB thumb drives, etc.).

J. Software - The instructions used to make hardware perform a task.

1. Application - Electronic code that performs a Specific task on a computer (i.e., Microsoft Word, Excel, etc.)

2. Commercial Software - Software that is purchased for use on a particular computer. Generally, an individual license is required for each computer installation.

3. Freeware - Software obtained from public sources for which no fee or licensing is required.

4. Police Software - Software developed by Department personnel or contracted programmers.

5. Shareware - Software obtained through public sources with normally limited features, periodic visual reminders to purchase or a time limit cutoff to prevent further use without purchase.

K. Business Day - Monday through Friday, 0900-1700 hours, excludes official County holidays.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. GENERAL

1. Computer resources are to be used for official Department business only. All transmissions through computer resources are considered official Department communications. Any information contained within or transmitted from or to any computer resource is the property of the Suffolk County Police Department, and is subject to review by a supervisor. Members are hereby advised that users of computer resources do not have an expectation of privacy in anything created,

stored, sent or received on or via computer resources. Members are further advised that there are no facilities provided via any computer resources for sending or receiving private or confidential electronic information.

2. Computer resources may not be used for the conduct of non-Department business, dissemination or storage of commercial or personal advertisements, private commercial enterprise, solicitations, promotions, destructive programs, (i.e., viruses or self-replicating code) political material, or any other unauthorized use.

3. No software will be installed on or removed from any Department computer without the approval of the Director of Information Technologies, Information Technologies Section, or a designated representative. Further, members shall not do any of the following:

- a. Make unauthorized copies of any software supplied by the County or Department; or
- b. Provide copies of software supplied by the County or Department to any independent contractors or clients of the County, or to any third person; or
- c. Modify, revise, transform, recast or adapt any software supplied by the County or Department; or
- d. Reverse-engineer, disassemble, or de-compile any software supplied by the County or Department.

Members who become aware of the installation of unauthorized software, the misuse of any software installed on County or Department computer resources, or the violation of any copyright laws must immediately report same to a supervisor and to the Suffolk County Police Department's Infrastructure Security Officer.

4. No personal computer or other non-County or non-Department equipment may be connected, in any manner, to any Department computer or network without the approval of the Director of Information Technologies, Information Technologies Section, or a designated representative.

5. Only personnel authorized by the Director of Information Technologies, Information Technologies Section, shall install, remove or service computer hardware or software. This shall include the opening of a computer's external case.

6. The Computer Crimes Unit is exempt from provisions 3, 4 and 5. The Computer Crimes Unit is permitted to maintain and service computer equipment that is not connected to the Police Department's computer network.

7. Any member of the Department who observes unauthorized hardware or software installed on, or being used with, any computer resources shall report same as soon as possible to a supervisor and to the Suffolk County Police Department's Infrastructure Security Officer.

8. Internet access that is made available is for Department business use only. Any employee who abuses Internet access privileges by accessing inappropriate sites, for other than official Department business, or using the Internet for other than official Department activities is subject to disciplinary action.

9. All computer transactions and E-mail messaging will be conducted in a professional and ethical manner. Material that is fraudulent, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, harassing, discriminatory, offensive, serves no legitimate business purpose or is otherwise unlawful or inappropriate shall not be sent by e-mail or other forms of electronic communication or displayed on or stored on computer resources. Members encountering or receiving any type of the above-described material must immediately report same to a supervisor. In the course of their official duties, the Computer Crimes Unit is exempt from this section.

10. Members who are operating vehicles which have mobile computers installed are cautioned against the use of said computers while the vehicle is in motion or when safety may otherwise be compromised.

11. Whenever an arrestee is transported in a vehicle equipped with a mobile computer, the computer shall be kept closed to prevent possible damage to the computer screen and keyboard.

12. Members are hereby advised that the Department is not responsible for material viewed or downloaded by users from the Internet.

13. Members must comply with all software licenses/copyrights, and any applicable state, federal or international laws governing intellectual property and online activities, in their use of computer resources.

B. SECURITY

1. A member who is assigned a computer is responsible for the physical security and required maintenance for said computer. It shall be the member's responsibility to safeguard the computer using every precaution available (i.e., locking vehicle when left unattended, securing the computer in one's office or residence, etc.).

2. The use of a Department computer by anyone other than an authorized member of the Department requires explicit authorization from the Suffolk County Police Department's Infrastructure Security Officer.

3. It shall be the assigned user's responsibility to ensure the security of the computer against unauthorized use. Members shall not give passwords to any person nor will they leave any password in any discernible written form on or near any computer or in any unsecured location. Each member is responsible for all transactions made using the member's password or assigned computer resources. Members who have reason to believe that any password has been stolen or compromised must immediately report such belief to a supervisor and

to the Suffolk County Police Department's Infrastructure Security Officer.

a. Members are hereby advised that the use of passwords to gain access to computer resources or to encode particular files or messages does not imply that members have an expectation of privacy in the material members create or receive on computer resources.

4. Members are required to log-off or lock prior to leaving any computer unattended.

5. No member will attempt to gain access to any area of the Department computer network to which they are not authorized to access. Also, members shall not access computer resources with another user's password or account. Further, members may not change or copy a file maintained on computer resources without proper authorization. Members are advised that the ability to read, change, or copy a file belonging to another user does not imply permission to read, change, or copy such file. Members shall not use computer resources to access files and e-mails used or maintained by other users without proper authorization.

6. The Information Technologies Section will be responsible for maintaining virus protection and other safeguarding utilities (i.e., backup software) on all Department computers. However, each member is responsible for taking all reasonable precautions to ensure that viruses or destructive programs are not introduced into any computer resources. All material received on CD-ROM or other data storage medium, and all data downloaded from the Internet or non-County computer resources, must be scanned for viruses and other destructive programs before being introduced into any computer resource.

a. Members shall not open any e-mail containing attachments from an unfamiliar source. Members whose assigned job duties and responsibilities include opening e-mail from unfamiliar sources shall notify the Suffolk County Police Department's Infrastructure Security Officer to ensure that all necessary protective measures are taken. Members shall take all necessary precautions to avoid computer resource damage and/or contamination from destructive programs.

7. Members shall not attempt to circumvent any data protection measures or uncover security loopholes or bugs on any computer resources. Members shall not attempt to gain unauthorized access to restricted areas, applications or files on any computer resources, or tamper with same. Members who have reason to believe that the security of any computer resource has been breached, or an attempt to breach security was made, must immediately report same to a supervisor and the Suffolk County Police Department's Infrastructure Security Officer.

8. Members who ascertain that any computer resources have been damaged or stolen must notify a supervisor and the Suffolk County Police

C. ELECTRONIC MAIL (e-mail)

1. The Department provides e-mail capabilities to members of the Department for OFFICIAL DEPARTMENT BUSINESS ONLY.

- a. Use of any Department computer or other Department device for sending e-mail for any purpose other than official Department business is strictly prohibited.
- b. Use of any language or images that are fraudulent, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, harassing, discriminatory, offensive, serves no legitimate business purpose or is otherwise unlawful or inappropriate shall not be sent by e-mail. Members encountering or receiving an e-mail message containing any type of the above material must immediately report same to a supervisor. In the course of their official duties, The Computer Crimes Unit is exempt from this section.
- c. Use of any coded message or symbol that is unprofessional and/or for other than official Department business is prohibited.
- d. Messages regarding police union activities or issues are prohibited.
- e. Unless directed to the contrary by a supervisor, members shall discard inactive e-mail after sixty days. However, information subject to federal and/or state laws and regulations governing mandatory retention of records and electronic communications may require that e-mails be maintained for a longer period of time. Members shall be cognizant of such federal and/or state laws and regulations, as well as any applicable Department policies or regulations, in the maintenance of such e-mails.
- f. Confidential e-mail sent from or to an attorney representing the Department or County should include the following warning header on each page:

ATTORNEY-CLIENT PRIVILEGED: DO NOT FORWARD WITHOUT PERMISSION

- g. Members of the Department are advised that correspondence via electronic media (e.g., "email", MDC messaging, etc.,) pertaining to criminal cases is considered Rosario material. The Rosario rule requires, generally, that the people provide defense counsel with all pre-trial statements of prosecution witnesses. Rosario material, as described in New York State Criminal Procedure Law section 240.45 subsection 1. (a), includes "any written or recorded statement...made by a person whom the prosecutor intends to call as a witness at trial, and which relates to the subject matter of the witness's testimony." The Rosario rule also applies to discovery requests at pre-trial hearings. Electronic mail (e-mail) is, therefore, subject to discovery and police agencies may be asked to provide all electronic mail (e-mail) transmitted regarding a criminal case.

The administrative burden on the Department to provide copies of all electronic mail (e-mail) pertaining to a criminal case is difficult since numerous individuals in various Department capacities (e.g., patrol, investigative, administrative support, etc.) may be involved in a criminal case from the initial call dispatched to the resolution of the case. In order to ensure that the Department is able to meet all Rosario obligations, members of the Department are hereby directed to refrain from discussing or in any way transmitting information on criminal cases over the electronic mail (e-mail) messaging system on their mobile data computers (MDC's) or their desk top computers. Members of the Department are directed to record criminal case information and other pertinent criminal case correspondences through non electronic mail (e-mail) mechanisms via established Department protocol (e.g., Internal Correspondences, Supplementary Reports, etc.).

The Department recognizes that electronic mail (e-mail) of an intelligence or tactical nature between units permits units to exchange police information, coordinate their activities, establish a perimeter, secure a location, or more thoroughly investigate an incident. As various situations evolve, incidents often develop into criminal cases. Electronic mail (e-mail) on some criminal cases will, therefore, be generated.

In those situations where an arrest is made contemporaneous with the incident, the arresting officer shall indicate in the Supplemental Section of the Arrest Worksheet, (PDCS-1086), whether or not electronic mail/messages (e-mail) has been transacted regarding the incident. Officers who transmitted e-mails concerning the incident shall cooperate with any follow-up questions from the Office of the District Attorney regarding the e-mails. The Office of the District Attorney bears the burden to liaison with the Information Technologies Section in order to procure desired electronic mail (e-mail) transmissions for insertion into the case file.

In active or pending cases where an arrest has not been made, the officer assigned to conduct a follow-up investigation of the incident (i.e., Precinct Crime Section or appropriate Detective command) shall attempt to ascertain if any relevant electronic mail/messages exist and shall procure copies of relevant e-mail transactions from the Information Technologies Section liaison for insertion in the case file, along with all other Rosario material related to the case.

D. INSTANT MESSAGING

1. Use of instant messaging (AOL, Netscape, etc.) on any computer resource is prohibited. If instant messaging is required for official Department business, approval must be received from the Suffolk County Police Department's Infrastructure Security Officer.

E. ANSWERING E-MAIL FROM THE PUBLIC

1. The Department receives and answers e-mail inquiries from private citizens, public officials, governmental agencies, corporations,

attorneys, and non-profit or not for profit organizations, and assists them in any reasonable way.

2. Commands designated by the Department to be responsible to receive and answer e-mail from the general public are listed on the Department's public web site on the "Contact Us" page.

3. Designated commands have the following responsibilities:

a. Review and answer incoming e-mail from the general public within three business days (Monday-Friday, 0900-1700 hours, excludes official County holidays).

b. Take all reasonable steps to assist the person who sent the e-mail.

1. Nothing in these Rules and Procedures prohibits a command from telephoning the person who sent the e-mail, asking the person to call a designated number or person by telephone, meeting with the person, sending a sector car to the person, or any other method of assisting the person that is in accordance with Department procedures.

c. In order to comply with e-mail record retention laws, commands must send a copy of all responses to SCPDINFO. If action other than e-mailing the person back was taken, briefly state that in an e-mail to SCPDINFO (e.g., person called, sector car dispatched, etc.).

1. The electronic retention of incoming and outgoing public e-mail is done by SCPDINFO. Commands that respond to e-mail from the public are not required to electronically store any incoming messages, nor do they have to electronically store any outgoing messages.

d. Commands are to forward e-mail inquiries from the news media to the Public Information Section for a response.

4. E-mails from solicitors of any kind do not need to be answered. They are automatically reviewed at Headquarters and distributed to the proper command, if appropriate.

5. Commands are not to release information on warrants via e-mail to anyone except another law enforcement agency.

6. Commands are not to respond to requests for police memorabilia (e.g., police patches). These e-mails are automatically reviewed and handled by Headquarters.

7. In general, commands are not expected to provide any information via e-mail that they would not provide if the writer had called a precinct by telephone instead of e-mailing. For example, you would not release crime statistics via telephone, and you are not expected to do so via e-mail.

8. Commands are to forward all requests for statistics to the Research & Development Section via their e-mail address (2110-Research & Development

in the Global Address List).

a. Commands are also required to reply to the original e-mail request with this language: "Your request has been forwarded to the Research and Development Section for processing. Future communications regarding your request can be directed to scpdrrnd@suffolkcountyny.gov."

9. Lengthy or multiple exchanges of e-mail with a citizen or organization are not required. When a command feels it is more practical, it is permitted to simply ask the person to contact a designated person or command (e.g., COPE Section) by telephone.

10. When it is possible to obtain a telephone number, or the person provides their phone number in the initial e-mail, it is permitted to assist the person by telephone instead of via e-mail.

11. Proper valediction when replying to an e-mail is required. Simply stated, all e-mail replies must include the name of the Department member who is sending it, as well as the name of the command.

12. Any e-mail received that is problematic for a command to answer can be forwarded to SCPDINFO for resolution.

13. Commands are not to answer employment inquiries. Any employment inquiries (e.g., next test, military time, civilian employment questions, etc.) are to be immediately forwarded to SCPD.RECRUITMENT for a response.

14. Although the commanding officer of each designated command is ultimately responsible for the handling of e-mail in accordance with this section of the Rules and Procedures, the commanding officer does not have to personally review and answer e-mail.

a. Commanding officers will make sure an adequate number of personnel within his or her command are capable of receiving and answering e-mail so that all incoming e-mail can be answered within three business days (Monday-Friday, 0900-1700 hours, excludes official County holidays).

15. Commands may contact SCPDINFO at any time they have a question or problem, or otherwise need assistance.

16. Commands are not to open attachments sent in an e-mail from a member of the public. Commands are to advise the writer we do not open attachments, and to paste the content into another message and send it again.

17. SCPDINFO is an e-mail address of the Office of the Chief of Department. Any messages sent by SCPDINFO are sent under the authority of the Chief of Department, and any instructions or directions received are to be complied with as such.

VI. PROCEDURES

A. To request the installation, removal or servicing of any hardware or software, the requesting member will contact the Police Department's Help Desk via telephone (631-852-6611), e-mail police.helpdesk@suffolkcountyny.gov or forward an Internal Correspondence (PDCS 2042) through the chain of command to the Director of Information Technologies, Information Technologies Section. The request will contain a written description of the items to be installed, removed or serviced and the reason such action is being requested. Upon approval, the requested action will be scheduled and performed by the Information Technologies Section.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

Computer Policy 4/8
Computer Security 4/8
Policy, Computer 4/8
Security, Computer 4/8
Electronic Mail 4/8
E-mail 4/8

END



ORDER NUMBER 08-06
 08-45

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE DISCIPLINE/CHARGES AND SPECIFICATIONS-MEMBERS OF THE SERVICE			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 01/09/08 06/26/08	DATE EFFECTIVE 01/09/08 06/26/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 5: TITLE: INSPECTIONAL CONTROLS

SECTION 1: TITLE: DISCIPLINE/CHARGES AND SPECIFICATIONS-MEMBERS OF THE SERVICE

I. PURPOSE

To enumerate specifics regarding the discipline of an individual member of the Service.

II. POLICY

It is essential that public confidence be maintained in the ability of the Department to investigate and properly adjudicate complaints against members of the Service. Additionally, the Department has the responsibility to seek out and discipline those whose conduct discredits the Department or impairs its effective operation.

III. DEFINITIONS

N/A

IV. REFERENCES

Discipline and punishment determination against any member of the Service is in accordance with the provisions of the Civil Service Law of the State of New York and Section A13-7 of the Suffolk County Administrative Code.

V. RULES AND REGULATIONS

A. Members of the Service may be suspended from duty whenever, in the opinion of the Police Commissioner, such action is necessary. In addition, such suspension is in accordance with the Civil Service Law, the Suffolk County Administrative Code, the respective Collective Bargaining Agreement or other applicable law.

1. Unless otherwise directed by the Police Commissioner, a member of the Service under suspension, above the rank of Police Officer, reports daily, in person, to their Commanding Officer. With permission of the Police Commissioner, the suspended member of the Service may report, in

person, to the Commanding Officer of their residence precinct. If above the rank of Lieutenant, the Officer reports daily, in person, to the Division Commander. A suspended Police Officer shall not be required to report for duty each day.

2. Upon suspension, a member of the Service promptly surrenders all Departmental property, service weapon and all other revolvers and pistols possessed. The property is invoiced to the Quartermaster and returned to the member when relieved from suspension.

3. During the period of suspension, a member of the Service does not wear any part of a Departmental uniform or carry any police equipment.

VI. PROCEDURES

A. Authority

1. Suffolk County Administrative Code - The Police Commissioner, pursuant to Section A13-7(c) of the Suffolk County Administrative Code, may designate the Deputy Commissioner or member of the Service having the rank of Captain or above or a special Hearing Officer to conduct hearings on charges against any member of the Service of the rank of Police Officer, Sergeant or Lieutenant. The Hearing Officer is to report any findings and recommendations to the Commissioner for appropriate action.

2. Power to Discipline - The Police Commissioner has the power, pursuant to the Civil Service Law, the Suffolk County Administrative Code, the respective Collective Bargaining Agreement or other applicable law, to discipline a member of the Service by one of the following penalties, or if agreed to by the Commissioner and the member of the Service, a combination of these penalties:

- a. Reprimand.
- b. Fine.
- c. Suspension, with or without pay.
- d. Dismissal or removal from the Service.
- e. Reduction in rank to any grade below that in which the member is serving.

B. Discipline

1. Cause of Discipline - Members of the Service are disciplined for the following reasons:

- a. Violation of these Rules & Procedures.
- b. Conduct unbecoming an Officer.
- c. Neglect of duty
- d. Disobedience of orders.
- e. Cowardice.
- f. Intoxication on Duty.
- g. Intoxication in uniform.
- h. Absence without leave.
- i. Making a false official communication.
- j. Conviction of any criminal offense.
- k. Using or possessing unauthorized drugs.

- l. Refusing to submit to a chemical test.
- m. Altering results of a chemical test.
- n. Incapacity.
- o. Immoral conduct.
- p. Conduct injurious to the public welfare.
- q. Any other breach of discipline.

2. Internal Investigations - A member of the Service may be ordered to submit to certain objective methods of action when such means are necessary and directly related to Internal Affairs Bureau investigations:

a. Drug Testing - For reasonable suspicion, and a Supervisor can articulate a reason to drug test the member. Results shall be used for administrative purposes only.

b. Photographs of the member are routinely utilized as necessary.

c. A member may be required to participate in a physical line-up.

d. A member may be required to furnish a financial disclosure statement providing it is narrowly focused and directly related to an investigation.

3. Cause for Dismissal - A member of the Service may be dismissed from the Department, or suffer such other punishment as the Police Commissioner may direct, pursuant to the Civil Service Law, the Suffolk County Administrative Code, the respective Collective Bargaining Agreement or other applicable law, for the same reasons as stated in Subsection B.1., above.

4. Relief from Duty - Members of the Service shall be fully prepared to undertake the responsibilities of their position when reporting to their commands for duty.

a. Any supervisor has the authority to relieve from duty a member of the Service if that member is not fit for duty. Fitness shall be determined by:

(1) The physical or psychological state of the member. Examples of unfit for duty would be obvious sickness, physical impairment or intoxication.

(2) The state of readiness or preparedness of the member, such as possessing all prescribed equipment and in proper uniform.

b. Relief from duty may be a temporary administrative action due to a pending disposition of an Internal Affairs Bureau investigation.

c. When a supervisor relieves a member of the Service from duty, an immediate report shall be made to the commanding officer.

(1) If necessary, the supervisor will arrange for transportation for the member of the Service to the member's residence or appropriate health care facility.

(2) The member of the Service will remain available during the remainder of their normal duty hours should further Departmental action be necessary.

5. Miscellaneous Infractions - Disorder or neglect to the prejudice or good order, efficiency or discipline, though not specifically mentioned in these Rules and Procedures is taken cognizance of by the Department, and members of the Service found guilty thereof are punished at the discretion of the Police Commissioner.

6. Insubordination - A member of the Service shall comply with all lawful orders and directives of a supervisor or a superior officer. Failure to do so shall constitute insubordination.

C. Charges and Specifications

1. Violation Reporting Procedures - A report of any violation of these Rules and Procedures, not handled as Command Discipline, is submitted by any member of this Department by Internal Correspondence. It is prepared in quadruplicate and must be legibly written, hand printed or typewritten. The report must state the violator's name in full, rank, shield number (when applicable), command, date, time and full details concerning the violation, be signed by the member reporting and forwarded through channels to the office of the Police Commissioner without any delay. Upon receiving same, the Police Commissioner will review the report and then make a determination as to any further action. Either the submitted report will be returned with an attached certificate determination as follows: Original - For insertion in violator's Service Record. 1st copy - Forwarded to violator. 2nd copy - Forwarded to member reporting. 3rd copy - Forwarded to violator's Commanding Officer or the submitted report will be forwarded to the Internal Affairs Bureau for investigation.

2. Board of Chiefs - An investigation by the Internal Affairs Bureau may be directed by the Police Commissioner to a board composed of the Chief of Department, Chief of Support Services, Chief of Detectives and Chief of Patrol. The board may recommend that charges and specifications be preferred.

3. Written Charges - Charges in writing are preferred against a member of the Service alleged to be guilty of infractions of these Rules and Procedures, or of Departmental orders and instructions. The accused is offered an opportunity to be represented by an attorney.

4. Rights of Accused - Each member of the Service to be heard on charges is served with a copy of the charges and specifications at least eight (8) days before a hearing, exclusive of Sundays and legal holidays. Notice for members of the Department to appear as complainants or witnesses are sent by the police teletype system. The accused member may request from the Police Commissioner or the Officer conducting the hearing, the

attendance of witnesses in behalf of the accused.

5. Serving Procedure - Service is made upon members of the Service as follows: Personal delivery of charges and specifications, or if personal delivery cannot be made, then by leaving a copy of the charges at their place of residence with some person of suitable age and discretion, and by notifying such person orally of the nature of the papers. If personal delivery cannot be made, and the residence cannot be located, a mailing will be sent to the last known address of the member that is on file with the Department and by posting a copy of the charges conspicuously in the office of the command to which the accused is attached, at least eight (8) days before time of hearing, exclusive of Sundays and legal holidays.

6. Acknowledge Receipt - Members of the Service served with charges promptly acknowledge such service by signing same. The member serving the charges witnesses such signature on all copies certifying same with their signature, rank, shield number, command, date, time and location of service.

7. Hearing Decorum - A hearing is conducted without unnecessary technicality, without unnecessary or unreasonable delay, and without offensive speech or action on the part of anyone. The Police Commissioner or the Officer conducting the hearing may exclude forthwith from further attendance at the hearing, a person who offends against any of these requirements.

8. Department Hearing Procedure - The accused is called. The accused pleads "guilty" or "not guilty" to each specification. The witnesses for the Department are introduced in the order directed by the Hearing Officer. All witnesses are sworn by appropriate authority. The Department conducts the direct examination. At the conclusion of the direct examination, the witness is at the disposal of the accused or counsel for the accused, for cross-examination. The Department then may redirect. This is followed by re-cross by the accused or counsel for the accused. After the witnesses for the Department have testified, this fact is communicated to the accused. The accused is then permitted to proceed with a defense. Each witness for the accused is sworn and their identity established. The accused, or counsel for the accused, conducts the direct examination. At the conclusion of the direct examination, the witness is at the disposal of the Department for cross-examination. The accused may then redirect, followed by re-cross by the Department. At the conclusion of the testimony offered by the witnesses for the accused, witnesses may be called by the Department in rebuttal. They are subject to cross-examination. The accused then has an opportunity to introduce such other testimony as is competent and material, that they may desire. The accused is given an opportunity to testify under oath in their own behalf, and be subject to cross-examination by the Department. The accused or counsel for the accused, and the Department, are given a brief opportunity to sum up, or make pertinent motions. The Hearing Officer may exclude from the hearing room every person except the accused, counsel for the accused, the prosecutor, counsel for the Department and the stenographer/notary public.

9. Petition to Review - A petition to the Police Commissioner to reconsider his/her determination to fine, suspend, dismiss or otherwise discipline a member of the Service is not granted after the expiration of thirty (30) days from the service of notice of such determination upon the member of the Service so fined, suspended, dismissed or otherwise disciplined.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-13
 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE CIVILIAN COMPLAINT PROCEDURE					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/18/08 06/16/08	DATE EFFECTIVE 01/18/08 06/16/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 5: TITLE: INSPECTIONAL CONTROLS

SECTION 2: TITLE: CIVILIAN COMPLAINT PROCEDURE

I. PURPOSE

The purpose of the Civilian Complaint Procedure is to ensure that all members of the Department will refer any complaints alleging official misconduct, unnecessary force and violations of the Rules and Procedures, to their officer in charge without delay.

II. POLICY

The rights of the employee as well as those of the public must be preserved, and any investigation or hearing arising from a complaint must be conducted in an open and fair manner with the truth as its primary objective. The Department accepts complaints against its members and fully investigates all complaints to the appropriate disposition.

III. DEFINITIONS

A. Third Party Complaint - A complaint reported by a person who is acting as a legal representative complaining on behalf of another, has witnessed a misconduct although not directly involved or is basing his/her allegation on hearsay.

B. Negative Personal Contact - Civilian Complaint reported to the Department of a nature that has to do solely with the involved member's alleged unprofessional attitude and/or language, while engaged in on-duty law enforcement or official actions.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. No person shall be ignored or discouraged from filing a civilian complaint, nor shall they be referred to another agency or

authority as a substitute for this Department's involvement. This procedure is to be used when a complaint is made against a member of the Department, not complaints of a procedural nature which are covered in Chapter 5 Section 9 of these Rules and Procedures.

1. Whenever a member of the Department becomes aware that a person wishes to file a civilian complaint, a supervisory member of the Service is to be immediately notified.

B. When a person wishes to file a civilian complaint against a member of the Department that is not assigned to the command receiving the complaint, the complaint is to be immediately taken by the command where the person reports the incident.

1. When a member of the Department is engaged in a police operation that makes receiving the complaint impractical (e.g., at a crime scene, directing traffic, investigating a motor vehicle crash, etc.), the person may be referred to the nearest Precinct building to make the report.

- a. The fact that a police officer or civilian member of the Department is involved in some type of police activity (e.g., investigating a non-emergency call, etc.) does not remove the responsibility to immediately notify a supervisory member of the Service that the person wishes to file a civilian complaint.

C. Once a supervisory member of the Service has been notified that a person wishes to file a civilian complaint, the supervisor will make every effort to assist the person. This shall include recording the civilian complaint where the person is physically located, unless doing so would jeopardize officer safety, interfere with a criminal investigation, or interfere with other police activity to an unacceptable degree.

1. If it cannot be immediately determined that a member of the Department was involved in the alleged misconduct, but the person describes circumstances that would warrant the taking of a civilian complaint, the supervisory member will take the complaint.

D. If a person wishes to make a complaint against a law enforcement officer or civilian employee of another law enforcement agency, a police officer or civilian employee of this Department is still required to immediately notify a supervisory member of the Service.

1. When a supervisor is advised that a person wishes to make a complaint about a member of another law enforcement agency, that supervisor will contact the Internal Affairs Bureau, who will be responsible for notifying the associated agency.

- a. Notifications to the Internal Affairs Bureau will normally be made by telephone. During those hours when the Internal Affairs Bureau is not staffed, notifications shall be made via Internal Correspondence, sent by facsimile.

2. The supervisory member of the Service is authorized and required to immediately notify the associated law enforcement agency if the complaint alleges a threat to any person.

VI. PROCEDURES

A. Complaints Received - All complaints (written, verbal, anonymous or otherwise) received against members of the Department, including negative personal contact complaints, shall be recorded via the on-line Civilian Complaint Report or manually on the PDCS-1300 when the Intranet is unavailable.

1. The On-Line Civilian Complaint Report will be completed on the SCPD Intranet by following the instructions provided under the "Programs menu". The completed on-line Civilian Complaint Report will be forwarded electronically via the Intranet to the Internal Affairs Bureau.

2. A copy of either a printed on-line Civilian Complaint Report or the manually completed PDCS-1300, shall be given to the complainant upon initial completion. Copies should also be forwarded to the Commanding Officer of the reporting Command. The person making the civilian complaint shall then be informed that the complaint will be investigated.

a. If any statements (written, recorded or otherwise) are taken from the complainant, or any other evidence is gathered by the supervisor taking the complaint, the existence of the evidence shall be noted in the complaint report summary and forwarded immediately to the Internal Affairs Bureau.

B. Third party complaints fall into several categories; these categories and how they are handled are specified below:

1. Complaints reported by persons who are not themselves parties to the incident but are filing a complaint on behalf of another are accepted. However, an investigation shall be conducted only when the complaint is filed by:

a. Parent/guardian on behalf of a minor or,

b. Attorney on behalf of a client or,

c. Any person so designated by an incapacitated complainant.

2. Those reported by persons who have witnessed misconduct, although not directly involved, will be accepted and investigated.

3. All other third party complaints, including but not limited to those based on hearsay, will be recorded in the same manner as a non third party Civilian Complaint, however the complainant will be advised that no investigation will be conducted unless the actual complainant, or his or her representative, comes forth to substantiate the allegation.

C. Civilian Complaint Report Routing:

1. The Internal Affairs Bureau will be notified of all civilian complaints either automatically through the online civilian complaint reporting system, or by forwarding the manually completed Civilian

Complaint Report, PDCS-1300, as soon as possible via facsimile. Thereafter, the normally required form distribution process, as outlined in the Department's Forms Manual will be followed.

2. Depending on the circumstances and nature of the allegation, the Internal Affairs Bureau may either assume direct responsibility for the investigation or refer the complaint to the appropriate Division for follow-up investigation.

3. All investigations pursuant to this order will be handled as promptly and expeditiously as possible.

D. Civilian Complaint Investigations:

1. Civilian complaints, including anonymous complaints, will be thoroughly investigated.

2. Investigations will be conducted by an officer of the rank superior to that of the accused member as designated by the commanding officer of the investigating Command. This requirement shall not necessarily apply to investigations conducted by the Internal Affairs Bureau.

3. The investigation will be completed on an Internal Correspondence in a format designated by the Internal Affairs Bureau.

4. All relevant evidentiary information will be obtained including related Departmental records, complainant and witness statements and any other evidence deemed necessary to formulate a conclusion.

E. Negative Personal Contact investigations:

1. Investigations will be assigned by the Internal Affairs Bureau after the initial complaint has been submitted via the on-line Civilian Complaint Report or the PDCS-1300 and be conducted by an officer of the rank superior to that of the accused member, as designated by the Commanding Officer. In all cases, an officer of the rank of Lieutenant or above shall interview the accused member of the Department.

2. Investigations will be conducted in a more expeditious manner as compared to other civilian complaints. The Negative Personal Contact-Supervisor's Investigation Report (PDCS 1299) requires only a summary of statements from the accused officer, the complainant, and any witnesses. Other evidence may be included if deemed necessary.

3. The investigation will be completed on a Negative Personal Contact-Supervisor's Investigation Report (PDCS-1299, available on-line) or an Internal Correspondence in the format designated by the Internal Affairs Bureau (see the Programs menu of the SCPD Intranet).

4. Upon completion of the investigation, the investigating supervisor will document the supervisory action taken. The supervisor will also notify the complainant of the disposition either by telephone or letter and document the notification on the PDCS-1299.

F. Disposition of complaints:

1. Conclusions reached as a result of investigations will be reported as follows

a. Substantiated (the facts support the allegations).

b. Unsubstantiated (allegations cannot be resolved by investigation because sufficient evidence is not available to conclusively prove or disprove the allegations).

c. Exonerated (act did occur, but was legal, proper, and necessary).

d. Unfounded (act did not occur).

2. Upon completion, investigating officers will forward completed reports, including all attachments, to their Commanding Officers.

G. Responsibilities of Commanding Officers:

1. Commanding Officers of investigating commands will be held accountable for all civilian complaint investigations within their commands, assigned by the appropriate Division Chief.

2. Commanding Officers shall review all completed investigations for concurrence and if disciplinary action against the involved member is warranted, prepare a written report to the appropriate Division Chief including the findings and any action taken or recommended.

3. If the Commanding Officer believes the investigation should be conducted by another Command, that recommendation should be noted in a report to the appropriate Division Chief. If the Division Chief concurs with the recommendation, the Commanding Officer will notify the complainant advising of such action, giving the name, business phone number, and Command of the person who has been assigned to investigate the complaint.

4. Upon completion of the investigation and prior to sending any correspondence to the complainant detailing the results of the investigation, the Commanding Officer will contact a member of the legal staff of the Office of the Commissioner to ascertain whether or not a Notice of Claim has been received regarding the complaint. If a Notice of Claim has not been received, the Commanding Officer shall notify the complainant of the outcome of the investigation, or in the case of a Negative Personal Contact, ensure notification has been made. If a Notice of Claim has been received, the Commanding Officer will contact the Internal Affairs Bureau.

5. Commanding Officers will submit all complaint investigations to their appropriate Division Chief and retain and file a copy of the Civilian Complaint Report for their files.

H. Responsibility of the Division Chief:

1. The appropriate Division Chief shall review all civilian complaints to ensure that a thorough and complete investigation has been

conducted and that any recommendations, actions taken, or findings, are supported by the facts of the investigation. Division Chiefs after review and approval will forward all complaint investigations to the Internal Affairs Bureau and retain a copy of the Civilian Complaint Report for their files.

I. The Internal Affairs Bureau is responsible for:

1. Conducting investigations as directed by the Police Commissioner, including those involving allegations against members of the Department emanating from legal action and those received from the Suffolk County Human Rights Commission.

2. Conducting investigations when the following specific misconduct is alleged, against members of the service:

a. Criminal conduct and/or corruption

b. Racial bias, racial discrimination and/or profiling.

c. Excessive force (excluding minor injury).

d. Improper drug and alcohol use.

3. The Internal Affairs Bureau, at the direction of a Commanding Officer, will also investigate those complaints which, by their nature, sensitivity or circumstances, are not appropriate for referral to a Division for investigation.

4. Notify the Police Commissioner and appropriate Division Chiefs of the outcome of all civilian complaints or investigations conducted within the Command.

5. Immediately contact the Police Commissioner or his designee of those complaints that require timely notifications.

6. Retain written records of disciplinary actions of Department members. Records shall be kept on file in perpetuity, unless otherwise ordered by the Police Commissioner.

7. Review, for approval, all completed complaint investigations forwarded from the Divisions.

8. Maintain records of civilian complaints and investigations and report statistics as directed by the Police Commissioner.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-56

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE COMMAND DISCIPLINE PROCEDURE				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 09/10/08	DATE EFFECTIVE 09/10/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 5: TITLE: INSPECTIONAL CONTROLS

SECTION 3: TITLE: COMMAND DISCIPLINE PROCEDURE

I. PURPOSE

To establish specified procedures pertaining to command disciplinary actions within the Department.

II. POLICY

Violations of the Rules and Procedures by members of the Department may be disposed of by command discipline procedures at the discretion of a commanding officer.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Command Discipline Procedures - The violation of schedules One and Two as enumerated in A1 and A2 by members of the Department, as specified in other sections of the Rules and Procedures, may at the discretion of a commanding officer be disposed of through application of appropriate corrective measures set forth in paragraph I when the conditions outlined in paragraph E.2.d. are satisfied.

VI. PROCEDURES

A. Violation Category - Violations are noted between two schedules. Schedule One violations are those which may be handled by a command without any further approval or review. Schedule Two violations consist of violations not found in Schedule One and those violations identified as possibly applicable to command discipline after

the review of the command's division chief.

1. Schedule One Violations

- a. Absence from meal location.
- b. Failure to properly relieve or secure post.
- c. Failure to make required rings or checks.
- d. Improper uniform or equipment.
- e. Failure to maintain neat and clean personal appearance.
- f. Improper or omitted Memo Book entries.
- g. Improper or omitted entries in Department records, forms or reports.
- h. Smoking, as prohibited.
- i. Failure to lock an unguarded Department vehicle.
- j. Loss of an identification card.
- k. Absence from post or assignment.
- l. Reporting late for duty.
- m. Failure to respond, report disposition promptly or acknowledge radio calls directed to member's unit.
- n. Carrying packages, newspapers or other articles while in uniform or Department vehicles, as prohibited.
- o. Failure to maintain Department vehicle in a clean serviceable condition.
- p. Failure to carry out promptly, verbal or written orders.
- q. Failure to make routine inspections and surveys as required.
- r. Failure to notify proper authority when leaving post for police or personal necessity.
- s. Unauthorized persons in Department vehicles.
- t. Littering a Department building.
- u. Failure to give name and shield number to person requesting.

- v. Failure to salute superior officer, or the colors.
- w. Failure to notify commanding officer when address, phone number, or social conditions change.
- x. Loss of summons.
- y. Failure to report sick at least one (1) hour prior to start of tour, when possible.
- z. Failure to perform duties in connection with court appearances.
- aa. Failure to carry communications equipment as prescribed.
- bb. Misuse of Department equipment.
- cc. Incapacity or failure to perform or improper performance of duties.
- dd. Lack of knowledge of local problems such as precinct conditions, crime trends, etc.
- ee. Obvious neglect or care of off duty or service weapon.
- ff. Failure to be courteous to the public in performance of duty.
- gg. Reporting for duty while emitting the odor of an intoxicant.

2. Schedule Two Violations

- a. Loss of shield.
- b. Loss of weapon.
- c. Failure to safeguard prisoner.
- d. Loss of Department property and equipment.
- e. Absent without leave, but not for more than one hour.
- f. Failure to properly supervise subordinates.
- g. Consuming or possessing an alcoholic beverage while on duty without specific prior permission of a supervisor.
- h. Abuse of sick leave.
- i. Any other violation which, in the opinion of the

commanding officer and subject to the approval by the next higher command, is appropriate for command discipline procedure.

B. A commanding officer, in exercising his discretion as to the feasibility of applying command discipline procedures to a member of his command, shall be guided by the following considerations:

1. The violation is not aggravated by concurrent conditions which make it inappropriate for disposition by command discipline procedures.
2. The member of the command is not on probation as a result of a previous disciplinary proceeding.
3. It is believed that the future performance of the member will be improved through the application of these disciplinary measures.
4. The member, other than a detective, does not desire a trial of the issues upon formal charges and specifications.
5. The violation falls within paragraphs A.1. and A.2. of this chapter.

C. Member's Acceptance of Discipline - A member of the Department, other than a detective, who has been accused of a violation of the Rules and Procedures, is not required to submit to command discipline procedures. He may request that formal charges be served and that he be given a hearing under applicable law or contract provisions and the Rules and Procedures of this Department. Acceptance of command discipline must be voluntary and in writing on the Command Discipline Report as an affirmative election of command disciplinary procedures.

D. Observance of Violation - When a superior officer of the Department observes a violation or becomes aware of a violation of the Rules and Procedures, he shall prepare a Supervisor's Complaint Report and forward the report to his commanding officer. If the superior officer is from the same command as the member of the Department observed or investigated, he shall obtain the next case number from the Command Discipline Log book which is maintained at the command. Commanding officers shall assign serial numbers commencing with number one each year for this purpose. If he is a superior officer from a command other than the command concerned, he shall forward the original to the command of the reported employee and retain a copy as the command file copy. The case number affixed to the Supervisor's Report shall be from the command of the accused employee.

1. The Supervisor's Complaint Report cannot be used by a member of the same or lower rank of the accused violator. It must be completed by a member higher in rank than the accused employee.
2. Whenever a member of the Department (sworn or civilian) has reasonable suspicion to believe that any member of the Department (sworn or civilian) is engaged in, has engaged in, or may engage in unlawful conduct, such member shall immediately notify his or her superior

officer. The member will promptly prepare any written report(s) the superior officer may deem necessary.

a. A superior officer who has received such a notification shall immediately investigate, or cause the facts and circumstances to be investigated, and shall promptly take any other appropriate action necessary.

E. Commanding Officer's Responsibility - The commanding officer receiving the Supervisor's Complaint Report shall investigate and determine if the allegation is substantiated or unsubstantiated.

1. Unsubstantiated Findings - If the commanding officer's investigation results in an unsubstantiated conclusion, the following actions will be taken based upon the command which originated the Supervisor's Complaint Report:

a. Supervisor's Complaint Report Originating from Outside Command - The commanding officer who investigated the allegation shall forward a brief report on his/her findings to the commanding officer of the reporting supervisor. The command receiving this report shall file the report with the command's copy of the Supervisor's Complaint Report. The investigating commanding officer will retain a copy of the report he/she sent to the outside command and file it in his/her command with the original Supervisor's Complaint Report.

b. Supervisor's Complaint Report Originating from Within the Command - The commanding officer who investigated the allegation shall indicate his/her findings directly on the Supervisor's Complaint Report and file it in the command discipline file. No report to another command is required.

2. Substantiated Findings - The investigating commanding officer will proceed in the following manner when an allegation is substantiated:

a. The investigating commanding officer will evaluate and decide whether the violation is one which can be disposed of under the command discipline procedures. If in the opinion of the commanding officer the violation cannot be appropriately disposed of under the command discipline procedures (see paragraphs A.1. and A.2.), he/she shall prepare charges and specifications and forward them through channels as per the Rules and Procedures.

b. If the commanding officer believes that the matter can appropriately be disposed of under command discipline procedures, he/she shall convene a meeting with the member involved. The commanding officer shall permit the member concerned to have one representative present, who may be a member of a line organization. The proceedings shall be informal and non-adversarial. A record of the minutes of the meeting is not required.

c. The commanding officer shall interview the member and inform him/her of the alleged misconduct. The member shall be given an opportunity to make a statement in rebuttal and to request that the

commanding officer secure additional information from other persons. If the interviewing officer believes that further investigation is required, he/she shall adjourn the meeting, interview the additional witnesses and reschedule the interview with the accused.

d. The commanding officer shall inform the member of the results of his/her investigation and his/her proposed disciplinary action, if any.

F.a. Rights of Accused Member Other Than A Detective - The commanding officer shall inform the member that he has the option to:

1. Accept the findings and the proposed disciplinary action.
2. Accept the finding but appeal the proposed disciplinary action to the Command Discipline Review Panel for final determination, or
3. Decline to accept the finding and proposed disciplinary action and request a hearing on written charges and specifications.

F.b. Right of Accused Detective - The commanding officer shall inform the detective that he has the option to:

1. Accept the findings and the proposed disciplinary action.
2. Accept the findings but elect to have the disciplinary action reviewed by the Commissioner's Office for the purpose of reducing same.
3. Decline to accept any disciplinary action and hereby invoke section 11, subdivision (f) of the collective bargaining agreement.

G. Contesting Disciplinary Action - If a member, other than a detective, contests the penalty he or she shall be informed that the disciplinary action may be increased by the review panel if he elects option F.a.2. above. When there are multiple offenders, the commanding officer may permit or deny command discipline if one or more demand a statutory hearing.

H. Notification of Option - At the close of the interview the member will be given a copy of the Command Discipline Report form. Not later than the third workday of the member following the day of his receipt of this form, the member shall notify his commanding officer in writing on the Command Discipline Report of the option he or she elects.

I. Recommended Disciplinary Actions - Under command discipline procedures a commanding officer may recommend that one of the following disciplinary actions be voluntarily accepted by a member of his command:

1. Forfeiture of up to five (5) days vacation or accrued time.
2. Change of tours of duty for not more than five (5) tours.

3. Revocation of accrued time for lateness.

4. Nothing in the foregoing detracts from the authority of a commanding officer to:

a. Warn and admonish orally.

b. Warn and admonish in writing, a copy to be filed in Command Discipline File.

c. Change assignment within the command either for a fixed period or indefinitely.

d. Prescribe training and/or counseling as a means of disciplinary action.

J. Acceptance of Command Discipline - If the member accepts the Command Discipline finding and proposed disciplinary action, the final disposition will be noted on the Supervisor's Complaint Report. The Command Discipline Report will be filed in the command with the Supervisor's Complaint Report. All necessary notifications to command attendance personnel shall be made by the commanding officer in writing. When the discipline imposed is such that it affects the employee's accrued compensatory time, accrued vacation time, or work schedule, the employee's attendance records shall be so marked in the following manner.

1. For forfeiture of vacation days or accrued time, the box titled "deducted this year" in the appropriate column will be marked as follows: X* (represents minus and X represents the number of days). The remarks section will be marked with an asterisk (*) and indicate such things as the number of days lost, the type of days lost (vacation, type of accrued time), the date the disciplinary action was imposed and the command discipline case number or inspection case number.

2. For forfeiture of regular days off or change of tours of duty, the daily code box will indicate the code number of the tour the employee was charged to, along with an asterisk. The remarks section will be marked with an asterisk and indicate such things as the number of days changed, whether those days were regular days off or tour change days, the dates they will be worked, the date the disciplinary action was imposed and the command discipline case number.

K. Declination of Command Discipline - If the member, other than the detective, declines the proposed disciplinary action under Command Discipline Procedures, charges and specifications shall be prepared and forwarded through channels as per the Rules and Procedures. The disposition shall be noted on the Supervisor's Complaint Report and filed in the command with the Command Discipline Report.

L. Command Discipline File - A separate and distinct file will be maintained for all command discipline records. This file will be located in the commanding officer's office. The commanding officer is responsible for keeping this file secure. Command discipline records will never be

placed with a member's personnel files. Upon the transfer of a member to a different command, all command discipline file information will be forwarded to that command.

M. Transfer of Accused - If a Supervisor's Complaint Report has been prepared and the member concerned is transferred to another command, the commanding officer of the member's former command shall be responsible for the processing and disposition of the case. The procedures set forth in this order shall be followed as if the member were still assigned to the former command. The commanding officer of the member's former command shall make necessary notifications to secure the presence of the member if required. The member's presence shall be during normal working hours. Upon termination of the case, all relevant records shall be forwarded to the member's new commanding officer who shall maintain them in accordance with instructions in paragraph L. In cases where a Supervisor's Complaint Report has been prepared and the commanding officer is transferred, the new commanding officer of the member concerned shall be responsible for the processing and disposition of the case.

N. Review of Disciplinary Action - If the member, other than the detective, accepts the finding of the commanding officer but seeks review of the proposed disciplinary action by the Command Discipline Review Panel, the Chief of Department will be notified in writing and he will convene a panel of three (3) Department members above the rank of captain.

O. Preservation of Evidence - All evidence, documentary or otherwise, pertaining to the case will be presented to the Command Discipline Review Panel on the date the panel convenes.

P. Presence of Accused - The presence of the member involved shall be at the discretion of the Command Discipline Review Panel and not a matter of right. If the presence of the member is requested by the panel, the member shall be allowed to appear with a local representative, who may be a member of a line organization. The review proceedings shall be informal and non-adversarial. There shall be no review of the findings of fact. The panel shall review only the question of the appropriateness of the proposed disciplinary action.

Q. Command Disciplinary Review Panel - The Command Discipline Review Panel shall have the authority to:

1. Approve the proposed disciplinary action.
2. Reduce the proposed disciplinary action to any corrective measure that the commanding officer was authorized to take or propose under paragraph I.
3. Increase the disciplinary action to not more than double the penalty imposed by the commanding officer as specified in I., subdivisions 1. through 4., not to exceed maximum.

R. Panel Chairman - The senior officer of the Command Discipline Review Panel shall be the chairman of the panel. No superior officer who is a party or witness to the matter being reviewed will be permitted to sit on

the panel reviewing the case.

S. Majority Vote - Decisions of the Command Discipline Review Panel shall be rendered by majority vote.

T. Written Decision of Review Panel - The Command Discipline Review Panel will indicate its decision, in writing, by endorsement on the Supervisor's Complaint Report and return the papers to the command of the member concerned.

U. Final Decision of Review Panel - The decision of the Command Discipline Review Panel is final and not subject to review. Members of the Panel may not be polled.

V. Complaint Originating Outside Commands - If the report of complaint originated with an outside command, the commanding officer concerned shall forward a report on Internal Correspondence of the final disposition of the matter to the commanding officer of the supervisor initiating the report. The Supervisor's Complaint Report and the Command Discipline Report shall be filed in the command of the member concerned.

W. Complaint Originating at Local Command - If the report of complaint originated in a local command and is substantiated, the disposition of the matter shall be noted on the Supervisor's Complaint Report and filed with the Command Discipline Report. A copy of the disposition of violations in schedule two will be forwarded to the appropriate division chief. All records and dispositions of violations of schedule one shall be destroyed each January and July provided there has been no subsequent violation, related or unrelated to the original, by the member concerned during the preceding twenty-four months. All records and dispositions of violation of schedule two shall be destroyed each January and July provided there has been no subsequent violation, related or unrelated to the original, by the member concerned during the preceding thirty-six months. A member will be advised in writing when said destruction of record(s) occurs.

X. Copy to Internal Affairs Bureau - Whenever command discipline is implemented, Commanding Officers shall promptly fax a copy of the Command Discipline Report to the Internal Affairs Bureau.

Y. Discipline Log - All commands shall keep a Command Discipline Log Book. This record will be kept in a loose-leaf book and will contain pre-printed forms containing the following captions:

- Case number
- Date
- Respondent
- Complaint
- Report Supervisor
- Final Disposition

1. Commanding officers are responsible for the maintenance of the Command Discipline Log and shall cause a hyphenated serial number

commencing with the last two numbers of the reporting year, number of complaint, and command number to be assigned to every Supervisor's Complaint Report prepared concerning members of their command, regardless of the origin of the complaint (Example - 97-00-2100). All required information shall be entered, chronologically, in the appropriate columns on the log. The log shall be filed in the command.

Z. Quarterly Report - Commanding Officers shall prepare and forward to the Chief of Department, through channels, with a copy to the Commanding Officer, Internal Affairs Bureau, a Command Discipline Quarterly Report on Internal Correspondence due no later than the 15th of January, April, July and October. It shall be a cumulative type of report providing timely information of activity from the beginning to end of the reporting quarter. Quarterly reports shall indicate only those cases in which disciplinary action has been taken. All pending cases will be carried over to the next reporting period. Quarterly reports will be divided into five columns which contain the following information:

1. COLUMN I - Case Number
2. COLUMN II - Case Date
3. COLUMN III - A description of the actual violation that resulted in the discipline.
4. COLUMN IV - Chapter and Section
5. COLUMN V - Disciplinary Action Taken.

AA.. Violations by Member of Other Command - Disciplinary actions concerning precinct, squad, section or unit personnel will ordinarily originate with local commanding officers. Supervisory personnel observing violations of, or receiving complaints of violations of the Rules and Procedures shall report their observations or the results of their investigations to their commanding officer and to the commanding officer of the member of the Department concerned for his appropriate disposition. Commanding officers shall be held strictly accountable for the prompt, efficient and impartial disposition of observations or complaints of misconduct brought to their attention.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-07
 08-46
 08-61

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE DISCIPLINE-CIVILIAN MEMBERS OF THE DEPARTMENT			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 01/09/08 06/26/08 10/14/08	DATE EFFECTIVE 01/09/08 06/26/08 10/14/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 5: TITLE: INSPECTIONAL CONTROLS

SECTION 4: TITLE: DISCIPLINE - CIVILIAN MEMBERS OF THE DEPARTMENT

I. PURPOSE

To establish specified procedures pertaining to disciplinary actions relative to civilian members of the Department.

II. POLICY

The Department has the responsibility to seek out and discipline those members whose conduct discredits the Department or impairs its effective operation. The rights of the employee as well as those of the public must be preserved, and any investigation or hearing arising from a complaint must be conducted in an open and fair manner with the truth as its primary objective. The Department accepts complaints against its civilian members and fully investigates all complaints to the appropriate disposition.

III. DEFINITIONS

A. Disciplinary Action - Civilian Members of the Department Not Entitled to a Section 75 Hearing of the Civil Service Law - Civilian members of the Department not entitled to a Section 75 Hearing of the Civil Service Law are disciplined as per the Employees Disciplinary Procedures Manual provided by the County. This manual contains policy statements and administrative and operating instructions pertaining to discipline.

B. Disciplinary Action - Civilian Members Entitled to Section 75 Hearing of the Civil Service Law - Members of the Department entitled to a hearing as per Section 75 of the Civil Service Law shall not be removed from duty or otherwise subjected to any disciplinary penalty except for incompetency or misconduct shown after a hearing. Members fitting into this category are as follows:

1. A person holding a position by permanent appointment to the

competitive class of the classified civil service law, or

2. A person holding a position by permanent appointment or employment in the classified service who is an honorably discharged member of the armed forces of the United States having served therein as such member in time of war as defined in Section 85, or who is an exempt volunteer fireman as defined in the general municipal law.

3. A person holding a position by permanent appointment in the non-competitive class, except for positions designated as confidential or policy influencing, who has since last entry into the service has completed at least five years of continuous service in that class.

IV. REFERENCES

A. Suffolk County Employee Disciplinary Procedures Manual

B. New York State Civil Service Law, Section 75

C. Suffolk County Administrative Code, Section A13-7

D. New York State Department of Civil Service- Manual of Procedures in Disciplinary Actions

E. Suffolk County Regulatory Local Law, Section 269-8

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Authority

1. Power to Discipline - The Police Commissioner has the power to discipline a civilian member of the Department by one of the following penalties, or if agreed to by the Commissioner and the civilian member, a combination of these penalties:

- a. Reprimand.
- b. Fine.
- c. Suspension, with or without pay.
- d. Dismissal.
- e. Reduction in grade and title.

B. Discipline

1. Cause of Discipline - Civilian members of the Department are disciplined for the following reasons:

- a. Violation of these Rules & Procedures.
- b. Neglect of duty
- c. Disobedience of orders.
- d. Intoxication on Duty.
- e. Absence without leave.
- f. Making a false official communication.

- g. Conviction of any criminal offense.
 - h. Using or possessing unauthorized drugs.
 - i. Refusing to submit to a chemical test.
 - j. Altering results of a chemical test.
 - k. Incapacity.
 - l. Immoral conduct.
 - m. Conduct injurious to the public welfare.
- n. Any other breach of discipline.

2. Internal Investigations - A civilian member of the Department may be ordered to submit to certain objective methods of action when such means are necessary and directly related to Internal Affairs Bureau investigations:

a. Drug Testing - For reasonable suspicion, and a Supervisor can articulate a reason to drug test the civilian member. Results shall be used for administrative purposes only, such as discipline.

b. Photographs of civilian members are routinely utilized as necessary.

c. A civilian member may be required to participate in a physical line-up.

d. A civilian member may be required to furnish a financial disclosure statement providing it is narrowly focused and directly related to an investigation.

3. Relief from Duty - Civilian members of the Department shall be fully prepared to undertake the responsibilities of their position when reporting to their commands for duty.

a. Any Supervisor has the authority to relieve from duty a civilian member of their command, if that member is not fit for duty. Fitness shall be determined by:

(1) The physical or psychological state of the civilian member. Examples of unfit for duty would be obvious sickness, physical or emotional impairment, or intoxication. The member will utilize personal sick leave and other accrued authorized leave during this period.

b. Relief from duty may be a temporary administrative action due to a pending disposition of an Internal Affairs Bureau investigation.

c. When a Supervisor relieves a civilian member of their command from duty an immediate report shall be made and submitted through the chain of command.

(1) If necessary, the Supervisor will arrange transportation for the civilian member to the civilian member's residence or an appropriate health care facility.

C. Procedure for Removal or Other Disciplinary Action

1. A person against whom removal or other disciplinary action is proposed must be given written notice of the reasons for such action and must be given at least eight (8) days for answering the charges in writing. This written notice will only be given after the employee's supervisor has submitted a detailed report of the violation(s), through proper channels, to the appropriate division chief and has received approval to prefer charges. The division chief will then notify the Police Commissioner of the action being taken along with a full report of the incident. If the Commissioner feels that the actions taken are justified, the Director of Labor Relations will be notified so that formal proceedings may be initiated. The Police Commissioner may notify the Internal Affairs Bureau if an internal investigation is necessary. In the event that the Police Commissioner feels that formal charges are not warranted, the employee will be so notified.

2. Hearings shall be held by the Director of Labor Relations or the Director's designee.

3. When the Director of Labor Relations or another presides at the hearing, a record of such hearing will be made and referred along with his recommendations to the Commissioner of the Department for whom the employee works.

4. The employee against whom charges are preferred will be permitted to be represented by counsel and allowed to summon witnesses for the defense. The witness, if County employee, shall utilize his or her own time and not be on County time.

5. The burden of proving incompetency or misconduct shall be on the County.

6. The employee against whom charges have been preferred may be suspended without pay for a period not exceeding thirty (30) days pending the hearing and determination of charges. (The time during which an employee is suspended without pay may later be considered as part of the penalty.)

D. The Disposition of Charges Will be as Follows:

1. Employees acquitted of the charges shall be restored to their position with full pay for the period of suspension less the amount of compensation which may have been earned in any other employment or occupation and any unemployment insurance benefits they may have received during such period.

2. If the employee is found guilty of the charges, a copy of the charges, his/her written answer, a transcript of the hearing and the determination shall be filed in the Director of Labor Relations and the Commissioner's offices and a copy shall also be filed with the Civil Service Commission.

3. Pursuant to New York State Civil Service Law Section 75.4, no removal or disciplinary proceeding shall be commenced more than eighteen (18) months after the occurrence of the alleged incompetency or

misconduct. This limitation shall not apply where the incompetency or misconduct described in the charges would, if proved in court of appropriate jurisdiction, constitute a crime.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-13

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE SEXUAL HARASSMENT IN THE WORKPLACE			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 01/18/08	DATE EFFECTIVE 01/18/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 5: TITLE: INSPECTIONAL CONTROLS

SECTION 7: TITLE: SEXUAL HARASSMENT IN THE WORKPLACE

I. PURPOSE

To maintain a congenial work environment and to provide procedures for reporting, investigating and resolving complaints of sexual harassment. Subsequent information presented in this Rules and Procedures section details the Suffolk County policy for sexual harassment including employee rights, definitions, and departmental response procedures.

II. POLICY

It is the policy of the Suffolk County Police Department to insure that all employees enjoy the right to work in an environment free of all forms of sexual harassment. The Suffolk County Police Department does not condone, and will not tolerate, any degree of sexual harassment. Additionally, it is the policy of Suffolk County to establish explicit standards and regulations of behavior to discourage, deter, and prohibit acts of sexual harassment within the County's workforce. The following regulations shall establish the mechanism to promptly investigate and address allegations of sexual harassment in the County's workplace.

III. DEFINITIONS

A. Sexual Harassment - Shall include, but not be limited to, unwelcome sexual advances, requests of sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

B. Satisfactory Informal Resolution - An informal procedure resulting in the termination of the alleged harassment, or the voluntary withdrawal or termination of the complaint, or both.

C. Formal Complaint Procedure - Shall mean the proffering of a complaint and an evidentiary hearing on the charges conducted by the Director of Labor Relations.

D. Departmental Designee(s) - The appointed representative(s) for investigating matters of sexual harassment and discrimination. Where the Elected Official, Term Officer, Department Head, or the Appointing Authority or Departmental Designee(s) is alleged to have committed an act constituting sexual harassment, a Chief Deputy County Executive or designee shall act as a Departmental Designee and conduct the investigation. The Commanding Officer of the Police Academy Bureau and/or the Commanding Officer of the Domestic Violence and Elder Abuse Bureau are the Suffolk County Police Department's Departmental Designees.

E. Retaliation - Any act or omission by an employer to discharge, or cause to be discharged, or otherwise discipline, or in any manner discriminate against or adversely affect term and conditions of employment of any employee because such employee has filed a written statement, or has instituted or caused to be instituted any proceedings pursuant to these regulations and Suffolk County Local Law 9-1988, or has testified or is about to testify in a proceeding pursuant to these regulations and Suffolk County Local Law 9-1988, NYS Human Rights Law and Title VII of the 1964 Civil Rights Act.

F. Progressive Discipline Procedures - The graduated schedule of penalties and disciplinary actions currently in use.

IV. REFERENCES

A. Suffolk County Local Law 9-1988

B. Suffolk County Code Sections 82-17 to 82-21

C. New York Civil Service Law, Section 76

D. New York Civil Practice Law and Rules, Article 78

E. Blacks Law Dictionary, 5th Edition

F. Title VII. Civil Rights Act of 1964, as amended, found at 42 USC Section 2000(e), et seq.

G. EEOC Guidelines on Sexual Harassment, 29 C.F.R. Section 1604.11; New York Executive Law, Section 296.

H. Suffolk County Departmental Procedure Manual for Discrimination and Sexual Harassment Complaint Resolution (2006 Edition)

V. RULES AND REGULATIONS

A. No member of the Department shall explicitly or implicitly sexually harass another person by ridiculing, mocking, deriding, belittling, making derogatory comments, subjecting another person to unwanted physical contact of a sexual nature, requesting sexual favors, engaging in conduct of a sexual nature which affects employment decisions concerning an employee, or engaging in any other conduct of a sexual nature which is unwelcome or unwanted, harmful and offensive, or creates a hostile work environment.

B. Each employee of the Suffolk County Police Department is responsible for assisting in the prevention of sexual harassment by:

1. Refraining from participation in, or the encouragement of, actions that could be perceived as sexual harassment.
2. Reporting acts of sexual harassment to a supervisor.
3. Assisting any employee who confides that he or she is being subject to sexual harassment by encouraging him or her to report it to the Departmental Designee.

C. Each supervisor of the Suffolk County Police Department shall be responsible for preventing acts of sexual harassment. Failure to do so shall be grounds for disciplinary action. This responsibility includes:

1. Monitoring the unit work environment on an ongoing basis for signs that sexual harassment may be occurring.
2. Counseling all employees regarding the types of behavior prohibited, and the Department procedures for reporting and resolving complaints of sexual harassment.
3. Stopping any observed acts that may be considered sexual harassment and taking appropriate steps to intervene, whether or not the involved employees are within his or her line of supervision.
4. Taking immediate action to limit the work contact between two employees as soon as the supervisor becomes aware of a complaint or a problem involving sexual harassment.

D. Every supervisor has the responsibility to assist any employee of this Department who comes to that supervisor with a complaint of sexual harassment. In accordance with County guidelines, the supervisor should advise the employee to document the incident(s) and to promptly contact a Departmental Designee. No complaint of sexual harassment shall be ignored or trivialized. Supervisors shall assist the Departmental Designee(s), when requested or required, in investigations involving complaints of sexual harassment.

E. Commanding officers, once notified of a complaint or a problem, are responsible for ensuring that there shall be no retaliation (directly or indirectly) against any employee filing a sexual harassment complaint, or assisting, testifying or participating in the investigation of such

a complaint. Commanding officers shall also be responsible for assisting, when necessary or requested, in the investigation of complaints of sexual harassment.

F. Due to the sensitivity of the subject matter, investigations involving complaints of sexual harassment are to be considered confidential.

G. Employee's Rights

1. Nothing herein shall be deemed to constitute a waiver of the aggrieved employee's co-existing rights pursuant to state and federal law.

2. No employer shall commit an act of retaliation as defined herein, against any employee.

3. Employees shall be entitled to representation by counsel or union representative during both procedures set forth herein, but shall not be entitled to representation by the Suffolk County Department of Law or at county expense.

H. Employer's Obligations

1. Nothing herein shall be deemed to relieve the employer of its obligations pursuant to state and federal law to investigate promptly and take immediate action to redress sexual harassment within the workplace.

2. Any allegations of sexual harassment or retaliation shall be dealt within accordance with the procedures set forth herein.

3. Training of all current employees and training at orientation of new employees shall be conducted by the employer in cooperation with the unions.

I. Notice to Employees

1. The Police Commissioner shall select the individual(s) to serve as Departmental Designee(s) within the Department and provide written notice of the same to every employee within the Department.

2. The Police Commissioner shall provide written notice to all employees of the complaint procedures set forth herein.

3. The Police Commissioner shall provide to each employee written notice of the employee's rights and the employer's obligations as set forth herein.

VI. PROCEDURES

A. Employees encountering acts of sexual harassment should tell the person committing these acts that his or her actions are unwelcome and offensive. The employee shall document all incidents of sexual harassment in order to provide the fullest basis for investigation.

B. Satisfactory Informal Resolution Procedure

1. The Departmental Designee and Elected Official, Department Head, or Appointing Authority shall use best efforts to maintain confidentiality during this procedure.

2. An employee who believes he or she is a victim of sexual harassment shall contact the Departmental Designee. If the employee alleges that the Departmental Designee or the Department Head (i.e., Police Commissioner) is one of the parties committing or contributing to the sexual harassment, the aggrieved employee should contact the Chief Deputy County Executive to file a written complaint. The Departmental Designee shall provide the employee with a Sexual Harassment Complaint Form and an Employee Rights Form. The Departmental Designee shall instruct the employee to complete and return the Sexual Harassment Complaint Form and the Employee Rights Form to the Departmental Designee. The Departmental Designee should be contacted as soon as possible so that steps may be taken to protect the employee from further sexual harassment and to ensure that appropriate investigative and disciplinary measures may be initiated without delay.

3. Upon receipt of the complaint, the Departmental Designee shall notify the claimant, or his/her counsel, in writing, that there is an internal Suffolk County procedure; that an employee has other legal options available; and that there are time limitations on filing a complaint with the New York State Division of Human Rights (one year) and the Equal Employment Opportunity Commission/EEOC (three hundred days). Such notification shall also indicate that in order to pursue an action in a federal court, the complainant must have filed with the EEOC within 300 days from the date of the alleged discriminatory incident, and such filing with the EEOC can be initiated at the regional office of the New York State Division of Human Rights. Such notification shall also indicate that if the complainant chooses to pursue an action in New York State Supreme Court, it must be commenced within three years from the date of the alleged discriminatory incident. The complainant must make an election of remedies as between state court or filing an administrative complaint with the New York State Division of Human Rights.

4. The Departmental Designee shall notify the Police Commissioner and forward a copy of the complaint alleging sexual harassment to the Suffolk County Office of Affirmative Action/Minority Affairs. The Departmental Designee shall also notify the alleged perpetrator in writing of the charges.

5. The Departmental Designee shall complete an investigation of the allegations within ninety (90) days of the receipt of the Sexual Harassment Complaint Form. The investigation shall include but not be limited to interviews with the parties and any other employee having information as to the allegation; examination of all pertinent employment records; and reviews of any other written statements or documentation of founded sexual harassment that is relevant to the current Sexual Harassment Complaint Form and which is retained by the Suffolk County Office of Affirmative Action/Minority Affairs. The employee against whom allegations of sexual harassment have been made, may file a written response to the statement. The Departmental Designee shall make a written report of the investigation. A confidential copy of the written report

shall be submitted to the Suffolk County Office of Affirmative Action/Minority Affairs. A copy shall also be retained by the Police Commissioner separate and apart from the personnel file.

6. Upon completion of the investigation, the Departmental Designee may attempt a satisfactory resolution of the matter which may include progressive discipline procedures as defined herein. If the matter is resolved pursuant to this procedure, the resolution shall be reduced to writing and signed by the Departmental Designee, the parties, and the Police Commissioner. Each signatory shall be provided with a copy of the agreement which shall also be forwarded to the Suffolk County Office of Affirmative Action/Minority Affairs. A copy of the resolution shall also be retained within the Department personnel files.

7. Where it appears to the Departmental Designee that sexual harassment has occurred and there is no satisfactory resolution of the allegations, the Departmental Designee shall forward an investigative report indicating there has been no satisfactory resolution to the Police Commissioner who will then initiate the Formal Complaint Procedure.

8. The report of the investigation (and copies of all relevant documents) prepared by the Department Head or the Departmental Designee, shall be forwarded to the Suffolk County Office of Affirmative Action/Minority Affairs for review, to ensure that due process was afforded to both parties. The report of the investigation (and copies of all relevant documents) prepared by the Chief Deputy County Executive shall be forwarded to the Suffolk County Executive for review, to ensure that due process was afforded to both parties. Said report will be made, and kept, confidential at all times.

9. The Suffolk County Office of Affirmative Action/Minority Affairs maintains confidential information relevant to a determination of whether unlawful sexual harassment has occurred.

C. Suffolk County Formal Complaint Procedure

1. Where it appears that sexual harassment has occurred and there is no satisfactory resolution of the allegations within ninety (90) days of the receipt of the written statement, the Police Commissioner shall commence a proceeding on behalf of the County against the respondent based on the allegations of sexual harassment. Such a proceeding shall constitute the commencement of an action pursuant to New York Civil Service Law, Article 5, Section 75, for a covered employee and shall also constitute a formal hearing for those employees who are not covered by New York Civil Service Law, Article 5, Section 75.

2. Where it appears that the sexual harassment has been committed by the Departmental Designee or Police Commissioner, and where a Chief Deputy County Executive has acted as Departmental Designee, the Chief Deputy County Executive shall commence a proceeding on behalf of Suffolk County and proffer charges against the respondent based on sexual harassment.

3. The Police Commissioner or the Chief Deputy County Executive, when

applicable pursuant to the aforementioned subdivision VI. C. 2., shall notify the respondent of said charges by certified mail within ten (10) calendar days and the respondent shall be afforded at least eight (8) days to answer same in writing. Thereafter, the Police Commissioner or Chief Deputy County Executive, pursuant to above subdivision VI. C. 2., shall request the Director of Labor Relations to serve as hearing officer or designate a hearing officer for the purpose of conducting a formal hearing on the allegations.

4. The Director of Labor Relations or designee shall conduct a hearing and afford each party an opportunity to be heard and to present evidence. The respondent shall, upon request, be provided with a copy of the transcript of the proceedings without charge.

5. The Director of Labor Relations or designee shall review the record as a whole and make a decision based on the totality of the circumstances within ninety (90) days of the receipt of the employee's Sexual Harassment Complaint Form to the Departmental Designee.

6. Such decision shall include findings of fact and conclusion and where applicable, recommendation of an appropriate penalty. Such recommendation of penalty shall include but not be limited to a reprimand, a fine not to exceed one hundred dollars to be deducted from the salary or wages of such officer or employee, suspension without pay for a period not exceeding two months, demotion in grade and title, or dismissal from the service or any combination thereof. The Director of Labor Relations shall provide the Suffolk County Office of Affirmative Action/Minority Affairs with a copy of the decision. A copy shall also be provided to the Police Commissioner, the Chief Deputy County Executive, the Chair of the Legislative and Personnel Committee of the Suffolk County Legislature, the complainant and the respondent.

7. Where the charge is sustained, the Police Commissioner or Chief Deputy County Executive, acting pursuant to above subdivision VI. C. 2., shall make a final determination as to the imposition of a penalty and give the aggrieved party, the respondent, the Director of Labor Relations and the Suffolk County Office of Affirmative Action/Minority Affairs written notice of the same.

8. The respondent employee may appeal the final determination pursuant to the appeal process set forth under New York Civil Service Law Article 5, Section 76 or, for exempt employees, pursuant to New York Civil Practice Law and Rules Article 78, provided that such proceeding pursuant to Article 78 is initiated within one hundred and twenty (120) days after service of written notice of the determination.

D. The responsibilities of the Departmental Designee(s) shall also include:

1. Maintaining a central file of all employee sexual harassment complaints and reports.

2. Proposing corrective actions to prevent sexual harassment practices.

3. Investigating whether other employees are or have been subjected to sexual harassment by an accused person, and whether other Department members participated in or encouraged the sexual harassment.

4. Immediately notifying the Commanding Officer of the Internal Affairs Bureau and requesting an investigation if a complaint contains evidence of criminal activity.

E. These Rules and Procedures shall not preclude any employee from filing a sexual harassment complaint or grievance with an appropriate associated agency.

F. Sexual Harassment and Discrimination Procedures Acknowledgement (PDCS-5022) - This form was established via Department General Order 01-75 to record and document that all members of the Department have read the Rules and Procedures that is currently in effect regarding sexual harassment and discrimination in the workplace, as well as the Whistle Blower's Statute contained therein, and are aware of the Suffolk County Departmental Complaint procedure. Rules and Procedures Chapter 5, Section 7, titled "Sexual Harassment in the Workplace", and Chapter 5, Section 8, titled "Discrimination in the Workplace", contain the information referenced in the Sexual Harassment and Discrimination Procedure Acknowledgement (PDCS-5022). The following information is derived from Department General Order 01-75.

1. Name, Rank/Title, Shield Number, Social Security Number [last four digits only], ID Number, and Appointment Date are to be typed on the form at the command level. Each year, every member of the Department shall acknowledge that they have read the Rules and Procedures that is currently in effect regarding sexual harassment and discrimination in the workplace, as well as the Whistle Blower's Statute contained therein, and attest to the fact by signing and dating the acknowledgement form.

2. The form, PDCS-5022, is retained at the member's current command. Upon separation of employment, the member's Commanding Officer shall forward PDCS-5022 to the Personnel Section.

3. In December of each year, a Department Memorandum entitled Attendance Records is issued regarding the completion of Attendance Records by a specified deadline. The deadline for obtaining signatures on PDCS-5022 will also be included on this Department Memorandum.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Complaints of Sexual Harassment 5/7
Sexual Harassment Complaints 5/7

END



ORDER NUMBER 07-13
 07-35

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE DISCRIMINATION IN THE WORKPLACE			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/23/07 04/25/07	DATE EFFECTIVE 03/23/07 04/25/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 5: TITLE: INSPECTIONAL CONTROLS

SECTION 8: TITLE: DISCRIMINATION IN THE WORKPLACE

I. PURPOSE

To maintain a healthy, discrimination free work environment and to provide procedures for reporting, investigating and resolving complaints of discrimination. Subsequent information presented in this Rules and Procedures section details the Suffolk County policy for discrimination including employee rights, definitions, and departmental response procedures.

II. POLICY

It is the policy of the Suffolk County Police Department to insure that all employees enjoy the right to work in an environment free of all forms of discrimination. The Suffolk County Police Department does not condone, and will not tolerate, any discrimination. Additionally, it is the policy of Suffolk County to provide its employees with a work environment free of discrimination because of their race, creed, color, sex, marital status, national origin, age, sexual orientation, or disability.

III. DEFINITIONS

A. Discrimination - Unfair treatment or denial of normal privileges to persons because of their race, creed, color, sex, marital status, national origin, age, sexual orientation, or disability.

B. Departmental Designee(s) - The appointed representative(s) for investigating matters of sexual harassment and discrimination. Where the Elected Official, Term Officer, Department Head, or the Appointing Authority or Departmental Designee(s) is alleged to have committed an act constituting discrimination, a Chief Deputy County Executive or designee shall act as a Departmental Designee and conduct the investigation. The Commanding Officer of the Police Academy Bureau and/or the Commanding Officer of the Domestic Violence and Elder Abuse Bureau are the Suffolk County Police Department's Departmental Designees.

C. Retaliation - Any act or omission by an employer to discharge, or cause to be discharged, or otherwise discipline, or in any manner discriminate against or adversely affect term and conditions of employment of any employee because such employee has filed a written statement, or has instituted or caused to be instituted any proceedings pursuant to these regulations and Suffolk County Local Law 9-1988, or has testified or is about to testify in a proceeding pursuant to these regulations and Suffolk County Local Law 9-1988, NYS Human Rights Law and Title VII of the 1964 Civil Rights Act.

D. Whistle Blower - An employee who refuses to engage in and/or reports illegal or wrongful activities of his/her employer or fellow employees.

IV. REFERENCES

A. Suffolk County Local Law 9-1988

B. Suffolk County Affirmative Action Plan

C. Blacks Law Dictionary, 5th Edition

D. New York State Civil Rights Law - Section 40-C

E. Title VII. Civil Rights Act of 1964, as amended, found at 42 USC Section 2000(e), et seq.

F. EEOC Guidelines on Sexual Harassment, 29 C.F.R. Section 1604.11; New York Executive Law, Section 296.

G. Suffolk County Departmental Procedural Manual for Discrimination and Sexual Harassment Complaint Resolution (2006 Edition)

H. Suffolk County Code Section 49-1 et seq.

V. RULES AND REGULATIONS

A. No employee shall explicitly or implicitly ridicule, mock, deride, harass or belittle any person, or make derogatory comments based upon a person's race, creed, color, sex, marital status, national origin, age, sexual orientation, or disability.

B. Each employee of the Suffolk County Police Department is responsible for assisting in the prevention of discrimination through the following acts:

1. Refraining from participation in, or encouragement of, actions that could be perceived as discrimination.

2. Reporting acts of discrimination to a supervisor.

3. Assisting any employee who confides that he or she is being subject to discrimination by encouraging him or her to report it to a Departmental Designee.

C. Each supervisor of the Suffolk County Police Department shall be responsible for preventing acts of discrimination. Failure to do so shall be grounds for disciplinary action. This responsibility includes:

1. Monitoring the unit work environment on an ongoing basis for signs that discrimination may be occurring.
2. Counseling all employees regarding the types of behavior prohibited, and the procedures for reporting and resolving complaints of discrimination.
3. Stopping any observed acts that may be considered discrimination and taking appropriate steps to intervene, whether or not the involved employees are within his or her line of supervision; and
4. Taking immediate action to limit the work contact between two employees as soon as the supervisor becomes aware of a complaint or a problem involving discrimination.

D. Each supervisor has the responsibility to assist any employee of this Department who comes to that supervisor with a complaint of discrimination. In accordance with County guidelines, the supervisor should advise the employee to document the incident(s) and to promptly contact the Departmental Designee. No complaint of discrimination shall be ignored or trivialized. Supervisors shall assist the Departmental Designees, when requested or required, in investigating any complaints of discrimination.

E. Commanding officers, once notified of a complaint or a problem, are responsible for assuring that there shall be no retaliation (directly or indirectly) against any employee filing a discrimination complaint, or assisting, testifying or participating in the investigation of such a complaint. Commanding officers shall also be responsible for assisting the Departmental Designees, when necessary or requested, in the investigation of complaints of discrimination.

F. Due to the sensitivity of the subject matter, investigations involving complaints of discrimination are to be considered confidential.

VI. PROCEDURES

A. Employees encountering acts of discrimination should tell the person performing these actions that his or her actions are unwelcome and offensive. The employee shall document all incidents of discrimination in order to provide the fullest basis for investigation.

B. Suffolk County Departmental Complaint Procedure

1. Any employee who believes that he or she is a victim of discrimination shall contact the Departmental Designee. If the employee alleges that the Departmental Designee or the Department Head (i.e., Police Commissioner) is one of the parties committing or contributing to the discrimination, the aggrieved employee should contact the Chief Deputy County Executive to file a written complaint. The Departmental Designee

shall provide the employee with a Discrimination Complaint Form and an Employee Rights Form. The Departmental Designee shall instruct the employee to complete and return the Discrimination Complaint Form and the Employee Rights Form to the Departmental Designee. The Departmental Designee should be contacted as soon as possible so that steps may be taken to protect the employee from further discrimination and to ensure that appropriate investigative and disciplinary measures may be initiated without delay.

2. Upon receipt of the complaint, the Departmental Designee shall notify the claimant, or his/her counsel, in writing, that there is an internal Suffolk County procedure; that an employee has other legal options available; and that there are time limitations on filing a complaint with the New York State Division of Human Rights (one year) and the Equal Employment Opportunity Commission/EEOC (three hundred days). Such notification shall also indicate that in order to pursue an action in a federal court, the complainant must have filed with the EEOC within 300 days from the date of the alleged discriminatory incident, and such filing with the EEOC can be initiated at the regional office of the New York State Division of Human Rights. Such notification shall also indicate that if the complainant chooses to pursue an action in New York State Supreme Court, it must be commenced within three years from the date of the alleged discriminatory incident. The complainant must make an election of remedies as between state court or filing an administrative complaint with the New York State Division of Human Rights.

3. The Departmental Designee shall notify the Police Commissioner and forward a copy of the Discrimination Complaint Form alleging discrimination to the Suffolk County Office of Affirmative Action/Minority Affairs. The Departmental Designee shall also notify the alleged perpetrator in writing of the charges. As soon as possible, a Notification of Discrimination Complaint Form and an Employee Rights Form must be sent to the employee against whom allegations have been made. The employee against whom allegations of discrimination have been made may file a written response to the statement of charges.

4. Both the aggrieved employee and the employee against whom allegations of discrimination have been made, have the right to union representation. They may also wish to have an attorney present as well.

5. The Departmental Designee shall complete an investigation within ninety (90) days of the receipt of the Discrimination Complaint Form. Such investigation shall include interviews with the complainant, the individual named in the complaint, witnesses, and any other appropriate persons. The Departmental Designee will prepare a summary of the investigation and forward a recommendation to the Police Commissioner and to the Suffolk County Office of Affirmative Action/Minority Affairs.

6. The Police Commissioner will make a decision for resolution based upon the results of the investigation. The Police Commissioner will notify the parties involved along with the Office of Affirmative Action/Minority Affairs of the decision.

7. The report of the investigation (and copies of all relevant

documents) prepared by the Department Head or the Departmental Designee, shall be forwarded to the Suffolk County Office of Affirmative Action/ Minority Affairs for review, to ensure that due process was afforded to both parties. The report of the investigation (and copies of all relevant documents) prepared by the Chief Deputy County Executive shall be forwarded to the Suffolk County Executive for review, to ensure that due process was afforded to both parties. Said report will be made, and kept, confidential at all times.

C. Any complaint concerning an alleged unlawful discriminatory practice not resolved within the Suffolk County Police Department, may be appealed pursuant to the Suffolk County Affirmative Action Plan as follows:

1. The employee who believes that he or she has been unlawfully discriminated against shall send a written complaint to the Suffolk County Affirmative Action Officer, c/o Suffolk County Executive Office, describing the alleged discriminatory employment incident.

2. Upon receipt of this complaint, the Suffolk County Affirmative Action Officer will request any pertinent information gathered by the Department during its efforts to resolve the complaint. The complaint will be further researched through investigation of relevant documents and conferences with involved personnel. A finding will be made by the Suffolk County Affirmative Action Officer within ninety (90) days.

3. The Suffolk County Affirmative Action Officer will take appropriate measures to resolve the matter. If resolution is reached, the Suffolk County Affirmative Action Officer will state in writing that the complaint has been resolved to the satisfaction of the affected parties and describe the action taken. Notification will be made to the affected employee and appropriate Departmental personnel.

D. The County's internal complaint procedure does not limit, nor is it intended to limit, the employee's independent statutory right to file a complaint with the Suffolk County Human Rights Commission, the New York State Division of Human Rights and/or the Equal Employment Opportunity Commission at any time. Nor does it limit, nor is it intended to limit, an employee's independent statutory right to bring an appropriate state or federal lawsuit with respect to his or her complaint.

E. The responsibilities of the Departmental Designee(s) shall also include:

1. maintaining a central file of all employee discrimination complaints and reports.

2. proposing corrective actions to prevent discrimination practices.

3. investigating whether other employees are, or have been subjected to discrimination by an accused person, and whether other department members participated in or encouraged the discrimination.

4. immediately notifying the Commanding Officer of the Internal

Affairs Bureau and requesting an investigation if a complaint contains evidence of criminal activity.

F. Whistle Blower Protection - Suffolk County Code Section 49-1 et seq. protects employees who in good faith make allegations of corrupt or criminal activity, conflicts of interest, unethical conduct, misconduct, and incompetence against fellow employees or the employer. To be protected by the Act, such allegations must be made to one of the following: County Executive; County Personnel Officer; Presiding Officer of the Legislature; Comptroller; District Attorney; Chairman of the Legislative, Personnel and Judiciary Committee; or any federal or state authority. During the two-year period following a whistle blower allegation, the whistle blower may inform the County Personnel Officer of any such changes in the whistle blower's work situation that are believed to be in reprisal for having made whistle blower allegations. The County Personnel Officer will be responsible for an investigation.

G. Sexual Harassment and Discrimination Procedures Acknowledgement (PDCS-5022) - This form was established via Department General Order 01-75 to record and document that all members of the Department have read the Rules and Procedures that is currently in effect regarding sexual harassment and discrimination in the workplace, as well as the Whistle Blower's Statute contained therein, and are aware of the Suffolk County Departmental Complaint procedure. Rules and Procedures Chapter 5, Section 7, titled "Sexual Harassment in the Workplace", and Chapter 5, Section 8, titled "Discrimination in the Workplace", contain the information referenced in the Sexual Harassment and Discrimination Procedure Acknowledgement (PDCS-5022). The following information is derived from Department General Order 01-75.

1. Name, Rank/Title, Shield Number, Social Security Number [last four digits only], ID Number, and Appointment Date are to be typed on the form at the command level. Each year, every member of the Department shall acknowledge that they have read the Rules and Procedures that is currently in effect regarding sexual harassment and discrimination in the workplace, as well as the Whistle Blower's Statute contained therein, and attest to the fact by signing and dating the acknowledgement form.

2. The form, PDCS-5022, is retained at the member's current command. Upon separation of employment, the member's Commanding Officer shall forward PDCS-5022 to the Personnel Section.

3. In December of each year, a Department Memorandum entitled Attendance Records is issued regarding the completion of Attendance Records by a specified deadline. The deadline for obtaining signatures on PDCS-5022 will also be included on this Department Memorandum.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Complaints of Discrimination 5/8

Discrimination, Reporting 5/8

Whistle Blower Protection 5/8

END



ORDER NUMBER 07-13
 07-25

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE CIVILIAN PROCEDURAL COMPLAINTS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 03/23/07 04/18/07	DATE EFFECTIVE 03/23/07 04/18/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 5: TITLE: INSPECTIONAL CONTROLS

SECTION 9: TITLE: CIVILIAN PROCEDURAL COMPLAINTS

I. PURPOSE

The purpose of the procedural complaint process is to ensure that all members of the Department shall refer any complaints alleging an inadequate or improper Department procedure or policy to their officer in charge without delay.

II. POLICY

It is essential that public confidence be maintained in the ability of the Department to investigate and properly adjudicate complaints against the Department and its operations. Additionally, the Department has the responsibility to examine those operations which if improper or inadequate could discredit or impair the functioning of the agency.

III. DEFINITIONS

Procedural Complaint - Complaints lodged that allege an inadequate or improper Department policy or procedure. Procedural complaints do not allege misconduct on the part of a member of the Department.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

No member of the Department shall refuse to accept a complaint from a person regarding a Department rule, policy or procedure. If a member is not the appropriate person to process the complaint, the member shall direct the complaint to a suitable member of the Department.

VI. PROCEDURES

A. Complaints Received - All procedural complaints (whether electronic, written, verbal or otherwise) received by members of the Department shall be recorded via the on-line Civilian Complaint Report or manually on form PDCS-1300, Civilian Complaint Report, when the Intranet is unavailable.

1. The On-Line Civilian Complaint Report will be completed on the SCPD Intranet by following the instructions provided under the "Programs menu." The completed on-line Civilian Complaint Report will be forwarded electronically via the Intranet to the Internal Affairs Bureau.

2. A copy of either a printed on-line Civilian Complaint Report or the manually completed PDCS-1300 shall be given to the complainant upon initial completion. Complaints may be filed by a person other than the complainant, providing that the complainant is unable to do so and has designated another person to file the complaint.

a. If any statements (written, recorded or otherwise) are taken from the complainant, or any other evidence is gathered by the supervisor taking the complaint, the existence of the evidence shall be noted in the complaint report summary and attached to the Complaint Report.

3. All investigations pursuant to this section shall be handled promptly and expeditiously with the expectation of completing most complaint investigations within thirty (30) days.

4. Civilian Complaint records will be maintained in a secure and confidential manner by the Chief of the involved Division and the Internal Affairs Bureau. Additionally, those complaints lodged involving Department policy or procedure shall be forwarded to the office of the Chief of Department. Statistics compiled from these records will be submitted at the end of each calendar year to the County Executive by the Police Commissioner for review and dissemination to Department members and the public as required.

B. Statistics

1. The statistical data will be broken down to report the type of procedural complaints as follows:

a. Inadequate policy, rule or procedure.

b. Improper policy, rule or procedure.

2. The disposition of complaints will be reported as follows:

Invalid: Current policy or procedure was adhered to and is considered appropriate and necessary.

Valid: Facts support review of policy or procedure and shall be forwarded to appropriate department level.

C. Complaint Processing - Procedural complaints alleging improper or inadequate Department policy or procedure shall be accepted at the command level. Preliminary processing shall be accepted at the command level. Preliminary processing of complaints against the Department will be conducted by the Officer in Charge (OIC) and whose responsibilities are as follows:

1. The OIC shall:

a. Prepare a Complaint Report.

b. Interview complainant to determine specific nature of complaint.

c. Explain the specific policy or procedure to the complainant. If after the explanation the complainant is satisfied and the matter is satisfactorily resolved, the Complaint Report can be annotated in the OIC Action Taken portion "resolved - no further action required."

2. If not resolved, the OIC shall:

a. Take any necessary statements from the complainant.

b. Attach any information, statements, photographs, etc. to the Complaint Report.

c. Advise the complainant that he or she will be contacted by the Commanding Officer or designee of the command involved.

d. Conduct an investigation for those procedural complaints lodged against the command's policy or procedure. The OIC shall document investigative steps taken, determinations and the recommendations made by the OIC which shall be forwarded to the OIC's Commanding Officer.

e. Procedural complaints to be investigated that are lodged against divisional or Department policy or procedure shall be forwarded to the appropriate Commanding Officer with all related paperwork.

D. The commanding officer shall be responsible for the following:

1. Be held accountable for the acceptance of all procedural complaints within his command.

2. Review all paperwork and direct a thorough investigation undertaking all efforts possible to assure a resolution to the complaint.

3. Complete and submit a written report to his division chief containing a specific conclusion and recommendation. Should the complaint

be made against a particular command policy or procedure, the actual policy or procedure will be identified and its application explained in regard to the complaint.

4. If the commanding officer believes the investigation should be conducted by another command for those complaints lodged against a command or division level policy or procedure this should be noted in the report to the division chief. In the event the division chief concurs with this recommendation, the commanding officer will notify the complainant advising of such action, giving the name, business phone number, and command of the person who has been assigned to investigate the complaint.

5. Notify the complainant of the outcome of the complaint if it is handled at the command or divisional level or forwarded to the Chief of Department.

E. The division chief shall review and initiate corrective action, when appropriate, on division or command procedure or policy complaints. These procedural complaints and dispositions shall be forwarded to the Chief of Department for his review.

F. Procedural complaints lodged against a Department policy or procedure shall be forwarded to the Chief of Department for his review and investigation as necessary. Department policies and procedures will be researched by the Research and Development Section or other appropriate command.

G. The Police Commissioner shall be notified of complaints against the agency in those cases deemed appropriate by the Chief of Department or a division chief. The primary consideration in referring agency complaints to the Police Commissioner will be the overall functional effectiveness and reputation of the Department.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Complaints Against Agency 5/9
Procedural Complaints 5/9
Civilian Complaints 5/9

END



ORDER NUMBER	08-09 08-13
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE FIREARMS DISCHARGE PROCEDURE			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 01/11/08 01/18/08	DATE EFFECTIVE 01/11/08 01/18/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 5: TITLE: INSPECTIONAL CONTROLS

SECTION 10: TITLE: FIREARMS DISCHARGE PROCEDURE

I. PURPOSE

To establish a firearms discharge procedure.

II. POLICY

An accidental or intentional discharge of a firearm may result in serious consequences. As such, the Department will investigate all firearms discharges specified in this order.

III. DEFINITIONS

Firearms - For purposes of this section, the term firearms as defined in the Penal Law shall also include any shotgun, rifle or antique firearm capable of discharging a shot by the use of an explosion.

IV. REFERENCES

Article 265 of the New York State Penal Law

V. RULES AND REGULATIONS

A. The notification procedures contained within this section will be adhered to in all incidents where a firearm is discharged by or at a police or peace officer REGARDLESS of the circumstances, including:

1. Whether or not the officer is from another department.
2. Whether the officer is on duty or off duty.
3. Whether or not injury results.
4. Whether the shooting was intentional or accidental.

B. It shall be the duty of any member of the Service who discharges a firearm or any officer or supervisor who witnesses or has knowledge of

the discharge of a firearm to promptly report the incident to the Duty Officer. Failure of the affected officer or supervisor to report such a discharge to the duty officer shall constitute a violation of this section.

1. The EXCEPTIONS to subdivision V. B. are, when discharge occurs:

a. At an authorized site constructed for the purpose of target practice or test firing weapons.

b. For legitimate competition.

c. While lawfully engaged in hunting.

VI. PROCEDURES

A. Member of the Service Responsibilities - A member of the Service who discharges a firearm or is fired upon, within the Suffolk County Police District, promptly notifies the duty officer, Communications Section, and if such incident occurs while on duty, his/her immediate supervisor.

1. Officer(s) involved shall:

a. Protect his/her weapon(s) for examination and submit said weapon(s) to his/her supervisor or the assigned investigator, if directed, after the scene has been secured and is under control.

b. Determine the physical condition of any injured person and render first aid if appropriate.

(1) Request any necessary emergency medical aid.

c. Secure the scene.

d. Remain at the scene (unless injured); however, if the circumstances are such that the continued presence of the officer(s) at the scene may cause a more hazardous situation to develop, a ranking officer shall have the discretion to instruct the officer(s) to be removed to another, more appropriate location.

e. Complete the required reports and turn same over to the investigator. If the officer(s) is physically incapacitated, such reports shall be initiated and forwarded by his/her immediate supervisor.

B. Shooting Incident Survey Form - Whenever a member of the Service discharges a weapon or is fired upon, the officer shall complete a Shooting Incident Survey form, PDCS-6123, within 5 days following the incident and forward the form to his or her commanding officer. The exceptions within this section are when discharge occurs at an authorized site constructed for the purpose of target practice or test firing weapons; for legitimate competition; while lawfully engaged in hunting or incidents involving the destruction or wounding of an animal.

1. In the event that the officer(s) involved a shooting has become incapacitated or is physically unable to complete the survey within five days, it shall be the duty of the officer's immediate supervisor to investigate the specifics of the incident and to complete and forward the form within the specified period.

2. It shall be the responsibility of the commanding officer of the member(s) involved to ensure that the Shooting Incident Survey is completed by the officer(s) or his/her immediate or responding supervisor and forwarded as required in this section. The commanding officer shall review and endorse this form and forward the original of the form to the Chief of Department, a copy to the Firearms Training Section and retain the last copy for the command. Copies of the completed form shall be immediately faxed by the endorsing commanding officer to the Firearms Training Section and Internal Affairs Bureau.

3. Only factual information should be included on the survey form, and entries of a subjective or speculative nature should be avoided.

C. Immediate Supervisor's Responsibilities - The responding supervisor shall assess the situation and proceed as follows:

1. Take command and secure the scene until superseded by an officer of superior rank, or by the lead investigator assigned to the incident.

2. For an accidental discharge(s) not resulting in injuries and not involving law enforcement action.

a. Conduct an investigation as required by the circumstances.

b. Submit a report, through channels, to the Chief of Department concerning policy compliance and any other appropriate comments regarding remedial training or procedures.

3. For incidents involving the destruction or wounding of an animal:

a. Ensure that a Precinct Patrol Section supervisor, if not already on the scene, responds to the scene and investigates as required by the circumstances. The Precinct Patrol Section supervisor shall promptly notify the Internal Affairs Bureau, and shall provide Internal Affairs Bureau with a copy of the Internal Correspondence that he/she generates on the incident. This report shall be sent via facsimile to Internal Affairs Bureau as soon as possible.

b. Submit a report, through channels, to the Chief of Department concerning policy compliance and any other appropriate comments regarding remedial training or procedures.

4. For an incident involving the intentional discharge by a member of the Service during a confrontational situation in which no injuries

occur or an accidental discharge by a member of the Service during a law enforcement action:

- a. Secure the names, addresses and preliminary accounts of any possible witnesses.
- b. Note general conditions in the area such as lighting, pedestrian and vehicular traffic.
- c. Note point(s) of discharge and impact for the round (s) fired.
- d. Provide information to Internal Affairs Bureau investigators as requested.

5. For any incidents involving discharge(s) by a member of the Service which results in injury or death to a member of the Service or any other individual:

- a. Protect evidence.
- b. Locate and identify any potential witnesses.
- c. Turn over all pertinent information to the Homicide Section upon their arrival at the scene.

D. Out of District Incidents - If a member discharges a firearm while out of the Police District, he or she shall immediately notify the local police department, and thereafter as soon as practicable, notify or cause to be notified the duty officer of the Suffolk County Police Department.

1. The duty officer shall without unnecessary delay notify the commanding officer of Internal Affairs Bureau, except when the discharge involved the humane destruction of an animal. When the humane destruction of an animal is involved, the duty officer shall notify the Internal Affairs Bureau command, and may do so via facsimile.

2. The commanding officer of Internal Affairs Bureau shall contact the local police agency, secure the available details and notify the appropriate division chief. The division chief shall make any additional notification he deems necessary.

3. After obtaining available information, the commanding officer of Internal Affairs Bureau shall direct members of Internal Affairs Bureau to investigate and/or monitor the incident and submit appropriate reports. The completed report shall be forwarded to the Police Commissioner, with a copy to the Chief of Department.

E. Non Department Law Enforcement Officer - When a police officer or peace officer from an associated agency is involved in an intentional or accidental on duty or off duty shooting incident within the Suffolk County Police Department jurisdiction, the responding member of the Service shall, in addition to other necessary reporting procedures, telephone the following information to the duty officer regarding the

officer involved.

1. Name, rank, shield, department.
2. Command and commanding officer.
3. Brief description of the incident.

F. Duty Officer Responsibilities - The duty officer shall make notifications as directed in the Rules and Procedures chapter 23, section 5 entitled, "Notification Procedures", subsections dealing with Weapons Discharge as follows:

1. In shooting incidents involving any police or peace officer, on or off duty, occurring within the Suffolk County Police District.
2. In shooting incidents involving Suffolk County Police Officers, on or off duty, regardless of the incident location.

G. Investigation Responsibilities - When the discharge occurs within the Suffolk County Police District, an immediate investigation shall commence into the causes and effects of the discharge. The nature of the discharge shall determine the investigative command. Investigating Officers are required to ensure that weapons are processed and examined in accordance with Chapter 24, Section 8 of the Rules and Procedures entitled Weapons/Handgun Investigations, and adhere to all minimum investigative procedural standards. The investigating command has the discretion, when deemed warranted, to call-out the commanding officer of the Firearms Training Section, or designee, for technical assistance and/or review of tactics.

1. All discharges by members of the Service involving the destruction of an animal or an accidental discharge(s) not resulting in injuries and not involving law enforcement action shall be investigated by the involved officer's commanding officer.

2. Intentional discharge(s) by member(s) of the Service involving a confrontational situation in which no injuries occur or accidental discharge(s) by member(s) of the Service involving law enforcement action shall be investigated by Internal Affairs Bureau.

- a. Internal Affairs Bureau shall conduct a fact finding investigation and submit the completed report to the Police Commissioner, with a copy to the Chief of Department.

3. Any discharge resulting in injury or death to a member of the Service, or any other individual, shall be investigated by the Homicide Section.

- a. The Homicide Section personnel assigned will conduct a thorough investigation adhering to the following minimum investigative procedural standards.

(1) Proceed to the scene immediately upon

notification, secure the scene, ensure that notification is promptly made to the office of the District Attorney, if appropriate.

(2) Examine, or cause to be examined, the weapon (s) of all officers present at the time and place where the shots were fired as well as any weapon(s) in their police vehicles.

(3) Take possession of weapon(s) which have been fired, when controlled situation has been achieved.

(4) Take possession of samples of unspent ammunition.

(5) Separate, secure and interview all on-scene witnesses. Photograph and diagram the scene. Secure all physical evidence.

(6) Have proper medical authorities secure projectiles from victim's body, when feasible.

(7) Ensure that a timely request has been made to the commanding officer of the Communications Section to secure telecommunications tapes which may be relevant.

(8) Obtain hospital, autopsy, lab and photographic reports, and any other reports prepared regarding this incident.

NOTE: The investigating officer shall be cognizant of the contractual rights of members in official investigations as contained in the labor agreement between the County and the various bargaining units.

H. Reports, Member of the Service - The results of firearms discharge investigations are forwarded as a certified report to the member's division commander through channels. When a determination has been made that the discharge of the weapon was not justified, or that it was the result of a negligent act, the member's division commander will forward a copy of all reports to Internal Affairs Bureau via the office of the Police Commissioner.

I. Reports, Non Department Officer - The investigating command will contact the office of the chief executive of the involved officer and arrange for the other agency to receive copies of any reports unless the release of the report hampers the investigation.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 06-06

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE RESPECT ACCORDED TO RANK/FOR NATIONAL COLORS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/05/06	DATE EFFECTIVE 01/05/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 6: TITLE: COURTESIES AND RECOGNITIONS

SECTION 1: TITLE: RESPECT ACCORDED TO RANK/FOR NATIONAL COLORS

I. PURPOSE

To provide guidelines for proper decorum regarding respect for rank and the national colors.

II. POLICY

A prominent military bearing enhances the positive image of the uniformed service. Members should endeavor at all times to maintain a professional appearance and exhibit the respect merited by rank and the national colors.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Respect Accorded to Rank

1. Saluting Procedures - Members of the Service render and return the personal salute prescribed by the United States Infantry Drill regulations. The salute is rendered by the subordinates within six (6) paces, and smartly and promptly acknowledged by the superior. Superior officers include the rank of sergeant and above. Members in civilian clothes are not required to salute. Uniformed members when in a building are required to salute only superiors assigned to desk duty. Members of

the Department other than the Police Commissioner and Deputy Police Commissioner are not rendered the salute unless such member is in full uniform. Members of the Service lining parades or at fires, or on occasions when a large number of police are assembled for a specific purpose, do not salute superiors, unless they address or are addressed by such superiors.

2. Respect to Superior - Unless such action interferes with the performance of some particular police duty, a member of the Service in uniform, before addressing a superior officer, or when addressed by him, stands at attention, and renders the hand salute.

3. Entering Superior's Office - Upon entering the office of the Police Commissioner, or a member of the Service above the rank of lieutenant, a subordinate removes his hat and stands at attention.

4. Superior Entering Room - When the Police Commissioner, or a member of the Service above the rank of captain, enters the room in which there are subordinate members of the Service, they assume and maintain the position of attention until the superior leaves the room, or until otherwise ordered.

B. Respect for National Colors

1. Flag Procedures - Members of the Service, carrying the national colors, do not dip it to any person, or upon any occasion.

a. The flag is never held flat or horizontal, but always held aloft and free. Base of the staff rests against the body and slopes at an angle of about thirty degrees from the body. No part of the flag itself is carried against the staff except when lowering the staff through a doorway.

b. The flag may also be carried at the side of the body. When this is done, the staff is held vertically in the right hand, gripped between thumb and forefinger. The back of the hand is to the right, and the arm is extended downward. The staff rests against the outer side of the shoulder, with the base of the staff about midway between the hip and knee.

c. When the flag is carried into a meeting room, everyone in the hall stands facing the platform. The color bearer, followed by the escort, marches to the front and faces the audience. The escort takes a position on either side of the flag bearer as he places the flag in its stand.

d. When the flag is carried with another flag or flags, it is on the marching right, that is the flag's own right, or, if there is a line of other flags, it is placed in front of the center of that line.

e. When the flag of the United States is used on the speaker's platform and displayed flat, it hangs above and behind the speaker, with the union on his right.

f. When the flag is displayed from a staff in a precinct station house, at the precinct main desk or in an auditorium on the platform, it occupies the position of honor and is placed to the right of the person speaking to any audience.

2. Saluting National Colors - Members of the Service salute the national colors as they pass or are presented on all public occasions, ceremonies or parades; unless performing police duty requiring immediate attention.

a. In uniform, covered or uncovered with the hand salute.

b. In uniform, with nightstick with nightstick salute.

c. In civilian clothes, uncovered, stand at attention.

d. In civilian clothes covered, uncover with right hand, and hold the headdress opposite left shoulder.

e. In formation at a halt, the command is brought to attention and the right hand salute is rendered, or with the nightstick salute if carried when the national colors have arrived within a distance of six (6) paces and continued until it has passed six (6) paces beyond.

f. In formation in motion, the command executes "EYES RIGHT (OR LEFT)" upon command and the commanding officer and other officers and police officers, not in ranks, salute with the hand salute.

3. Salutes to the National Anthem - Are rendered by members of the Service the same way as to the national colors, except that if no national colors are displayed, the members face the music.

4. Outside Pole Display - The national flag is to be displayed in the uppermost position on the flagpole.

a. The national flag will be displayed only between sunrise and sunset except for special occasions at which time the flag display must be properly illuminated.

b. The Police Department flag will be displayed directly below the national flag.

c. When raising colors, the national flag will always be raised first and in a brisk manner. When lowering colors, the national flag will always be lowered last and in a ceremonious manner.

5. Half-staff Procedures - The national colors are placed at half-staff at all Departmental facilities from sunrise to sunset upon the death of an active member of the Service.

a. All Active Members of the Service - From the time of

death until sunset on the day of the funeral.

b. Line of Duty Death - Upon the death of a member of the Service killed in the performance of duty - at all Departmental facilities for a period of thirty (30) days commencing from the time of death.

c. Half-staff Position - The position of half-staff for the national flag will be with the top edge of the flag at the mid point of the pole. The flag should be hoisted to the full height before lowering.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE FUNERAL PROCEDURE
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DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/27/09	DATE EFFECTIVE 03/27/09	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 6: TITLE: COURTESIES AND RECOGNITIONS

SECTION 2: TITLE: FUNERAL PROCEDURE

I. PURPOSE

To establish procedures for notification and participation in a wake and/or funeral for an active or retired member of the Service or Department.

II. POLICY

N/A

III. DEFINITIONS

A. Color Guard - Consists of four officers standing in front of the formation, two officers standing in the middle holding Department and American Flags, two officers on the outside standing at attention (may be armed with shotguns). NOTE: The American Flag is always carried to the right of all other flags in the formation.

B. Pallbearers - Members of the Police Academy assigned to carry the casket.

C. Honor Guard - May consist of any number of officers standing in a formation or position of honor during a service or ceremony.

D. Church Honor Guard - Consists of officers standing in front of a house of worship or funeral home while a casket is being brought in or taken out of the building.

IV. REFERENCES

Suffolk County Police Department's Funeral Guidelines and Procedures Manual.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Upon learning of the line-of-duty death of an active member of the Service:

1. The Duty Officer will make the notifications described in Rules and Procedures Chapter 23 titled "Communications", Section 5, titled "Administrative Notification Procedures". The Duty Officer shall also be responsible for sending both the **initial** Department Memorandum and the nationally broadcast teletype regarding the line-of-duty death. Both notifications shall begin with the following: "Police Commissioner (insert name) regrets to announce the death of (insert name, rank, and command) who was killed at _____ hours this date while in the line of duty. The incident occurred at (location of hamlet, town, etc.). Further details to follow from the Commanding Officer of the Police Academy." Additionally, the initial Department Memorandum will include the following directive: *"Effective immediately, flags at all Departmental facilities shall be lowered to half-staff and mourning bands will be worn by all members while in uniform."* All notifications will end with the following: "Authority: Chief of Department (name)." Pre-worded fill in type formats of both notifications shall be prepared and be available for use by the Duty Officer in such instances.

2. The Commanding Officer of the Police Academy shall be responsible for sending the follow up notifications (Department Memorandum and teletype) concerning the details surrounding the incident. These follow up notifications shall contain more comprehensive details concerning the deceased including: Rank/Title, full name, shield, command; residence address; date and time of death; dates and times of wake and funeral details (including funeral home name and location, times of viewing, dates and times of funeral services); cemetery name and location; cause of death and whether the family desires Departmental services or escort; membership and offices held in police line fraternal and professional organizations, law enforcement and Department background, educational acknowledgments, medals or commendations received and any other information pertinent for distribution to the Department, the media and the public. These notifications shall follow the same prescribed opening and closing as outlined in paragraph one.

3. The commanding officer of the deceased's command will be responsible for notifying the Personnel Section as soon as practical.

B. Upon learning of the death of an active member (non line-of-duty) or retired member of the Service:

1. The Duty Officer will make the notifications described in the Rules and Procedures Chapter 23, titled "Communications", Section 5, titled "Administrative Notification Procedures". Also, upon authorization of the Chief of Department, the Duty Officer will cause a Department Memorandum to be issued reference the wearing of mourning bands and the lowering of the flag to half-staff on Department buildings.

2. The Commanding Officer of the Police Academy will be responsible for sending internal notifications (Department Memorandum and

teletype) regarding the death of an active or retired member of the Service. Only the commanding officer of the Police Academy is authorized to send these notifications. In cases where Police Academy personnel are off duty, the Duty Officer will send out the internal notification via the teletype system. It shall also be the responsibility of the commanding officer of the Police Academy to gather the following information reference the deceased: Rank/title, full name, shield number and command or last command; residence address; date and time of death, wake and funeral details (including funeral home name and location, location and times of viewing; date, time and location of funeral services); cemetery name and location; cause of death and, if an active member of the Service, whether family desires Departmental services or escort. Also, if the deceased was an active member, the following information should also be obtained: membership and offices held in police line fraternal and professional organizations, law enforcement and Department background, educational acknowledgments, medals or commendations received and any other information pertinent for distribution to the Department, the media, and the public.

3. In the case of a retired member whose funeral service is being held within the Suffolk County Police District, the Commanding Officer of the Police Academy Bureau or his/her designee will coordinate the Department's response. Said coordination shall be with the Commanding Officer of the deceased's last assigned command, or the Commanding Officer of the precinct within which the funeral wake is being held in order to ensure that at least one member of the Service will be assigned to the wake.

4. The commanding officer of the deceased's command, or, in the case of a retiree, the last commanding officer, will be responsible for notifying the Personnel Section as soon as is practical.

C. Upon learning of the death of an active or retired civilian member of the Department:

1. The deceased's commanding officer (or designee) will be responsible for sending out the internal notifications via a Department Memorandum and the teletype system regarding the death of an active or retired civilian member of the Department. The deceased's commanding officer or designee (if the deceased was retired, their last commanding officer) will be responsible to gather the following information: full name, command or last command, residence address; date and time of death, wake and funeral details (location of funeral home, time and date of service); cemetery name and location. The deceased's commanding officer or last commanding officer shall also be responsible for notifying the Personnel Section as soon as is practical.

2. In the case of a retired member whose funeral service is being held within the Suffolk County Police District, the Commanding Officer of the Police Academy Bureau or his/her designee will coordinate the Department's response. Said coordination shall be with the Commanding Officer of the deceased's last assigned command, or the Commanding Officer of the precinct within which the funeral wake is being held in order to ensure that at least one member of the Service will be assigned to the wake.

D. Upon notice of a line-of duty death of an officer from an outside agency:

1. The Commanding Officer of the Police Academy will review, or cause to be reviewed, all teletypes regarding line-of-duty deaths of officers from associated agencies.

2. For a funeral for a line-of-duty death of a member of an associated agency located within a 100-mile radius, the Academy will coordinate the Department response, if feasible, as to the meeting location, time, and date of the funeral.

a. At least one member of the Police Academy staff will be assigned to the funeral detail

b. A Department Directive shall be prepared by the Police Academy, for signature of the Police Commissioner, providing details of the funeral (date, location, time) and the designated time and place for meeting.

c. Academy marked vehicles, if available, will be used to provide round trip transportation to the funeral.

d. Motorcycle officers from the Highway Patrol Bureau will be assigned to the funeral, and, in addition, can be assigned to any other line of duty funeral outside the 100 mile radius at the discretion of the Chief of Patrol or Commanding Officer of the Highway Patrol Bureau.

3. In the event of unusual or special circumstances surrounding a funeral for a line-of-duty death of a member of an associated agency, the Academy will coordinate the response by Department members.

E. Ceremonial Services - The Commanding Officer of the Police Academy (or designee) shall coordinate and oversee all ceremonial services relating to the death of an active member of the Department, including wake, funeral, and police memorial services. Included in these responsibilities are arrangements for the following:

1. Escort - Coordinate with the Patrol Division an escort for the funeral service for a deceased active or retired member of the Department, if desired by the family of the deceased.

2. Honor Detail - Assign a color guard and honor guard for the services for a deceased active member of the Service. Assign an honor guard for the services for a deceased active civilian member of the Department and a color guard if the deceased civilian was a veteran.

3. Funeral Detail - For deceased active members of the Department, arrangements shall be made for a funeral detail consisting of one (1) Academy Bureau Supervisor and six (6) active duty pallbearers from the Police Academy pallbearer detail. Additionally, the Department will provide the following:

a. For Active Members, Line of Duty - For a member of the Service killed in the line of duty, the Department will provide: one (1) inspector, two (2) captains, four (4) lieutenants, eight (8) sergeants, and seventy-two (72) police officers or as otherwise directed by the Police Commissioner.

b. For Active Members of the Service, Not Line of Duty - One (1) Sergeant and eighteen (18) police officers.

c. For Active Civilian Members of the Department - One (1) Sergeant and eighteen (18) police officers or as otherwise directed by the Police Commissioner.

d. For Retired Members of the Service and Civilian Members of the Department - None anticipated except as otherwise directed by the Chief of Department.

F. Flags - The American Flag should fly at half-staff on all Department buildings upon the occasion of the death of an active member of the Service killed in the line of duty, from the time of death until thirty (30) days from the time of death; for non-line of duty death, at least three (3) days or until the date of the funeral, whichever is greater.

NOTE: Only the President of the United States can direct the lowering of the National Colors to half-staff. However, since 1963, the Chief Executive has recognized the sacrifice of the Nation's law enforcement officers through the Peace Officer's Memorial Day, which is May 15. In keeping with such recognition, it would not be a violation of protocol to place the National Colors at half-staff for a police officer of a given agency upon the direction of the highest elected official concerned, and prior approval for this has been granted by the Suffolk County Executive. On May 15, as a memorial to all fallen officers, the American Flag on all Department buildings shall be flown at half-staff

G. Uniform - All efforts will be made to ensure a uniformity of appearance by Members of the Service attending Departmental funeral services. The proper uniform to be worn at funeral services will be clearly described in a Department Memorandum, to be issued as soon as possible following the announcement of the death. Under normal conditions, the Dress Uniform or Modified Dress Uniform, as described in the Rules and Procedures, Chapter 4, Section 1, titled "Prescribed Uniform/ Equipment, Designated Insignia" at Subdivision V. D. 9. shall be the appropriate uniform for departmental services. Weather conditions may warrant authorization for the following options, instead of the Dress Uniform or Modified Dress Uniform:

1. For extremely cold weather, the appropriate 'Class "A" winter uniform' overcoat or jacket may be substituted for the blouse. This option will include white gloves, but not the wearing of standard leather goods.

2. For extremely hot weather, the blouse and white gloves may be removed and the appropriate color short sleeve shirt, depending on rank, will be worn. This option shall include the wearing of standard leather goods.

H. Mourning Band - A black, elastic band, approximately one-half (1/2) inch wide, should cover the center portion of the shield, worn by all members of the Service after the death of a member of the Service as follows:

1. Line of Duty - From the time of a member's death to 2400 hours on the thirtieth (30) day from the time of death (Rules and Procedures Chapter 4, titled "Prescribed Uniforms/Equipment", Section 1, titled "Prescribed Uniform/Equipment, Designated Insignia")

2. Non-Line of Duty (Active Member) - From time of member's death to sunset on the day of the funeral.

3. Retired Member - While attending wake and funeral.

I. Funeral Guidelines and Procedures Manual, PDCS 7523 - For further details concerning funeral procedures, including the coordination and responsibilities of the various participating commands, please consult the Funeral Guidelines and Procedures Manual.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

Funeral Services, Active and Retired Members, 6/2
Wake Services, Active and Retired Members, 6/2

END



ORDER NUMBER 09-12

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE AWARDS AND RECOGNITIONS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 03/27/09	DATE EFFECTIVE 03/27/09	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 6: TITLE: COURTESIES AND RECOGNITIONS

SECTION 3: TITLE: AWARDS AND RECOGNITIONS

I. PURPOSE

To establish procedures for awards and recognitions as well as enumerating standards for specific awards.

II. POLICY

The Suffolk County Police Department expects a very high level of professional conduct from all employees; however, members of the Department frequently perform their duties in a manner exceeding the highest standards of the Department. The official commendation of such performance and the arrangement of appropriate publicity is to be provided by the Department to give full public recognition to those who have brought honor to themselves and the Department.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Awards Procedure - The Police Commissioner designates the number and degree of awards, as well as a Committee of Awards for sworn members, composed of at least eleven (11) members of the Service. A senior officer is designated as chairman by the Police Commissioner. The Committee of Awards reviews recommendations for awards and advises the Police Commissioner of their findings. To transact official business,

the Committee of Awards must have a quorum of seven (7) members and a majority must concur to recommend an award.

1. Recommendation - A recommendation for recognition is submitted as soon as practical after occurrence of the incident. Such recommendation may originate at any supervision level or from any member of the Service and is processed through the chain of command, with endorsement, to the candidate's division chief who, after review, forwards same to the chairman of the Committee of Awards.

2. Appeal Procedure - Any member of the Service, believing himself entitled to Departmental recognition by reason of an act done in the performance of duty, for which the Committee of Awards disapproved the recommendation, may appeal in writing to the Police Commissioner within seventy-two (72) hours after notification of rejection. Notwithstanding the above, the Police Commissioner has the power to make such awards as he deems to be merited by an outstanding act on the part of a member of the Service.

3. Presentations - An approved award is presented at a time and place designated by the Police Commissioner.

B. Type of Awards

1. The following are the awards issued by the Department and the criteria for receipt. Where denoted, said awards include the issuance of a breast bar. The breast bar shall be worn over the left breast, above the shield in order of precedence.

a. Medal of Honor - Gold medal with blue, gold breast bar (inscription "HONOR" in white). The Departmental Medal of Honor may be awarded to a member of the Service who intelligently and in the line of police duty, outstandingly distinguishes himself or herself by the performance of an act of gallantry and intrepidity at imminent personal hazard of life, with knowledge of the risk above and beyond the call of duty.

b. Combat Gold Medal - Gold medal with blue-red-blue, gold breast bar (inscription "COMBAT" in gold). A Police Combat Medal may be awarded for the successful performance of an act of extraordinary heroism while engaged in personal combat with an armed adversary, at imminent personal hazard of life, in the intelligent performance of duty.

c. Bravery Gold Medal - Gold medal with red-blue-red, gold breast bar (inscription "BRAVERY" in gold). A medal for bravery (gold) may be awarded for an act of outstanding personal bravery intelligently performed, involving personal risk of life, or involving grave personal danger.

d. Combat Silver Medal - Silver medal with blue-white-blue, silver breast bar (inscription "COMBAT" in silver). A Police Combat Medal may be awarded for the successful performance of an act of heroism while engaged in personal combat with an armed adversary,

at imminent personal hazard of life, in the intelligent performance of duty.

e. Bravery Silver Medal - Silver medal with white-blue-white, silver breast bar (inscription "BRAVERY" in silver). A medal for bravery may be awarded for an act of personal bravery intelligently performed, involving personal risk of life, or involving grave personal danger.

f. Purple Heart Medal - Gold medal with purple heart, purple, gold breast bar (no inscription). May be awarded to a member of the Service who is seriously wounded as a result of the hostile behavior by another in an assaultive confrontation occurring under honorable conditions, or posthumously, to a member of the Service who is killed in the performance of duty under honorable conditions as a result of the hostile behavior by another in an assaultive confrontation.

g. Police Commissioner's Extraordinary Service Award Medal - Silver medal with red and white breast bar. May be awarded by the Police Commissioner to a sworn member of the Department who has overcome major adversity, whether injury, illness, or other disability, and has rendered, and continues to render, outstanding and praiseworthy service to the Department. Nominations for this award should have served as an inspiration to others and stood out as an example of determination and dedication to duty.

h. Exceptional Meritorious Award - Plaque and a white-blue-white-red-white-blue-white, silver breast bar (no inscription). It may be awarded for an act of personal bravery, intelligently performed, involving grave personal danger.

i. Meritorious Police Service - Plaque and a blue-white-blue, silver breast bar (no inscription). May be awarded for an act of intelligent and valuable police service or an act of personal bravery, intelligently performed, involving personal danger.

j. Exceptional Police Service Award - Plaque and a red-white-red, silver breast bar (no inscription). May be awarded for an act of intelligent and valuable police service or accomplishment demonstrating special faithfulness or perseverance.

k. Special Service Award - Plaque and white-blue-white-blue-white, silver breast bar (no inscription). May be awarded to a member of the Service who submits a device or method adopted by the Department which significantly increases efficiency, in administrative or tactical procedures.

l. Department Recognition Award - In addition to the specific awards outlined above, recognition may be awarded by the Department as follows:

(1) Headquarters Commendation - awarded to an officer or officers for a demonstrated act of exceptional police service whose actions in the performance of their duty are

determined to be above and beyond the call of duty, which result in an exceptional achievement for the Department.

(2) Command Recognition - awarded for a demonstrated act of police service deserving of acknowledgement and recognition which goes above and beyond an officer's normal course of duties. Five (5) Command Recognitions shall be the equivalent of one (1) Headquarters Commendation award.

Note: Nothing in subdivision (1) or subdivision (2) should be construed as to limit the Recognition Committee or the Police Commissioner from awarding a recognition to an officer who performed an act that while not meeting the criteria described herein, its impact is such that it merits recognition.

(3) First Headquarters Commendation Award - breast bar, white-blue-white (1/4 inch wide, no inscription) - awarded to a member upon attaining his/her first Headquarters Commendation award. This award is not to be worn once a member has attained and is issued the Headquarters Commendation breast bar (the breast bar for the following award).

(4) Headquarters Commendation Breast Bar - white-blue-white (inscription numeral (1)) - awarded for attaining five (5) Headquarters Level Commendation Awards. This numeral is increased by one (2,3,4, etc.) for each five (5) additional Headquarters Commendation Awards. Upon being issued this breast bar member(s) shall be required to turn in the First Headquarters Commendation Award Breast Bar or subsequent Headquarters Commendation Breast Bar issued to the member.

m. Cop of the Year - Silver medal with gold center, white breast bar (inscription "Year" in gold). This may be awarded to an officer who has consistently performed his or her duties with overall excellence throughout the calendar year. The precinct or bureau commanding officer will determine the Cop of the Year for their command giving consideration to an outstanding arrest, lifesaving incident and overall performance with respect to arrest activity, vehicle and traffic enforcement and/or community oriented police activity.

n. Detective of the Year - Plaque and a white, gold breast bar. The Detective of the Year is selected by a committee chaired by the chief or Deputy Chief of Detectives and comprised of a representative from each detective bureau and a representative from the Chief of Department's office. Nominees should be considered based upon one of the following criteria:

(1) A heroic act.

(2) An investigation developed or successfully concluded by unusual persistence, effort or innovation.

(3) Development or implementation of an innovative idea or program.

(4) Overall excellence and dedication to duty.

o. Excellent Police Duty Award - Blue-white-red, silver breast bar (no inscription). May be awarded by the Department based on the following criteria:

(1) When a member of the Service has affected twelve or more self-initiated (not as the result of response to a motor vehicle crash or other police action) Driving While Intoxicated (or other Vehicle and Traffic Law offenses specified by the Department) arrests during a calendar year.

(2) When a member of the Service has affected four or more self-initiated (not as the result of response to a vessel crash or other police action) Boating While Intoxicated arrests during a calendar year.

p. Professionalization Award - Certificate and a white over blue, silver breast bar (horizontal white top and blue bottom stripe, no inscription). May be awarded to: A member of the Service who has been awarded a Baccalaureate Degree from an accredited university or college, or a member of the Service who has furthered his police professionalization by an Associate Degree from an accredited college, or a member of the Service who has attended and completed the F.B.I. Academy Course.

q. Military Veterans Award - A red, white, blue and gold breast bar (no inscription) may be awarded to all members of the Service who have served honorably on active duty for a minimum of six (6) months in the Armed Forces of the United States of America.

Armed Forces of the United States are defined as the U.S. Army, Navy, Air Force, Marines, or Coast Guard.

Served honorably on active duty is defined as having been issued Federal Form DD214 indicating an honorable discharge for a period of service of at least 6 months for other than training activities.

r. TWA Flight 800 Crash Site Award - Blue Breast Bar with inscription TWA 800. Awarded to each sworn member of the Service who was assigned to the TWA crash in July of 1996.

s. 25th Anniversary Award - Blue-silver-blue, silver breast bar (inscription "1960" on left blue panel and "1985" on right blue panel). Awarded to each sworn member of the Service in recognition of service during the twenty-fifth anniversary year and for achievement in attaining high standards of dedication and professionalism for the Department. Members may continue to wear this award until retirement.

t. 40th Anniversary Award - White-blue-white, silver breast bar (inscription "1960" on left white panel, "SCPD" on middle panel and "2000" on right white panel). Awarded to each sworn member of the Service in recognition of service during the fortieth

anniversary year and for achievement in attaining high standards of dedication and professionalism for the Department. Members may continue to wear this award until retirement._

u. Firearms Proficiency Award - Gold breast bar with appropriate inscription (Pistol Sharp Shooter, Pistol Expert, Pistol Distinguished Expert). May be awarded for attaining any of the following levels of proficiency with the service weapon:

(1) Sharp Shooter - Score: 260-274

(2) Expert - Score: 275-289

(3) Distinguished Expert - Score: 290-300

v. 9-11 Memorial Award - Red, white, blue and gold breast bar (inscription "09-11-01" in gold). Awarded to all current sworn members of the Service in recognition of the Department's response, and in memory of all the lives lost at the site of the World Trade Center "Ground Zero". The Memorial Award depicts the American Flag, therefore, it will be worn above all other awards in lieu of an American Flag pin.

2. The following are awards bestowed on a member of the Service for attaining a certain degree of expertise or proficiency in a given function or has been designated to perform a function vital to the Department's operation. None of these awards are accompanied by a medal, however, each is awarded a breast bar. The breast bar shall be worn above the right hand breast pocket area of uniform apparel, in order of precedence, and are as follows:

a. Field Training Supervisor Award - Powder blue, gold breast bar (inscription "F.T.S." in gold). May be awarded to a sergeant or lieutenant who is certified by the Police Academy to train sergeants. Upon termination as a Field Training Supervisor, the award shall be returned to the Police Academy.

b. Field Training Officer Award - Powder blue, silver breast bar (inscription "F.T.O." in silver). May be awarded to a member of the Service who is an active certified participant in the Field Training Officer Program. Upon termination of service as a Field Training Officer, the award shall be returned to the Police Academy.

c. Police Instructor Award - Powder blue, silver breast bar (inscription "Instructor" in silver). this award is presented to a member of the Service serving as a Police Instructor that is certified as such by the Bureau for Municipal Police of the State of New York.

d. Scuba Diver Award - Silver color breast bar with black tone background (inscription "SCPD Scuba Diver", N.Y.S. Seal and Dolphin). This award is presented to an active member of the Suffolk County Police Dive Team who has completed fifteen (15) dives as a team

member. (The number of completed dives must be verified by the Dive Master.)

e. Emergency Medical Technician Award - Green, gold breast bar (inscription "E.M.T." in gold). This award is presented to a member of the Service who has been certified as an Emergency Medical Technician by the New York State Department of Health and continues to meet its mandates for retraining and recertification.

3. Critical Incident Award - Awarded by the Police Commissioner to a command of the Police Department whose members collectively performed their assigned function in an unusually effective and outstanding manner during a time of crisis, either criminal or civil, that had seriously impacted a major portion of Suffolk County and its citizens.

a. Criteria - The following are criteria considered in the deliberation of the nominations:

(1) Circumstances do not suitably merit any other Department Award, and

(2) The command's overall general performance, not selected performance of individual members within the command.

b. Eligibility - Bureaus, Sections, and Units within the Suffolk County Police Department are eligible to receive the Critical Incident Award.

c. Award - The Critical Incident Award is in the form of a plaque bearing the name of the specific command receiving the award. The plaque is presented by the Police Commissioner to the member in charge of the recipient command, and is displayed at that command. The individual members of the recipient command whose efforts contributed to the Award each receive a letter from the Police Commissioner attesting to their achievement. A copy of this letter is placed in the member's employee personnel file.

d. Procedure - Nominations for the Critical Incident Award shall be submitted by the Commanding Officer of the command applying for the Award through the chain of command to the Committee of Awards for review. The Committee of Awards shall then forward its recommendation to the Police Commissioner for further consideration.

4. Daniel P. Guido Leadership Award - Awarded annually by the Police Commissioner to a member of the Service of any rank for outstanding leadership exemplified by the highest standards of professionalism, ethical conduct, and dedication to duty in the finest traditions of the Suffolk County Police Department.

a. Eligibility - To be considered for the Daniel P. Guido Leadership Award, a candidate must demonstrate excellence in the areas of leadership and integrity.

b. Award - The Daniel P. Guido Leadership Award is in the form of a plaque bearing the name of the recipient, signed and presented by the Police Commissioner at the annual awards ceremony. A perpetual plaque depicting all recipients will be on display in the lobby of the Police Headquarters building.

c. Procedure - Any member may nominate a sworn member of any rank, to be considered for the Daniel P. Guido Leadership Award. Nominations shall be submitted through the chain of command to the Committee of Awards for review. The Committee will forward the names of qualified candidates to the Police Commissioner for final selection.

5. Timothy J. Henck Public Service Award - Awarded by the Police Commissioner to a member of the Service who has made a significant contribution in the area of community service.

a. Eligibility - A member of the Service may be nominated for the Timothy J. Henck Public Service Award when said member has, through his or her on duty or off duty activities, made a significant contribution in the area of community service.

b. Award - The Timothy J. Henck Public Service Award is in the form of a plaque bearing the name of the recipient. The plaque is presented by the Police Commissioner at the annual awards ceremony.

c. Procedure - Nominations for the Timothy J. Henck Public Service Award shall be forwarded via the chain of command to the Committee of Awards for evaluation and submission to the Police Commissioner.

6. Edwin Hernandez Traffic Safety/Enforcement Award - Awarded by the Police Commissioner to a member of the Service who demonstrates superior performance in the areas of traffic safety and law enforcement, in support of the reduction of injuries and fatalities on our roadways.

a. Eligibility - Nominations for the Edwin Hernandez Traffic Safety/Enforcement Award shall consist of members of the Service who consistently demonstrate by example, through their performance and attitude, excellence in the promotion of the practices of traffic safety and law enforcement, in support of the reduction of injuries and fatalities resulting from motor vehicle crashes.

b. Award - The Edwin Hernandez Traffic Safety/Enforcement Award is in the form of a plaque bearing the name of the recipient. The plaque is presented by the Police Commissioner at the annual awards ceremony.

c. Procedure - Nominations for the Edwin Hernandez Traffic Safety/Enforcement Award shall be forwarded via the chain of command to the Committee of Awards for evaluation and submission to the Police Commissioner.

7. The following are awards bestowed by the Department to non-

department members and the criteria for being considered for the award:

a. Public Service Award

(1) A plaque may be awarded to a civilian who has rendered assistance to a Police Officer in an emergency, or who has rendered outstanding assistance to a person during a critical incident coming to the attention of the Police Department.

(2) A Certificate of Appreciation may be awarded to an individual or organization that by act or deed has provided valuable assistance to the Police Department or has contributed to a better police/community relationship.

8. Command Citation - Awarded by the Police Commissioner to a command/squad/team of the Police Department whose members have collectively performed their responsibilities in an outstanding manner.

a. Eligibility - A command/squad/team may be nominated for the Command Citation Award when the members of a command/squad/team have demonstrated excellence in the performance of their duties through their cooperative efforts.

b. Award - The Command Citation Award is in the form of a plaque bearing the name of the specific command/squad/team receiving the award. The plaque is presented by the Police Commissioner, at a time and place chosen by the Commissioner, to the member in charge of the recipient command/squad/team, and is displayed at that command/squad/team. The individual members of the recipient command/squad/team whose efforts contributed to the Award each receive a letter from the Police Commissioner attesting to their achievement.

c. Procedure - Nominations for the Command Citation Award shall be submitted to the Committee of Awards for sworn members by the Deputy Police Commissioner, Chief of Department, Chief of Patrol, Chief of Detectives, or Chief of Support Services.

9. Commissioner's Career Achievement Award -

a. Eligibility - A member of the Department may be nominated for the Commissioner's Career Achievement Award when said member has enjoyed a productive and lengthy career with the Suffolk County Police Department. The nominee should be a person that has, during the entire span of his/her career, demonstrated extraordinary dedication in supporting the objectives of the Department.

b. Award - The Commissioner's Career Achievement Award is in the form of a plaque bearing the name of the recipient. The plaque is presented by the Police Commissioner at a time and place of his choosing. Accompanying the plaque is a certificate bearing the name of the recipient and signed by the Police Commissioner.

c. Procedure - Nominations for the Commissioner's Career Achievement Award shall be forwarded via the chain of command to the Police

Commissioner for evaluation.

10. Personal Interview - The Committee of Awards may request a personal interview with the proposed recipient of an award or with any witness to the act performed by the proposed recipient.

11. Posthumous Award - In the event the recipient of a Department award dies before presentation, or as a result of the act for which it was recommended, the award is made posthumously to the next of kin.

12. Duplicate Awards - Subsequent awards will be denoted by the application of arabic numerals on the appropriate breast bar, indicating the number of times the award was earned.

13. Associated Agency - A member of the Service who receives, or has previously received, an award from another law enforcement agency or recognized organization, except those listed below in subsection a., may apply for permission to wear an accompanying breast bar. Such request shall be in writing and submitted via the chain of command to the Committee of Awards. The request is reviewed by the Committee to establish authenticity and compliance with Departmental policy for the issuance of awards and forwards its recommendation to the Police Commissioner for his approval or disapproval. Should approval be granted by the Police Commissioner, the accompanying breast bar shall be worn below any Departmental breast bar or insignia.

a. A Department member who is the recipient of any of the following awards is permitted to wear the breast bar received with the award.

(1) The New York State "Medal of Honor" (awarded by the New York State Association of Chiefs of Police).

(2) The "Silver Shield" (awarded by the Suffolk County Police Department P.B.A.).

(3) The "Gold Shield" (awarded by the Suffolk County Police Department Detective's Association).

(4) The "Award for Excellence/Distinguished Services Medal" (awarded by the Suffolk County District Attorney's Office).

(5) The "Historical Society Award" - (awarded by the Suffolk County Police Department Historical Society).

(6) The "Theodore Roosevelt Association Police Award" - (awarded by the Theodore Roosevelt Association).

(7) The "Governor's Police Officer of the Year Award" (awarded by the Governor of New York State)

(8) The "Superior Officers Association Gold Shield" - (awarded by the Suffolk County Police Department Superior Officers Association).

The breast bar(s) must be worn below any Department breast bar(s) or insignia.

14. Wearing of Medals - Department members who have received Department awards which are accompanied by a medal (honor, combat gold, combat silver, purple heart, bravery gold, bravery silver and Cop/Detective of the year) and/or awards from the law enforcement agencies or recognized organization for which permission has been granted to wear a breast bar, are permitted to wear an accompanying medal at formal functions on their dress uniform. A medal affixed by pinning shall be worn on the right side of the uniform blouse above and parallel to the top seam of the right breast pocket. Anytime it is necessary to wear medals awarded on more than one row, medals awarded by another agency shall be worn below Department awarded medals. A medal designed to be worn around the neck such as the New York State "Medal of Honor", may be worn in that manner.

15. Sworn Committee for Department Recognition - Department recognition awards given for acts resulting in efficient police activity are reviewed and awarded by the Committee for Department Recognition.

a. The chief of each division is authorized to establish a committee in order to consider sworn members of their division for Department Recognition.

(1) The committee shall consist of at least six (6) members holding the rank of sergeant or higher with equal voting powers, a chairperson who will have voting power but only to break a tie vote, and a recording secretary who will not have voting power. The chairperson and the recording secretary should be from the office of the division chief. A quorum of five (5) members must be present to conduct committee business.

(2) The committee for the Patrol Division shall consist of one (1) member from each precinct holding the rank of sergeant or higher and may include one (1) member holding the rank of sergeant or higher from each of the Patrol Division Bureaus.

(3) The command submitting any application(s) for its member(s) shall not be permitted to vote on the matter. In the event that a command submitting an application does not have a representative sitting on the committee, a member of the command of the rank of sergeant or higher, will attend and present the application(s). When a command is unable to send a representative to a committee meeting, the committee chairperson will be notified, and any application(s) for recognition for a member of that command will not be considered at that committee meeting.

(4) The committee shall convene as directed to review and determine if the member's performance warrants a Headquarters Commendation or Command Recognition. Several factors can help determine the level of recognition to be awarded. Initiative, observation, intelligence, risk, time, location, judgment, perseverance, etc., when taken individually or in combination, could amount to outstanding performance.

b. An application for recognition shall be submitted as soon as practical after occurrence on the Department form, Application for Official Recognition. All applications not submitted within six (6) months will require a written explanation for the delay.

(1) Recommendations may be submitted by any member of the Service through the chain of command with endorsement at each level and forwarded to the member's chief who will submit same to the Recognition Committee for consideration.

(2) All applications should be brief, yet provide sufficient facts to justify recognition. A copy of all pertinent reports in support of the application shall accompany same.

(3) When an incident involves more than one command, the respective commanding officers will coordinate the processing of the applications to ensure the timely and simultaneous submission of all applications.

c. Record Keeping - When a member is considered for a Headquarters Commendation but instead is awarded a Command Level Recognition, the chief of the member's division shall make note of such award and keep same on file.

The member's division chief shall:

- Maintain a record of each recognition awarded, and will advise the Committee for Department Recognition when a member accumulates the required number of recognitions for the award of a breast bar.

- Forward a copy of each approved Headquarters Commendation or Command Recognition awarded to be filed in both the member's personnel folder and a command level file.

- Prepare a personnel order on a monthly basis listing all members of his/her division awarded a Department Recognition.

d. All appeals shall be submitted on an Internal Correspondence and shall state the reason for resubmission. The original Application for Official Recognition, and any other supporting information or documents shall be attached.

The member's division chief will submit all appeals to the committee. The committee will review and consider the appeal and

report its recommendation to the member's division chief, who in turn will forward it to the Police Commissioner, or his designee, for a final determination.

C. Awards/Recognition Procedure (Civilian) - The Police Commissioner designates the number and degree of awards/recognition and a Committee of Civilian Awards and Recognition, composed of a number of civilian members in the Department as designated by the Police Commissioner. A senior civilian member of the Department is designated as chairman by the Police Commissioner. The Committee of Civilian Awards and Recognition reviews recommendations for civilian awards/recognition and advises the Police Commissioner of their findings. To transact official business, the Committee of Civilian Awards and Recognition must have a majority of its members in attendance, and a majority of the attendees must concur to recommend an award or official recognition.

1. Recommendation - A recommendation for award or recognition is submitted via an Application for Recognition or an Internal Correspondence as soon as practical after occurrence of the event to be considered. Such recommendation may originate at any supervision level or from any member of the Department and is processed through the chain of command, with endorsement, to the candidate's division chief who, after review, forwards same to the chairman of the Committee of Civilian Awards and Recognition.

2. Evaluation The committee shall convene as directed to review and determine if the member's activity warrants a Department Recognition or Award. Several factors can help in evaluating a recommendation. Among these factors are initiative, intelligence, time, judgment, and perseverance demonstrated by the candidate. Also, the amount of benefit to the Department of a new device or process, when taken individually or in combination, could qualify an activity for an official recognition or award. A committee member from the command submitting any application(s) for its member(s) shall not be permitted to vote on the matter. A candidate or the individual who initiated the recommendation may be asked to appear before the committee to assist if necessary. If the candidate or the initiator of the recommendation are not available when requested, the committee chairperson will be notified, and the application for recognition or award for said candidate will be deferred to the next committee meeting.

3. Appeal Any civilian member of the Department, believing they are entitled to Departmental recognition or award by reason of an act done in the performance of duty for which the Committee of Civilian Awards and Recognition disapproved the recommendation, may appeal in writing to the Police Commissioner within seventy-two (72) hours after notification of rejection. The member's division chief will submit all appeals to the Office of the Police Commissioner. Notwithstanding the above, the Police Commissioner has the power to make such awards as he deems to be merited by an outstanding act on the part of a civilian member of the Department.

4. Presentations - An approved civilian award or recognition is presented

at a time and place designated by the Police Commissioner.

5. Record Keeping - When a member is considered for a Department Recognition or Award, the chief of the member's division shall make note of such award and keep same on file.

D. Type of Award (Civilian Members)

1. The following are the awards and recognitions issued to civilian members by the Department and the criteria for receipt.

a. Special Service Award (civilian) A plaque (and a lapel pin) may be awarded to a civilian member of the Department recommended by their supervisor for an act of intelligent and valuable service, or who submits a device or method adopted by the department which significantly increases efficiency.

b. Official Department Recognition A plaque and/or certificate given for acts resulting in efficient operational activity.

c. Civilian Group Award A plaque and/or certificate awarded to acknowledge the exceptional collaborative efforts of two or more civilian members of the Department, from one or more commands.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 06-57

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE RANK AND TOURS OF DUTY					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 07/21/06	DATE EFFECTIVE 07/21/06	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 6: TITLE: COURTESIES AND RECOGNITIONS

SECTION 4: TITLE: RANK AND TOURS OF DUTY

I. PURPOSE

To inform members of the Department regarding the order of rank and tours of duty.

II. POLICY

N/A

III. DEFINITIONS

Platoon - Members of the Service assigned to the Patrol Division, unless otherwise directed, are assigned to a squad on either a rotating two tour schedule or a steady one tour schedule. The first platoon includes those uniform squads working 2100 hours to 0700 hours. The second platoon consists of those uniform squads working 0700 hours to 1500 hours. The third platoon includes those uniform squads working 1500 hours to 2300 hours.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Order of Rank - The order of rank in the Service is as follows:

1. Police Commissioner
2. Deputy Police Commissioner
3. Chief of Department
4. Chief of Patrol
5. Chief of Detectives

6. Chief of Support Services
7. Assistant Chief
8. Deputy Chief
9. Inspector
10. Deputy Inspector
11. Captain
12. Lieutenant
13. Sergeant
14. Police Officer

B. Chaplains - The Police Commissioner designates chaplains for the Department and they have honorary rank of Inspector. Chaplains are treated with courtesy and respect due their rank. Chaplains are authorized to wear the uniform of their honorary rank or the clerical garb of their religion when performing duties as chaplains. Chaplains are also authorized to visit the sick, injured and dying, minister to the spiritual welfare of the members of the Department and perform such other duties that may be assigned by the Police Commissioner.

C. Police Surgeons - The Police Commissioner designates Police Surgeons for the Department and they have honorary rank of Inspector. They are treated with courtesy and respect due their rank. They are authorized to wear the uniform of their honorary rank at special events. They perform such duties that may be assigned by the Police Commissioner.

D. Museum Director - The Police Commissioner will designate a Museum Director for the Department to manage the operations of the Suffolk Police Museum. The Director will serve as liaison with the Suffolk County Police Historical Society Board of Trustees and will perform such other related duties that may be assigned by the Police Commissioner.

E. Tours of Duty - A member of the Service performs the tours of duty prescribed by the Police Commissioner, and as indicated by the duty schedules. All members of the Service report for duty in accordance with duty schedules, or as otherwise directed.

F. Seniority - Seniority in the Service is determined:

First - by rank.

Second - by continuous service in rank.

Third - by date of appointment to previous rank or ranks.

Fourth - by date of appointment to Department.

Fifth - by date of birth.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

END

RULES AND PROCEDURES

CHAPTER 6: TITLE: COURTESIES AND RECOGNITIONS

SECTION 5: TITLE: ORGANIZATIONAL PRINCIPLES

I. PURPOSE

To specify several basic organizational principles which are incorporated in the operation of the Department.

II. POLICY

Certain organizational principles have been proven effective and recognized as applicable to most agencies. Adherence to the principles contained herein will provide assistance with the efficient operation of the Department.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Delegation of Authority - Orders of the members of the Force assigned to the Office of the Police Commissioner, Office of the Deputy Commissioner, Office of the Chief of Department, Office of the Chief of Patrol, Office of the Chief of Detectives, Office of the Chief of Support Services, when so directed, are deemed to be the orders of such members' superior and are promptly obeyed as such. Supervisors delegating authority shall ensure their subordinates are given the necessary latitude to complete assignments in a timely and effective manner. Although each member is accountable for the

use, as well as the failure to use delegated authority, supervisors retain the responsibility for supervision of subordinates and ultimate accountability for delegated actions. All employees are delegated the authority to make decisions relative to their position and to execute their responsibilities.

B. Orders of Superiors - Members of the force promptly obey all lawful orders, instructions, directions and requests of superior officers, including orders received directly from the superior officer or relayed by a member of equal or lesser rank.

C. Unity of Command - Each employee is accountable to only one supervisor at any given time.

1. Each employee shall be accountable to his or her immediate supervisor. In the event an employee receives conflicting commands or directives from superiors, he or she shall advise the superior issuing the order of the conflict and if this does not rectify the situation, the last command or directive issued to the employee shall be obeyed. Such conflict shall be reported to the employee's immediate supervisor.

D. Supervisor Span of Control - Under no circumstances shall the span of control exceed the capabilities of any one supervisor to effectively supervise those members under his or her immediate control.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 06-33

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE WRITTEN DIRECTIVES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/15/06	DATE EFFECTIVE 03/15/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 7: TITLE: DEPARTMENT DIRECTIVE SYSTEM

SECTION 1: TITLE: WRITTEN DIRECTIVES

I. PURPOSE

The written directive system includes, but is not limited to, statements of agency policy, rules, regulations and procedures for carrying out department goals and objectives. It further identifies the various types of approved written directives and those empowered to issue them.

II. POLICY

It shall be the policy of the Suffolk County Police Department to establish and maintain a system of written directives that specifically identify the Department's policy as well as rules and procedures in clear and concise language so that every affected member is given appropriate guidance and understands what is expected of him/her.

It is a fundamental management policy of the Department that commanding officers shall have authority to issue orders, directives and memorandums that are appropriate to efficiently and effectively fulfill their command responsibility. Unless otherwise directed by the Commissioner of Police, commanding officers shall set such policy for their respective commands and issue orders, directives and memorandums provided that such actions are consistent with the policy and directives of the Department and are not in conflict with the orders of superior officers.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Orders - Types and Authority to Issue

1. General Orders - are written directives issued to establish or revise permanent or long term policies, procedures and rules.

a. Department General Orders - are issued to establish or revise permanent or long-term policies, procedures and rules for the Department or any segment of the Department and its organization. These orders shall be issued only by the Police Commissioner, the Deputy Police Commissioner, or the Chief of Department and shall be distributed to appropriate commands and members of the Department. Department General Orders issued pertaining to policies, procedures and rules shall be retained in a book which shall be titled, "Rules and Procedures".

b. Division/Office General Orders - are issued to establish or revise permanent or long term policy, procedures and rules for the division or any segment of the division. These orders shall be issued only by the Chief of a Division, or in the absence of the Chief of a Division, the Assistant Chief (if applicable) or the Deputy Chief of the Division, or the Deputy Commissioner in charge of the affected Office or the Chief of Department for the Office of the Chief of Department. Said orders shall be distributed to appropriate commands and members of the Department of the affected Division/Office.

c. Command General Orders - are issued to establish or revise permanent or long term policy, procedures and rules for a command or a segment of a command. These orders shall be issued by the Commanding Officer, or in his absence the Executive Officer of the command, and shall be distributed to appropriate members of the Department of the command.

2. Special Orders - whether originating from the Department, a Division, or a command, Special Orders are written directives issued to enumerate procedures and guidelines for a specific event or situation of a short or specific duration. These orders are self-canceling.

a. Department Special Orders - shall be issued only by the Police Commissioner, the Deputy Commissioner, or the Chief of Department, and shall be distributed to appropriate commands and members of the Department.

b. Division/Office Special Orders - shall only be issued by the Deputy Commissioner for the Office of the Deputy Commissioner, the Chief of Department for the Office of the Chief of Department, a Division Chief, or in the absence of the Division Chief, the Assistant Chief (if applicable), or the Deputy Chief of the Division, and shall be distributed to appropriate commands and members of the Department or the Division/Office.

c. Command Special Orders - can only be issued by the Commanding Officer or in the absence of the Commanding Officer the

Executive Officer, and shall be distributed to appropriate members of the command.

3. Memorandums - are used to disseminate information regarding matters of interest to members of the Department; to inquire of members about an issue, to give direction in situations where a general order or special order is not warranted; to explain or emphasize a portion of a previously issued directive; or to inform members of actions or policies of other agencies. These directives can be prepared in any appropriate manner, and need not follow the written directive format, and may be issued by any level of command. Distribution of Memorandums shall be to the appropriate commands by the issuing authority and the directives shall be posted at the applicable commands and/or within the precinct daily bulletin.

4. Personnel Orders - are written directives which announce the appointment of new personnel, assignment, transfer, designations, promotion or demotion, suspension, dismissal, termination, resignation, retirement, reinstatement, leave of absence, disciplinary hearings, ceremonies and issuance/recovery/replacement of shield/cap devices.

a. Generally, Personnel Orders are prepared at the direction of the Police Commissioner and are issued by the Police Commissioner, Deputy Police Commissioner or the Chief of Department.

(1) For transfers of members of the Force above the rank of captain, the Personnel Order shall be signed by the Police Commissioner. For all transfers, except for members of the Force above the rank of captain, the Personnel Order shall be signed by the Chief of Department, the Deputy Commissioner or Commissioner.

(2) Personnel Change Orders (PDCS 2005) are completed and forwarded to the Division Chief for approval. The approved Personnel Change Order is sent to the Office of the Chief of Department for authorization and once authorized, it is sent to the Personnel Section where the Personnel Order is written.

5. Department Forms Orders - are issued to create or revise Department forms. These orders shall be issued only by the Police Commissioner, the Deputy Police Commissioner, or the Chief of Department and shall be distributed to appropriate commands and members of the Department. Forms Orders shall be retained in a book which shall be titled, "Forms Manual."

6. Training Bulletins - are directives that are periodically issued to guide and instruct all or some members of the Department on matters of importance. These bulletins are issued by the Commanding Officer of the Police Academy, or the Executive Officer in the Commanding Officer's absence, after approval is obtained from the Commissioner of Police. The commanding officer of the Police Academy shall be responsible to distribute Training Bulletins and maintain an archive file of all Training Bulletins.

7. Legal Bulletins - are directives that are periodically issued to inform and instruct all or some members regarding laws, court decisions and matters of importance to the Police Department. These bulletins are issued by the Legal Bureau, after approval is obtained from the Commissioner of Police. The Commanding Officer of the Legal Bureau shall be responsible to properly distribute Legal Bulletins and maintain an archive file of Legal Bulletins.

B. General Responsibility

1. While it is important that administrators at the Division level, and Commanding Officers at the level of operation, be able to issue orders and directives that swiftly, efficiently and effectively address issues involving their commands, commanders shall ensure that their orders, directives, and memorandums do not conflict with Departmental General Orders, Rules and Procedures and policies of the Department.

2. All levels of the Department, when formulating and establishing procedures, policies or rules, should elicit input from appropriate and affected personnel. Review and input from any component, when appropriate, is encouraged.

C. Issuing Authority's Responsibility

1. The issuing authority for a written directive shall be responsible for performing or having performed the following:

a. Numbering the written directive before issuing. The Research and Development Section shall perform this task for Department Orders.

b. Retention of the original copy of each written directive issued in a separate orders file. The Research and Development Section shall perform this task for Department Orders. Retention shall be permanent.

c. Copies of issued orders shall be retained by commands and members as follows:

(1) Department General Orders and Department Forms Orders shall be retained by commands and members to whom they are distributed until a subsequent order is issued to revise or cancel the original order.

(2) Division/Office and Command General Orders shall be retained by commands and members to whom they are distributed until a subsequent order is issued to revise or cancel, or until the member is transferred from that Division/Office or command.

(3) Special Orders shall be retained by commands and members to whom they are issued until expiration.

(4) Memorandums shall be retained by commands

and members to whom they are distributed, until expired, or, if directional, until no longer relevant.

(5) Personnel Orders shall be retained by a command only if the command is affected and then only until event occurs.

(6) Instructional Materials shall be retained by commands and members to whom they are distributed until a subsequent bulletin is issued to update or cancel the original training bulletin or the instructional significance of the bulletin no longer exists.

d. Determine how written directives issued shall be disseminated. Department Orders shall be issued and disseminated as described in this order.

e. When appropriate, have sufficient copies of a directive made and distributed.

f. Specify the appropriate method of retaining, indexing and purging.

g. Annually review directives issued.

h. Update and revise directives, when appropriate.

D. Commanding Officer's Responsibilities

1. Upon receipt of written directives, or the issuance of command written directives, Commanding Officers shall be responsible to ensure that command members receive a copy of the directive, or are advised of the contents of same.

2. Maintain a file of written directives received and command written directives issued that are in effect.

E. Member's Responsibilities - It shall be a member's responsibility to read and understand the contents of the Rules and Procedures and Department Directives. If the member does not understand a directive or any portion thereof, the member must, without unnecessary delay, request further information or instruction from an appropriate supervisor.

F. Numbering System

1. Orders and Memorandums shall be numbered consecutively with a prefix consisting of the last two digits of the year, and a suffix, separated by a dash which should start with number one and progress in increments of one for each order issued until year's end, i.e., Department General Order 89-14, Division Special Order 89-112, Personnel Order 89-173, Department Memorandum 89-111. Any addendum of a previously issued order or memorandum consisting of an amendment of the order or memorandum will be issued under its original number with a suffix from a-z (lower case) added to the number. Example: Department Special Order 89-11 is to

be amended or corrected. The altering Department Special Order will read: "Department Special Order 89-11a", and will include corrections to Department Special Order 89-11. If Department Special Order 89-11 were to be amended a second time or if Department Special Order 89-11a were to be amended, the amending order would be Department Special Order 89-11b.

a. General Orders, even though printed and distributed to members of the Department, can be amended in the same manner to allow for the rapid distribution of important changes to policies or Rules and Procedures when such changes are not extensive. It shall be the responsibility of the issuing authority to have a new general order prepared to amend the policy and procedure in full for distribution as soon as practical based on the nature and extent of the change.

2. Instructional material bulletins, both training and legal, should be numbered using the year as the prefix number and the suffix, separated by a dash, and should start with number one (1) and progress in increments of one for each bulletin issued until year's end.

3. Directive numbers shall be assigned as follows:

a. Department General Orders, Special Orders, Memorandums, and Forms Orders for department-wide distribution by the Research and Development Section.

b. Division and Command General Orders, Special Orders and Memorandums by the division or command issuing.

c. Training Bulletins by the Police Academy Bureau.

d. Legal Bulletins by the Legal Bureau.

G. Issuance of Original Department Directives

1. To announce the issuance of Department Directives (Department General Orders, Department Special Orders, Department Personnel Orders, Department Memorandums and Department Forms Orders), a copy of each directive issued shall be distributed in an electronic format by the Research and Development Section via the Suffolk County Police Department Intranet. The Offices of the Police Commissioner, Chief of Department and three Division Chiefs shall ensure that a copy or the contents of every directive issued is distributed to their staff personnel. It shall be the responsibility of every Commanding Officer of a bureau to ensure that a copy or the contents of every directive issued is distributed to subordinate personnel as required.

2. All Commanding Officers shall be responsible for distributing a copy of the directive or disseminating the contents of the directive, whichever is appropriate, to members of his or her command.

H. Department Directive Form, Preparation of

1. The Department Directive form, PDCS 2008, shall serve as the

document to be utilized for written directives.

a. Written directives shall conform to the following format:

(1) Each directive shall be specific as to type (General Order, Special Order, Division/Office Order, Command Order, Memorandum etc.) and shall include the appropriate numeric designation.

(2) Each directive shall be given a specific title or topic.

(3) The body of each directive shall be single-spaced.

(4) All directives shall be held as individual entities to allow ease of amendment.

(5) The first page of all directives shall be on the Department Directive form, PDCS 2008. Subsequent pages for the same directive shall be on blank white paper displaying a heading containing the following information in the upper right hand corner;

Order #
Page ____ of ____ Pages
for each additional page used.

(6) General Orders shall conform to the following format:

- I Purpose
- II Policy
- III Definitions
- IV References
 - Legal/other indisputable authority
- V Rules and Regulations
- VI Procedures
 - A. Major division topic
 - 1. Subdivision
 - a. Sub-subdivision
 - (1)
 - (a)
 - (b)
 - (2)
 - b. Subsequent Sub-subdivision
 - 2. Subsequent Subdivision
 - B. Subsequent major division topic
- VII Accreditation Standard Reference
 - A. CALEA
 - B. NYSLEAP
- VIII Index

Number(s)

NOTE: If any heading is not applicable or appropriate to an order being issued, indicate such by listing the title and indicating N/A underneath same. Formats for General Orders authorizing or revising forms shall be determined by the Research and Development Section.

(7) Personnel Orders shall be prepared restating in the body of the order the nature of the order e.g. transfers, promotions, etc. and stating the effective date (month, day, time) of the event.

Example: DOE, John, Police Officer #9876, First Precinct Patrol Section to Sixth Precinct Patrol Section.

(8) Special Orders and Memorandums shall be prepared in any appropriate manner which gives a clear, concise meaning to the topic under consideration.

I. Receipt and Acknowledgment of General Orders

1. Every Commanding Officer shall ensure that a copy of each Department General Order issued to amend the Rules and Procedures is distributed to each member of his or her command. The member shall acknowledge receipt of the directive by affixing his or her signature on a line following his or her name printed on an Internal Correspondence prepared by the command's Commanding Officer or his or her delegate. It shall also contain a statement that imposes a responsibility on the recipient to read the directive and if the recipient does not understand it he or she must request further information or instruction from a supervisor. The Internal Correspondence shall be addressed to the command's Commanding Officer. This Internal Correspondence shall be retained on file by directive number, until the directive is superseded or eliminated.

2. When full copies of the Rules and Procedures or a specific segment of the manual are received by the member, the Internal Correspondence acknowledging receipt and affirming the responsibility to read and understand the contents shall be filed by member's name.

J. Rules and Procedures Book - Department General Orders issued to establish or revise permanent or long term policies, procedures or rules for the Department shall be retained in a book titled, "Rules and Procedures". Orders shall be retained in a chapter and section format and access shall be enhanced by the use of both a table of contents and an index. A copy of this book shall be maintained by each member of the Department.

K. Forms Manual - Department Forms Orders issued to establish or revise Department forms shall be retained in a book titled, "Forms Manual". Orders shall be retained in numerical order of the forms and access shall be enhanced by the use of both a table of contents, which shall be in form numerical order, and an index, which shall be by form title. A copy of this book shall be maintained by each command, however, it shall be accessible to members of the command at all times.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA - 12.2.1, 12.2.2, 12.2.3
- B. NYSLEAP - 2.3

VIII. INDEX

- Written Directive System
- Directive System, Written
- General Orders
- Special Orders
- Personnel Orders
- Memorandums
- Accreditation Reference
- Rules and Procedures Book
- Forms Manual
- Forms Orders

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-41
 08-50

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE MEDICAL EMERGENCIES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 06/16/08 07/17/08	DATE EFFECTIVE 06/16/08 07/17/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 8: TITLE: CRASH, AIDED, AND DECEASED PERSONS CASES

SECTION 1: TITLE: MEDICAL EMERGENCIES

I. PURPOSE

To provide guidelines for the handling of medical emergencies.

II. POLICY

Saving lives and aiding the injured are important aspects of the police mission. The Department responds to calls for medical emergencies and renders such aid as is necessitated or indicated by the situation.

III. DEFINITIONS

A. Medical Emergency - An acute illness or injury which threatens the health or life of a person or persons typically requiring medical intervention. Examples of medical emergencies are, but are not limited to:

1. Unconsciousness
2. Difficulty breathing or respiratory arrest
3. Chest pains, cardiac arrest
4. Fractures
5. Hemorrhage
6. Obstetric emergencies / imminent childbirth
7. Psychiatric/Psychological emergencies such as: bizarre behavior, paranoia, hallucinations and excited delirium.
8. Drug overdose
9. Stroke
10. Head injury

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Response to Medical Emergency - Members of the Service who respond to a medical emergency/aided case, will attempt to obtain the full details and circumstances of the nature and cause of injury or illness when possible, including the name, address, and date of birth of the patient. Members will assess the situation and determine apparent need for response of additional/specialized Department or external resources (i. e. Emergency Service Section, Fire Department, utility company) to assist in removing, accessing or extricating the patient. Request appropriate resources via the Communications Section. Members also determine the total number of ill/injured patients and report this to the Communications Section.

1. Rendering Emergency Care - Members of the Service trained in first aid, CPR, AED usage, or as Emergency Medical Technicians (EMT), will render basic life support care in accordance with their training. Members who are certified as pre-hospital advanced life support providers (i.e. EMT-Critical Care and EMT-Paramedic) and who are so authorized and equipped by their commands due to the specialized nature of their command/assignment, will render advanced life support care as appropriate in accordance with regionally-approved policies and protocols, and as authorized by their Commanding Officer.

2. Request for Ambulance - In cases where an ambulance has not been initially requested or dispatched and patient transport appears necessary, the member of the Service immediately requests an ambulance be dispatched to the scene. The transportation of sick or injured persons in the patrol car shall be avoided except in extenuating circumstances.

3. Conduct During Emergency - Interpersonal relationships and communications between Police Officers and responding emergency medical service personnel shall at all times be conducted with courtesy and mutual respect. Upon arrival of emergency medical service personnel, Officers shall relay pertinent scene and patient information about the incident and victim and ascertain what assistance may be needed by emergency medical service personnel. Officers will refrain from making any statement to the press, media or public concerning the victims or the incident without written authorization by a supervisor.

4. Emergency Resulting in Death - A member of the Service assigned to any incident in which a death has occurred or is deemed likely to ensue, immediately notifies the precinct desk supervisor and requests detectives be dispatched to the scene. Upon their arrival the investigation, including all reports other than the Field Report, will be the responsibility of the Detective Squad, including notification to the Homicide Squad, if required, the next of kin and the Communications Section duty officer who in turn notifies the Medical Examiner. The uniform member remains at the scene, rendering all possible assistance, until the termination of the incident or as otherwise directed.

a. Desk Officer Duties - Upon receipt of notification of the death of a person as a result of a previously reported incident, the desk supervisor immediately:

(1) Enters the appropriate information in the Daily Journal.

(2) Notifies Detective Squad commanding officer or ranking detective on duty and the Communications Section duty officer.

(3) Notifies precinct commanding officer or squad leader.

b. Detective Responsibility - Further investigation and reporting of the death is the responsibility of the Detective Squad.

5. Police Authorization of Medical Treatment - Members of this Department will not authorize medical treatment for any person.

6. Continuity of Patient Care - Whenever a member of the Service responds to a medical emergency and performs emergency medical care as described in subdivision A.1., that member will continue such care until relieved by a person with the same or higher level of medical certification who is authorized to continue the care begun by that member.

a. In situations where the patient is to be transported for treatment and no one from the responding emergency medical service agency has the emergency medical certification necessary to continue the same level of care begun by the member, then the member will remain with the patient and continue to provide emergency medical care until the patient is at the hospital or other facility designated as an emergency medical facility.

7. No member of this Department shall deny any reasonable safe aid or assistance to any person with Acquired Immune Deficiency Syndrome (AIDS), AIDS related illnesses or persons with a positive HIV antibody blood test.

a. This provision does not prevent any member from taking appropriate reasonable, safe precaution to prevent the spread of AIDS or any other disease while attending to the needs of someone afflicted with any illness that can be communicated to another.

b. Whenever a member of the Department gains knowledge that another person within or without the Department has AIDS or an AIDS related illness or has tested positive for the HIV antibody, such member shall not disclose this information to anyone, either verbally or on a written record (i.e., Prisoner Activity Log, Arrest Worksheet, Field Report, etc.). This prohibition also extends to recording the fact that an individual is taking the type of medication (e.g., AZT) which may be prescribed for HIV or AIDS. Members shall record only the prescription number of the medication, pharmacy where prescription

was prepared and name of prescribing physician.

B. Automated External Defibrillator (AED) Reporting Requirements

- Personnel who attach the pads of an AED to a patient, whether or not the AED device actually delivers a shock to the patient, will immediately use these follow-up reporting procedures:

1. A Pre-Hospital Care Report (PCR) and a Field Report (PDCS-1053) are required.
2. The AED must be connected to the modem at the respective command and the call data downloaded as per normal procedure.
3. The incident summary information must be logged in at Stony Brook University Hospital Medical Control by telephoning 631-444-3600.
4. Copies of the PCR and Field Report will be faxed to the Police Academy Bureau 631-853-7019.
5. The original PCR will be sent interoffice mail to the In-Service Training Section - Academy West.
6. The assigned In-Service Training Section staff will assure receipt of the AED download and all respective documents. A new incident file will be created for reference and medical review.

C. Automated External Defibrillator Maintenance - At the start of each tour the assigned AED operator will follow this procedure:

1. Check the battery indicator light to ensure the AED battery is properly charged.
2. Check the expiration date on applicator pads, adult and pediatric, and replace as necessary.
3. Notify the In-Service Training Section for issues relating to battery, applicator pad or other technical problems. All battery and applicator pad replacements will be supplied by the In-Service Training Section only.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-40

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE VEHICLE CRASHES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 8: TITLE: CRASH, AIDED, AND DECEASED PERSONS CASES

SECTION 2: TITLE: VEHICLE CRASHES

I. PURPOSE

To provide procedures for the proper investigation, handling and reporting of vehicle crashes.

II. POLICY

Response to vehicle crashes is effected in order to protect the rights of the involved parties, to care for the injured, to determine where possible, the causes of crashes so that methods of crash prevention may be developed and, when a traffic violation is discovered, to investigate and gather necessary evidence to prosecute the violator.

III. DEFINITIONS

A. Motor Vehicle Crash (MVC) - Any unintended event that results in injury, death, or property damage attributable directly or indirectly to the motion of a motor vehicle or its load.

B. Standard Crash - Involving property damage to vehicles, and or injury to persons.

C. Fatal Crash - Those in which a person is either dead at the crash scene, on arrival at the hospital or dies shortly thereafter.

D. Serious Physical Injury Crash - Those in which a person or persons are seriously injured. For the purpose of this section serious physical injury is defined as physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ. (Penal Law, Section 10.00, Subsection 10)

E. Hit and Run Crash - Any type of crash in which vehicles or operators involved leave the scene without reporting as required by the New York State (NYS) Vehicle and Traffic Law.

F. Police Vehicle Crash - Involving any police vehicle owned or operated by the Department, no matter how slight the damage.

G. Probable Cause In A Crash - Exists when one of the vehicle operators involved in a crash is suspected of operating their vehicle while under the influence of alcohol or drugs as defined in section 1192 of the NYS Vehicle and Traffic Law.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Standard Crash Procedure

1. Proceed To The Crash Scene - Proceed as quickly as possible in safety, using the most direct route. Except in emergencies, speed laws and other safety regulations must be observed when proceeding to crash scenes. It is imperative that officers drive in such a manner that their lives and the lives of other people are not endangered. The burden or responsibility rests on the officer as specified in the NYS Vehicle and Traffic Law. In proceeding to the scene of a crash an officer should be alert for vehicles leaving the area. Notation should be made of any suspicious vehicles that are damaged or operated abnormally. These vehicles may be fleeing the scene of the crash to which an officer is responding.

2. Park Vehicle Safely - Upon arrival at the scene, the first officer shall maintain charge until relieved by another appropriate sector operator, supervisor or assigned detective. Park the patrol vehicle in a manner that will not create an obstruction or be a hazard or interfere with traffic flow unless it is to be used as a barricade for the protection of the crash scene.

3. Administer First Aid - Officers should administer appropriate first aid and summon medical assistance and/or ambulances, if deemed necessary. When money or valuables are handled or taken into custody for safekeeping, reliable witnesses are secured if possible, and their names and addresses noted.

4. Make The Crash Scene Safe - Make every effort to prevent the occurrence of additional crashes and, if necessary, get assistance from other police units. Provide flares or other warning devices at approaches to the crash scene far enough in advance to give adequate warning to motorists. Keep spectators off the roadway and out of the way of vehicles, ambulances, tow trucks, workers, etc. If the crash is serious and indications are that prolonged tie-up of traffic will result, arrange for the blocking off of traffic at adjacent intersections and the

setting up of temporary detours until the scene is cleared.

5. Exercise Judgment - Prioritize these procedures if necessary, an example being, the crash scene might need to be made safe before first aid is administered.

6. Specific Situations - When a fatal or serious physical injury crash, a police vehicle crash or a hit and run occurs, refer to specific procedure.

7. Interview The Parties Involved - Locate and question the operators and owners of other vehicles or property involved, including witnesses. Keep the operators in sight and available; place in a police vehicle if weather or road conditions dictate this course of action. Secure driver licenses from the drivers, and hold temporarily. Never accept billfolds, purses, personal folders or property. Ask the owner to remove the driver license and any other desired identification. Question witnesses separately, without interference or interruption, to obtain their version of the crash. Observe carefully all parties concerned for injuries, shock, evidence of intoxication, etc.

8. Obtain Evidence - Obtain evidence by detecting and noting all facts, physical evidence and conditions at the scene. Officers shall note the presence or absence of skid marks, their approximate length and their apparent direction. In the event that the officer believes that further investigation is necessary, or that more detailed measurements or evidence collection is appropriate, a supervisor will be notified and a member of the Crime Scene Section requested to respond.

9. Test And Inspect Vehicles Involved - This is difficult in many cases, since the vehicles are often damaged or demolished. However, insofar as possible, all vehicles should be checked for defective brakes, lights, horn, windshield wiper, etc. NOTE: The "Motor Vehicle Examination Report" is used by an officer conducting any type investigation where a certified record of the operational and/or mechanical condition of a motor vehicle, relevant to the case, is required.

10. Determine The Cause - Determine causes of the crash and any violations that may be considered as contributing circumstances. Indicate findings on the crash report in spaces provided.

11. Clear The Crash Scene - All vehicles involved are to be removed to a garage or other place of safety. Remove, or cause to be removed, all debris such as glass, parts of vehicles, etc. from the roadway and sidewalk. In addition, officers will take reasonable measures to safeguard or secure the personal property of crash victims who are physically incapacitated. If the property cannot be reasonably secured or returned prior to completion of the crash assignment, it shall be invoiced in accordance with the property invoicing procedures. Removed vehicles, when towing is necessary, will be towed from rotating lists maintained by each precinct.

12. Requiring A Tow Truck - Tow truck procedure in instances in which the crash occurs in an area governed by a local tow

truck ordinance, the prescribed procedures as stipulated therein, are to be strictly adhered to. If not, the operator may select the tow truck of their choice to remove their vehicle if this can be accomplished within a reasonable length of time, depending upon the location and time, without unduly obstructing traffic and being consistent with safety. If the operator expresses no preference the officer requests, via the Communications Section, that the precinct assign an approved tow truck to remove the vehicle.

13. Investigate - Investigate the causative factors and take enforcement action if warranted. Traffic summons may be issued to motorists when probable cause exists that a traffic infraction occurred. A summary arrest or issuance of a Field Appearance Ticket (F.A.T.) is not authorized for an unwitnessed infraction, except leaving the scene of a crash or driving while impaired. In the event that the Detective Division has jurisdiction over a crash scene, the Detective assigned to the investigation will be advised prior to any traffic enforcement being initiated.

14. D.W.I. - In D.W.I. incidents, extreme care is exercised by the officer in those cases in which an arrest is made, either by the officer or by another, for driving while intoxicated, as required by the NYS Vehicle and Traffic Law, to ensure conformity with the Department Rules and Procedures.

15. Reports - Complete all written reports required by the Department. Operators or victims involved are advised that after five business days, crash information may be obtained in person or by mail from the Central Records Section, Yaphank. This section services in-person requests, Monday through Friday (excluding holidays), 0900 hours to 1600 hours. No information is available by telephone.

B. Fatal/Serious Physical Injury Crash Procedure - Procedure in fatal, or serious physical injury crashes, including those arising from a hit and run crash (leaving scene of an incident without reporting, as per the NYS Vehicle and Traffic Law); in fatal and serious physical injury crashes coupled with a violation of any subdivision of section 1192 of the NYS Vehicle and Traffic Law; in fatal and serious physical injury crashes coupled with a violation of any other subdivision of the NYS Vehicle and Traffic Law.

1. Notification and Requests - Immediately upon determination that a fatality or serious physical injury has occurred, the assigned officer notifies the Communications Section via radio. The officer requests a patrol supervisor, a detective from the appropriate Precinct Detective Squad, and a member of the Crime Scene Section. The Officer further requests that the Medical Examiner's Office be notified.

a. Immediately upon determination that a fatal or serious physical injury crash has occurred where probable cause exists that one or more operators is in violation of any subdivision of section 1192 of the NYS Vehicle and Traffic Law, the assigned officer notifies the Communications Section via radio. The officer requests a patrol supervisor. The officer or patrol supervisor at the incident

immediately contacts a detective from the Precinct Detective Squad in order to assist in the process of securing a telephonic blood warrant via the District Attorney's Office. The officer requests a member of the Crime Scene Section. Upon arrival at the scene the patrol supervisor will request via the duty officer an Assistant District Attorney from the Major Case Bureau and a Physician's Assistant from the Medical Examiner's Office respond.

b. Immediately upon determination that a fatal or serious physical injury crash has occurred where the potential of criminal liability exists, the investigating detective shall determine if any involved vehicle is equipped with an event data recorder. If any involved vehicle is so equipped, the following procedure should be followed to effect retrieval of information from the recorder.

(1) Vehicle is to be impounded, per existing Departmental evidential impound procedure.

(2) Crash Data Retrieval from the event data recorder shall not be performed until written consent from the vehicle's owner is granted or until an application for a Search Warrant through the Suffolk County District Attorney's Office has been submitted and a Search Warrant has been obtained. The Suffolk County Crime Laboratory shall be notified that consent to search or a Search Warrant is pending.

(3) Crash Data Retrieval is to be performed by Suffolk County Crime Laboratory personnel, per existing Suffolk County Crime Laboratory procedure.

c. Immediately upon determination that a fatal or serious physical injury crash has occurred in an incident in which an Appearance Ticket (traffic summons) was issued charging a person, other than the person who dies or suffers a serious physical injury arising out of the incident, with violation of any section of the NYS Vehicle and Traffic Law, such information shall be indicated by use of the designated codes on the court information, if said person was arrested, or on the Appearance Ticket charging a person with this infraction. The letter "D" shall be used when a death has occurred or the letters "SPI" shall be used when a serious physical injury has occurred. These codes shall be printed prominently in capital letters and set off by quotation marks, in order to differentiate from the numerical section of law charged. On the court information the letter (s) shall be printed in the space following the section of law charged. On Appearance Tickets the letter(s) shall be printed in the space below the section of Vehicle and Traffic Law charged.

2. Aid To Survivors - The officer immediately renders all possible aid to the surviving injured persons.

3. Preserve The Scene - Pending the arrival of the appropriate Precinct Detective Squad, the scene is preserved intact.

4. Precinct Detective Squad Responsibility - Detectives from the appropriate Precinct Detective Squad Section are in charge of the investigation and scene; the patrol officers render all possible assistance as directed by detective personnel.

a. The investigating Detective must complete NYS Form MV-104EN "Early Notification of a Fatal Accident", and fax to (518) 474-7302 within 24 hours from the date of the fatal crash.

5. Patrol Division Duties - Upon completion of the investigation by the Detective Squad, personnel from the Patrol Division remain at the scene until it has been cleared.

6. Crime Scene Section - Shall respond and assist the assigned Precinct Detective Squad detective, collect evidence, document the scene, and perform other appropriate and requested services. When the fatality is the result of a hit and run crash (leaving the scene of an incident without reporting, as per the NYS Vehicle and Traffic Law), the Medical Examiner's Crime Laboratory will respond and the members of the Crime Scene Section shall aid them by performing the crime scene photography and fingerprint processing, if necessary. Members of the Crime Scene Section shall, in addition, render other assistance as requested by members of the Medical Examiner's Crime Laboratory.

C. Hit and Run Crash Procedure

1. Standard Procedure - Follow subsection A.1., through subsection A. 8., set forth in Standard Crash Procedure, paying particular attention to vehicles leaving the crash area if the hit and run code was included in radio message.

2. Alarm Information - At the earliest opportunity after arrival at the scene determine the type of vehicle that left scene through interviews of witnesses, operators and bystanders and transmit information to dispatcher for full broadcast. Include as complete a description of the vehicle as possible (color; make; model; registration, even if only partial plate number is known; damage or other distinguishing features; e. g., loud muffler, decals, mirrored windows, etc.), description of operator and occupants.

3. Notifications and Requests - If other than minor property damage only, notify a patrol supervisor. If it is a fatal or serious physical injury crash, follow procedure in subsection B.

4. Obtain Witnesses and Evidence - Secure witnesses and other parties involved to obtain additional information. Gather all the evidence and information possible at the scene. Determine types of damage to the suspect vehicle. Look for debris such as pieces of glass, hubcaps, or pieces of radiator grill. Look for personal property. Mark for identification any evidence. Preserve tire marks and imprints. Check the area for a damaged vehicle other than the one at the scene.

5. Safeguard The Victim's Vehicle - Safeguard the vehicle for detectives for possible bits of paint or other evidence which may be from

the suspect's vehicle.

6. Safeguard The Victim's Clothing - Safeguard the victim's clothing until detectives and the Crime Scene Section arrive.

7. Complete steps required at scene as noted in Standard Crash Procedure.

8. Obtain Statements - In all hit and run, the investigating officer should endeavor to obtain signed statements from witnesses and from persons who have been injured or whose vehicle or property has been damaged by the action of the hit and run operator.

9. Search For Suspect - Search for the vehicle and operator, checking garages and other possible sources for reliable information.

10. Continue To Investigate - After the completion of the initial investigation at the scene, the officer returns to service but continues to work on solving the hit and run accident as long as this activity can be performed within the area of assignment.

D. Police Vehicle Crash Procedure

1. Investigating Officer - Officers are not permitted to investigate a crash in which they are involved. An officer calls for assistance immediately, if able, or causes a call to be made for assistance if unable. The Communications Section duty officer is notified and provided with the information requested.

2. Standard Procedure - Follow subsection A.1., through subsection A.5., set forth in Standard Crash Procedure.

3. Notifications - Notify the patrol supervisor assigned to the area in which the crash occurred. If the operator of the crash vehicle is from a command other than the command of the patrol supervisor, the patrol supervisor shall be responsible for forwarding all related paperwork to the operator's commanding officer via the precinct of occurrence, and shall be appropriately logged in the daily blotter.

4. Evidence - Preserve all evidence and safeguard the crash scene. Photos may be required.

5. Complete Standard Procedure - Revert to subsection A.6., through subsection A.15., in Standard Crash Procedure. Section A.13. (Enforcement Action) will only be taken when prior authorization is obtained from the investigating supervisor.

6. Commanding Officer Crash Review - In all cases of a police vehicle crash, the officer's commanding officer shall review all the reports associated with the crash. The commanding officer shall also review the officer's driving record concerning police vehicle crashes. If this review discloses common circumstances or causative factors which contributes to numerous crashes the commanding officer shall investigate methods to correct these causes (for example, training and education). If

the review discloses a history of preventable crashes, command discipline should be considered in addition to any remedial training or education deemed necessary. If the member has no prior police vehicle crashes, and the crash which is under review reveals that an obvious violation of EVOC policy has occurred, command discipline and/or remedial training may be considered.

E. Police Vehicle Crash Occurring Outside the Police District

1. Summon the Jurisdictional Authority - Suffolk County Police Vehicle crashes occurring not within the Police District shall be reported to and handled by the local agency having jurisdiction.

2. Notify the Communications Section Duty Officer - The duty officer shall be notified as soon as possible and provided with the information that he/she requests.

3. Commanding Officer - All related reports from the jurisdictional agency shall be obtained by the officer's commanding officer in a timely manner and assembled in the Police Vehicle Crash Folder. The reports shall then be reviewed in accordance with Police Vehicle Crash Procedures.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-13
 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE DEATH INVESTIGATION					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 01/18/08 06/16/08	DATE EFFECTIVE 01/18/08 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 8: TITLE: CRASH, AIDED, AND DECEASED PERSONS CASES

SECTION 3: TITLE: DEATH INVESTIGATION

I. PURPOSE

To provide procedures for members of the Service when handling incidents involving a death of a person(s).

II. POLICY

The Suffolk County Police Department is responsible for investigating all unattended deaths occurring within the Suffolk County Police District. Where death occurs as a result of a criminal act the Department is responsible for identifying and apprehending the offender.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Scene Preservation - Crucial to death investigation is the initial protection of the scene and the prompt causation of an investigation. Upon the arrival at any scene wherein a death is involved, likely, or imminent, members of the Service shall initially:

1. Secure and preserve the scene, and
2. Locate, identify and isolate witnesses

Except when life saving measures are necessary and appropriate, EMS personnel should not be permitted to enter and thereby contaminate scenes where the victim is apparently dead. However, a single EMS person may, at the assigned officer's discretion, enter the scene in concert with the assigned officer for the purposes of verifying that death has occurred. Weapons at any crime scene should not be moved or affected in any way, unless it poses an immediate hazard. Otherwise, leave weapons in place (firearms can be "secured" by simply keeping persons out of the crime scene).

B. Natural Deaths - Some deaths coming to the attention of the Department may appear to be the result of natural causes. In these cases no criminal activity is involved and no action by members of the Detective Division is required. The responsibility for the final and complete investigation rests with the Patrol Division.

1. When investigating a death where circumstances indicate the probability that the death resulted from natural causes, the Department member shall make inquiry to the patient's medical history and the identity of a personal physician caring for the deceased. The member shall attempt to contact the decedent's attending physician to request the physician to sign the death certificate. In all natural deaths, it is preferred that the attending physician sign the death certificate. If the attending physician cannot be reached, or is unwilling to sign the death certificate, or is not willing to respond to the scene, a notification to the Medical Examiner's Office shall be made via the Communications Section requesting a representative to respond.

2. The member shall request a supervisor, and a supervisor shall respond in all cases.

3. In such cases when authorized EMS personnel have initiated cardiac life support and subsequently discontinued cardiac life support, and therefore pronouncing death, the reporting officer shall note the time cardiac life support ceased. A representative from the Medical Examiner's Office shall be requested, and upon arrival he/she shall be furnished with the time of death.

4. In such cases when a Department member responds to a natural death of a person in hospice care, the Medical Examiner shall not be called. The attending physician or his designed from the hospice is then expected to carry out the involved official duties.

5. Information to be included on the Field Report (PDCS 1053) should contain, but not limited to, identity of deceased, address, date of birth, attending physician, time of pronouncement and name/title of person making such, EMS agency on scene (if any), name of Medical Examiner representative on scene, and time of arrival and agency removing body (e. g., funeral home).

C. Fatal Motor Vehicle Crashes - Members of the Service handling crashes involving motor vehicles that result in a fatality or serious physical injury likely to result in death shall secure and preserve the

scene and:

1. Request a supervisor to respond, and a supervisor shall respond in all cases.
2. Request precinct detective Squad Section to respond and conduct an investigation as per department protocol (see Chapter 9, Section 12).
3. Perform any additional requests required due to the nature of the incident (e.g., Medical Examiner's Office, Crime Scene Section, Emergency Service Section, etc.) or at the direction of the investigating detective squad.
4. In the event of any train v. motor vehicle crash, immediately request Crime Scene Section to respond to the scene._

D. Suicides, Accidental and Unattended Deaths - Members of the Service handling deaths as a result of suicide, accident, or unattended deaths (other than apparent natural deaths) shall secure and preserve the scene and:

1. Request a supervisor to respond, and a supervisor shall respond in all cases.
2. Request Homicide Section to respond as per department protocol (see Chapter 9, Section 12).
3. Perform any additional requests for personnel at the direction of Homicide Section (e.g., Medical Examiner's Office, etc.).
4. In the event of a train v. pedestrian incident resulting in death or serious physical injury likely to result in death, immediately request Crime Scene Section to respond to the scene. (Authorization from Homicide Section for Crime Scene Section response is not necessary in this instance).

E. Homicides - Members of the Service at the scene of a homicide (i. e., Murder, Criminally Negligent Homicide, and Manslaughter) shall secure and preserve the crime scene and:

1. Request a supervisor to respond, and a supervisor shall respond on all cases.
2. Request Homicide Section to respond as per department protocol (see Chapter 9, Section 12).
3. Perform other related duties as directed by Homicide Section personnel.

F. Death Notifications - It is the policy of the Department to make death notifications to a member of the family or other responsible party in person.

1. The command responsible for the investigation makes the notification.

2. The command responsible for the investigation may request and use the assistance of associated agencies when necessary to make notification outside the jurisdiction of the department.

3. When exigent circumstances exist that require an immediate notification or when no other means exist, the command responsible for the investigation may make a telephonic notification.

G. In-Custody Death (Death of Prisoner) Notification - (see Chapter 16, Section 11) Whenever a death of a prisoner occurs in police custody, the same respective procedures shall be followed as other deaths, and:

1. The Homicide Squad Section will be responsible for the submission of a complete report to the Medical Review Board, State Commission of Correction as soon as practical. The report will contain the circumstances of the death, the results of the investigation conducted and copies of the death certificate, the Medical Examiner's report, the autopsy report and any other supportive information such as photographs, signed statements, etc..

H. Dying Declarations

1. Obtaining Statement - A member of the Service investigating a criminal incident when the victim is dying as a result of same, makes every effort to obtain a statement from the victim.

2. Legal Aspects - Before a court will admit a dying declaration into evidence, it must appear at the point of death, that he was under a sense of impending death with no hope of recovery, and that the declaration related to the cause of his death. The admission of a dying declaration as evidence in court is based upon the premise that a person who is at the point of death, and is aware of his physical condition, is not likely to make a false accusation. It is for this reason that it is imperative that all the mentioned conditions are met.

3. Availability of Doctor - If a doctor is available, the member of the Service asks him to inform the victim that he is dying and cannot recover. Witnesses are secured, if possible. Leading questions are not to be asked.

4. A member of the Service should ascertain the following information:

a. Name and address of victim.

b. The victim believes that he/she is about to die.

c. The victim has no hope of recovery.

d. The victim is willing to make a true statement of how he/she was

injured.

5. Statement and Signatures - The question and the answers are reduced to writing and signed by the victim, if possible. Witnesses are asked to sign their names and addresses in the lower left corner under a caption "witnesses", even though the victim dies without signing the statement.

VII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE PRECAUTIONARY - SAFETY MEASURES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 8: TITLE: CRASH, AIDED, AND DECEASED PERSONS CASES

SECTION 4: TITLE: PRECAUTIONARY - SAFETY MEASURES

I. PURPOSE

To provide guidelines intended to help minimize the health risk to members of the Service rendering first aid at aided accident cases or who may otherwise come into contact with blood or body fluids.

II. POLICY

The potential for contamination from an infected person is an ever present factor in police work. However, through education and practicing basic safety precautions the health risks to members of the Service may be greatly reduced. The Department will continually provide the training and information necessary to keep members apprised of the most effective safety measures.

III. DEFINITIONS

N/A

IV. REFERENCES

A. Suffolk County Police Department pamphlet: HIV/AIDS AND OTHER INFECTIOUS DISEASES FOR LAW ENFORCEMENT OFFICERS, OFFICIAL HANDBOOK.

B. For additional information, members are directed to review the Suffolk County Police Department Exposure Control Plan.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Precautionary - Safety Measures When Rendering First-Aid

1. You should be cautious and aware of infection control measures when assisting trauma victims. Avoid accidental contamination of open skin lesions with the prisoner's/victim's blood, body fluids, secretions or excretions.

2. Disposable protective equipment, packaged in Infectious Disease Control Kits within Department vehicles, should be utilized when contact with another's blood or other body secretions or excretions are likely to occur. If, however, a member feels the need to utilize only latex gloves as a precautionary measure, individual gloves provided by respective commands should be used rather than removing the gloves from the kit.

3. Infectious Disease Control Kits contain the following:

- a. 2 pair of disposable latex gloves
- b. 2 disposable face masks
- c. 1 scrubbee hand cleaner and/or
- d. 2 antimicrobial hand wipes
- e. 1 12x8x21 inch plastic "red bag" with 2 ties
- f. 1 set of hand washing instructions
- g. 1 needle stick tube with cap
- h. 1 set of shoe covers (tyvek)
- i. 1 set of coveralls (tyvek), extra large
- j. 1 pair of safety goggles
- k. 1 8x10 inch clear plastic bag (outer container

for kit)

NOTE: When a member finds it necessary to utilize all or part of the Infectious Disease Control Kit he shall place the contaminated items in the "red bag" supplied and dispose of it as provided herein. It is the responsibility of the member utilizing all or part of the Infectious Disease Control Kit to replenish used or missing items from command stock.

4. WASH hands if they become contaminated with a prisoner's/victim's blood or body fluids, and after the removal of gloves, masks or contaminated clothing. Use soap and water or a disinfectant soap of a type available in medical facilities. Do not touch your face, eyes, mouth or mucous membranes until you have washed your hands thoroughly. (see section "B" herein)

5. Exercise care to avoid accidental wounds or punctures from sharp objects or needles. Exercise caution during search procedures and package any needles, etc. securely for transport to avoid injury to yourself or others. Needles and other sharp objects should be transported and stored in appropriate sharps containers.

6. When performing CPR, you can use an adjunct such as the pocket mask with one way valve, or the manually triggered oxygen powered resuscitator. Cardiopulmonary resuscitation must be given to people in need of this life saving procedure. While there is always some risk of being exposed to a communicable disease when giving CPR, the risk is

considered small.

7. Place the mask used for cardiopulmonary resuscitation in a plastic bag. This mask must be cleaned thoroughly before further use (wash with soap and soak in 1:10 solution of household bleach and water).

8. If the aided person or arrestee is coughing, have him/her wear a surgical mask to cover the nose and mouth.

a. When transporting a person who has or is believed to have TB, all windows should be opened and officers within should wear appropriate respirator protection.

b. Only officers certified in respirator use should transport prisoners who have or are suspected of having active TB.

9. To avoid accidental contamination of a police vehicle use a plastic blanket to protect floors/seats. If soiling/staining (i.e., blood or other body fluids) occurs to the vehicle, clean promptly with soap and water and rinse with a disinfectant solution. Cleaning equipment is available at each precinct.

10. If an article of your clothing is significantly soiled with blood or other body fluids from the victim, change your clothing and place soiled items within "red bags" for disposal. Items not significantly contaminated may be dry cleaned at a cleaner that uses universal precautions. See Rules and Procedures chapter 4, section 6.

11. Place soiled/used disposable gloves, coveralls, blankets and masks in a "red bag". These articles must be disposed of properly after bagging. Request the responding ambulance crew to dispose of the bag at the receiving hospital or deliver same to an area hospital or to the Medical Examiner's Office for disposal.

12. Report all contact/exposure incidents to your supervisor, and file necessary Department reports.

NOTE: These outlined precautions are not related solely to AIDS. Rather, they should be observed when working with any member of the general public in order to reduce the chance of contracting infection with communicable diseases. Some of these steps are so simple that they are often neglected, yet they are your best defense against the spread of blood or airborne diseases. Should you ever encounter a situation where there may be contamination, you are best advised to take your time and follow the suggested guidelines.

B. Hand Washing is the single most effective means of limiting the spread of infection. Hand washing helps protect both the emergency care provider and anyone he subsequently comes in contact with.

1. Remove jewelry and rings.

2. Roll shirt or dress sleeves up.

3. Hold hands below elbow level.
4. Wet hands and wrists under running water.
5. Apply soap and rub vigorously - create friction, pay special attention to: palms and back of hands; sides of hands; between fingers; around thumbs; around cuticles; under fingernails; wrists; under rings which cannot be removed.
6. Scrub for a minimum of 15 seconds.
7. Rinse well.
8. Dry hands thoroughly using a paper towel.
9. Turn off water faucet using a paper towel and discard.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

Safety Measures 8/4
Exposure, Communicable Diseases 8/4
Communicable Diseases 8/4
Hygiene, Safety 8/4

END



ORDER NUMBER 09-23

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE MISSING PERSON COMPLAINT PROCEDURES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/11/09	DATE EFFECTIVE 06/11/09	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 1: TITLE: MISSING PERSON COMPLAINT PROCEDURES

I. PURPOSE

To provide a procedure for the recording of missing person complaints and for conducting searches for missing juveniles.

II. POLICY

Missing person investigations and searches will be initiated upon determination that a reported missing person is in fact within the established missing person category.

III. DEFINITIONS

A. The term "missing person" will include the following persons:

1. Under the age of eighteen (18), or
2. Persons eighteen years of age or older upon request. These reports will be taken and the required notifications made to the Teletype Unit and the Fugitive/Missing Persons Section. A copy of the Missing Persons Report, PDCS-1030, will be faxed to the Fugitive/Missing Persons Section. Detectives assigned to that command will make initial inquiries to determine the direction the investigation will take.
3. Missing from youth residential facilities utilized by the Family Court, Probation Department, Social Services Department or other authorized agency.
4. Missing senior citizens or other individuals suffering from Alzheimer's or dementia.

B. There is no waiting period (24 hours or otherwise) before a Missing Person Report can be taken.

C. Diversionsary Services - Alternatives for Youth (AFY) are

diversionary services provided to eligible families by the Suffolk County Department of Probation (see the Child Referral Form **PDCS-5600** for contact information). The diversionary services include: immediate crisis intervention, family intervention plans, peer support and parent training.

D. Suffolk County Response - Will evaluate the youth based on the officer's observations, determine the appropriate facility and direct the officer to that location. The Suffolk County Response Law Enforcement Hotline is (631) 751-6069.

E. Child Respite Services - Lodging services, for a maximum of 21 days by licensed providers, offer a "safe haven" or temporary stable residence to runaways and children who are unable to return home. For placement call the Suffolk County Response Law Enforcement Hotline at (631) 751-6069. Prepare PDCS-5602 as described in (VI.E.1.a).

F. Non-Secure Detention Facility - Lodging for children under the age of 18 with active PINS Warrants. Children may be lodged in non-secure facilities for other reasons (e.g., no respite facilities available) but this must be arranged through Suffolk County Response at 751-6069. Complete **PDCS- 5601**, Affidavit: Non-Secure Detention Facility. The primary non-secure facility in Suffolk County is Hope for Youth in Amityville, arrangements for PINS cases only can be made directly at (631) 841-1650.

G. Child - Under Section 718 (Runaways) of the Family Court Act, a person under the age of 18 is considered a child.

H. Silver Alert - The dissemination of vital information to law enforcement agencies, the public, and media outlets regarding missing senior citizens or other individuals who suffer from a diagnosed condition of dementia or Alzheimer's, to assist in the person's safe return.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Missing Persons - A police officer receiving a complaint that a person is missing will obtain all information required to complete a Missing Person Report. The officer shall notify the Teletype Unit, Communications Section and provide a description and all information deemed of value to enable members to identify and locate the subject. The officer shall immediately notify the Fugitive/Missing Persons Section. Periodic contacts are made by the investigating detective to check the status of the subject. The investigating detective immediately updates the records of the Fugitive/Missing Persons Section

as appropriate.

B. Lost Child Search - When a young child has been reported missing, every reasonably available police vehicle and patrol officer is used in a systematic and thorough search of the entire area, using one location as a base of operations. The search party, consisting of Departmental personnel and volunteers, is under the command of the senior ranking patrol officer. He is responsible for the coordination of the efforts of all members of the group and for obtaining necessary special equipment such as; lights, loudspeakers and portable radio equipment.

C. Missing Persons, Child - A member of the Service may reasonably conclude that any male or female under the age of eighteen (a child), has run away from home when the child refuses to give his or her name, address or the name and address of a person responsible for his or her care, or when there is reason to doubt the validity of such name and address. This juvenile shall first be returned to his or her parent or any person responsible for his or her care. A copy of the Child Referral Form **PDCS-5600** shall be provided to the parent/guardian to advise same of their right to seek diversionary services (see above, Subdivision III. C.) through the Suffolk County Department of Probation. Only a Field Report will be required for this type of incident, a copy of which will be forwarded to the Fugitive/Missing Persons Section. If the juvenile has been previously reported missing, then comply with procedures as follows:

D. Missing person - Senior Citizen or other individual with dementia or Alzheimer's (Silver Alert System) - When a senior citizen or other individual who is afflicted with a diagnosed condition of Alzheimer's or dementia is reported missing, all procedures outlined in subsection VI., A. of this chapter shall be followed. When standard search procedures have been exhausted, the responding officer shall inform a supervisor of the situation.

The supervisor will then determine if the incident meets the criteria for issuing a "Silver Alert", i.e. a missing senior citizen or other individual suffering from a medically diagnosed condition of dementia or Alzheimer's. The supervisor shall then ensure that the Duty Officer and Fugitive/Missing Persons are notified that a "Silver Alert" must be activated, and are provided with the following information:

- Missing individual's name
- Missing individual's age
- A physical description of the missing individual
- The last location where the missing individual was seen
- The description of a motor vehicle the missing individual may be driving, and the direction of travel or possible destinations.

The supervisor shall also ensure that teletype is contacted to submit a NYSPIN File 11A missing person message in addition to the NCIC missing person entry (File 6) that had been submitted as part of standard missing person protocol.

The Duty Officer shall ensure that:

- The Registry for Persons with Special Needs data base is checked to determine if any information contained in the data base will be useful in locating the missing individual. If such information exists, the Duty Officer shall ensure that said information is provided to the responding officer.
- The Public Information Section is contacted to make local media notifications.

Public Information Section shall notify local media outlets and request the following information be broadcast to the public:

- Missing individual's name
- Missing individual's age
- A physical description of the missing individual
- The last location where the missing individual was seen
- The description of a motor vehicle the missing individual may be driving, and the direction of travel or possible destinations.

If a vehicle is involved, the Public Information Section shall contact a representative from the New York State Department of Transportation Inform system and shall request broadcast of the following information on roadway signage:

- Description of vehicle (make, model)
- License plate number
- Instruction for members of the public who see the subject vehicle to call 911.

E. Return of Missing Persons - When the return of a missing person is verified, the following notifications are made without delay:

1. Communications Section, Teletype Unit.
2. The Fugitive/Missing Persons Section.

F. Runaways - When a member of the Service locates a runaway under eighteen years of age, the parents, or other person legally responsible for their welfare, will immediately be made aware of the youth's whereabouts. Upon return of the child, the Child Referral Form, **PDCS-5600**, will be provided to the parent/guardian of the child. If the youth is the subject of a Missing Person Report, the Teletype Unit will be notified and a Supplementary Report will be prepared by the officer, a copy of which will be forwarded to the Fugitive/Missing Persons Section.

1. If the situation arises that a child cannot be returned home (e.g. unable to locate parent/guardian, parent/guardian refuses to take the child back into the house) and the child is at least 10 years old but less than 18 years old, the officer shall contact the Suffolk County Response Law Enforcement Hotline at (631) 751-6069 for respite and runaway youth services (see III. E.). If the child is less than 10 years old, the

officer shall contact Suffolk County Child Protective Services.

a. When respite services are necessary, the Officer will complete the Child Respite Provider Report **PDCS-5602** and have both the parent/guardian and child sign the PDCS-5602 before transporting the child to the location of the respite provider furnished by the Response Hotline.

G. Reporting Procedures - Before accepting a report of a missing person, the assigned investigating officer shall call the Communications Section, Teletype Unit to ensure that there is no prior active Missing Person Report.

H. Special Instructions - If an incident is a "missing person" and the person is found before the Missing Person Report is submitted, the incident may be reported and closed out on the Field Report. When the missing person is not found contemporaneously, a Missing Person Report shall be submitted, and a Field Report is not required. In the latter case, when the missing person is eventually found, a Supplementary Report containing the details and the original Central Complaint Number is to be submitted to close out the investigation. Contrary to general rules, the Supplementary Report can be submitted by the command which was charged with the original investigation. A copy of any report filed in such incidents will be forwarded to the Fugitive/Missing Persons Section.

I. Division of Criminal Justice Services Missing Person Notification
- When a person has been missing for more than thirty (30) consecutive days after the initial Missing Person Report has been filed with the Department, the New York State Division of Criminal Justice Services is to be notified. The Fugitive/Missing Persons Section will initiate a DCJS Missing Person Report and ensure that all appropriate parts are sent to the proper individuals and/or agencies involved, and that they are completed and forwarded in accordance with the instructions contained on the DCJS Missing Person Report.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-38

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE
 PERSONS UNDER THE INFLUENCE OF ALCOHOL OR OTHER SUBSTANCES

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 05/23/08	DATE EFFECTIVE 05/23/08	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 2: TITLE: PERSONS UNDER THE INFLUENCE OF ALCOHOL OR OTHER SUBSTANCES

I. PURPOSE

To establish a procedure for the handling of persons who are intoxicated by alcohol or impaired by other substances.

II. POLICY

To provide emergency care and assistance to persons who may be in danger of injuring themselves or others as the result of being intoxicated by alcohol or impaired by other substances and to preserve the public order by taking appropriate enforcement action when necessary.

III. DEFINITIONS

A. Intoxicated or Impaired Person - A person whose mental or physical functioning is substantially impaired as a result of alcohol and/or other substance abuse.

B. Incapacitated Person - A person who, as a result of the use of alcohol and/or other substances, is unconscious or has impaired judgment and is not capable of realizing and making a rational decision with respect to their need for treatment.

C. Likelihood to Result in Harm - A person who poses a substantial risk of physical harm to self as manifested by threats or attempts of suicide or other behavior, demonstrating that the person is a danger to self, or poses a substantial risk of physical harm to others, manifested by homicidal or other violent behavior placing others at reasonable risk of serious physical harm.

D. C.P.E.P. - Comprehensive Psychiatric Emergency Program

IV. REFERENCES

A. New York State Mental Hygiene Law - Article 22.09

B. New York State Criminal Procedure Law - Article 140.50

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. A member of the Service will observe and evaluate the person for the possibility of intoxication or impairment by alcohol or other substances. The officer shall be aware that diabetes, severe allergies, and neurological muscular diseases can mimic intoxication. Officers shall recognize the presence of "Medic-Alert" or similar emergency notification jewelry or emblems. In addition, the officer must be mindful that persons with mental illness often abuse alcohol and other substances, and may become violent when confronted regarding their behavior.

B. If the person is incapacitated or impaired by alcohol or other substances to a degree likely to result in harm to self or others, the officer will render aid and request an ambulance/rescue to transport the person to the nearest hospital for treatment.

C. If the person appears to be suffering from mental illness and fits the criteria mandating involuntary transport, that person shall be transported to a C.P.E.P. facility or other approved hospital in accordance with the procedures outlined in Chapter 9, Section 6 of these Rules and Procedures, provided that immediate emergency medical care is not necessary.

D. Officers will be aware that a person who is under the influence of drugs or other substances may be exhibiting symptoms of excited delirium and shall be immediately transported by ambulance to the nearest hospital, as per Chapter 9, Section 6 of these Rules and Procedures.

E. Criminal Charges - An intoxicated or impaired subject engaging in assaultive, unlawful, or criminal behavior shall be arrested and charged as appropriate for the circumstances, provided that Rules and Procedures Chapter 16, Section 1 pertaining to Arrest Procedures, Chapter 9, Section 6 pertaining to Persons with Mental Illness, and Chapter 16, Section 6 pertaining to Family Complaints/Domestic Incidents Occurring Within the Family Unit, are strictly adhered to.

F. In the event that an arrest is not indicated and emergency care is not needed, the officer will attempt to ascertain if a responsible person is able to assume care for the individual.

G. Detoxification Center - In the event that an intoxicated or impaired person is in such an impaired condition that the individual is unable to establish their identity and place of residence or produce documents attesting thereto, the person will be transported to a hospital emergency room by ambulance.

H. Department form PDCS-7146, titled *Mental Health Assistance Notification*, shall be distributed as per Department Forms Order number 08-

09. This form contains a list of Detoxification and/or Rehabilitation Centers (Substance and/or Alcohol).

I. An intoxicated or impaired person who is not subject to arrest will generally not be transported without the assistance of another police officer. Officers shall remain aware that persons who are under the influence of alcohol or other substances often become violent and may present a danger to themselves or others. Accordingly, officers should be mindful that Article 140.50 of the NYS Criminal Procedure Law regulates circumstances under which a search for weapons may be conducted by a police officer.

J. Field Report - Members of the Service are responsible to complete a Field Report titled "*Impaired Person (Alcohol or Substance Related)*".

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-67

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE FINGERPRINTING FOR NON-CRIMINAL MATTERS			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 11/18/08	DATE EFFECTIVE 11/18/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 3: TITLE: FINGERPRINTING FOR NON-CRIMINAL MATTERS

I. PURPOSE

To establish a procedure to be followed by precinct personnel, most specifically those assigned to work the precinct desk, fingerprinting members of the public for non-criminal matters, at their request and the acceptance, documentation and submission of fees for performing this service.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

Suffolk County Resolution 862-1989

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Non-Criminal Fingerprint Procedures - When requested by a member of the public to be fingerprinted for non-criminal matters, an appropriate member of the precinct staff shall perform this service. However, prior to performing the non-criminal fingerprint service, the member shall collect a fee of \$10 (ten) dollars plus the applicable New York State Sales and Use Tax for each non-criminal fingerprint card prepared. Payment may be made in cash or by money order, personal check, bank check or travelers check, made payable to the Suffolk County Police Department. Ensure all personal checks have the name, address and telephone number of maker on them, even if it is written in by the second party. On the lower right

hand portion of the check, below the signature, write the General Receipt number.

B. Precinct's Responsibility - When payment for the preparing of non-criminal fingerprint cards is made a receipt shall be issued using the "General Cash Receipt Form" (PDCS 2027).

C. General Cash Receipt Form - The "General Cash Receipt Form" (PDCS 2027) shall be completed by entering all appropriate information. The supervising desk officer on duty shall sign and date the receipt form and ensure that all copies are legible. Only one General Receipt Form book shall be utilized at a time.

D. Distribution of General Cash Receipt Form - The receipt forms will be distributed as follows:

1. Original copy, white in color, shall be given to the person paying for the service.
2. First copy, blue in color, shall be kept in numerical order and forwarded along with corresponding fees to the Finance Section (DO NOT STAPLE).
3. Second copy, yellow in color, shall remain in the pad at the precinct.
4. If a receipt is voided, both the white and blue copies of the receipt shall be forwarded to the Finance Section. Yellow receipt shall remain in the receipt book.

E. Safeguarding - A distinctly labeled, locked fingerprint fee box shall be maintained in the area of each precinct desk under the supervision of a desk supervisor for the storage and security of non-criminal fingerprint fees. Maintain all checks/money orders and cash in one envelope and all receipts in another. Do not put each check/money order in a separate envelope.

F. Daily Receipt Report (PDCS 2120) - Annotate on the top of the Daily Receipt Report which precinct is the source of the revenue and complete only the top portion of the Daily Receipt Report as appropriate. The Daily Receipt Report shall cover a seven (7) day period commencing at 0001 hours, Wednesday of each week and ending 2400 hours the following Tuesday. During each weekly period, the supervising desk officer or the supervising desk officer's designee shall ensure that each Daily Receipt Report is properly maintained and the top portion filled out appropriately.

G. On Wednesday morning of each week, the commanding officer of each precinct or the commanding officer's designee shall cause the locked fingerprint fee box to be emptied. The commanding officer or the commanding officer's designee shall ensure all General Cash Receipt Forms (PDCS 2027), and the Daily Receipt form, correspond and are accounted for. The receipts shall be attached in numerical order and the checks in receipt order. The commanding officer or the commanding

officer's designee shall certify to the correctness of the Daily Receipt form by affixing his/her signature. The commanding officer or the commanding officer's designee shall then cause all fees and related paperwork covering the seven (7) day period specified above to be sealed in an envelope, signed across the seal using his/her official police signature, and dated. The envelope shall be deposited in the Evidence Drop Box for pick-up by a Property Section officer by 0800 Thursday.

1. Precinct administrative personnel shall record on the front of the envelope the date, the total amount of currency, checks, and money orders contained in the envelope, and their signature.

2. An entry shall be recorded in the Property Log Book recording the date, the description (fingerprint fee envelope), the total amount of currency, checks, and money orders, and the signature of the administrative person depositing the envelope into the Evidence Drop Box.

3. The Desk Supervisor shall initial the front of the envelope. A photocopy of the envelope shall then be taken and kept on file at the precinct. The Desk Supervisor shall initial the entry in the Property Log Book, then observe the envelope being deposited in the Evidence Drop Box.

NOTE: The Desk Supervisor is only confirming that the envelope was deposited into the Evidence Drop Box. The Desk Supervisor is not required to verify the amount of currency, checks, and money orders contained in the envelope.

H. On a weekly basis, the Property Section officer shall deliver said envelope to the Department's Finance Section. The Property Section officer shall log the receipt and delivery of each envelope. The precinct commanding officer or the commanding officer's designee shall acknowledge pick-up of the envelope by initialing the Property Section officer's log. A Finance Section member shall acknowledge receipt of the envelope by initialing the Property Section officer's log. A copy of the Daily Receipt Report shall be filed and retained at the precinct for a period of seven (7) years.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

Non-Criminal Fingerprint Fee 9/3
Fees for Fingerprinting 9/3
Fingerprints, fees for 9/3

END



ORDER NUMBER 09-11

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE FIELD APPEARANCE TICKET PROCEDURES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 03/27/09	DATE EFFECTIVE 10/28/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 4: TITLE: FIELD APPEARANCE TICKET PROCEDURES

I. PURPOSE

To establish guidelines for the issuance of Appearance Tickets.

II. POLICY

It shall be the policy of the Suffolk County Police Department to promptly process those under arrest and have them arraigned before the court as soon as practicable so as to establish jurisdiction of the courts over the arrestee. Appearance tickets may be issued pursuant to Section 150.20 C. P.L. Field Appearance Tickets shall not be issued to any individual who has demonstrated a tendency for failing to appear at court under his/her own volition.

III. DEFINITIONS

Appearance Ticket - A written notice issued by a public servant, as defined in Article 150.10 of the C.P.L., requiring a defendant to appear before a local criminal court in connection with an accusatory instrument to be filed against him/her within such court.

Field Appearance Ticket - An Appearance Ticket which shall be used in lieu of a summary arrest.

Summons - The Department's Universal Summons form (PDCS 6160) shall be used when issuing a Field Appearance Ticket.

IV. REFERENCES

Criminal Procedure Law - Article 150
 Family Court Act - Section 155-a

V. RULES AND REGULATIONS

A. Field Appearance Tickets shall only be used for arrestees who can provide proper identification, reliable address information, and have no history of warrant(s) arrests within the preceding 10 years.

B. Executive Law §995-c(3) requires designated offenders who have been convicted and sentenced to provide a DNA sample for inclusion into the State DCJS DNA Databank. DCJS File 15's (Criminal History) and DCJS Fingerprint Responses have begun to include a banner advising that the subject was "Required to provide a DNA sample for inclusion in the State DNA Database."

VI. PROCEDURES

A. Required Inquiries - Field Appearance Ticket (F.A.T.) Defendants
- Inquiries for local warrants and NYSPIN File 5, File 6 and DCJS File 15 inquiries are required for all persons arrested and under consideration for issuance of a Field Appearance Ticket.

1. Arresting officers shall obtain and verify as much pedigree as possible and telephonically request that the Arrest Records Unit run a File 15 through *E-Justice* for the defendant.

2. Upon receipt of the DCJS File 15 Response, Arrest Records Unit personnel shall promptly review the response and telephonically advise the arresting officer if a DNA sample is required.

3. If a DNA sample is required, the person under consideration for the F.A.T. shall be summarily arrested and brought to the Precinct for processing. Arrest Records Unit personnel shall forward electronically or by FAX a complete copy of the File 15 to the processing Precinct. A copy shall be affixed to the arrest paperwork.

4. If the File 15 reveals that the defendant owes a DNA sample for inclusion into the State DNA databank, then existing procedures for obtaining buccal swabs shall be followed, (refer to Chapter 16, Section 1, "Buccal Swabs"). Processing officers shall make every effort to obtain this sample voluntarily from the prisoner.

a. Supplementary Reports are required to document whether the required DNA sample was, or was not, provided by the arrestee. A pre-printed, fillable Supplementary Report for DNA reporting, (PDCS-1084-11), is now available on the SCPD Intranet under the Online Forms category.

b. A General Receipt will be provided to the arrestee, stating the time and date the DNA sample was taken and the Prisoner Activity Log shall be annotated with the same information.

5. Refusals to Provide DNA - Any person under consideration for a F.A.T. who owes a DNA sample and refuses to provide said sample, shall not be released and shall instead be transported to Court. Refusals to provide the required DNA sample shall be documented as above and "DNA REFUSAL" shall be stamped in red ink on the Prisoner Activity Log and

near the prisoner's name on the Prisoner Transmittal Sheet. This procedure will alert the Court Liaison Section, Sheriff, Assistant District Attorney and the Court that the subject owes a DNA sample before being released. A copy of the Supplementary Report documenting such refusal shall be affixed to the Prisoner Transmittal Sheet and processing officers shall further indicate on the Prisoner Transmittal Sheet that there is a "hold" on the prisoner.

6. If the person voluntarily provides the DNA sample at the Precinct, consideration can then be given to release upon issuance of a Desk Appearance Ticket.

7. Court Liaison personnel shall continue to review all submitted F.A.T. arrest paperwork when received and determine if the appropriate Fingerprint or File 15 inquiries have been run on each arrestee. If there is no indication that they were conducted, the Court Liaison officer shall make the appropriate inquiry. If a DNA sample is due, the Court Liaison officer shall obtain the buccal swab from the prisoner following the procedures outlined above. The processing Court Liaison officer shall then submit the required Supplementary Report. Refusals will also be handled as above.

B. Field Appearance Ticket

1. The Field Appearance Ticket may be used for any misdemeanor or violation as defined in the Penal Law and those outside the Penal Law requiring a long form information. A Field Appearance Ticket may be issued for such arrests where the officer feels it would serve no useful purpose to make a summary arrest. Field Appearance Tickets may be issued for violations of Boating While Intoxicated, Section 49-a of the New York State Navigation Law, when the defendant is hospitalized as a result of a vessel accident. However, a Field Appearance Ticket shall not be issued for:

a. Traffic Offenses, except

(1) Leaving the Scene of an Incident - Field Appearance Tickets may be issued for Leaving the Scene of an Incident, Section 600 of the Vehicle and Traffic Law, when summary arrest is not possible or practicable, and

(2) Driving While Intoxicated - Field Appearance Tickets may be issued for Driving While Intoxicated, Section 1192 of the Vehicle and Traffic Law, when the defendant is hospitalized as a result of a motor vehicle crash.

b. Domestic Incident cases absent extenuating circumstances.

c. Sex Offenses (Section 130 Penal Law).

d. Weapons Offenses (Section 265 Penal Law).

e. Escape (Section 205 Penal Law).

- f. Controlled Substances Offenses (Section 220 Penal Law).
- g. Criminal Trespass or possession of Burglar Tools (Section 140 Penal Law), wherein it seems probable that the defendant was attempting the crime of Burglary.
- h. Shoplifting (Petit Larceny) of goods (section 155 Penal Law) exceeding \$500.00 in value.
- i. Offenses of a violent nature including, but not limited to, Assault, Menacing, etc., (Section 120 Penal Law).
- j. A defendant who has a prior arrest for a warrant(s) within the last 10 years.
- k. Defendants who reside outside Suffolk or Nassau County.

2. Identification

a. For a Field Appearance Ticket to be used the defendant shall be required to produce proper identification and reliable address information (e.g., driver's license) which the officer believes verifies the information given and positively identifies the subject. If the defendant is unable to produce such evidence, a summary arrest shall be made. Once the defendant is properly identified the officer shall ascertain if he/she is wanted. A wanted, escaped person and missing person check shall be made via radio or landline. If it is found that the defendant is wanted, a summary arrest shall be made. Absent any wants, the officer shall then contact the Arrest Records Section and determine the subject's prior arrest history. The subject's P.I.N. should be obtained at this time for recording on the Universal Summons (PDCS-6160). If the subject history reveals any warrant arrests within the last 10 years, a summary arrest shall be made.

3. All Field Appearance Tickets, including those for V&T and parking violations, shall be returnable to First District Court Room 220 at the times specified by First District Court, except Field Appearance Tickets issued for offenses which require fingerprinting shall be made returnable at 8:30 am to Room A-254.

a. During operations involving multiple arrests, no more than ten (10) defendants shall be assigned to a single return date. The remainder shall be assigned in groups of not more than ten to the next successive available date(s) until all are scheduled.

b. In the event non-bailable codefendants or other special circumstances exist which necessitate the need to arraign a particular group of defendants on the same date and that number exceeds fifteen (15) individuals, unit commanders shall notify Court Liaison in advance, preferably in writing, of the date of such returns in order that additional personnel can be assigned to handle the influx.

4. Fingerprinting

a. For printable offenses, as per C.P.L. Section 160.10, where a Field Appearance Ticket is issued and a police officer is the complainant who will sign the information, fingerprinting and photographing the defendant before arraignment shall be performed by the Courts Liaison Bureau. The defendant shall be directed to appear at First District Court, Room A-254 at 8:30 am on the proper return date.

b. For all civilian arrests and non-printable offenses, a defendant will not be required to be fingerprinted and photographed before arraignment. The defendant is to appear at First District Court, Room 220, at the time specified by First District Court.

5. Required Paperwork

a. After completing the pedigree and court information on the Universal Summons form, the officer, while he still has the defendant in custody, completes a Field Appearance Work Sheet, PDCS 6011. The Universal Summons form (2nd copy, pink) is issued to the defendant. The last copy is retained by the reporting officer. The officer, after releasing the defendant, completes a Field Report using the information that appears on the Universal Summons and the Field Appearance Work Sheet forms and his personal knowledge. The central complaint number and the subject's P.I.N. shall be recorded in the factual section of the Universal Summons by the arresting officer.

b. The patrol supervisor promptly checks the paperwork and forwards it to the precinct for faxing to the Arrest Processing Unit, which shall enter it into the computerized arrest system. The Arrest Processing Unit will process the Field Appearance Ticket as if a regular arrest was made. The standard arrest paperwork package will be produced.

6. Civilian Arrest

a. A Field Appearance Ticket may be issued when a civilian makes an arrest in conformance with Section 140.30 of the Criminal Procedure Law. The civilian complainant is advised that he or she is making the arrest and is required to sign a Civilian Arrest form before the Field Appearance Ticket is issued.

As a reminder, the civilian, as per Section 140.35 of the Criminal Procedure Law, must inform the person that he or she is under arrest and for what reason. The only exception to this requirement is as stated in the aforementioned law and is as follows: "unless he encounters physical resistance, flight, or other factors rendering such procedure impractical". The civilian complainant will be advised that he or she is required to respond to the respective precinct or command within the next three (3) calendar days to sign the information(s). Should the complainant fail to respond, the command shall proceed in accordance with the civilian arrest procedures as provided in chapter 16, section 1 of the Rules and Procedures.

7. Completed Arrest Paperwork Package

a. After the arrest paperwork package is completed the officer shall sign the information at the earliest possible date. For civilian arrests, the supervising desk officer shall notify the complainant that the court information is ready for signing and upon same shall hold the information for a period of three (3) calendar days. Should the complainant fail to respond, the command shall proceed in accordance with the civilian arrest procedures as provided in chapter 16, section 1 of the Rules and Procedures. When the arrest paperwork package is forwarded, the original (part 1, white copy of the Field Appearance Ticket) is forwarded to First District Court along with the information. The letters F.A.T. should appear at the top right corner of the white copy of the Field Appearance Ticket.

8. Court Liaison Section Responsibilities

a. It shall be the responsibility of the Courts Liaison Section to properly distribute the arrest paperwork packages upon receipt.

b. It shall be the responsibility of Courts Liaison Section to fingerprint and photograph as required.

9. Voided Field Appearance Ticket

a. No Field Appearance Ticket issued to an alleged violator is voided by any member of the Force. The disposition of a Field Appearance Ticket issued for an alleged violation can only be made in court.

b. A Field Appearance Ticket not issued to an alleged violator may be voided, but only under the following circumstances:

(1) If an error that cannot be readily corrected thereon is noted before having been completed and issued to the violator.

(2) If illegible or rendered unsuitable for use due to damage.

(3) If lost or completely destroyed (e.g., fire, water damage).

(4) It is discovered, prior to releasing the defendant, that he/she is not eligible for an F.A.T., and the F.A.T. is partially completed.

c. All Field Appearance Tickets are accounted for by the member of the Force. The voiding of a Field Appearance Ticket will be accomplished by the completion of a "Voided Summons Report". All copies of tickets are to be attached to the affidavit (except as indicated in paragraph a(3)).

d. If another Field Appearance Ticket is issued in lieu of the submitted voided ticket(s), note same by serial number on the attached "Voided Summons Report".

e. All voided Field Appearance Tickets with attached Voided Summons Reports are submitted to the member's immediate supervisor. If found to be justified, the report is signed by the supervisor and forwarded to the commanding officer for concurrence and signature.

f. All copies of voided Field Appearance Tickets with attached Voided Summons Reports are forwarded to the Central Records Section via Department courier.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE MEDIATION REFERRALS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 5: TITLE: MEDIATION REFERRALS

I. PURPOSE

To establish guidelines for police referrals in civilian generated complaints where a summary arrest is not necessary and no further injuries or property damage will result, e.g. harassment and trespass.

II. POLICY

It is the policy of the Suffolk County Police Department to work with other agencies both public and private, to help provide the most efficient and effective means of conciliation regarding citizen complaints.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Reporting Complaints - In disagreements and matters concerning neighborhood disputes where no summary arrest is made, the member handling the incident shall, with the complainants consent, direct the complainant (party #1) to the Community Mediation Center, utilizing Department Form PDCS 1121 (Community Mediation Center Of E.A.C. Referral Notice). The Community Mediation Center will notify all parties within 7 business days of a conference date, in an attempt to resolve the grievance. If the conciliation attempt fails, or if the respondent (party #2) fails to appear, the parties may pursue other available remedies, including signing of a court information.

B. Required Explanation - It is important that members explain this procedure in detail to the complainant, including that if the Community Mediation Center fails to reconcile the differences between the parties, the complainant can still pursue action in regard to criminal matters with the police department. If the case is referred back to the department, an investigation will be conducted which will include statements/interviews of all parties involved.

C. Prohibited Referrals - The following type complaints will not be referred to the Community Mediation Center:

- Incidents in which a previous attempt at conciliation has failed.
- Incidents that would be handled in District Courts other than the First District Court.
- Felonies.
- Sex Offenses.
- Drug Offenses.
- Offenses involving juveniles.
- Leaving the scene of a crash.
- Shoplifting.
- Offenses stemming from school situations involving school authorities.
- Violation of town ordinances.
 - Family offenses or incidents involving members of the same household.
- Assaults.
- Bias Crime

D. Police Prerogative - This procedure is not intended to interfere with the prerogative of any police officer to make an arrest, or to complete an information without resorting to conciliation procedures.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

Community Mediation Center 9/5
Referral for Mediation 9/5
Mediation Referrals 9/5
Alternative to Arrest, Mediation Referrals 9/5
END

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 6: TITLE: POLICE RESPONSE TO INCIDENTS INVOLVING THE MENTALLY DISTURBED

I. PURPOSE

To establish procedures for dealing with mentally disturbed individuals.

II. POLICY

Members of the Force are to protect and serve the public through the effective and humane disposition of incidents involving the mentally disturbed.

III. DEFINITIONS

N/A

IV. REFERENCES

New York State Mental Hygiene Law

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Disposition Process - When handling an incident involving a mentally disturbed person, the officer will utilize one of the following dispositions:

1. Voluntary Admission. Pursuant to the New York State Mental Hygiene Law, an officer will encourage voluntary admission to a mental health facility when appropriate. A voluntary admission is appropriate when the subject poses no threat of serious physical injury to himself/herself or others and the

officer has reasonable cause to believe the subject is mentally disturbed. The officer will advise and assist in the voluntary admission when necessary.

Transportation will be provided if unavailable from another source. All transports of subjects accepting voluntary admission to a mental health facility will be conducted by two officers. A subject who volunteers for admission to a mental health facility may be accompanied by a member of his/her immediate family when appropriate.

2. Involuntary Committal. Pursuant to the New York Mental Hygiene Law an officer may take a person into custody involuntarily and transport the person to a mental health facility under the following circumstances:

(a) A person appears to be mentally disturbed and is behaving in a manner which creates a substantial risk of physical harm to himself/herself as manifested by threats or attempts of suicide, or is exhibiting other conduct demonstrating that he or she is dangerous to himself or herself.

(1) Such "other conduct" includes the person's refusal or inability to meet his or her essential need for food, shelter, clothing or health care, provided that such refusal or inability is likely to result in serious harm if the person is not hospitalized immediately.

(2) Whenever a person is exhibiting symptoms of excited delirium that person shall be transported by ambulance to the nearest medical hospital, under an appropriate and necessary level of restraint to control the person. This medical transport should occur prior to arrest processing or committal. Symptoms of excited delirium include: hallucinating, unusual strength, non-

compliance to pain, profuse sweating, hyperthermia, public disrobing due to high body temperature, destruction of property, screaming, and/or meaningless speech. The use or withdrawal from drugs, especially cocaine, can precipitate this condition which is commonly referred to as cocaine psychosis. A person that is in a state of excited delirium is susceptible to sudden death from cardiac arrest due to hyperthermia and it is unlikely that defibrillation will restore a heart rhythm. One officer must accompany the ambulance transport and the victim must be transported under restraint and closely monitored at all times.

(b) A person creates a substantial risk of physical harm to other persons as manifested by homicidal or violent behavior by which others are placed in reasonable fear of serious physical harm.

3. Arrest. Mental illness does not preclude lawful arrest. If a mentally disturbed person is arrested and committal is necessary, members will refer to chapter 16, section 1 (Arrest Procedures) of the Rules and Procedures.

4. Referral and Release. If voluntary admission, committal, or arrest is not appropriate, counsel and refer the subject to sources of psychiatric assistance. Notify and obtain the cooperation of family members whenever possible. Referral advice and assistance is available from the following sources:

(a) The Director for Community Mental Health Services (normal business hours).

(b) Mental Health Community Services "Hotline" (24 hours daily). Telephone numbers are available from the Communications Section duty officer.

B. Duties and Responsibilities - Members have specific duties and responsibilities relative to involuntary committals.

1. Any person meeting the criteria for an involuntary admission (dangerous/suicidal) may be taken directly to Stony Brook University Hospital(c.p.e.p) for an evaluation. A preliminary evaluation by a designated public health officer is not mandatory in an emergency situation.

2. Committal Upon Request of Mental Health Authorities - Section 9.45 of the Mental Hygiene Law empowers the director of community services, after receiving a report from one of his/her designees that a person has a mental illness for which immediate care and treatment is appropriate, to direct the removal of such person to an approved hospital or to a comprehensive psychiatric emergency program (c.p.e.p.). It shall be the duty of any Department member to assist a representative of the director, when requested, to take into custody and transport such person. Standing Department procedures regarding the transportation of mentally disturbed persons shall be adhered to when complying with the above request.

3. Hospital Refusal to Admit - The fact that a mentally disturbed person suffers from alcohol or substance abuse shall not preclude commitment when immediate observation, care and treatment are required. If a person in police custody is refused admission to a mental health facility, the officer will provide information pertaining to the refusal on the Field Report. The subject will be returned to the incident location or other appropriate destination. The subject and/or family members will be advised of alternative sources of psychiatric assistance available.

C. Officer Response - When an officer arrives at the scene he/she shall evaluate the situation before taking action. Restraint and containment of the subject are primary objectives.

1. Whenever practical, if the subject is armed or violent, no attempt shall be made to take the subject into custody without requesting a supervisor and an Emergency Service Unit at the scene unless there is an immediate threat of physical harm to the subject or others present. The responding officer(s) shall maintain a safe distance from the subject. A minimum distance of twenty (20) feet is recommended. This zone of safety shall be maintained whenever possible, and the subject shall be isolated and contained, until arrival of the responding supervisor and any additional support command requested.

(a) If confrontation is immediate and unavoidable, physical force shall be used only to the extent necessary to prevent injury and to maintain control of the subject until he/she is hospitalized. Deadly physical force shall be used ONLY as specified in Chapter 2, Section 12 of the Rules and Procedures.

(1) In all other cases isolate, contain and maintain a zone of safety until arrival of the supervisor and assisting commands.

2. If the subject is unarmed, nonviolent, and voluntarily requesting assistance, the subject shall be taken into custody and transported to the appropriate facility with the assistance of another officer.

D. Patrol Supervisor - When a patrol supervisor is requested, he/she shall respond and evaluate the situation. If available personnel and equipment are inadequate to effectively resolve the incident, an Emergency Service Unit shall be requested. The supervisor shall ensure that the mentally disturbed person is isolated, contained, and a zone of safety is established until custody can be safely effected.

E. Emergency Service Section Response - Upon arrival at the incident location, Emergency Service officers will confer with the patrol supervisor regarding the availability of

specialized equipment. Only trained Emergency Service personnel may utilize specialized Emergency Service equipment. If specialized equipment is utilized and an injury results, the officer(s) involved will prepare a Supplementary Report identifying the equipment utilized, circumstances necessitating its use and type of injury sustained. The subject will be treated for his or her injuries prior to transport to the Mental Health Facility or the Precinct. A Release of Medical Records form will be prepared as required by Chapter 16, Section 11 (Holding Facility and Prisoner Safety) of these Rules and Procedures.

F. Initiation of Hostage/Barricaded Subject Procedures - Under any of the following circumstances the incident will assume the status of "Hostage/Barricaded Subject" incident:

1. Subject takes a hostage.
2. Subject isolates himself and is inaccessible to officers.
3. Subject possesses a weapon and is threatening suicide/homicide.

Members will adhere to the guidelines enumerated in the manual for "Hostage and Barricaded Persons" situations.

G. Restraint and Transport - Transportation is the responsibility of precinct personnel, or the unit initially assigned to the incident. When a mentally disturbed person is taken into custody for transport to a mental health facility or a precinct, all property that is dangerous or may facilitate escape will be removed. Restraining devices, including handcuffs, will be utilized only to prevent injury or to effect a lawful arrest. A mentally disturbed subject will be transported in a police vehicle, with the assistance of another officer. The mentally disturbed person shall be transported in the rear seat on the passenger's side of a vehicle equipped with a safety partition, if available, with the seat belt on

and the doors locked. The second officer shall be seated in the front passenger seat. If a vehicle equipped with a safety partition is not available, the mentally disturbed person shall be transported in the rear seat on the passenger's side of the vehicle, with the seat belt on and the doors locked. The second officer shall then be seated in the rear seat behind the driver. A family member may accompany a voluntary admission when deemed appropriate by the responsible officer.

H. Admission to Medical Facility - In the event the subject is admitted to a mental health facility and an arrest situation does not exist, hospital personnel will be apprised of the subject's mental condition. The name of the hospital employee apprised will be indicated on the Field Report. (This is of particular importance when the subject's wounds were sustained in a suicide attempt.) If admission to the medical hospital occurs and the subject is under lawful arrest, refer to the appropriate section of the Rules and Procedures found in Chapter 16 (Arrest and Prisoners).

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 7: TITLE: WILLFUL EVICTIONS VIOLATIONS

I. PURPOSE

To provide procedures for use in handling incidents involving willful eviction violations.

II. POLICY

On occasion, complaints are received from tenants claiming an illegal eviction by their landlord which may constitute an offense under the real property law. The procedures and guidelines enumerated in this section will assist members of the Force in determining the proper course of action.

III. DEFINITIONS

N/A

IV. REFERENCES

New York State Real Property Law, Section 235.1

V. RULES AND REGULATIONS

A. Officers will not physically aid landlords with evictions or physically aid tenants in gaining reentry.

B. Officers will not ask tenants to pay rent or in any way act as an intermediary in any legal or financial settlements as enumerated in chapter 2 of the Rules and Procedures.

VI. PROCEDURES

A. Situations Where a Written Rental Agreement Exists - When a member of the Force responds to a situation where an eviction has taken place or is taking place, and the landlord or anyone acting as his agent or representative has not

obtained a court ordered warrant of eviction (which can only be executed by a member of the Sheriff's Department), the landlord/agent has violated Section 235.1 of the Real Property Law and the responding member of the Force will proceed as follows:

1. If a member of the Force responds to a scene and determines a willful (illegal) eviction is taking or has taken place and a written lease agreement exists and the landlord/agent is still on the premises, the officer should advise the landlord/agent that he is in violation of Section 235.1 of the Real Property Law.

a. Where the eviction is in progress and has been completed, but the landlord/agent allows the tenant to reenter the premises, a Field Appearance Ticket for the violation may be issued at the discretion of the investigating officer.

b. In instances where an eviction has been completed and the landlord/agent is present and refuses to allow the tenant reentry, a Field Appearance Ticket will be issued to the landlord/agent who is present.

c. Summary arrests for this violation should not be made. If there is an escalation of the original landlord/tenant dispute to the point where a separate penal law offense is committed, the investigating officer may make an arrest for the penal law offense and prepare an additional information for the violation of Section 235.1 of the Real Property Law.

2. If a member of the Force responds to a scene where an apparently willful (illegal) eviction has already occurred but the landlord/agent is no longer present, the officer will refer the evictee to the Precinct Crime Section. The Crime Section, upon determining the name and address of the landlord and establishing that a violation has in fact occurred, will prepare and have the evictee sign an information which will be forwarded to the District Court

requesting that a criminal summons be issued for the violation of Section 235.1 of the Real Property Law and the summons be sent to the landlord.

B. Situations Where an Oral Rental Agreement Exists - When a member of the Force responds to an eviction situation where an oral rental agreement is in effect; and

- the situation can not be resolved at the scene, and
- the aggrieved tenant wishes to pursue the violation in criminal court;

Regardless of whether or not the landlord is present, the member of the Force will direct the evictee to respond to the Precinct Crime Section with any evidence (e.g., check stubs, receipts, etc.) indicating payment for residence at the incident location.

1. The Precinct Crime Section will investigate the complaint and upon determination of its validity, submit a criminal summons request to the appropriate court.

C. Attempts to Evict by Interference with Services - When a member of the Force responds to a landlord/tenant dispute where services such as heat, electric, water, or other services, which the landlord is required by agreement, whether expressed or implied, to provide and/or pay for, and there is cause to believe that it is a willful interruption, the complainant will be directed to respond to the Precinct Crime Section where an investigation will be initiated. If a violation of Section 235.1 is found to have occurred, that unit will submit a criminal summons request to the court.

D. Responding Officer's Guidelines - In instances of willful (illegal) evictions, officers should adhere to the following guidelines:

1. Both the landlord and the tenant should be advised of additional civil recourse for damages the tenant may have as a result of an illegal eviction.

2. If a legal eviction has been executed by the Sheriff's Department a sticker will usually be attached to the door of the premises, so indicating.

3. Requests for emergency housing will be made to Social Services if the evictee receives Social Services assistance. If the evictee is not receiving Social Services assistance he must be told that the Police Department has no facilities and assumes no responsibility for evicted persons or their possessions. Officers should, however, make themselves aware of local churches or charitable organizations in their surrounding areas that might be of some assistance and provide that information to the evictee.

4. All reports prepared relating to any and all violations of Section 235.1 of the Real Property Law will be done in conformance with these Rules and Procedures regarding the reporting of police activities.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 8: TITLE: GUN CALL GUIDELINES

I. PURPOSE

To provide a set of guidelines for use in incidents involving firearms.

II. POLICY

Members of the Force are responsible for resolving calls involving the use or possible use of firearms with the minimum risk of injury to themselves, bystanders, or involved persons.

III. DEFINITIONS

N/A

IV. REFERENCES

Penal Law, Article 265, Article 35
Chapter 2, section 12 of the Rules and Procedures

V. RULES AND REGULATIONS

A. Dispatching - The communications radio operator will dispatch a call involving "a person with a firearm" to the nearest patrol unit or units available and notify a road supervisor.

B. Officer Response - Units will respond to a person with a firearm call without activating emergency light and siren.

1. Responding units will coordinate their response with each other.

2. Upon approaching the incident location, responding units will turn off headlights if in use. Position vehicles as far from the incident location as

possible to ensure both cover and a clear view of the incident location.

3. Do not approach the incident location without assistance from another police officer.

4. Notify Headquarters upon leaving the vehicle to approach the incident location.

5. Exit from the police vehicle on the opposite side from where the subject is located.

6. A visual observation of the premises from a position of cover will be made before approaching.

C. Verification - When the use of a gun is established by the responding officer(s), and the situation cannot be immediately resolved, the previously notified supervisor will be requested to respond.

D. Command Post - If hostile fire is drawn, the supervisor will create a command post and a tactical plan.

1. An officer should not return fire unless his life, or that of a fellow officer, or a citizen's life is directly threatened.

2. In situations involving hostages, barricaded subjects or persons attempting suicide, responding officer(s) will request a hostage negotiating team and the Emergency Service Section and effect the following:

a. Confine the subject(s) to the immediate area in which they are located and maintain firearms discipline.

b. Determine the necessity to evacuate the location or area.

c. When possible, a telephone will be utilized to inform the Communications Section of

the following:

(1) Confirm that there is in fact a need for the Hostage Negotiating Team and/or the Emergency Service Section.

(2) A description of the subject(s).

(3) Types of weapons possessed by the subject(s).

(4) Possible avenues of escape.

(5) The location that additional units should respond to and any information regarding unsafe areas or streets (if the location or conditions do not permit the use of a telephone, radio communications will be utilized).

E. Communications Personnel - Do not lose communication with the complainant if at all possible. Obtain a call back number and as much information as possible concerning the situation, i.e., type of weapon, location in the house, and sector location.

1. Coordinate communication between responding units to ensure the safety of the responding officer.

2. A road supervisor will be notified.

3. Maintain contact with the responding units, especially noting the time that the responding officer approaches the suspect location.

F. Handgun Incidents - Members of the Force will notify the Pistol Licensing Bureau of all incidents involving handguns, the loss or theft of licensed firearm, or any incident involving a pistol license which might reflect on the

suitability of the licensee to possess a pistol license. A copy of the Field Report will be forwarded to the Pistol Licensing Bureau giving all details of the incident. In cases where no Field Report is required, an Internal Correspondence will be submitted.

G. Nuisance Weapons - Whenever a nuisance weapon or a weapon, instrument, or appliance, which has not been registered in this or any other state, comes into the possession of any member of the Force under any circumstances (i.e., gift, purchase, arrest or confiscation) it will be the responsibility of that member to surrender the weapon and report the circumstances under which the weapon was received. A copy of the member's report will be forwarded to the Chief of Support Services, Chief of Detectives, and the Pistol Licensing Bureau.

H. Invoicing and Evaluation of Firearms - Any firearm, including any weapon designed for or capable of firing a projectile commonly known as a bullet or slug, coming into the possession of this Department shall be forwarded as follows:

1. All firearms used or suspected of being used in the commission of an offense, where scientific testing is necessary to provide evidence for the prosecution of a defendant or aid the investigation of an offense, shall be evaluated by the investigating officer to determine the appropriate analysis or testing

a. If the investigating officer deems it necessary or desirable that the firearm be processed for latent fingerprints, then the weapon shall be properly invoiced, utilizing a Property Section Invoice (PDCS-4201) and attached Evidence Analysis Request (PDCS-3220-9), and shall first be forwarded directly to the Identification Section.

b. The Identification Section, upon completion of the latent fingerprint examination, shall forward the firearm with the appropriate invoice and analysis request to the Crime Laboratory for fireability and other scientific testing before being consigned to the Property Section.

c. If, in the opinion of the investigating officer, latent fingerprint examination is unnecessary or not desired, then the firearm, properly invoiced, shall be forwarded to the Crime Laboratory for scientific testing before being consigned to the Property Section.

2. Unattended firearms or any firearm that under the circumstances in which it is found appears suspicious shall be considered evidentiary in nature and shall be evaluated by the investigating officer to determine the appropriate analysis or testing.

a. If the investigating officer deems it necessary or desirable that the firearm be processed for latent fingerprints, then the weapon shall be properly invoiced, utilizing a Property Section Invoice (PDCS-4201) and attached Evidence Analysis Request (PDCS-3220-9), and shall first be forwarded directly to the Identification Section.

b. The Identification Section, upon completion of the latent fingerprint examination, shall forward the firearm with the appropriate invoice and analysis request to the Crime Laboratory for fireability and other scientific testing before being consigned to the Property Section.

c. If, in the opinion of the investigating officer, latent fingerprint examination is unnecessary or not desired, then the firearm, properly invoiced, shall be forwarded to the Crime Laboratory for scientific testing before being consigned to the Property Section. If there is any doubt about the history of the firearm, it shall be forwarded to the Crime Laboratory.

3. Firearms of the following type, absent extenuating circumstances, shall be properly invoiced and sent directly to the Property Section:

a. Firearms used in the commission of an offense where no scientific testing is necessary (e.g., firearms used to menace an individual, firearms used in violation of Environmental Conservation Law, etc.).

b. Found firearms. (For the purpose of this section, the definition shall be limited to meaning a firearm belonging to a person's deceased relative.)

c. Firearms registered or legally possessed which are voluntarily surrendered. Surrendered weapons include new guns from out of state, safe guarding, expired permits, permit holders with other charges and guns legally possessed (shotguns and rifles) but seized during search warrant raids.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-08

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE PRIORITIZATION OF CALLS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 03/08/07	DATE EFFECTIVE 03/08/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 9: TITLE: PRIORITIZATION OF CALLS

I. PURPOSE

In order to properly allocate patrol resources in an efficient manner, it is necessary that all calls for service be evaluated for the appropriate priority and that patrol units respond accordingly.

II. POLICY

It is not always possible for the Department to respond to every call for service; therefore, the Department must organize available resources to give the highest level of efficient service possible. Priority of call assignment depends on many factors, and it is normally the responsibility of communications personnel to make such assignments; however, an officer in the field may be required to decide whether to continue on an assigned call or handle a citizen's complaint or other observed event and cause his call to be reassigned. Such determination should be based upon the comparative urgency and the risk to life and property of the assigned call and the intervening incident. When it is possible for an officer to handle a citizen's complaint or an observed event, he should, if circumstances permit, either give directions for obtaining such assistance or initiate the necessary notifications himself.

III. DEFINITIONS

Emergency Response - Units to respond, if permissible and/or if practical, in full emergency mode (lights and siren). This category includes: life threatening calls, "10-70" alarms, calls involving injury to persons, or potential for injury (i.e., motor vehicle crashes with possible injury, fights, or assaults in progress, violent family confrontations, violent crimes in progress, holdup/panic alarm supported by telephone verification from the scene, etc.).

Urgent Response Required - Patrol units are authorized to respond, if necessary, in emergency mode. This category includes: nonviolent crimes in progress, nonviolent family altercations, prowler calls, alarms

with extenuating circumstances (independent observation of persons entering a premise), missing person involving a child six (6) years of age or less, missing person with mental or medical complications, motor vehicle crashes with no injuries reported, etc.

Response Required Non-Emergency Routine Calls - Emergency warning devices not authorized. This category includes calls of routine nature such as: police information requiring a police response, missing persons over six (6) years of age, audible alarms (auto, residential or business), youth disturbances (nonviolent), noise complaints, reporting of prior criminal or non-criminal incidents and all other calls not applying to priority one or two requirements.

NOTE: The above listings are subject to periodic revision and updates, as required.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Communications Section - Communications Section personnel will be responsible for:

1. Assigning all calls for service.
2. Notifying responding patrol units of the urgency of a given assignment.

The duty officer will keep commanding officer's-in-charge and/or the desk supervisor informed of substantial changes in availability of response units in a given command.

B. Patrol Officers

1. Patrol officers will promptly acknowledge radio assignments and advise the dispatcher of their arrival at the incident location.
2. Patrol officers will complete calls in a timely manner and report themselves available for assignment as soon as practicable. The dispatcher is to be advised as to the call sign of the sector car handling the call and the officer's shield number.
3. Assigned patrol officers will immediately respond on emergency calls. Response will be accomplished as quickly as possible with consideration for the safety of responding officers and the public.
4. Patrol officers will monitor their radios for emergency calls when on meal, V&T stops, administrative duties, routine non-emergency

assignments, etc.

a. If no other units acknowledge an emergency call, officers on meal, V&T stops, administrative duties, etc., will immediately acknowledge the call and respond.

b. At the conclusion of the emergency assignment officers will return to complete their previous activity.

5. Patrol officers will respond to urgent calls as quickly as conditions and circumstances permit.

6. Patrol officers will respond to routine calls without unnecessary delay.

C. Nothing in this order is to be construed to remove the authority of a supervisor or responding unit to adapt response modes (red light, siren, etc.) and speed to meet conditions and circumstances present at the time of assignment. Response should always be made in a mode which provides maximum safety to responding officers and the public.

D. Platoon Commander/Officer-in-Charge and/or Desk Supervisor - Upon being notified by the duty officer of non-availability of patrol units for assignment, will instruct all nonessential patrol personnel at precinct or other known locations to immediately return to sector.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA 41.2.9
- B. NYSLEAP 43.1

VIII. INDEX

Priority Procedures 9/9
Assignment of Calls 9/9

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-09

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE VICTIMS OF CRIME WHO HAVE A DISABILITY					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 03/08/07	DATE EFFECTIVE 03/08/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 10: TITLE: VICTIMS OF CRIME WHO HAVE A DISABILITY

I. PURPOSE

To provide guidance to members of the Service when interacting with victims of crime who have a disability.

II. POLICY

It is the policy of the Suffolk County Police Department to safeguard the lives and property of all citizens. The Department recognizes that people with a disability can be more vulnerable: people with a mental impairment may be less able to recognize and avoid danger; persons with a physical impairment may be less able to protect themselves or escape harm, and victims of crime having a disability may be less able to contact law enforcement for assistance.

III. DEFINITIONS

N/A

IV. REFERENCES

U. S. Department of Justice, Office for Victims of Crime Handbook "First Response to Victims of Crime Who Have a Disability".

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. General Guidelines - The Department of Justice reports that numerous research studies indicate that the risk of criminal victimization for people with a disability is much higher than for persons without disabilities. These studies also indicate that people with a disability are often victimized repeatedly by the same perpetrators. While most of the issues that confront victims who have a disability are

concerns that affect all crime victims, there are important differences in how best to approach and assist victims with a disability. These include, but are not limited to:

1. Whenever practical, while interacting with a victim who has a disability, Members of the Service should ask the victim how they wish to be characterized and how the Officer can communicate with them most effectively. By responding to a victim appropriately and compassionately, the Officer providing the police service is more likely to gain the trust and cooperation of the victim.
2. The presence of someone familiar to the victim or a person knowledgeable about the nature of the impairment may be important for the victim and may facilitate the interview and investigation process. However, the responding Officer should be aware of the possibility that these family members, service providers or others could be the offender or have had some negligence in the incident at hand. Therefore, the presence of these people, and the potential fear of retribution, could inhibit the victim from full cooperation.
3. Officers should speak directly to the victim even when accompanied by another person. Officers should be aware of their own behavior and tone of voice so as not to talk to the victim in a condescending or childlike manner. Attempts to establish a trusting rapport with a victim before interviewing them should be made.
4. Interview locations should be free of distractions, interference and background noises. Flashing emergency lights and radio transmissions could be disturbing to victims who have a disability. It may be more beneficial for only one Officer to conduct the interview.
5. Officers shall ensure that victims are in a safe environment before securing the scene. Members should be cognizant that family members, service providers or others could be the offender, and that an alternative caregiver or shelter may be needed.

B. Responding to Crime Victims Who have Alzheimer's Disease -

Although this disease can occur to anyone in their 30s, 40s and 50s, it is more likely to occur at age 65 or older. As this age group continues to increase, so is the likelihood that Officers will encounter victims with this disability. Officers may observe the following common symptoms in persons with Alzheimer's Disease: disorientated sense of time and space; use of nonsensical words in speech; wandering or becoming lost and not knowing where one lives; blank facial expression and poor judgment, e. g. wearing summer clothes in winter or a nightgown to go shopping.

1. When it is known in advance that a victim has Alzheimer's Disease, the Officer should approach the person from the front and establish and maintain eye contact. Officers should introduce themselves as a law enforcement officer and explain that you have come to help. Since impaired short-term memory is an element of Alzheimer's Disease, it may be necessary for the Officer to reintroduce himself or herself several times.
2. If a Member suspects that a victim has Alzheimer's Disease, ask for identification and observe for a *Safe Return* bracelet, necklace, lapel pin or other identifier. The *Safe Return* Program is sponsored by the Alzheimer's Association and includes a nationwide participant registry that provides the name, photograph, medical information and emergency contact information for the registrant. Partial identification and the 24-hour toll-

free telephone number are on the *Safe Return* ID.

3. Alzheimer's Disease can shorten the attention span and increase suspicion, therefore the Officer should speak slowly and calmly, using short, simple sentences. Gestures can aid in communication but sudden movements should be avoided.

4. The Officer should anticipate some difficulties in being understood. Simple, step-by-step instructions may be necessary, and, whenever possible, a single instruction should be used to gain the understanding of the victim. It may be helpful to ask one question at a time; "Yes" and "No" questions are better than questions that require a victim to think or recall an entire sequence of events.

C. Responding to Crime Victims Who Have Mental Illness - Mental illness encompasses a number of brain disorders that disrupt a person's mood, balance, thought processes, memory, sensory input and ability to reason and relate to others. Symptoms will vary from individual to individual depending upon the type and severity of the disorder. Symptoms may not be readily observable from outward appearances but may be noticeable in conversation and interaction. Officers should recognize that the following symptoms could be indicative that a victim has a mental illness: accelerated speaking or hyperactivity; delusions and paranoia, e.g. a false belief that one is a famous person or that others are trying to harm them; hallucinations, such as hearing voices or seeing, feeling or smelling imaginary things; inappropriate emotional responses and unfounded anxiety, panic or fright.

1. The Officer should approach victims in a calm, nonthreatening and reassuring manner. Crime victims who have a mental illness may be overwhelmed and perceive their crises more profoundly than others; thus, they may feel threatened or afraid of law enforcement. The Officer should introduce himself or herself personally by name first, then rank and agency.

2. The Officer should inquire if the victim is taking any medication and, if so, the types and amounts prescribed and when last taken. Members should ensure that victims have access to water, food and toilet facilities as the side effects of the medication could cause the need for such access.

3. Officers should be mindful of their own conduct so as to avoid direct continuous eye contact, sudden movements, touching or standing too close to the victim.

4. To bring compulsive talking under control, the Officer can break the speech pattern of victims who talk nonstop by interrupting them with simple questions.

5. The Officer should understand that hallucinations are real to victims and should never try to convince the victims that their hallucinations do not exist. It is better, rather, to reassure victims that the hallucinations will not harm them and may

disappear as their stress lessens.

6. Officers should continually assess the victim's emotional state for any indication that they may be a danger to themselves or others.

D. Responding to Crime Victims Who have Mental Disease or Defect - Mental disease or defect is an impairment affecting the brain and the ability to process information. People with this impairment may have difficulty in learning. Additionally, they could have problems with memory and judgment, as well as limited abilities to reason, focus and understand. As persons with this disability can vary widely in their capabilities and skills, there is often no way for an Officer to know that a crime victim is so impaired. It may be helpful for the responding Officer to ask a series of simple questions and observe victims for any difficulty they have in understanding these requests or listen to whether there is a speech impairment or limited vocabulary.

1. Officers should introduce themselves first as a law enforcement officer, followed by their agency and name. Persons with mental disease or defect have been taught that law enforcement officers are their friends and are people they trust and who will keep them safe.

2. Officers should not assume that victims are incapable of understanding or communicating as many persons with this impairment live independently or semi-dependently in the community. Officers should be patient for the victim to respond to an instruction or question.

3. Officers should be mindful of the issue of a victim's competency to give or withhold consent to medical treatment, forensic examinations, notification of next of kin or other services.

4. Officers should allow adequate time for their interview and take breaks as deemed warranted. It may be helpful during the interview to use open-ended questions that cannot be answered with a "yes" or "no." Officers can help the victim understand their questions by giving them points of reference. One example might be to ask, "What color was the man's hair?" rather than "What did the man look like?"

5. It may be helpful for the Officer to repeat the last phrase of a victim's response to help them stay focused and assist them through the sequence of events. Officers should be cognizant that questions that require the victim to do much reasoning could confuse the victim and should be kept to a minimum.

E. Responding to Victims Who Are Blind or Visually Impaired - The ability to see exists along a wide continuum from sighted to partially sighted to blind. "Legal blindness" is commonly defined as the condition in which a person is unable to see at 20 feet what someone with normal vision can see at 200 feet. Blindness and vision impairments become more

common with advancing age. Thus, it is anticipated that the number of people with this disability will continue to increase as the aging demographic trend continues.

1. When approaching the victim, Officers should immediately introduce themselves as law enforcement officers and have all others who are present introduce themselves. These introductions will let the victim know who is present and where they are situated, as well as help the victim recognize voices. When conversing in a group, identify the person(s) to whom you are speaking because it may not be readily apparent to the victim.
2. When responding to a victim who is alone, an Officer should tell a victim his or her name, shield number and command telephone number, and assist the victim, if requested, in verifying the Officer's identity.
3. The Officer should orient a victim to their surroundings and give cues as to what lies ahead when guiding them. If the victim requests assistance in moving around, the Officer should offer an arm instead of holding the arm of the victim. This will allow the victim to take the Officer's arm from behind and follow the Officer's motion.

F. Responding to Victims Who are Deaf or Hearing Impaired – Whether deaf or hard of hearing, crime victims with this disability are usually capable of cooperating fully with law enforcement. To effectively meet a victim's needs, the responding officer should determine as early as possible the method by which they wish to communicate. Thus, if a sign language interpreter is needed, the process to locate an interpreter can be initiated.

1. Officers should signal their presence to the victim by waving their hand or gently touching the victim on the arm or shoulder if not immediately noticed by them.
2. Methods of communication could include writing, speech-read, lip-read or American Sign Language (ASL). The Officer could determine how the victim desires to communicate by initially communicating in writing.
3. Officers should be aware that victims who are deaf or hard of hearing are visually orientated and often communicate a lot of information through their body language. Thus responding officers should closely observe the facial expressions and other physical gestures of the victim.
4. When communicating with a victim who has chosen speech-or-lip-read, select a location free of distractions in a well-lit area free of glare and shadow. Remember that background noise can be very troublesome to those victims who are hard of hearing and wear hearing aids. Interviewing Officers should:
 - a. Face the victim to assure that their eyes and mouth are clearly visible by the victim. Officers should avoid blocking their mouth with their hands or speaking while looking away from the victim.
 - b. Sit or stand at a distance between 3 and 6 feet from the victim and begin speaking only after you have the victim's attention and established eye contact. Make questions and instructions short and simple.

c. Speak clearly, distinctly and only slightly slower and louder than usual. Be prepared to repeat yourself as repetition could clarify what was missed. To prevent misunderstanding, use open-ended questions and statements that require more than a "yes" or "no" answer.

5. When communicating through a sign language interpreter, the Officer should remember that the interpreter is present solely to transmit information back and forth between the interviewing officer and victim, not to explain information or give opinions. A child should not be used to communicate with an adult victim unless no other option is available. Interviewing Officers should:

a. Select a glare and shadow-free area and stand or sit with the interpreter beside you, across from the victim, so that the victim can easily shift their gaze between the Officer and interpreter.

b. Speak at a normal volume and pace and always directly to the victim. Address questions to the victim and ask the victim, not the interpreter, to repeat or clarify an answer if you do not understand it.

c. Take breaks, as signing and receiving information visually can be tiring for both the interpreters and the victim.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

Crime Victims, Who Have a Disability 9/10
Disability, Victims With 9/10
Victims, Who Have a Disability 9/10

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER	08-73
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE DEALING WITH SICK, DISEASED OR NUISANCE ANIMALS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 12/17/08	DATE EFFECTIVE 11/19/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 11: TITLE: DEALING WITH SICK, DISEASED OR NUISANCE ANIMALS

I. PURPOSE

To provide guidelines for handling incidents involving sick, diseased, or nuisance animals.

II. POLICY

The concern for public safety is of primary importance when encountering incidents involving sick, diseased or nuisance animals as well as the safe disposition and humane treatment of the involved animals.

III. DEFINITIONS

A. Apparently Sick Animal - Any animal that exhibits signs of abnormal behavior, that indicate the following: (1) The animal is either exceptionally aggressive or unusually tame, disoriented or wandering aimlessly, or; (2) The animal displays an abnormal physical condition in that the animal is paralyzed or partially paralyzed, foaming, drooling, etc.: or (3) The animal otherwise appears to constitute a hazard to public safety or health.

B. Rabies - A virus that is carried primarily by warm-blooded animals such as raccoons, bats, foxes, or skunks. The virus can be transmitted to other mammals, including humans, in several ways and if untreated is usually fatal.

C. Exposure - The touching of a human by a sick animal believed to be infected by the rabies virus in which the person was bitten, scratched, or is touched by the animal's saliva or other body fluids.

D. Nuisance Animal - An animal that does not constitute a public safety or health hazard, but otherwise disturbs a citizen.

E. Domestic Animal - Any one of various animals domesticated by man to live and breed in a tame condition. This not only includes such commonly recognized domestic animals as dogs and cats, but also includes such animals as horses. Additionally, other animals which may be included

are animals that under normal circumstances would be considered wildlife but are maintained as pets such as; raccoons, ferrets, etc.

F. Tranquilizer Gun - A weapon specifically designed to fire a dart which contains a specific drug used to subdue animals.

G. Wildlife - Animals that do not come under the definition of domestic animal. An officer handling an incident involving an animal normally considered wildlife, such as raccoon, shall treat the animal as such unless specific information or conditions indicate the animal is a domesticated animal.

H. Trapper - An individual that is licensed by the New York State Department of Conservation (ENCON) based on the successful completion of a course of study given by ENCON and the continual adherence to the requirements set by the agency. Trappers that respond to remove nuisance animals must do so at the request of the property owner and at the property owner's expense.

IV. REFERENCES

- New York State Agriculture & Markets Laws
- New York State Public Health Law
- Documents and Publications issued by the NYS Health Department and the Suffolk County Department of Health Services
- Rules and Procedures Chapter 2, Section 12, Use of Force: Use of Firearms And Deadly Physical Force, and Chapter 5, Section 10, Firearms Discharge Procedures

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Response Resources - Members of the Service may be summoned to incidents that range from nuisance animal complaints to exposure cases. There are many resources available to assist in the handling of these problems such as; the New York State Department of Environmental Conservation (ENCON), ENCON licensed Nuisance Wildlife Trappers, Town Animal Control Agencies, Suffolk County Society for the Prevention of Cruelty to Animals (SCSPCA), and the Suffolk County Health Department.

B. Exposure Cases - Exposure cases are the most significant of the situations that a member may respond to because of the possibility that the animal may be infected with the rabies virus. Therefore, persons exposed to an apparently sick animal (see definition, this section) should be treated in a timely manner (within 24 hours) by a medical professional. If unsure if an animal is sick, the victim should be advised to proceed as if the animal is sick. All hospital emergency rooms in the County now have the appropriate medication to commence treatment.

However, if a person that is bitten, scratched, etc., by an animal infected with or suspected of being infected with the rabies virus, refuses treatment the officer handling the incident shall notify

the Suffolk County Health Department as soon as possible by calling the Division of Public Health during normal business hours at 853-3077, at all other times at 853-5555.

In all cases of exposure, as defined in this section, the Suffolk County Department of Health-Division of Public Health must be notified by sending a copy of the Field Report prepared on the incident via facsimile telecommunications (FAX) on the next business day. The FAX telephone number is 853-2927. In all cases of animal bites, a copy of the Field Report must also be faxed to the SCSPCA (fax number (631) 382-4042) and to the animal shelter of the township in which the incident occurred.

1. Routine Animal Bites, etc. - No Disease Suspected - In all cases where an animal bites, scratches, etc. an individual and there is no sign that the animal is sick, and the owner of the animal is known to the victim, the animal's owner shall be advised by the officer handling that the Suffolk County Department of Health will be in contact with him or her. Additionally, the owner shall be advised that if the animal shows any signs of illness prior to the Department of Health contacting them that it should be taken immediately to a veterinarian. Reminder: FAX a copy of the Field Report to the Department of Health on the next business day. In all cases of animal bites, copies must also be faxed to the SCSPCA, and the town animal shelter.

2. Animal Bite, etc. - Unknown if Diseased - In all cases where an animal bites, scratches, etc. an individual and it is not known if the animal is sick because the animal has fled, and there is no known owner, the victim shall be advised to seek medical advice from their family doctor, an attending physician at a hospital emergency room, or the Suffolk County Department of Health, Division of Public Health (telephone 853-3077). The officer handling shall take all necessary action to try and locate the animal and/or the animal's owner, whichever is appropriate. Reminder: FAX a copy of the Field Report to the Department of Health on the next business day. In all cases of animal bites, copies must also be faxed to the SCSPCA, and the town animal shelter.

3. Animal Bite, etc. - Suspected Disease - In all cases where an animal bites, scratches, etc. an individual, and it is known or suspected that the animal is sick based on visible signs or the behavior of the animal, the victim shall be advised to seek medical attention immediately. The officer handling shall take all necessary action to have the animal taken by the appropriate agency for testing. Reminder: FAX a copy of the Field Report the Department of Health on the next business day. In all cases of animal bites, copies must also be faxed to the SCSPCA, and the town animal shelter.

4. Employee Injured by Animal Bite, etc. - Members of the Service who sustain an exposure (see definition, this section) or even has a situation where a contact, as defined in chapter 3, occurs shall follow the injured employee reporting procedures for exposure and contact with communicable diseases as outlined in Rules and Procedures chapter 3. Reminder: FAX a copy of the Field Report to the Department of Health on the next business day. In all cases of animal bites, copies must also be faxed to the SCSPCA, and the town animal shelter.

C. Nuisance Animal Cases - Where an animal (either domesticated

or wildlife) is a nuisance or creating a problem such as; wildlife in a person's chimney, a dog running loose, an animal is on a person's property, etc., but not an immediate danger to the public, the officer handling will attempt to assist the complainant in contacting the appropriate agency or person to handle the problem (see Action Guide, section F.)

D. Dead Animals - The remains of dead animals, whether domestic or wildlife, on private or public property, can be removed by one of several agencies or individuals. Basically, if the animal is on public property it will be the responsibility of a public agency and when on private property, the responsibility of the owner (see Action Guide, section F.)

E. Officer Safety - Officers should refrain from handling an apparently sick or diseased animal (living or dead) unless they use the **UNIVERSAL PRECAUTIONS** of wearing heavy duty waterproof gloves (minimal substitution in emergency is a triple layer of latex gloves), avoid being touched by animal body fluids, always wash hands thoroughly with soap immediately after the incident, etc.

F. Action Guide - Using the following guide, members of the Service will contact the desk officer, report the situation and request the appropriate response. Agencies shall be contacted in the order of listing on the action guide. The office of the Chief of Patrol shall be responsible to keep precinct's lists of names and telephone numbers which comprise the action guide current.

<u>SITUATION</u>	<u>LOCATION</u>	<u>ACTION</u>
Wildlife nuisance animal (no exposure)	Private Property	1. Refer to a Trapper (owner's expense) 2. Town Animal Control 3. SCSPCA
Domestic nuisance animal (no exposure)	Private Property	1. Town Animal Control 2. SCSPCA
Wildlife/Domestic nuisance animal (no exposure)	Public Place	1. Town Animal Control 2. SCSPCA
Wildlife/Domestic dead animal (no exposure)	Private Property	1. Advise owner to use universal precautions 2. Refer to a Trapper
Wildlife/Domestic dead animal (no exposure)	Public Place	1. Appropriate Highway Dept. Town, Village, County, NYS
Wildlife/Domestic apparently sick animal (exposure or possible exposure)	Public Place or Private Property	1. Town Animal Control 2. SCSPCA 3. NYS ENCON 4. SCPD Emergency Services Section

NOTE: In cases where the owner will pay for the services of a trapper, the officer handling the incident will give the owner at least three (3) names of trappers to choose from.

G. Disposition of the Animal - The goal of agencies or trappers responding to a nuisance animal complaint is to remove the animal from the scene. The goal of a member of an agency that responds to an exposure case (see definition, this section) is to capture the animal and to take the appropriate steps to determine the presence of disease through laboratory testing.

H. Use of Tranquilizer Dart Guns - A tranquilizer dart gun will only be used in exposure cases (see definition, this section) where the animal must be captured to determine the presence of disease or where the animal may be a danger to the public. This capability is possessed by both the Suffolk County Society for the Prevention of Cruelty to Animals and the Department's Emergency Services Section.

I. Use of Firearms - The use of firearms to capture apparently sick animals (see definition, this section) is undesirable for several reasons: first, the inherent danger of using firearms in a residential neighborhood; second, the size of the target; third, the need to preserve the animal's head for laboratory analysis to determine the presence of disease. Furthermore, the use of firearms on an injured or sick animal is addressed in Chapter 2, Section 12 of the Rules and Procedures. This rule reads as follows: "An officer may discharge a firearm to put to death an animal which presents an immediate serious physical threat to the officer or a third party, or an animal that is so seriously injured that humaneness demands the immediate cessation of its further suffering. All reasonable alternatives to the use of the firearm must be exhausted before shooting the animal, and all applicable Department procedures must be followed."

1. Members of the Service **shall not** use smothering, strangulation and/or drowning as a method to euthanize a sick or apparently diseased raccoon or any other animal.

2. In those cases where it is determined that no other alternative exists and the diseased animal must be euthanized, officers shall contact a Patrol Supervisor who will, at his/her discretion, either use a Department-issued .22 caliber pistol stored in the supervisor's vehicle to destroy the animal (provided the supervisor has successfully completed the training in the use of the .22 caliber pistol) or request the Emergency Service Section, or Suffolk County Society for the Prevention of Cruelty to Animals (SCSPCA), whose personnel are armed and qualified to use small caliber weapons, to respond to the scene.

3. If a Patrol supervisor can not respond to the scene, he or she must make a Memorandum Book entry to explain why they were unavailable to respond. The assigned officer shall make a notation on the Field Report that the supervisor was then unavailable.

4. If a Patrol supervisor, Emergency Service Section, or SCSPCA is unavailable to respond to the scene, the assigned patrol officer may use their

service-issued 9mm weapon to euthanize the sick or injured animal provided all applicable safeguards and precautions are taken prior to the use of the service weapon.

5. Additional firearms discharge procedures for incidents involving the destruction or wounding of an animal are contained within Chapter 5, Section 10 of these Rules and Procedures.

6. In the event of an unusual occurrence, i.e., weapons' or ammunition malfunction, improper ammunition or type, the responding supervisor shall submit a report through channels, to the Firearms Training Section, containing any appropriate comments regarding remedial training or procedures.

J. Captured Animals in an Exposure Incident - Having been captured, the animal is transported by the agency that captured the animal, to an animal shelter or animal hospital or other holding facility designated by the Department of Health or SCSPCA. The animal is then surgically prepared for laboratory testing by the New York State Department of Health in Albany.

K. Copy of Reports - All incidents where (a) an individual is involved in an exposure incident; (b) the animal is sick or suspected of being sick or diseased, the appropriate precinct commanding officer shall be responsible to insure that a copy of the Field Report is sent via fax to the Suffolk County Department of Health, Division of Public Health, on the next business day following the incident. In all cases where an animal bites an individual, a copy of the Field Report must also be sent via fax to the SCSPCA and the animal shelter of the township in which the incident occurred, on the next business day following the incident.

VII. ACCREDITATION REFERENCE STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Animal Complaints 9/11
Animals Sick or Believed Sick 9/11
Animals Suspected of being Rabid 9/11
Rabid Animals 9/11

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER	08-02 08-22
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TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE INVESTIGATORY NOTIFICATIONS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/04/08 03/11/08	DATE EFFECTIVE 01/04/08 03/11/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 12: TITLE: INVESTIGATORY NOTIFICATIONS

I. PURPOSE

To provide guidelines when notifications to investigatory commands are required for incidents requiring continued investigations.

II. POLICY

Timely notifications to commands that have investigatory responsibility are crucial to help ensure the apprehension of offenders and the return of stolen property.

III. DEFINITIONS

N/A

IV. REFERENCE

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Responsibility - Members of the Service will on occasion handle incidents that require follow-up or secondary investigations by detective commands or the Hate Crimes Unit. In these cases Officers must notify the responsible investigative command in a timely manner.

1. Precinct Detective Bureau - An Officer at the scene of an incident in which the Precinct Detective Squad has investigative responsibility will notify the Precinct Detective Squad directly. If a direct notification is not possible the Officer will contact the Precinct Desk Officer, who will make notification. During the Standby Tour (0100-0900)

an Officer will contact the Precinct Desk Officer. The Precinct Desk Officer will determine if an incident response is authorized during the Standby Tour or the incident will be reported to the Detective Night Log. If any notification cannot be made the Communications Section Duty Officer will be contacted to perform a call-out. Notification guidelines are as follows:

a. Between the hours of 0900 to 0100 - Any crime for which a Precinct Detective Squad would have investigative responsibility.

b. Between the hours of 0100 to 0900 - The Precinct Detective Squad will only respond to incidents as directed in Detective Division General Order 05-04 or subsequent versions.

2. Specialized Commands - The following incidents require an immediate notification to and a response by specialized detective commands. In addition to the following specialized commands, during the hours of 0900-0100, the Precinct Detective Squad shall be notified to take control of the investigation until the arrival of specialized command personnel.

a. Homicide Section - Shall be immediately notified by the reporting officer to investigate incidents as enumerated in Chapter 1, Section 5 and include:

(1) Homicide or suspicious death.

(2) Any death of an on duty police officer or peace officer within the Police District (this includes motor vehicle accidents).

(3) Any unattended death other than apparent natural death, to include apparent drug overdose, suicide, and apparent sudden infant death syndrome.

(4) Accidental deaths as a result of:

(a) Industrial accidents.

(b) Plane crash.

(5) Firearms discharge by a Suffolk County Police Officer (on duty or off duty) within the Police District that results in personal injury to anyone.

b. Arson Section - Shall be immediately notified by the reporting officer to investigate incidents as enumerated in Chapter 1, Section 5.

c. Hate Crimes Unit - Shall be immediately notified by the reporting officer to investigate offenses as enumerated in Chapter 1, Section 5 and include all offenses perpetrated primarily due to a belief or perception regarding race, color, national origin, ancestry, gender, religion, religious practice, age,

disability or sexual orientation. This shall include incidents relating to houses of worship and/or related facilities. This shall further include incidents involving the etching, painting, or drawing of a Swastika on any building or other real property without the permission of the owner or operator, as well as setting fire to a cross in public view.

NOTE: Incidents involving a death or serious physical injury that may result in a death will be handled by the Homicide Section or the appropriate Precinct Detective Squad.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 13: TITLE: CONFINED SPACES GUIDELINES

I. PURPOSE

To provide guidelines for handling incidents involving confined spaces.

II. POLICY

When handling incidents involving confined spaces, members of the Force must exercise due caution for the safety of the public as well as themselves and fellow officers.

III. DEFINITIONS

A. Confined Space - A confined space has the following characteristics:

1. Is large enough and so configured that a person can bodily enter and perform work; and
2. Has a limited or restricted means for entry or exit; and
3. Is not designed for continuous human occupancy.

B. Permit Required Confined Space - is a confined space with one or more of the following characteristics:

1. Contains or has the potential to contain a hazardous atmosphere; and/or
2. Contains a material that has the potential for engulfing the entrant (e.g., drowning in sewage, being overwhelmed in a grain silo, etc.); and/or
3. Has an internal configuration such that an

entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; and/or

4. Contains any other recognized serious safety or health hazard.

C. Hazardous Atmosphere - is an atmosphere that may expose a person to the risk of death, incapacitation, impairment of ability to self-rescue, injury, or acute illness because it is one or more of the following:

1. Oxygen deficient or enriched; and/or

2. Flammable or explosive; and/or

3. Toxic or poisonous.

NOTE: A hazardous atmosphere can only be positively identified through the use of scientific monitoring/testing devices.

D. Entry - the action by which a person passes through an opening into a permit required confined space. Entry occurs as soon as any part of the entrant's body breaks the plane of an opening into the space.

IV. REFERENCES

A. OSHA Permit Required Spaces for General Industry; Final Rule, 29 CFR 1910.146.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Members of the Force are occasionally called upon to handle incidents that require the entry into confined spaces

such as boilers, furnaces, sewers, septic tanks, cesspools, tunnels, manholes, pits, wells, storage bins, etc., and extreme caution shall be used. Because it is not possible to ascertain if the atmosphere within the confined space is hazardous without the use of special equipment, such confined spaces should be treated as permit required confined spaces. As such, entry should be made by properly trained and equipped personnel only, and such entry should only be made for official police business (e.g., rescue of victims, evidence recovery, property recovery, etc.).

B. When circumstances require the entry into a potentially hazardous confined space, members of the Force shall request assistance from the Emergency Services Section. Until such time that properly trained and equipped Emergency Services Section personnel have responded, members of the Force should not enter the confined space, and shall prevent any other person improperly equipped from making such an entry.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

Confined Spaces 9/13

END

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 14: TITLE: "ZERO TOLERANCE" - THE CONSUMPTION OF ALCOHOL BY DRIVERS UNDER AGE OF 21

I. PURPOSE

To provide the procedure to be followed when detaining an individual under the age of 21 who has consumed alcohol.

II. POLICY

When a member of the Force has reasonable grounds to believe that the operator of a motor vehicle has consumed alcohol and that the operator is under the age of 21, he will "detain" that individual in accordance with the Vehicle and Traffic Law.

III. DEFINITIONS

Detain - As used in this section means; to temporarily limit a person's movement to permit the investigation into a possible violation of VTL Section 1192-a.

Detainee- An operator of a motor vehicle under 21 years of age who is temporarily detained by an officer solely for the purpose of requesting or administering a chemical test for the suspected violation of VTL Section 1192-a.

IV. REFERENCES

New York State Vehicle and Traffic Law

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Zero Tolerance Law - VTL Section 1192-a - The Vehicle & Traffic Law provides guidance for temporarily detaining persons under the age of twenty one who have consumed alcohol and have a B.A.C. reading of .02 to .07. Any person under 21 years of age who operates a motor vehicle while having said amount of alcohol in his blood as shown by a chemical test, and is not charged with a violation of another subdivision of VTL Section 1192, shall be referred to the Department of Motor Vehicles for an administrative hearing. This person is subject to a civil penalty and license suspension or revocation. A finding that the person operated a motor vehicle after having consumed alcohol is not a judgment or conviction of a crime or any other offense.

A member of the force is authorized by the New York State Vehicle and Traffic Law, Section 1192-a, to temporarily **detain** a person he believes, based on "reasonable grounds" as outlined in VTL Section 1192-a, has consumed alcohol and is under the age of twenty-one. For purposes of this section, a person is deemed to have consumed alcohol only if such person has a B.A.C. level of .02 or more but not more than .07. A motorist may be **temporarily detained** for the investigation of a violation of VTL Section 1192-a, but no arrest may be made.

A detainee will not be physically restrained if he/she is temporarily detained solely for an investigation into a violation of VTL Section 1192-a. An officer transporting a detained person to a police facility solely for an investigation, shall do so in a manner consistent with officer safety. Should a person who is legally subject to being detained use physical force or interference to avoid or escape a lawful detaining, that individual would be subject to arrest for a violation of Section 195.05 of the Penal Law - Obstructing Governmental Administration in the Second Degree.

The detainee will be requested to submit to an authorized chemical test which will confirm his/her B.A.C. level. In all cases, resulting either in a test or a refusal, a Central Complaint number will be drawn and a Field Report titled "Zero Tolerance/VTL 1192-a", will be completed. A Prisoner Activity Log will not be filled out for a detained individual. If there is reasonable cause to believe that the detainee has operated a motor vehicle in violation of any other section of VTL 1192, the member will follow current procedure for those sections.

B. Administering a chemical test - (Utilize DMV form AA-137A.1)

A chemical test must be administered within two hours of the time the detainee is stopped. Once a detainee agrees to submit to a chemical test, he/she will be transported to a testing location where the test will be conducted. The following procedure will be adhered to when processing an individual detained for violating section 1192-a of the VTL.

1. Prior to the chemical test being administered, the detaining officer shall insure the detainee is informed of the consequences of refusal by giving the warning located on the "Notice/Waiver of Hearing" (DMV Form AA-1371.1).

2. After the chemical test, the "Notice/Waiver of Hearing" form will be completed designating a hearing date. This date will be selected based on the DMV schedule and the policy instituted by the Office of the Chief of Patrol. Data on the B.A.C. reading must be entered in the space provided and the name of the Breath Analysis Operator will be written on the form just above the "Attention: Motorist" directions. Since 1192-a charges are adjudicated at DMV hearings, and not in criminal courts. **Court Informations or Uniform Traffic Tickets are not used in these cases.** The police officer will give one copy to the detainee, retain a copy for the command case folder and forward the third copy to arrive at DMV within twenty-four(24) hours of the test. A fourth copy will be made from the original, placed in an envelope labeled "Zero Tolerance" and forwarded to the Court Liaison Bureau.

3. Upon administering the breath test, the Breath Analysis Operator will supply to the detaining officer:

- Two(2) copies of the calibration certificate for the Intoxilyzer used
- Two(2) copies of the administering technicians N.Y.S. health permit
- One(1) Original and two(2) copies of each of the

breath test results

4. The detaining officer shall give the detainee copies of each of the following documents:

- Notice/Waiver of Hearing(DMV Form AA-137A.1)
- Intoxilyzer calibration certificate
- Breath Analysis Operator's health permit
- Breath test results

5. Upon release, a detainee shall be escorted to a location within the testing facility where he has access to an exit. A department or public telephone shall also be made available. A detainee will not be transported back to his vehicle unless he has passed the chemical test.

6. All reports, documents and materials must also be provided by the Department to DMV prior to the commencement of the hearing.

C. Refusal to submit to a chemical test - (Utilize DMV form AA-137A & AA134A) If a police officer has determined there are "reasonable grounds" to believe that a detainee is in violation of Section 1192-a, but the detainee refuses to submit to a chemical test, the officer shall prepare a verified refusal report citing:

- the police officer has reasonable grounds to believe that a person under the age of 21 years has been operating a motor vehicle in violation of VTL section 1192-a;
- the officer requested the driver to submit to a chemical test;
- the officer informed that person that his/her license to drive will be revoked for a refusal to submit to a chemical test, whether or not the person was found guilty of the charge for which such person is detained;
- the person refuses to submit to a chemical test or any portion thereof.

1. The detainee is entitled to an administrative refusal hearing pursuant to new Section 1194-a of the VTL. The detainee may not be arrested but shall be detained long enough to allow the officer to complete the required reports as follows.

a. Report of Refusal (DMV form AA-134A) - Once completed, this form must be forwarded to the Dept. of Motor Vehicles, Albany within 48 hours of the time when the detainee was stopped.

b. Notice of Chemical Test Refusal Hearing (DMV form AA-137A) - The completion of this form initiates the hearing process. This form is completed using the DMV Hearing Schedule and the scheduling policy instituted by the Office of the Chief of Patrol. A copy of this form is forwarded to the Dept. of Motor Vehicles, Albany along with DMV form AA-134A. Copies of these forms will be distributed according to the directions printed on the forms.

2. If the detainee refuses to submit to an authorized chemical test, his/her operating privileges are not immediately affected pending the hearing. Suspension or revocation of driving privileges will be determined only by an administrative law judge at the hearing.

D. "Probable cause" to arrest - If a situation arises where a detainee, having submitted to a chemical test, records a B.A.C. level that justifies a charge of any other section of 1192 of the VTL, the arrest will be effected and processed in accordance with current D.W.I. procedures at the testing location. The circumstances for the original motor vehicle stop must, of course, conform to the standards established for D.W.I. arrests. If the situation does evolve into an arrest, a Prisoner Activity Log will be filled out from that point, with reference made to when the detaining of the individual commenced.

E. Reporting Procedures - Members of the force who prepare cases for administrative hearings are responsible for the following:

1. Completing and forwarding all required paperwork to the Department of Motor Vehicles, Safety Hearing Bureau in Albany within the time frames established by the Dept. of Motor Vehicles. These time frames are specified in the Distribution Instructions box located on each DMV form.

2. Preparing a command case folder which will contain copies of all reports and documents relevant to the case (see sub. sect. VI.B and C). This case folder will be maintained at the command of origin to be readily available for the officer to bring to the hearing.

3. Forwarding an additional copy of the Notice of Chemical Test Refusal Hearing (AA-137A) or the Notice of Hearing (AA 137A.1) to the Court Liaison Bureau in a separate envelope marked "Zero Tolerance".

F. Court Liaison Bureau - The Court Liaison Bureau shall be responsible for making the required notifications to the appropriate commands regarding the rescheduling of an administrative hearing when the original hearing date has been changed.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER **07-33**

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE CONTROLLED SUBSTANCES AND MARIJUANA ON SCHOOL GROUNDS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 04/25/07	DATE EFFECTIVE 04/25/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 15: TITLE: CONTROLLED SUBSTANCES AND MARIJUANA ON SCHOOL GROUNDS

I. PURPOSE

To provide procedures for the handling of possession and use of controlled substance and marijuana incidents occurring on school grounds.

II. POLICY

It shall be the policy of the Suffolk County Police Department to effect a summary arrest in accordance with applicable laws whenever there exists reasonable cause to believe that a crime (as defined by the Penal Law) has occurred on school grounds involving the use or possession of marijuana or a controlled substance.

III. DEFINITIONS

Controlled Substance - Any substance listed in schedule I., II., III., IV., or V. of section 3306 of the Public Health Law other than marijuana but including concentrated cannabis as defined in paragraph (a) of subdivision five of section 3302 of the Public Health Law.

Marijuana - Means "marijuana" or "concentrated cannabis" as those terms are defined in section 3302 of the Public Health Law.

IV. REFERENCES

Rules and Procedures Chapter 14, section 7 (Evidence Procedure, Controlled Substances and Marijuana)
 New York State Penal Law Articles 220 & 221
 New York State Public Health Law sections 3302 & 3306

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Upon arrival to the scene, Officers shall take custody of the controlled substance or marijuana that has been seized/received by the school official and issue him/her a receipt. Officers shall inquire about the "chain of evidence" and note the identity of prior custodians.

B. Excepting violation (non-criminal) offenses involving a juvenile and Unlawful Possession of Marijuana offenses (section 221.05 PL) as noted below, summary arrests shall be made in accordance with applicable laws whenever there exists reasonable cause to believe a controlled substance or marijuana is used or possessed on school grounds. Any controlled substance or marijuana possessed by an individual(s) and confiscated on school grounds shall be invoiced by the reporting officer by completing a Property Section Invoice-Receipt form (PDCS-4201), and an Evidence Analysis Request form (PDCS-3220-9), which shall be attached and forwarded to the Suffolk County Crime Lab as per evidence procedures pertaining to controlled substances/marijuana detailed in Chapter 14, Section 7 of the Rules and Procedures. The Evidence Analysis Request form shall be clearly marked as "School Incident", and as such will be given priority by the Crime Lab. (Note: An Evidence Analysis Request form shall not be completed, unless extenuating circumstances are apparent, in those situations where school authorities are providing the Department with suspected controlled substances or marijuana found on school grounds under circumstances where probable cause does not exist to indicate that anyone possessed the suspected controlled substance or marijuana. The Property Section Invoice-Receipt form shall be completed with the "Surrendered [To be destroyed]" box checked in the "Type of Property" section. A Field Report (PDCS-1053) documenting the incident shall be completed.) In all cases wherein a summary arrest is made, the arresting officer shall request that the complainant and any witnesses, whenever practicable, immediately accompany the arresting officer to the precinct for completion of any appropriate paperwork and statement(s). In all cases wherein a drug investigation is initiated or an arrest is effected, copies of the Incident Report (PDCS-1099), Arrest Report (PDCS-1045), and Evidence Analysis Request form shall be forwarded to the Narcotics Section.

1. Incidents Involving Marijuana

a. Non-Criminal Incidents Involving Juveniles - When the incident is found to be less than a felony or misdemeanor offense, the reporting officer shall inform the school official that he or she may refer the matter to the Suffolk County Probation Department.

b. Criminal Incidents Involving Juveniles - When the incident is found to be either a felony or misdemeanor offense, a summary arrest shall be made. The juvenile shall be transported to the precinct by the reporting officer and processed by a member of the appropriate Precinct Detective Bureau Squad. The complainant and any witnesses should also respond to the precinct.

c. Offenses Involving Adults - In all instances where an offense is committed by an adult a summary arrest shall be made; provided, however, marijuana offenses that are less than felony and misdemeanor offenses as defined in section 221.05 of the Penal Law shall be processed by the issuance of an appearance ticket in

accordance with section 150.75 CPL.

2. Incidents Involving Controlled Substances - In all instances where reasonable cause to believe that a person, adult or juvenile, committed either a misdemeanor or felony controlled substance offense, that person shall be arrested and transported to the precinct for processing. Whenever a field test is required to establish reasonable cause to believe for the presence of cocaine, heroin or LSD, a patrol supervisor shall immediately respond and administer the test. In those instances where reasonable cause to believe cannot be established without lab analysis, and the substance is suspected to be a controlled substance, the reporting officer shall not arrest the person, but shall invoice the suspected controlled substance for processing by the Crime Lab, and the relevant reports shall all be marked "School Incident".

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Controlled Substances, School Grounds 9/15
School Grounds, Controlled Substances and Marijuana 9/15
Marijuana, School Grounds 9/15

END



ORDER NUMBER 06- 83

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE PUBLIC HEALTH EMERGENCY					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 12/14/06	DATE EFFECTIVE 12/14/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 16: TITLE: PUBLIC HEALTH EMERGENCY

I. PURPOSE

To provide direction to members of the Department concerning responses to public health emergencies.

II. POLICY

The Department is committed to working with the Suffolk County Department of Health Services and other governmental entities in an effort to protect the residents of Suffolk County from exposure to communicable diseases.

III. DEFINITIONS

A. Isolation - Separation and restriction of movement or activities of ill persons with a contagious disease.

B. Quarantine - Separation and restriction of movement or activities of persons who are not ill but who are believed to have been exposed to infection, including prohibitions of entrance or exit into premises and restrictions on removal of potentially infected materials.

C. Communicable Disease - The Suffolk County Department of Health Services' "Protocol for Isolation and Quarantine of Communicable Diseases" refers to a communicable disease as those diseases identified in Section 2.1 of the New York State Sanitary Code (10 NYCRR 2.1). There are over 60 assorted diseases listed in this section of law. The protocol manual further advises that the Suffolk County Commissioner of Health Services has the authority and discretion to protect the public health, and when deemed necessary, to order the isolation and/or quarantine of individuals infected with or exposed to a communicable disease.

D. Isolatable and Quarantinable Communicable Diseases -The Suffolk County Department of Health Services' Training Guide, titled "Isolation and Quarantine for Communicable Diseases", specifically lists the

following contagious diseases as isolatable and quarantinable communicable diseases subject to isolation and quarantine measures in accord with the provisions set forth in this Rules and Procedures section: smallpox, viral hemorrhagic fevers (i.e., ebola), pandemic influenza, pneumonic plague, tuberculosis, diphtheria, severe acute respiratory syndrome (SARS), cholera, and yellow fever.

1. Smallpox - a contagious viral disease characterized by the sudden onset of fever, headache, backache, general weakness, and occasionally nausea and vomiting. A rash then appears a few days later. This rash appears first on the face, then the arms, legs, and trunk. Smallpox is transmitted by person to person contact.

2. Viral Hemorrhagic Fevers - a group of distinct illnesses, many of animal origin. The illness is transmitted to humans via rodents, mosquitoes, ticks, contact with infected animals, and close contact with the infected person. Symptoms include marked fever, fatigue, dizziness, muscle aches, loss of strength, and exhaustion. In severe cases, bleeding can occur in the following areas: under the skin, internal organs, mouth, eyes, and ears. In severely ill cases, the infected person can experience shock, nervous system malfunction, coma, delirium, seizures, and kidney failure.

3. Pandemic Influenza - a new influenza virus appearing in the human population which can cause serious, widespread illness. Transmission is droplet spread from the ill person.

4. Pneumonic Plague - a bacterial illness affecting the lungs. Symptoms include fever, weakness, rapidly developing pneumonia, shortness of breath, chest pain, sometimes bloody or watery sputum, occasionally nausea, vomiting, and abdominal pain. Transmission is droplet spread from the ill person.

5. Tuberculosis - a bacterial illness that usually attacks the lungs, but can attack any part of the body. Transmission is from person to person by airborne particles in coughing or sneezing. There are several symptoms associated with active tuberculosis: a cough lasting more than two weeks; pain in chest; coughing up blood or sputum; weakness or fatigue; no appetite; weight loss; chills; fever; and night sweats.

6. Diphtheria - a rare bacterial disease within the United States due to vaccination. The disease is transmitted from person to person by close contact. Skin lesions are also contagious. Symptoms include low grade fever, sore throat, adherent membrane of the tonsils, pharynx, or nose. Neck swelling can occur in severe cases. Skin lesions are detectable in the cutaneous type of Diphtheria.

7. Severe Acute Respiratory Syndrome (SARS) - a viral respiratory illness first reported in Asia in February 2003. It became a global outbreak which spread to more than two dozen countries. Transmission is by close person to person contact with respiratory droplets spread during coughing or sneezing. Symptoms include fever, malaise, body aches, diarrhea, a dry cough after 2 to 7 days, and pneumonia.

8. Cholera - an acute bacterial diarrheal illness caused by infection of the intestine. The infection is often mild or without symptoms, but sometimes it can be severe. Approximately 1 in 20 affected persons has severe cholera characterized by profuse watery diarrhea, vomiting, and leg cramps. A person may get cholera by drinking water or eating food contaminated with the cholera bacterium. In an epidemic, the source of the contamination is usually the feces of the infected person. The disease can spread rapidly in areas with inadequate treatment of sewage and drinking water.

9. Yellow Fever - a viral disease that is transmitted to humans through the bite of infected mosquitoes. Illness ranges in severity from an influenza-like syndrome to severe hepatitis and hemorrhagic fever. The disease occurs only in sub-Saharan Africa and tropical South America. A traveler's risk of acquiring yellow fever is determined by immunization status.

IV. REFERENCES

A. Suffolk County Department of Health Services Isolation and Quarantine of Communicable Diseases Protocol

B. Suffolk County Department of Health Services Training Guide titled "Isolation and Quarantine for Communicable Diseases."

C. United States Department of Health and Human Services, Centers for Disease Control and Prevention Website: www.cdc.gov

V. RULES AND REGULATIONS

A. Legal Authority for Isolation and Quarantine of Communicable Diseases

1. The Suffolk County Commissioner of Health Services has the authority and discretion to protect the public health, and, when deemed necessary, to order the isolation and/or quarantine of individuals infected with or exposed to a communicable disease. The New York Public Health Law provides the Suffolk County Commissioner of Health Services with the following authority:

a. the authority to reasonably inspect and determine whether an individual may be infected with or exposed to a communicable disease; and

b. the authority to isolate and/or quarantine an individual that is deemed to have been infected or exposed to a communicable disease.

2. The decision by the Suffolk County Commissioner of Health Services to implement isolation and quarantine will be considered only when necessary to protect the public health, consistent with national public health authorities' recommendations and only after consultation with the New York State Department of Health (NYSDOH). Isolation and quarantine will be implemented only when there is the potential for a large and/or serious communicable disease outbreak. Voluntary cooperation of persons being placed in isolation or quarantine will be sought before orders of

involuntary restriction are issued.

B. Health Orders and Court Orders- In the event that voluntary isolation or quarantine is not effective, the Suffolk County Health Commissioner or the Director of Public Health will make a determination, in consultation with the New York State Department of Health, that an isolation or quarantine health order or court order is necessary.

1. Health Order

a. The Suffolk County Health Commissioner or Director of Public Health may issue a health order. The health order will be developed in conjunction with the Suffolk County Attorney to ensure compliance with the requirements of the New York State and U.S. Constitutions.

b. A health order is enforceable by law enforcement agencies. Willful violation of or refusal to comply with a health order is a misdemeanor under state law (see Public Health Law, Section 12-b).

2. Court Order

a. The Suffolk County Health Commissioner or Director of Public Health may petition the New York State Supreme Court for an order to effectuate the isolation or quarantine. A petition for such a court order will be developed in conjunction with the Suffolk County Attorney to assure compliance with the requirements of the New York State and U.S. Constitutions.

b. A court order is enforceable by law enforcement agencies. Intentional disobedience or resistance to the lawful process or other mandate of a court is a class A misdemeanor under state law (see New York State Penal Law, Criminal Contempt in the Second Degree, Section 215.50, subdivision 3)."

3. The above-described health and court orders will be drafted by the Suffolk County Attorney's Office. When deemed necessary, the Suffolk County Attorney or designee will appear in court if necessary. Orders are generally served by the Suffolk County Sheriff's Department. Law enforcement agencies, including the Suffolk County Police Department, can also serve orders on affected individuals.

C. Locations of Confinement

1. The following locations have been selected in which law enforcement may safely detain those who allegedly violate quarantine or isolation orders:

a. Suffolk County Family Health Centers

(1) Brentwood Family Health Center (631) 853-3400

(2) Central Islip Family Health Center (631) 853-2710

(3) Coram Family Health Center (631) 854-2301

- (4) Dolan Family Health Center, Greenlawn (631) 425-5250
- (5) Martin Luther King Jr. Community Health Center, Wyandanch (631)854-1700
- (6) Patchogue-South Brookhaven Health Center (631) 854-1200
- (7) Shirley Family Health Center (631) 852-1000
- (8) Maxine Postal Tri-Community Health Center, Amityville (631) 854-1000
- (9) Riverhead Health Center (631) 852-1800

b. Local Hospitals

VI. PROCEDURES

A. Police Department Directed to Take Subject into Custody

1. The Suffolk County Police Department's Communications Section Duty Officer shall be advised by Suffolk County Fire Rescue and Emergency Services (FRES) that the Suffolk County Department of Health Services has requested police and rescue personnel to respond to a designated location in order to take an identified subject into custody for violating a health or court order of isolation and quarantine.

2. The Duty Officer shall obtain the necessary information concerning the location and the individual to be taken into custody. The Duty Officer shall record this information in the Duty Officer's log. The name and title of the reporting FRES representative shall also be recorded in the Duty Officer's log. Any applicable health or court order numbers shall additionally be recorded. The Duty Officer shall request that the FRES representative fax a copy of the health or court order, if available, to the Duty Officer so that the order could be subsequently faxed by the Duty Officer to the appropriate precinct Officer in Charge (OIC) for inclusion in any arrest paperwork or investigatory file that may be subsequently generated as a result of the FRES notification. The Duty Officer shall initially notify the Chief of Patrol or his/her designee and the Commanding Officer of the Medical Evaluation Bureau or his/her designee. Additional subsequent notifications shall be made by the Duty Officer to the following Department members or their respective designees: The Police Commissioner, the Chief of Department, the Chief of Detectives, the Chief of Support Services, and the Commanding Officer of the Office of Homeland Security and Anti-Terrorism.

3. The Duty Officer shall generate a Central Complaint number and relay the information to the appropriate dispatcher. Two officers shall respond to these types of incidents. The dispatcher shall advise the appropriate sector car(s) to respond to the respective location reference the violation of a health or court order of isolation and quarantine. Pertinent information on the subject to be taken into custody shall be relayed as permitted by law.

a. The dispatcher shall advise the responding officer(s) to procure all necessary Department issued Personal Protective Equipment.

b. The dispatcher shall also advise the responding officer(s) if an emergency medical service rescue unit has been notified.

4. The responding officer(s) shall attempt to locate the subject at the address provided. If the subject is located, he or she shall be informed that the Suffolk County Health Commissioner has requested the Suffolk County Police Department to enforce an order of isolation or quarantine. If the subject does not voluntarily comply with the terms of the order, the officers shall place the subject in custody for violating Public Health Law Section 12-b, a misdemeanor offense when a health order is violated. If a court order is violated, the applicable charge shall be New York State Penal Law, Criminal Contempt in the Second Degree, Section 215.50, subdivision 3. The names, addresses, phone numbers, and dates of birth of family members, relatives, friends, etc., who are present with the subject shall be obtained by the responding officers. This information shall be placed on the Incident Report to be subsequently prepared.

a. If the subject is not located, the officer assigned the call shall advise the dispatcher of this result. The assigned officer shall complete an Incident Report with Public Health Law Section 12-b designated as the offense when a health order is violated. If a court order is violated, the applicable charge shall be New York State Penal Law, Criminal Contempt in the Second Degree, Section 215.50, subdivision 3. The body of the report shall contain information concerning the incident. Follow-up investigation shall be initiated by the appropriate Precinct Crime Section and coordinated with the Suffolk County Department of Health Services in an attempt to locate the subject.

5. The arresting officer shall advise the dispatcher that the subject is in custody. The officer should request that FRES be contacted in order to determine if the Suffolk County Department of Health Services desires the subject to be brought to a specific location. If no specific location is designated, the subject shall be transported to the nearest hospital. The Suffolk County Department of Health Services recommends that the emergency medical services rescue unit, if on scene, perform the transport. One officer shall accompany the arrestee in the ambulance and the other shall drive the sector car to the location of transport. Prior to arrival, the respective hospital facility must be notified that a subject of an isolation/quarantine order is being transported.

6. Upon arrival at the hospital, the arresting officer shall transport the prisoner to the prescribed isolation/quarantine area. The arresting officer shall continue to guard the prisoner and make arrangements through supervisory personnel for addressing cases of hospitalized defendants as per existing policies (Chapter 16, Section 16).

7. Since the arrestee has already been determined to have, or been exposed to, a communicable disease prior to the issuance of the health or court order to isolate and quarantine, the supervisor shall complete any

appropriate paperwork associated with contact or exposure incidents as explained in Rules and Procedures Chapter 3, Section 3, entitled Communicable Disease Procedures.

8. The reviewing supervisor shall ensure that a copy of the Incident Report corresponding to the health or court order to isolate and quarantine is forwarded to the Office of the Chief of Patrol, the Medical Evaluation Bureau, and the Suffolk County Department of Health Services, Office of the Health Services Commissioner, at 225 Rabro Drive East, Hauppauge, NY 11788.

B. Suffolk County Police Department's Determination to Effect Isolation and Quarantine Measures

1. If an officer responds to an incident where he/she is advised at the scene that an individual is suffering from an isolatable and quarantinable communicable disease, as defined above in Definitions subdivision III. D, or the officer suspects that an isolatable and quarantinable communicable disease is present, the officer shall seek voluntary compliance from the suspected carrier to receive medical treatment. If the suspected carrier does not voluntarily comply with the request for medical treatment and there is concern that public health may be at a substantial risk due to the exposure of others to the suspected disease carrier, the officer may, upon supervisory approval, determine to isolate or quarantine the suspected disease carrier as well as other individuals exposed to the suspected disease carrier. When possible, the supervisor shall consult with the Suffolk County Department of Health Services prior to an involuntary isolation/quarantine. Officers at the scene shall procure all necessary Department issued personal protective equipment in order to protect themselves from possible exposure.

2. Emergency Medical Service (EMS) personnel shall be requested by the responding officer to transport the subject who appears to be the carrier of the isolatable and quarantinable communicable disease. The officer assigned the call shall advise the dispatcher to contact FRES. FRES shall determine, through consultation with the Suffolk County Department of Health Services, the location to which the suspected isolatable and quarantinable communicable disease carrier shall be transported for isolation purposes. If the Department of Health Services is unable to be contacted, the suspected disease carrier shall be transported to the local hospital. Prior to arrival, the respective hospital facility must be notified that a suspected isolatable and quarantinable communicable disease carrier is being transported.

a. The assigned officer shall also advise the dispatcher of the number of individuals being quarantined as a result of exposure to the suspected isolatable and quarantinable communicable disease carrier. The assigned officer shall advise the dispatcher to contact FRES. FRES shall determine, through consultation with the Suffolk County Department of Health Services, the location to which the quarantined individuals shall be transported for examination purposes. If the Suffolk County Department of Health Services is unable to be contacted, the quarantined individuals shall be transported to the local hospital. The assigned officer shall advise the quarantined

individuals that they will be transported to the hospital for examination. A suitable number of officers shall be provided to assist with the transportation of quarantined individuals. Prior to arrival, the respective hospital facility must be notified of the number of quarantined individuals being transported.

3. Those individuals who refuse to obey the isolation and quarantine instructions of police personnel shall be advised that they will be placed under arrest if they do not voluntarily comply. Upon supervisory approval, individuals who do not voluntarily comply shall be charged with any applicable New York State Penal Law Section (i.e., Obstructing Governmental Administration or Reckless Endangerment).

a. As in compliance cases, the Department shall coordinate through Suffolk County Fire Rescue and Emergency Services (FRES) the applicable location to transport the arrestees. The arrestee who is the suspected carrier of the isolatable and quarantinable communicable disease shall be transported by EMS personnel. Those arrested for quarantine purposes shall be transported by police.

b. The arresting officer(s) shall transport the prisoner(s) to the designated locations, continue to guard the prisoner(s), and make arrangements through supervisory personnel for addressing cases of hospitalized defendants as per existing policies (Chapter 16, Section 16).

c. The reviewing supervisor shall ensure that a copy of the Incident Report corresponding to an arrest for isolation or quarantine purposes is forwarded to the Office of the Chief of Patrol, the Medical Evaluation Bureau, and the Suffolk County Department of Health Services, Office of the Health Services Commissioner, at 225 Rabro Drive East, Hauppauge, NY 11788.

4. If an officer believes that a communicable disease not specifically listed in Definitions subdivision III. D. as an isolatable and quarantinable communicable disease is present in a suspected carrier and a substantial risk to public health exists if the suspected carrier does not voluntarily comply with instructions to obtain medical attention, the officer shall request that a supervisor respond to the location. If the supervisor concurs with the officer's assessment, the supervisor, when possible, shall consult with the Suffolk County Department of Health Services prior to any involuntary isolation/quarantine. If the Suffolk County Department of Health Services cannot be contacted, the supervisor shall initiate the same isolation and quarantine measures previously described in this section (VI. B.) for those cases where an individual is suspected of being a carrier of an isolatable and quarantinable communicable disease.

C. Large Numbers of People Simultaneously Becoming Ill

1. Responding officers are directed to address situations where numerous people simultaneously become sick as a potential weapon of mass destruction incident.

2. Procedures detailed in Rules and Procedures Chapter 15, Section 15,
(Weapons of Mass Destruction) shall be followed.

VII. ACCREDITATION STANDARD REFERENCES

A. NYSLEAP

VIII. INDEX

Public Health Emergency 9/16
Isolation and Quarantine 9/16

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ADDCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-72

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE SCHOOL OR SCHOOL-RELATED INCIDENTS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 08/27/07	DATE EFFECTIVE 08/27/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 17: TITLE: SCHOOL OR SCHOOL-RELATED INCIDENTS

I. PURPOSE

To provide guidance to members of the Service concerning the proper reporting of school or school-related incidents.

II. POLICY

It shall be the policy of the Suffolk County Police Department to promote and enhance public safety through the timely response, investigation and reporting of school or school-related incidents. All members of the Service will remain vigilant to the potential for sexual predators, violence, gang activity and terrorist acts (including surveillance) to be present or to occur on or near school grounds.

III. DEFINITIONS

A. School: Any public, private or vocational school, college or university within the Suffolk County Police District.

B. School Incident: Any reported incident, offense or potential offense committed on or near school grounds. This would include, but not be limited to, assaults, domestic incidents, sexual assault, the possession, use, or threatened use of weapons or explosives, hate crimes, gang activity, suspicious persons or vehicles, stalking, menacing, loitering, trespass, burglary, vandalism or graffiti.

C. School-Related Incident: Any reported incident, offense or potential offense committed with a nexus to school activity. This would include, but not be limited to, school buses, school bus stops, school-sponsored off premises activities and telephonic, verbal, written or internet threats or plots involving students, staff or visitors.

D. Excludable School or School-Related Incidents: For the purposes of this section in the Rules and Procedures, certain incidents listed below will not need to be forwarded to Criminal Intelligence Section (CIS).

The Commanding Officer of CIS, or designee, may exclude any data entry that is not appropriate for the objectives of this program. The following school or school-related incidents need not be annotated "School", and need not be forwarded to CIS:

1. Misdemeanor criminal mischief of a non-threatening nature or vandalism incidents, which can not be associated with a suspect or gang activity.

2. Controlled substances or marijuana found on school grounds under circumstances where probable cause does not exist to indicate that anyone possessed the suspected controlled substance or marijuana.

3. Non-criminal possession of marijuana by a juvenile.

4. Motor vehicle crashes involving school buses or those occurring on or near school grounds.

NOTE: If, in the knowledge and experience of the investigating Officer, an otherwise excludable school or school-related incident should be forwarded to CIS for intelligence value, nothing in this Order shall prohibit such contact or referral.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. CIS Inquiries - If a suspect name, nickname, plate or partial plate is developed in a school or school-related incident, the responding/investigating Officer may make a telephonic inquiry to initiate a database search through the Criminal Intelligence Section at 852-6110. (Please note that CIS is staffed seven days per week, from 0800 to 2400 hours.)

B. Reporting of School or School-Related Incidents - All reports relating to non-excludable school or school-related incidents shall be titled with the appropriate incident and annotated "School", "forward to Precinct Crime Section (PCS) and CIS", or, for felonies, "School", "forward to Precinct Detective Squad and CIS". This shall include the Field Report, Incident Report, Domestic Incident Report, PDCS-1018, Field Interview/Intelligence Report, or any related Supplementary Reports. Copies of these reports concerning school or school-related incidents shall be forwarded to the appropriate PCS or detective section, for investigation, and a copy to CIS for database entry. (Form PDCS-1018 is routinely distributed to PCS and CIS.)

C. Responsibilities of the Criminal Intelligence Section - CIS shall establish a database to capture, store and analyze data related to school or school-related incidents. The Commanding Officer of CIS, or designee, is authorized to exclude any data entry that is not appropriate for

the objectives of this program. Intelligence gained, and patterns of activity that are identified, shall be shared with the Chief of Patrol, Chief of Detectives or the Deputy Chief of Homeland Security and disseminated within the Department as deemed necessary.

1. The Commanding Officer of the Criminal Intelligence Section shall recommend, whenever deemed appropriate, that a Department Directive be published to amend reportable or excludable criteria.

VII. ACCREDITATION STANDARD REFERENCE

N/A

VIII. INDEX

School Incidents - 9/17

School-Related Incidents - 9/17

END



ORDER NUMBER 08-23

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE INCIDENTS INVOLVING HOUSES OF WORSHIP AND/OR RELATED FACILITIES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/11/08	DATE EFFECTIVE 03/11/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 18: TITLE: INCIDENTS INVOLVING HOUSES OF WORSHIP AND/OR RELATED FACILITIES

I. PURPOSE

To provide guidance to members of the Service concerning the proper reporting of incidents involving houses of worship and/or related facilities.

II. POLICY

It shall be the policy of the Suffolk County Police Department to promote and enhance public welfare and safety through the timely response, investigation and reporting of incidents involving houses of worship and/or related facilities. All members of the Service will remain vigilant to the potential for houses of worship to become targets for hate crimes and terrorist acts.

III. DEFINITIONS

A. House of Worship: Any church, mosque, temple, chapel, meetinghouse, or synagogue where persons congregate to perform acts of religious praise, honor or devotion within the Suffolk County Police District.

B. Related Facility: Any building or facility having a discernable nexus to a house of worship or religious practice. This would include religious schools, manse, individual or group residences of retired or active clergy, church auditoriums, and garages and/or athletic fields and supporting structures on church grounds.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Responsibility - The Hate Crimes Unit is charged with and will be responsible for determining at any stage of an investigation if the offense is a hate crime.

B. Requests for the immediate response of the Hate Crimes Unit to a scene location shall be made via the Duty Officer.

C. Additional direction can be found in these Rules and Procedures at Chapter 24, Section 6, "Hate Offenses".

VI. PROCEDURES

A. Responding Officers - The following procedure shall be followed when officers respond to an incident involving a house of worship and/or related facility:

1. Request the presence of a supervisor.
2. Preserve the scene.
3. Record the presence of all persons that respond.
4. Notify or cause to be notified the Hate Crimes Unit via the Duty Officer.

B. Reporting of incidents involving a house of worship and/or related facility - All reports relating to incidents involving a house of worship and/or related facility shall be titled with the appropriate incident and annotated "House of Worship". This shall include the Field Report, Incident Report, Domestic Incident Report, PDCS-1018, Field Interview/Intelligence Report, or any related Supplementary Reports. If the Hate Crimes Unit will not be investigating the incident, copies of these reports shall be forwarded to the appropriate Precinct Crime Section or Detective Section for investigation, with copies further submitted to the Hate Crimes Unit and Criminal Intelligence Section (CIS).

C. Responsibilities of the Criminal Intelligence Section - CIS shall establish a database to capture, store and analyze data related to incidents involving a house of worship and/or related facility. The Commanding Officer of CIS, or designee, is authorized to exclude any data entry that is not appropriate for the objectives of this program. Intelligence gained, and patterns of activity that are identified, shall be shared with the Chief of Patrol, Chief of Detectives or the Deputy Chief of Homeland Security and disseminated within the Department as deemed necessary.

VII. ACCREDITATION STANDARD REFERENCE

N/A

VIII. INDEX

Houses of Worship - 9/18

Houses of Worship and/or Related Facilities - 9/18

END



ORDER NUMBER 08-33

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE REVERSE 911 SYSTEM				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 05/19/08	DATE EFFECTIVE 05/19/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 9: PATROL OPERATIONS

SECTION 19: REVERSE 911 SYSTEM

I. PURPOSE

To establish guidelines and procedures for providing information to the public utilizing the Reverse 911 system.

II. POLICY

It is the policy of the Suffolk County Police Department to utilize the Reverse 911 system as a communications tool supplementing other methods of notification to the public.

III. DEFINITIONS

A. Reverse 911 - A system of calling a list of phone numbers within a specified geographical area.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Only the Officer in Charge or a member of higher rank can authorize the use of the Reverse 911 system for an emergency incident.

1. Unless extremely unusual circumstances exist, the Reverse 911 system will only be used to notify the public of the following emergency incidents:

- a. A missing child less than ten years of age.
- b. A missing Alzheimer patient.
- c. An active shooter.

B. Only a member of the Department above the rank of Deputy Inspector

can authorize use of the Reverse 911 system for any other reason.

C. The Duty Officer shall record all uses of the Reverse 911 system in the Duty Officer's Confidential Log.

D. The member of the Department authorizing the use of the Reverse 911 system shall make sure the Office of the Chief of Patrol is notified by telephone (by fax after hours) as soon as practical, but before going off duty.

VI. PROCEDURES

A. The Duty Officer is contacted via telephone and advised the Reverse 911 system is needed.

1. The member of the Department advises the Duty Officer of the specific geographical area to be notified (e.g., six blocks in all directions, specific streets, etc.).

2. The member advises the Duty Officer of the specific address(es) not to be notified (e.g., location where the suspect is, etc.), if any.

3. The member makes a voice recording of the message with the assistance of the Duty Officer.

a. The recording always advises those called that 911 is to be contacted if they have any information for the Police Department.

B. The Duty Officer initiates the Reverse 911 system.

C. Members of the Department should keep in mind the system calls 28 lines at once. Brevity of the message allows the system to go to the next 28 lines more quickly. When a member of the Department above the rank of Deputy Inspector gives authorization, an alternate system which can call 4,000 lines at once can be utilized. Only in the most dire of circumstances should it be utilized (e.g., active shooter, substantial hazardous materials incident, etc.).

VII. ACCREDITATION STANDARD REFERENCE

N/A

VIII. INDEX

Reverse 911 system - 9/19

END



ORDER NUMBER 08-34
 08-64

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE ROADWAY CHECKPOINTS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 05/19/08 10/14/08	DATE EFFECTIVE 05/19/08 10/14/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 20: TITLE: ROADWAY CHECKPOINTS

I. PURPOSE

To establish a standard, non-discriminatory procedure for conducting roadway safety and sobriety checkpoints in a legal, efficient, and safe manner.

II. POLICY

It is the policy of the Suffolk County Police Department to conduct roadway safety and sobriety checkpoints as needed to maintain traffic safety. The purpose of a safety checkpoint is to ensure that motorists are licensed and carefully operating their vehicles and that their vehicles are fit for safe operation. The purpose of a sobriety checkpoint is to reduce the number of persons who drive while impaired or intoxicated. While officers assigned to checkpoints are expected to make arrests of motorists that are operating motor vehicles while impaired or intoxicated, they should be ever mindful of the public relations facet of these operations. Sobriety checkpoints serve as a public relations tool by establishing a perception that the probability of being arrested for driving while impaired or intoxicated is great. The Supreme Court has ruled that a checkpoint may not be used for suspicionless criminal investigations. However, this ruling does not preclude the use of appropriately tailored checkpoints in response to exigent circumstances.

III. DEFINITIONS

Checkpoint Commander - A supervising officer, at the rank of Sergeant or above, who is in charge of a roadway safety or sobriety checkpoint.

IV. REFERENCES

- City of Indianapolis v. Edmond, 531 U.S. 32 (2000)
- Delaware v. Prouse, 440 U.S. 648 (1979)
- Michigan Dept. of State Police v. Sitz, 496 U.S. 444 (1990)
- New York State Constitution, Article 1 Section 12

V. RULES AND REGULATIONS

The following requirements and circumstances shall be considered when planning any roadway safety or sobriety checkpoint:

A. Personnel - Roadway checkpoints will consist of a Checkpoint Commander and any additional supervisors necessary to direct the efforts of officers controlling traffic, as well as those assigned to question and screen motorists. There should also be a sufficient number of police officers to safely set up and maintain traffic signs, control traffic, interview motorists in a designated area, and staff the reserve and advance cars.

B. Site Selection - The Checkpoint Commander shall select an appropriate site to conduct the roadway checkpoint activities. Some considerations should include roads that have a high percentage of fatal and serious crashes related to unsafe driving, or driving under the influence of alcohol or drugs. Another consideration could be roads that are the subject of requests by the public to address local traffic concerns. The site should be in an area with sufficient space to provide adequate advanced notice to motorists by the use of warning devices, such as signs, flares, cones, or lights. The site should also have a location that can provide an area safely away from the traffic flow, to conduct interviews of drivers. Additional checkpoint site considerations include the following:

1. An area with adequate lighting, utilizing auxiliary lighting if needed.
2. An area to park police vehicles.
3. An area to park the vehicles of arrestees.
4. An area that will not adversely affect any particular business.

C. Time of Operation - Sobriety checkpoints should be conducted during those times when the potential for alcohol related arrests is highest and the risk of creating traffic problems is lowest. Generally, these two times are compatible.

D. Equipment - The Checkpoint Commander will ensure that necessary equipment listed below, when appropriate, is made available.

1. Barricades, cones, and flares, as needed.
2. Large signs stating the purpose of the checkpoint.
3. Variable message sign, if available.
4. Generators and lights, as appropriate.
5. Sufficient marked police units.
6. Flashlights (provided by officers).
7. Reflective traffic vests.
8. Properly calibrated pre-screening breath test devices.

E. Exigent Circumstances - In the event of a situation involving exigent circumstances (e.g., a missing child, identifying witnesses to a crime, or a search for a murder suspect) where a checkpoint may be determined by a supervisor to be necessary, the checkpoint procedures outlined below should be followed, if possible. However, each event must be evaluated based on the facts presented and appropriate action taken.

VI. PROCEDURES

A. Checkpoint Commander - The Checkpoint Commander will select the criteria for screening motorists and submit the criteria in writing to their Commanding Officer via an Internal Correspondence (PDCS-2042), in a timely manner. The Checkpoint Commander will draw the CC# for the detail.

B. Briefing of Personnel and Post Checkpoint Reports - Prior to initiating a checkpoint, the Checkpoint Commander insures that all assigned personnel are thoroughly briefed as to checkpoint procedures and legal requirements. Upon completion of the checkpoint, the Checkpoint Commander submits a supplementary report titled "Post Checkpoint Report" to the Bureau Commanding Officer. The post checkpoint report should include: the day, date, and time of the checkpoint; the roadway and traffic conditions; the location and duration of the checkpoint; the criteria used for determining the vehicles stopped for screening; the number of vehicles stopped; the number of officers involved; the number of summonses issued and arrests made; and any other events deemed noteworthy by the Checkpoint Commander.

C. Non-discriminatory Selection of Motorists for Screening - Motorists passing through the checkpoint MUST be selected for screening in a non-discriminatory manner. That is, every car, every third car, every fifth car, as directed by the Checkpoint Commander. If possible, every car should be screened, but this may be adjusted if traffic volume makes it necessary. Only the Checkpoint Commander may change the selection criteria.

D. Screening of Motorists

1. Checkpoint Observations

a. Safety Screening - Each vehicle selected for a safety screening will be stopped in the interview area for the purpose of verifying the following:

(1) the driver is in possession of a driver license and proof of insurance.

(2) the motor vehicle being driven is fit for safe operation.

(3) the operator or passengers have information on a prior crime.

b. Sobriety Screening - Each vehicle selected for a sobriety screening will be stopped in the interview area for the purpose of observing the driver to determine whether there are any visible signs of intoxication.

2. Communication with Motorists

a. Screening officers shall introduce themselves to the motorists they stop and explain the purpose of the checkpoint.

b. Ask each driver to produce his/her driver license and proof of insurance. If conducting a sobriety checkpoint, observe the motorist perform the physical function of retrieving the documents. If, after a brief interview, no infraction or offense exists, thank the motorist and

send the motorist safely on his/her way. If the total screening time of the motorist exceeds five minutes, the checkpoint must be reevaluated in order to reduce unnecessary delay.

E. Evading a Checkpoint - Police officers shall be assigned to patrol the roadway in advance of the approach to the checkpoint to detect any vehicle that might attempt to evade the checkpoint. Motorists who reasonably appear to be avoiding the checkpoint shall be stopped.

F. Uncooperative Motorists - The Supreme Court has held that a legally operated, non-discriminatory, checkpoint may be used to ascertain vehicle and driver safety. As such, a motorist properly selected for screening must produce his/her driver license and proof of insurance.

G. Safety Concerns - The checkpoint will be conducted with a minimum risk of injury to the officers and the public. There must be sufficient personnel to ensure safety and to calm public fears created by the operation.

H. Suspension or Termination of Checkpoint - The Checkpoint Commander is expected to suspend, terminate, or relocate the checkpoint should the checkpoint create a substantial hazard or inconvenience to the public.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

Checkpoints 9/20

Exigent Circumstance Checkpoints 9/20

Safety Checkpoints 9/20

Sobriety Checkpoints 9/20

Roadblocks (see Checkpoints) 9/20

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE BYSTANDERS AT POLICE INCIDENTS

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 11/18/08	DATE EFFECTIVE 11/18/08	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 9: TITLE: PATROL OPERATIONS

SECTION 21: TITLE: BYSTANDERS AT POLICE INCIDENTS

I. PURPOSE

To establish procedures for a member of the Service to follow when dealing with bystanders at the scene of an incident.

II. POLICY

The Department respects the civil rights of all members of the public. These rights extend to bystanders at police incidents. Along with these rights a bystander must adhere to certain guidelines in order for police activity to proceed unhindered and also for the safety of the public. Members of the Service should assume their activities, at all times, are being observed and recorded.

III. DEFINITIONS

Bystander - One present but not taking part in a situation or event: a chance spectator.

Recorded Media - Still photographs, video and audio recordings in any format.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Bystander Rights at Police Incidents - Bystanders may be allowed to remain at a police incident as long as their presence and activities are lawful and do not in any way compromise the safety or outcome of

police activity, or violate the privacy of the detainee. In regard to this bystanders may:

1. Observe the incident
2. Produce recorded media
3. Make comments in regard to the incident

B. Bystander Restrictions At Police Incidents - Members of the Service must control all incidents they are involved in. Bystanders must be uninvolved spectators and not in any way interfere with police activity. Bystanders must not:

1. Enter any restricted areas.
2. Interfere with police operations.
3. Violate any laws.
4. Compromise the safety of an officer, detainee or any other member of the public.
5. Threaten by words or actions.
6. Attempt to incite others to violate the law.

C. Recorded Media In Possession of a Bystander - Members of the Service should be diligent in collecting evidence at an incident, but are not allowed to detain bystanders or confiscate recorded media in their possession.

1. If an officer determines that the recorded media in possession of a bystander could have evidentiary value in an investigation, the officer will request from the bystander a voluntary surrender of the recorded media. If surrendered, the bystander will be given the case number, issued a property receipt and other pertinent information. To facilitate the surrender of the recorded media, members may offer to produce a copy of said media and return the original to the bystander.
2. If the recorded media is not surrendered by the bystander and an officer determines that the recorded media in possession of the bystander could have evidentiary value in an investigation, the officer will attempt to obtain the name, address and telephone number of the bystander. The officer will then inform the bystander that a court order will be sought for the recorded media and that it should not be tampered with, altered or destroyed. A supervisor or investigator in the case shall contact the Suffolk County District Attorney's office to request that an Assistant District Attorney obtain a search warrant or grand jury subpoena for said recorded media which may otherwise be lost or destroyed.

VII. ACCREDITATION STANDARD REFERENCES

VIII. INDEX

Bystander 9/21

-END-



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-53

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE POLICE OFFICER - SPECIFIC DUTIES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 07/17/08	DATE EFFECTIVE 07/17/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 10: TITLE: PATROL METHODS

SECTION 1: TITLE: POLICE OFFICER - SPECIFIC DUTIES

I. PURPOSE

To set forth duties specific to police officers performing the patrol function.

II. POLICY

Officers, after considering the situation, are to take all steps reasonably necessary and consistent with their assignment to effect the enforcement of the State, County and Federal provisions of the Penal Law, and to protect life and property.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Specific Duties of Police Officers

1. Familiar with Precinct - Police officers thoroughly familiarize themselves with their precinct, including railroad and bus routes and depots, highways and streets; hospitals; public utilities; fire departments; important industrial plants and factories; federal, state and municipal buildings and properties, parks and picnic areas; and acquire the necessary knowledge thereof to enable them to render intelligent and pertinent assistance when requested. They are to, while on duty, carry a pocket guide or map of the precinct. When they are unable to answer a question they obtain the desired information or direct the inquirer to a reliable source of information.

2. Familiarization with Post - On their assigned posts they become familiar with the location of all public, businesses, office and theater buildings and their exits, skylights, fire escapes and other means of escape, such as over adjacent buildings or through basements. They also familiarize themselves with those places protected by alarm systems, their type and location.

3. Familiarization with Persons - Police officers familiarize themselves with persons living or doing business on their posts and their normal habits and regular hours of business activity. Deviations from the normal are investigated immediately.

4. Obtaining Information - A police officer constantly endeavors to build up sources of confidential information by the cultivation of persons on his post and/or associates, who are deemed likely to possess information of value to the Police Department; and transmits such information as prescribed in chapter 2, Transfer of Information.

5. Cooperation with Merchants - A police officer advises merchants regarding suitable crime prevention measures such as placing safes so as to be visible from the street, leaving night lights illuminated over or near safes, baring rear doors, installing alley lights where desirable, banking often so as not to accumulate large sums of money, taking proper precautions when money is transferred, removal of valuable merchandise from display windows at night, and other security measures. He warns them when fraudulent check passers, short change operators, confidence men, counterfeiters, and shoplifters are operating, and explains their methods of operation. He urges merchants to cooperate with the police in reporting all suspicious persons and situations.

6. Emergency Business Listing - A police officer furnishes his commanding officer, when required, a list of the warehouses, industries and other places of business on his post, and the names of the owners, managers and other persons designated by the owner who are to be called in the event of an emergency connected with the business or the building which it occupies.

7. Court Appearances - When police officers are scheduled to appear in court, they notify their commanding officer prior to such scheduled time, so that arrangement can be made for their relief during this period.

8. Night Patrol - The police officer, at night and during the time business places are closed, exercises the greatest vigilance. He examines all accessible doors, windows and other openings as frequently as possible and investigates all suspicious or unusual circumstances, such as open doors, abnormal lighting, etc.

a. Checking Open Building - When a door or window is found open under suspicious circumstances the police officer, if possible, summons assistance to conduct a thorough check of the premises and apprehends the intruder if present. He stands guard to prevent his escape pending the arrival of assistance. If circumstances prevent, or make impractical, the summoning of

assistance, the officer enters the building to conduct the investigation himself if deemed such entry may be made without undue personal risk. Although the arrest of the criminal is highly desirable, the life and safety of the officer is to be at all times considered of paramount importance.

b. Notification of Owner - After checking any building found open the officer notifies the precinct desk officer of his findings. The owner will be notified, if possible, by the desk officer and requested to secure the building. If the owner cannot be contacted, or fails to respond, the officer secures the premises and leaves a note in a conspicuous place describing the official action taken.

c. Open Buildings - The police officer is held accountable for failure to discover and/or report any doors or windows of business buildings which have been broken open or have remained unsecured on his post during his tour of duty.

9. Suspicious Persons - A police officer observes all persons whom that officer encounters on his or her post and investigates any such persons, who by their presence or actions, the officer reasonably suspects has committed, is committing, or is about to commit a felony or penal law misdemeanor. A police officer may stop such person(s) and demand their name, address, and an explanation of their conduct.

10. Known Criminals - He does not hesitate to investigate known criminals seen on his post.

11. Peddlers and Solicitors - He gives particular attention to peddlers and solicitors to determine that they are properly licensed and are not using that occupation as a cloak for some illegal purpose.

12. Wanted Persons - He is on the alert for persons who answer the description of missing persons and wanted criminals.

13. Diverted Attention - He is cautious about allowing strangers to divert his attention by engaging him in prolonged and unnecessary conversations; a confederate may commit a crime while his attention is thus diverted.

14. Attention to Vehicles - He directs particular attention to motor vehicles, being constantly on the alert for vehicles that have been stolen or used in the commission of a crime, or that are improperly operated or illegally parked. He investigates any vehicle, the driver, occupants or cargo of which arouses his suspicions in any manner and any vehicles parked with the motor running at a location or in a manner to arouse his suspicions.

15. Reports Dangerous Conditions - A police officer notes and reports immediately to the precinct desk officer by phone or via the Communications Section, all traffic control devices which are damaged, missing or obscured by undergrowth or other material, all nuisances, impediments, obstructions, defects, in or adjacent to the streets, alleys

and public places which tend to endanger the health, safety or convenience of the general public.

a. Correcting Dangerous Conditions - When an undesirable condition exists as a result of a violation of a statute or ordinance, which the Police Department is required to enforce, he directs the person responsible to remedy it. In those instances in which the removal of the undesirable condition is the responsibility of another municipal agency, or another agency is required to enforce the ordinances pertaining thereto, the officer causes immediate notice be given through his commanding officer to the agency whose responsibility it may be.

16. Reporting Dead Animals - All dead animals found on his post are promptly reported to the desk officer.

17. Abandoned Refrigerators - Members of the Service observing an abandoned icebox, refrigerator or other article as enumerated in the Penal Law, will take immediate action as necessary to cause removal of the container door. Attempt to ascertain identity of owner, and if located, initiate appropriate action.

18. Unruly Groups - He uses all legal means to break up unruly groups existing on his post and to prevent the formation of others.

19. Protection of Children - A police officer is friendly toward all children and ever watchful of their physical and moral welfare. He, insofar as possible, patrols in the vicinity of schools, playgrounds, recreation areas, beaches and other places where children congregate to observe persons loitering in those areas and investigates those who, by their presence, appearance, or conduct arouse his suspicions. The responsibility for participating in and supporting the Department's juvenile operations is shared by all Department components and personnel

20. Care/Shelter for Children/Minors Other than Neglected or Abused - A member of the Service who receives information or comes in contact with a child/minor (less than 18 years of age) who is abandoned, sick, injured, lost or stranded, or any minor in need of assistance and a parent or guardian cannot be located, or is unable to respond to take custody or care of the child shall:

a. Transport the child to the precinct (the child will be placed in the designated Juvenile Room).

b. Contact the Department of Social Services (24 hour telephone number [631] 854-9100), so the proper care/shelter may be provided.

c. Prepare the required Department report explaining the circumstances of the incident.

21. Traffic Enforcement - a primary responsibility of police officers on patrol is the reduction of traffic injuries and deaths through vigorous enforcement of the Vehicle and Traffic Law. Officers

on patrol should be constantly alert for violations that can lead to traffic crashes. An officer should focus his or her enforcement efforts at serious moving violations and removing intoxicated drivers from the roadway as a way to improve the safety of pedestrians and motorists. Officers should also be familiar with high crash locations within their areas of patrol and take action to reduce hazards through traffic enforcement or by the suggestion of additional traffic control devices and/or roadway improvements.

a. Absent exigent circumstances requiring immediate entry into a vehicle, officers shall not reach into occupied vehicles of motorists during Vehicle and Traffic Law enforcement activity or while investigating an occupied suspicious vehicle. Officers are exposed to serious injury if they are dragged by a motorist or suspect who grabs hold of an officer or an officer's equipment and accelerates the vehicle.

b. As a safety precaution, officers shall request that motorists turn off their ignition during a suspicious vehicle stop or vehicle stop investigation. If circumstances dictate, the motorist or suspicious person may also be directed to remove the key from the ignition.

c. Officers operating unmarked patrol vehicles in plain clothes should not generally initiate vehicle stops solely for traffic infractions. These officers should contact the Communications Section and request that a patrol officer in a marked vehicle make the stop rather than initiate action on their own. Only in situations where failure to act would create a substantial risk of injury, death, or serious property damage should these officers intervene.

Officers operating unmarked vehicles must give due consideration to the fact that motorists may mistake the officer for a pursuing civilian or a police imposter (even if the officer is in uniform). There are a number of legitimate actions a motorist may take out of concern for the authenticity of the officer making the traffic stop. In an effort to be responsive to these types of motorist concerns:

(1) officers will allow motorists to continue at a safe speed to a well-lit, populated area prior to pulling over. Drivers may activate their emergency flashers to acknowledge the officer's presence. Such continued travel by the motorist at low speed will not be construed as a pursuit or refusal to comply with the officer's orders.

(2) if requested, the officer's shield and/or identification card will be presented to the motorist.

(3) if requested, the officer will summon a marked unit or supervisor to the scene, or permit the motorist to call 911 in order to confirm the officer's identity.

B. Patrol Assignments

1. Sector Car Duties - Police Officers assigned to patrol cars are known as sector patrol officers and have the duties and responsibilities prescribed for police officers and such additional duties as are herein prescribed. They maintain a constant and vigilant motor patrol and, except when otherwise directed, are on the alert for violations of the Vehicle and Traffic Law, and other laws and ordinances. Radio calls are promptly acknowledged and the details assigned carried out without delay.

a. Police officers operating vehicles equipped with mobile data computer (MDC) units shall depress the "At Scene" (F5) button on the MDC unit when they arrive at the location of a call they have been assigned by Communications Section personnel. The use of this MDC function does not relieve officers from making requisite radio communications as detailed in other portions of the Rules and Procedures.

2. Footmen in Vehicles - Police officers assigned to foot post patrols do not enter vehicles of any type except when authorized, nor does a sector patrol officer permit a foot patrol officer to enter his vehicle without authorization.

3. Vehicle, Authorized Persons - Operators of Department owned vehicles do not, unless permission to do so has been expressly granted, permit the entrance of any unauthorized person into said vehicles.

4. Sector Car Operation - Radios are turned on at all times while the patrol car is in service. If, while checking a building or otherwise out of the car, the officer is in such a location as to prevent his hearing a call, he calls out of service and back in service when the detail is completed. If equipped with a portable radio unit, the police officer utilizes the capabilities of this piece of equipment whenever he exits his vehicle to effect maximum communications abilities at all times. Motors of parked police vehicles are turned off and the ignition keys removed unless the operation of the generator is required to operate the flashing red light or maintain the battery charge.

5. Leaving Sector - Operators of sector cars remain within the boundaries of their respective sectors unless in close pursuit, or upon authorization by the Communications Section or their supervising officer. The Communications Section is informed when a sector car leaves its assigned area for any reason whatsoever and immediately upon its return to service in its proper sector.

6. Securing Vehicle - Sector car police officers summon aid when there is need to transport a prisoner or a person deemed likely to cause damage to the police vehicle, such as violent intoxicated persons, etc. The officer assigned to assist notifies the Communications Section when he has arrived at the scene and secures his vehicle by locking all doors and ignition and removal of keys before accompanying the arresting officer to his destination. Upon completion of the detail, the assisting officer is transported back to his vehicle and notifies the Communications Section that his unit is back in service.

7. Recording Alarms - Sector car operators note and indicate on

prescribed forms of all descriptions of wanted and missing persons, stolen vehicles, etc. received via radio broadcast, Precinct Bulletin, or other means.

8. Emergency Light and Siren - The operator of a police vehicle does not use the revolving red light and siren unnecessarily.

9. Parking Police Vehicles - At the scenes of emergencies, large fires, etc., operators park patrol cars away from the scene, and in such a manner so as to avoid obstructing or being hemmed in by emergency apparatus.

10. Temporary Suspension of Normal Motor Patrol - During periods of severe weather conditions which render roadways especially hazardous or impassable, some or all patrol units may be advised to minimize or suspend motor patrol and assume fixed positions at previously designated locations or as otherwise directed. The temporary suspension of normal motor patrol shall be implemented via the Communications Section dispatcher utilizing radio ten code 10-99. Upon receiving a 10-99, affected sector units shall respond to their assigned locations and assume fixed positions. Members are cautioned to exercise discretion regarding a decision to leave the designated location unless ordered to do so prior to cancellation of the 10-99.

C. Post Procedure

1. Reporting Time - The police officer reports promptly at the designated hours, at his assigned post or as otherwise directed. He listens attentively to orders and instructions as issued by his superior officers and makes written such information when appropriate.

2. Appearance and Bearing - The police officer at all times, while on duty, maintains an alert and business like manner and a military bearing. He does not loiter or lounge about upon the street or in places of business nor lean against objects. He does not, without a specific reason relative to duty, conceal himself from view.

3. Patrol of Post - The police officer throughout his tour of duty maintains a faithful, diligent and continuous patrol of all parts of his post. He inspects every part of his post as frequently as possible, giving particular attention to those areas wherein the crime rate has currently been highest. The sector car operators shall regularly visit school, church crossing guard posts within their sectors, provide assistance whenever necessary, and exchange information relating to police functions.

4. Proper Relief - A police officer does not, while on duty, loiter in or about the precinct or other Department facility. He does not abandon his post at the expiration of his tour until properly relieved, or until such time as designated by his commanding officer or desk officer.

5. Leaving Post - A police officer does not leave his post during his tour of duty, except with permission of his superior officer, or upon urgent police business requiring his immediate attention, nor does

he enter any building except when necessity requires or in the performance of his duty. He does not, however, refuse to give assistance in the protection of persons and property near his post if called upon in any case requiring immediate attention.

6. Overlapping Posts - Where motor posts overlap foot posts, the primary responsibility for security checks on business establishments on the foot post rests on the foot patrol officer. The motor patrol officer familiarizes himself with the foot post, and he in turn is responsible for that part of his post not covered by foot patrol. The motor patrol posts are set up to overlap the foot patrol posts to provide additional coverage and to have a motor patrol officer available for emergency calls and to assist the foot patrol officer when needed.

7. Relief Operator - The sector car officer does not leave his car at the termination of his tour of duty until properly relieved. He is considered as properly relieved when the car has been turned over to his relieving officer and he has informed the relieving officer of any special orders or instructions. If no relieving officer is present, he notifies the desk officer forthwith and complies with instructions received.

8. Meal Period - Meals are obtained by the police officer within his sector whenever practical. The officer will request the meal period via radio. The dispatcher may grant a meal period only if the officer's respective supervisor does not object and sufficient units are available.

9. Memo Book - Police officers assigned to the Patrol Division will maintain a Memorandum Book to record all activities, duties and actions performed by them except when assigned to administrative duties or other non-enforcement, non-patrol duties. The Memorandum Book is submitted to the supervising officer for certification and is to be produced when required by the Police Commissioner, by court order, or for inspection by a superior officer. Memorandum Books and inserts are provided by the Department and are to be preserved by the individual officer for future reference. Any lost, destroyed or damaged filled out Memorandum Book pages are to be reported immediately, in writing, via the immediate supervisor to the commanding officer. Refer to Chapter 2, Section 14 of the Rules and Procedures for further information on Memorandum Books.

10. Precinct Bulletin - Upon signing onto Mobile Data Computer, or as soon thereafter as is possible, he carefully reads same to familiarize himself with its contents and comply with instructions contained therein.

11. Patrol Route - Insofar as practicable, a police officer does not patrol his post according to any fixed route or schedule, but alternating frequently and backtracking, thereby avoiding the creation of a predictable pattern.

12. Radio Monitoring - Members of the Service shall maintain a portable radio in an operating mode and carry it when on duty, including during meal periods, except when conditions shall dictate otherwise.

VI. PROCEDURE

N/A

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE DESK SUPERVISOR- SPECIFIC DUTIES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 03/23/07	DATE EFFECTIVE 03/23/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 10: TITLE: PATROL METHODS

SECTION 2: TITLE: DESK SUPERVISOR - SPECIFIC DUTIES

I. PURPOSE

To set forth duties and responsibilities specific to the function of the desk supervisor.

II. POLICY

The supervising desk officer is that member of the Service designated by the platoon commander to supervise desk personnel and procedures. This post is normally assigned to a sergeant, but can be assigned to any subordinate officer in the platoon.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Responsibilities of the Desk Supervisor

1. Authority - The supervising desk officer is under the direct command of the platoon commander and during the temporary absence of a precinct officer of higher rank, acts as commanding officer.

2. Designated Post - He remains at his post, within the designated room of a Department building throughout his tour of duty, except at such times as required for personal necessity, meals, official police business, or as otherwise directed by his commanding officer. Before leaving his post for any reason, he places a competent member of the Service in charge during his absence.

3. Precinct Desk - He does not permit anyone behind the desk, except a member of the Police Department in the performance of his official duties and the following officials or their duly authorized assistants or deputies of the County of Suffolk: County Executive, District Attorney, Chief Medical Examiner, County Comptroller and County Attorney.

4. Loitering Personnel - He does not permit officers on duty to remain at the precinct for periods of time longer than necessary.

5. Receipt of Supplies - He receives and inspects as to quantity and quality all supplies delivered to the precinct and forwards the delivery tickets and invoices to the Supply Section.

6. Precinct Condition and Security - He is responsible for the security, cleanliness and condition of the precinct and requires all members to refrain from littering the premises.

7. Transmission of Order - He is responsible for the transmission of all orders or instruction from competent authority received during his tour of duty which affect any member of the Service attached to or residing within the boundaries of his precinct.

8. Equipment and Property - He obtains from all personnel who are transferred or reassigned within his command such Police Department property and other items issued by the precinct not pertinent to his new post.

9. Prisoners - He is in immediate control of the incarceration, safekeeping and humane treatment of prisoners in custody in the detention cells. He strictly complies, and exacts strict compliance by his subordinates, with all regulations as prescribed by the Rules and Procedures.

10. Police Vehicles - He requires all precinct vehicles not in operation on assigned posts to be returned to the precinct unless otherwise directed, and after having been properly secured, the keys removed therefrom and maintained on a key board. All keys, including extra car keys, are properly tagged and maintained on the same key board.

VI. PROCEDURES

A. Duties of Desk Supervisor

1. Posting Assignments - The desk supervisor posts the duty assignments in the absence of the platoon commander and assists in assignment changes following the procedures outlined in this chapter under "Platoon Commander".

2. Duty Chart - He maintains the duty chart in the prescribed manner, noting all assignments of personnel and the time of each check call made by members of the patrol force on duty.

3. Maintains Records - He is responsible for the maintenance, condition and accuracy of all entries in all authorized records during his

tour of duty and attests to this by his certification in the prescribed manner. He maintains a file with a copy of any day care provider notifications that the precinct receives and he forwards the original to Information Technologies Section.

4. Daily Journal Entries - He notes in the Daily Journal the appearance at the precinct of the Police Commissioner or members of the following: Chaplains Section, Office of the Chief of Department, Office of the Chief of Support Services, Office of the Chief of Patrol, Office of the Chief of Detectives, Internal Affairs Bureau and any other member, regardless of rank, who so requests. The entry states the time of arrival and departure and the reason for the appearance.

5. Crossing Guard Schedule - He maintains a schedule of all crossing guard posts and list of personnel assigned and substitute guards. In the event of the absence of a crossing guard he designates and notifies a substitute or, if no substitute is available, a member of the Service to cover the post pending the return of the regular guard to duty.

a. A Daily Journal Entry is made reporting the names of absentees and the name of the substitutes that have been scheduled to maintain the designated posts.

6. Notification - The supervising desk officer is responsible for notifying his relief of school crossing assignments covered, or to be covered, by a substitute crossing guard or police officer.

7. Field Reports - The desk supervisor shall ensure that all Field Reports received are forwarded to the member of the command responsible for preparing the precinct Daily Journal.

B. Communications

1. Message Distribution - He receives and distributes, as addressed, all messages and documents from Headquarters.

2. Teletype and Phone Messages - He is responsible for the reception of all telephone and teletype messages at the precinct and the taking of prompt action as indicated therein.

3. Outgoing Teletype Messages - The supervising desk officer checks and verifies that all teletype inquiries and necessary communication messages and inquiries are sent by the personnel who are processing lost, stolen or recovered vehicles, boats, firearms or other items.

4. Operating Failure - In the event of failure in the operation of precinct teletype, radio or telephone he promptly notifies the Communications Section duty officer and the appropriate utility repair service bureau by any available means.

5. Phone Answering Procedure - When using Department telephones, he adheres to the prescribed procedure. Incoming calls are answered immediately. He identifies himself by: Suffolk County Police Department,

Precinct Number, Rank and Name. Use the hold key to keep calls on the line. No unnecessary outgoing calls are made and all telephone conversations are as brief as is feasible.

C. Citizen - Requests

1. Relay of Information - Upon receipt of a report from a citizen requiring police action, he immediately telephones all pertinent information to the Communications Section.

2. Assistance to Citizens - Whenever legally possible and consistent with Department Rules and Procedures, he complies with requests by citizens for information, advice or assistance, or if the matter in question is within the jurisdiction of another authority, refers him to the proper authority.

3. Vehicle Lighting Inspections - When requested by a citizen, he conducts the required vehicle light inspection of a repaired defective head/tail lamp and completes the necessary affidavit. He then records the inspection in the Daily Journal.

D. Unusual Incident/Emergency

1. Notification to Communications Section - The supervisor immediately telephones the Communications Section Duty Officer of any unusual accident, disorder, emergency, explosion, fire, flood condition, riot, homicide, robbery, serious felonious assault, drowning, labor dispute, prisoner emergency incident, or any incident deemed reasonably important to the Police Commissioner, his staff officers or the news media. He/she immediately telephones the duty officer of any new development concerning the foregoing.

2. Information to Commanding Officer - He keeps his commanding officer informed as to events of importance as enumerated above and such other matters and conditions requiring his attention.

3. Miscellaneous Notification - He promptly notifies personnel of the Detective Division when circumstances require their participation in an incident covered by members of the precinct.

VII. ACCREDITATION REFERENCE STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Day Care Provider Notifications; see Notifications
Notifications, Day Care Provider 10/2

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 09-02

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE PATROL SUPERVISOR DUTIES AND RESPONSIBILITIES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 01/26/09	DATE EFFECTIVE 01/26/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 10: TITLE: PATROL METHODS

SECTION 3: TITLE: PATROL SUPERVISOR DUTIES AND RESPONSIBILITIES

I. PURPOSE

To enumerate those duties which are particular to a supervisor assigned to the patrol function.

II. POLICY

A. Field supervision begins with the sergeant as the first line of supervision of the Department and it is upon him/her that the primary burden of training, guidance, motivation, ethical decision making and supervision rests.

B. In addition to the duties and responsibilities common to all supervisors, set forth in Chapter 1 of these Rules and Procedures, the patrol supervisor shall familiarize himself with the following duties and responsibilities specific to the patrol function.

C. Since emergency situations occur without warning, and their duration is often brief, officers must frequently make critical decisions without benefit of on-the-scene direction. In most police operations, however, supervision is available and necessary to provide guidance and training. Supervision gives coherence to the police task and directs the energies of the Department into an organized effort. Proper supervision is essential to maintain a professional level of competence in law enforcement operations.

III. DEFINITIONS

N/A

IV. REFERENCES

A. Suffolk County Police Department Rules and Procedures;

1. Chapter 2, Section 14

2. Chapter 3, Sections 2 and 3
3. Chapter 4, Section 7
4. Chapter 8, Section 2
5. Chapter 13, Sections 5 and 7
6. Chapter 16, Sections 10 and 11
7. Chapter 17, Section 12

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. DUTIES RELATING TO THE SUPERVISOR'S PERSONAL PERFORMANCE:

1. Reporting for Duty - A supervising officer on patrol reports of duty at his/her assigned post and notifies the OIC. Additional notifications are made at the discretion of the supervising officer.
2. Notifications - Timely flow of information to department personnel is critical to allow for the appropriate management of significant incidents. These notifications must be made as expediently as possible.
 - a. Information During Emergency - During an emergency, a supervising officer keeps the officer in charge and duty officer informed of developments, and makes other notifications as directed by his commanding officer.
 - b. Information During Operations - During field operations, appropriate notifications, including those requested by other governmental/police agencies, are made as outlined in Chapter 23, Section 5.
3. Maintains Memo Book - As outlined in Chapter 2, Section 14, of the Rules and Procedures, a sergeant assigned to any patrol command, other than the Aviation Section, will maintain a Memorandum Book to record all activities and actions taken by him, except when assigned to administrative duties or other non-enforcement, non-patrol duties. {Memorandum Books must be maintained in compliance with the Rules and Procedures Chapter 2 Section 14}.
4. Leaving Assigned Areas - Supervising officers assigned to Patrol will remain within the boundaries of their respective assigned areas unless in close pursuit, on official police business, or upon authorization of their supervising officer. The supervisor advises the Communications Section when leaving his or her assigned area and immediately upon return to same.

5. Adherence to Rules and Procedures - A supervising officer is responsible for adherence to these Rules and Procedures and all authorized orders. Furthermore, the patrol supervisor will be responsible for following all applicable supervisory directions, not unique to patrol operations, as outlined in these Rules and Procedures.

6. Special Events - A member of the Service supervising a special event detail notifies the Communications Section and special event command post when the event enters and leaves his/her supervisory area. He/she reports any accidents, arrests, unusual delays or incidents connected with the special event. {Refer to Chapter 15, Section 9}.

7. Field Orders - In addition to developing standard operational procedures, the Department periodically develops plans to effectively accomplish raids, special details and activities. Any supervisor designated as the "officer-in-charge" of a raid, special detail or other special activity shall prepare a written plan prior to such activity with sufficient copies to properly orient all assigned personnel. An exception to this rule is recognized when immediate emergency action is required with insufficient time available to comply. In such instance an internal report justifying non-compliance and briefly outlining the details is forwarded as soon as possible to the Police Commissioner, through the Chief of the division involved. {Refer to Chapter 15, Section 12}.

8. Licensed Premise Inspections - As directed by the precinct or Marine Bureau commander, patrol sergeants will conduct licensed premise inspections. The exact hour and day the premises will be inspected will be left to the discretion of the assigned patrol sergeant but must be accomplished within ten (10) working days of the assigned inspection. If during an inspection a patrol sergeant issues a warning instead of a referral for a violation, it will be the responsibility of the patrol sergeant to re-check the premises to see that the situation has been rectified. For each licensed premise inspected, the patrol sergeant will submit an S. L.A. Checklist to the Precinct Crime Section supervisor or Marine Bureau commander. The supervising officer has the authority to inspect license premises at his/her discretion based on the existing situation.

9. Requests for Supervision - Supervisors promptly acknowledge and respond to any requests from subordinates for supervision.

10. Coordination With Dispatcher - The supervisor coordinates with the dispatcher by re-deploying or reassigning sector car/patrol officers to respond to specific assignments or emergency situations.

11. Documentation of Performance - The supervisor documents any ongoing or serious performance deficiencies or exceptional achievements by his/her subordinates and notifies the

commanding officer of same, through the chain of command.

12. Investigations - The supervisor promptly and objectively conducts any assigned investigation and initiates investigations as necessary.

B. DUTIES RELATING TO THE SUPERVISION OF SUBORDINATES:

1. Enforcement of Rules and Procedures - A supervising officer is responsible for the enforcement of these Rules and Procedures, all authorized orders, and the critical supervision of subordinates. The supervisor is also charged with the proper maintenance and condition of Departmental equipment within the command and promptly reports any condition requiring attention to his/her superior officer. {Refer to Chapter 1, Section 7}.

2. Central Supervision - A supervising officer is charged with exacting the proper performance of police duty from members subject to his/her supervision. The supervisor assists and instructs the members in the discharge of their duties and performs any other duties assigned by competent authority. {Refer to Chapter 1, Section 7}

3. Memo Book Inspection - Absent unusual circumstances a supervising officer inspects at least once each tour of duty the memorandum books of members on duty and certifies that a full and accurate record of duty performed and all other necessary information has been entered therein, as well as checking that there are no unaccounted for or missing pages. The supervising officer certifies same entering date, time, location of inspection, and signature. This certification signifies that the memo book is properly maintained, legible and complete, that the officer is fit for duty, is in the proper uniform, meets all required grooming standards, has all required equipment, and where applicable, the police vehicle is being maintained and operated in proper condition. The supervising officer reviews any previous page in the Memorandum Book that has not been certified by a supervisor and adheres his/her signature to the bottom of those pages, certifying the inspection and proper completion of the Memorandum Book on those previous dates. {Refer to Chapter 2, Section 14}.

4. Police Sub-Station/Annex Inspection - A supervising officer makes every effort to visit any sub-stations or annexes within his/her patrol area at least once during each tour of duty and ensures it is properly maintained.

5. Special Posts Inspection

a. A supervising officer visits at least once during each tour of duty the members assigned to any special posts, e.g. hospitals, crime scenes, etc. within his/her patrol area. He/she insures that the officer(s) are assigned in an efficient and cost effective manner, have any necessary equipment, e.g. portable radio, etc. and arranges for relief for meals or other necessities.

b. A supervising officer shall when appropriate visit school/church crossing guard posts, provide assistance whenever necessary, instruct and exchange police information and inspect the crossing guard employee to insure compliance with the School Crossing Guards Rules and Procedures.

6. Monitors Activities of Subordinates - The supervisor monitors activities of subordinates throughout the tour of duty to insure the accomplishment of the police mission. This monitoring will include but not be limited to the following:

a. Uniform and equipment - A patrol supervisor will ensure that subordinates are properly uniformed and equipped as prescribed by the Police Commissioner. {Refer to Chapter 4, Section 1}. In addition, supervisors ensure that subordinates comply with contamination guidelines as outlined in Chapter 4, Section 7.

b. Post and/or sector assignments. {Refer to Chapter 10, Section 1}.

(1) Maintains knowledge of the status of officers, their locations, and the nature of their assignments.

(2) Meal periods taken by subordinates. {Refer to Chapter 10, Section 1}

(3) Supervising officers routinely check the relief points within their patrol area and are responsible for insuring that officers do not loiter or remain unnecessarily at these relief points at any time during their tour of duty. The supervisor also conducts periodic checks to insure that officers are relieved as required.

(4) Supervising officers ensure that all assignments are properly and expeditiously handled.

c. Radio Communications - It is the responsibility of the field supervisor to identify and correct misuse of radio equipment, as well as improper radio procedure. The supervising officer monitors all radio transmissions and insures that all calls are promptly acknowledged, taking both immediate and follow-up action in any instance where this does not occur. {Refer to Chapter 23, Section 1}.

d. Training - A primary function of the patrol supervisor is training. It is each supervisor's responsibility to determine the existing training needs of

their subordinates and to retrain or recommend retraining when such action is warranted. Supervising officers routinely observe their subordinates in the performance of their duties, including periodic, unrequested, responses to assignments to assure familiarity with department policies and procedures. Supervising officers are required to correct deficiencies through training and the proper application of discipline, and by suggesting methods to improve performance. {Refer to Chapter 18, Section 6}.

e. Strikes and Labor Disputes - Supervisory personnel at the scene of a strike or labor dispute instruct subordinates in the proper methods of policing a labor dispute. He/she schedules post assignments, relief and meal periods. {Refer to Chapter 15, Section 2}.

f. Arrests - It is the responsibility of the field supervisor to ensure subordinates arrest and transport prisoners in compliance with the procedures outlined in Chapter 16, Section 10.

(1) Strip searches by any personnel, including female detention attendants, shall be conducted only with the approval of a superior officer and in compliance with Chapter 16, Section 11.

7. Monthly Activity - Supervising officers shall review the monthly activity of their subordinates. The supervisor is to immediately address incidents of substandard performance. The supervisor counsels any officer whose performance does not meet expected standards. The supervisor apprises his/her superior of the situation and the corrective action taken.

8. Overtime - Supervising officers insure that all officers within their patrol areas are assigned in an efficient manner and that all overtime expenditures incurred are necessary.

9. Inspection of Personnel - The supervisor performs frequent field inspections of personnel and equipment and keeps subordinates apprised of all important matters pertaining to the police mission.

10. Field Training of Probationary Police Officers - A supervising officer is charged with exacting the proper performance of police duty from probationary police officers subject to his/her supervision. The supervisor assists and instructs the members in the discharge of their duties and performs any other assigned duties. A supervisor oversees the daily training of probationary Police Officers in accordance with department guidelines, and insures the timely completion and submission of all evaluation reports. {Refer to Chapter 18, Section 4}.

11. Supervisory Review of Documents and Reports.

a. Supervisors will review all reports, including summonses {Uniform Traffic Tickets, PDCS-6160}, submitted to them during a tour of duty. The review will check for clarity, accuracy, timeliness of reporting, and completeness. Reports are processed in accordance with Chapter 13, Section 5. In addition, the road supervisor is responsible to ensure the timely delivery of reports. Inaccurate or incomplete reports are returned to the submitting officer for correction/completion.

b. Voided Summons or Memorandum Book Pages - These voided documents are reviewed and if the request is justified, the appropriate report (Voided Summons Report or Voided Memorandum Book Page) is signed by the supervisor and forwarded to the commanding officer for concurrence and signature. These documents may be voided only under the circumstances as outlined in Chapter 13, Section 7 or Chapter 2, Section 14.

c. Supervisors will review each Major Incident Record and affix signature to verify accuracy before forwarding to the appropriate member of the command. {Chapter 15, Section 6}.

d. Supervisors will ensure that his/her subordinates follow the traffic stop data collection procedures. This means ensuring full compliance and active participation by all members under his/her command. This includes identifying incomplete traffic stop records and contacting the appropriate officer for correction.

C. INCIDENTS REQUIRING A SUPERVISORY RESPONSE:

Incidents of a serious nature often arise that require the presence of a supervisor who possesses the authority necessary to deal with a problem. The patrol supervisor will respond when practical and without unnecessary delay when requested to do so by a subordinate, and to all calls of major consequence, or serious emergency. Upon arrival at the scene, the supervisor shall take direct control. He/she immediately coordinates searches as well as the initial deployment of personnel at crime scenes, disasters, large disturbances, and other unusual incidents.

1. Examples of major consequence, serious emergencies, or required supervisory response calls include, but are not limited to:

a. Bomb threat/explosions:

(1) Bomb scares in schools - The supervisor at the scene shall present the two optional procedures (evacuate or search) to the principal or person in charge of the school and have him decide the search procedure the school authorities will undertake. {Refer to Chapter 15,

Section 4}.

b. Hostage/barricaded person situations;

c. Traumatic incidents as defined in Chapter 17, Section 12 - A supervisor shall respond to all scenes involving traumatic incidents. Once such an incident is confirmed, the supervisor at the scene will notify the Duty Officer and request notification of the Employee Assistance Bureau.

d. Volatile arrest situations;

e. Bank robbery;

f. D.O.A. calls/serious injury:

(1) A supervisor shall respond in all cases of natural deaths. {Refer to Chapter 8, Section 3}.

(2) A supervisor shall respond in all cases of Suicides, Accidental, and Unattended Deaths. {Refer to Chapter 8, Section 3}.

(3) A supervisor shall respond in all cases of homicides. {Refer to Chapter 8, Section 3}.

g. Domestic Incidents:

(1) In cases of domestic incidents involving allegations of physical contact between the complaint/victim and the offender, a supervisor shall respond to the scene, the seriousness of the offense notwithstanding.

(2) If an arrest is to be made and the suspect is at the scene, the supervisor will insure that the arrest is effected.

(3) If an arrest is to be made and the suspect is NOT at the scene, the supervisor shall verify that the officer has taken all reasonable efforts to locate and arrest the suspect within his or her sector and shall then direct that appropriate and reasonable steps be taken to arrest the suspect within the precinct or within the Police District if the suspect's exact location is known. If all reasonable efforts to locate the suspect are exhausted, the supervising officer shall notify the desk supervisor.

(4) No Field Appearance Ticket will be issued for domestic incident arrests unless

extenuating circumstances exist, and then ONLY upon authorization of a supervisor. {Refer to Chapter 16, Section 6}.

h. Traffic crashes involving fatalities, serious injuries, leaving the scene, and police owned vehicles.

(1) Upon arrival at the scene of a fatal or serious physical injury crash that has occurred, and where probable cause exists that one or more operators is in violation of any subdivision of section 1192 of the New York State Vehicle and Traffic Law, the patrol supervisor will request via the duty officer that an Assistant District Attorney from the Major Case Bureau and a Physician's Assistant from the Medical Examiner's Office respond.

(2) If the crash involves an apparent fatality, the patrol supervisor requests a detective from the appropriate Precinct Detective Squad and a member of the Crime Scene Section. He further requests that the Medical Examiner's office be notified.

(3) If the crash is a leaving the scene, and if other than minor property damage only, the patrol supervisor should be notified. If it is a fatal or serious physical injury leaving the scene crash, the patrol supervisor will request a detective from the appropriate Precinct Detective Squad and also request a Crime Laboratory to respond.

(4) If the crash involves a police vehicle, the patrol supervisor will follow the procedures outlined in Chapter 8, Section 2. In addition, if the operator of the police vehicle involved is from a command other than the command of the patrol supervisor, the patrol supervisor shall be responsible to forward all related paperwork to the operator's commanding officer via the Precinct of occurrence.

(5) If the crash involves a police vehicle, the responsibilities of the investigating supervisor will be fulfilled by a regular patrol sergeant of the precinct of occurrence except:

(a) When adherence to said procedure would create an undue or unreasonable delay.

(b) When a sergeant of Highway Patrol Bureau, Marine Bureau or Canine Section is present at the scene or more readily available, he will act as the investigating

supervisor. Completed reports shall be forwarded to the member's commanding officer via the precinct of occurrence.

i. In-custody deaths - A supervisor shall respond in all cases of in-custody deaths. {Refer to Chapter 8 Section 3 and Chapter 16, Section 11}.

j. Hate related offenses - A supervisor shall respond in all cases of hate related offenses. {Refer to Chapter 24, Section 6}.

k. Impounds:

(1) Upon notification of an impending impound, the supervisor will either communicate with the impounding officer or respond to the scene as deemed appropriate. He/she will ensure that the Rules and Procedures are followed. In addition, the supervisor will ensure that a copy of the completed impound worksheet is promptly forwarded to the Impound Unit via the facsimile network. {Refer to Chapter 20, Section 4}.

(2) In a case where a member of the Patrol Division wants to effect an impound, the patrol supervisor will determine that the impound is both legal and necessary before authorizing same. Impound stickers are to be carried by uniformed road sergeants of the Patrol Division. {Refer to Chapter 20, Section 4}. The supervisor may direct the arresting/investigating officer or another officer to remain with the vehicle until the Crime Scene Unit can respond, or secure the vehicle at the precinct until the Crime Scene Unit can respond, or impound the vehicle as an evidentiary impound and advise the Crime Scene Unit to take the photographs at the impound facility.

1. Unusual disorder and disasters:

(1) Incidents which are considered unusual disorders and/or disasters require a specific plan with sufficient flexibility to enable the affected personnel to take appropriate action. {Refer to Chapter 15, Section 10}.

(2) When encountering Weapons of Mass Destruction, emphasis should be placed on establishing a command post with fire and E.M.S. personnel, establishing a secure inner and outer perimeter, and notification to the appropriate commands. {Refer to Chapter 15, Section 10}.

m. Emergency mobilizations - In the event of an unusual occurrence, disorder, or similar incident requiring an inordinate number of police personnel, the various mobilization plans provide for specific assignments to enable the appropriate level of response. If personnel, equipment or specialized services in addition to those provided for in a mobilization plan are required, the superior officer in command at the scene makes this request to the superior officer on duty in the Communications Section. {Refer to Chapter 15, Section 13}.

n. Injured employees:

(1) A supervisor shall assure that the member's welfare needs are met and shall inspect the location where the injury occurred.

(2) Assure that the injured member is treated as soon as possible at the nearest hospital emergency room. {Refer to Chapter 3 Section 2 for complete guidelines}.

o. Communicable diseases:

(1) Assure that the member's welfare needs are met.

(2) Exposure incident - The investigating supervisor will complete the Contact/Exposure Report form. {Refer to Chapter 3, Section 3}.

(3) Contact Incident - The investigating supervisor shall immediately complete Injured Employee paperwork pursuant to Rules and Procedures Chapter 3, Sections 2 and 3.

p. Escaped prisoners from custody - A supervisor will respond to the scene to take command. After evaluating the situation, the supervisor will cause a district-wide alarm to be broadcast, if appropriate. {Refer to Chapter 16, Section 15}.

q. Emotionally Disturbed Persons (EDP):
Armed or Violent - When a patrol Supervisor is requested, he/she shall respond and evaluate the situation. If available personnel and equipment are inadequate to effectively resolve the incident, an Emergency Service Unit shall be requested. The supervisor shall insure that the EDP is isolated and contained, and a zone of safety is established, until custody can safely be effected. {Refer to Chapter 9, Section 6}.

r. Firearms discharge by members of the Service - The responding supervisor shall assess the situation, take command, and secure the scene until

superseded by an officer of superior rank, or by the lead investigator assigned to the incident. {Refer to Chapter 5, Section 10}.

s. Firearms discharge for the destruction of an animal - The patrol supervisor shall respond to the scene and investigate as required by the circumstances. He/she shall promptly notify Internal Affairs Bureau and shall provide the bureau with a copy of the Internal Correspondence which is generated. The supervisor shall submit a report through channels, to the Chief of Department, concerning policy compliance and any other appropriate comments regarding remedial training or procedures. {Refer to Chapter 5, Section 10}.

t. Any other criminal and non-criminal incidents he/she deems necessary.

2. In addition to the guidelines listed above, upon arrival at the scene, the supervisor's responsibilities may further include, but are not limited to:

a. Evaluating the call;

b. Deployment of personnel;

c. Identifying and segregating witnesses;

d. Protecting the scene;

e. Establishing perimeters and a command post, if appropriate;

f. Requesting additional resources;

g. Notification of Crime Stoppers Bureau {Public Information} - Ranking patrol or detective supervisor present and/or in charge of a major police incident or investigation shall ensure that the Crime Stoppers Desk has been notified. Patrol division supervisors and Crime Stoppers officers will not release information on cases being investigated by the Detective Division without the clearance of the detective-in-charge of the investigation, or the ranking detective supervisor. In non-detective cases, the supervisor in charge of the investigation shall provide interviews to recognized members of the news media. No clearance from the crime stoppers bureau is required. {Refer to Chapter 26, Section 2}.

h. Notification to the duty officer.

D. ADDITIONAL RESPONSIBILITIES:

In addition to complying to the above procedures, as they

relate to a patrol supervisor's immediate subordinates or to an assigned patrol area for a specific tour of duty, supervisors are responsible to take appropriate action whenever necessary in the absence or immediate unavailability of an adjacent supervisor. This includes but is not limited to, items such as Emergencies or Unusual Occurrences, Special Post Inspection, Relief Points, Radio Transmissions, Request for Supervision, and Overtime.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 09-04

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE PRECINCT COMMANDER					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 01/26/09	DATE EFFECTIVE 01/26/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 10: TITLE: PATROL METHODS

SECTION 4: TITLE: PRECINCT COMMANDER

I. PURPOSE

To list additional duties of a commanding officer which are specific to the function of a precinct commander.

II. POLICY

A commanding officer has responsibility and accountability for every aspect of his command. Commensurately, within policy guidelines and legal constraints he has the authority to coordinate and direct assigned personnel and other allocated resources in achieving his organizational objectives. In so doing, he must perform the full range of administrative function, relying upon policy, direction, training, and personal initiative to guide him and his command in achieving the highest level of performance possible.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Precinct Syllabus - The precinct commander maintains for members of his command, a syllabus, which establishes the sector boundaries, sites for fixed motor patrol during inclement weather, foot posts, school and church crossing posts, special posts, and relief points, duties of officers assigned to special posts and other pertinent information.

1. He forwards the precinct syllabus and any amendments thereto, before printing and distribution, through channels to the Research and Development Section for review before final approval by the Police Commissioner.

2. He causes the distribution of a printed copy of the precinct syllabus and/or any approved amendments thereto, to each member of the Service within his command for insertion in the Rules and Procedures directly after the last index page; the insertion of a printed copy of the precinct syllabus and/or any approved amendments thereto in the command copies of the Rules and Procedures as above; the forwarding of one (1) copy and/or any approved amendments thereto to the Detective Squad Commander for informational purposes.

B. Precinct Bulletin - He causes a "Precinct Bulletin" to be created and posted on the Department Intranet three (3) times weekly. The bulletin is to contain information pertinent to his precinct in particular and the Department in general. It includes, but is not limited to, items such as; stolen motor vehicles of special interest, stolen property of any nature that can be readily observed by patrols, missing and/or wanted persons, notifications to precinct personnel from teletype and other sources. The name of the member who prepares it must appear after the last entry. Upon completion, the bulletin must be reviewed and approved by a supervisor. The Precinct Commanding Officer is responsible for the context of the "Precinct Bulletin" in all instances.

1. A copy of each Precinct Bulletin is produced and retained at each Precinct for one year from date of publication.

C. Crossing Guard Administration - He is, within his precinct, responsible for the administration of crossing guards, their training and retraining, and their inspection for appearance. He ascertains the times of pupil assembly and dismissal for each school within the precinct and designates the times during which these school and church crossings are to be covered.

1. He, upon receipt of a request for additional crossing guards, requests a survey be made of the locations by the commanding officer of the Highway Patrol Bureau. No such additional guard may be appointed unless so recommended as a result of the findings of said survey.

D. Prisoner Detention - Commanding officers of precincts having detention cells are responsible for the detention of prisoners in accordance with New York State Department of Correction regulations. They frequently check the Prisoner Activity Log and the manner in which entries are made to ensure strict compliance with instructions.

E. Probationary Police Officer - He requires a written report upon proper designated forms to be submitted by each platoon commander under whose supervision probationary police officers have been assigned. The report appraises the manner in which the assigned duties of each probationary police officer have been carried out during the period he has been assigned to said platoon commander and will be submitted to the

Human Resources Bureau Supervisor 18 days prior to the expiration of the probationary periods, or as otherwise directed, after having been reviewed and signed by the precinct commanding officer. If, during the remaining 18 days of such probationary period any violations of the Rules and Procedures are committed by said probationary police officer or other incident concerning him deemed detrimental to the Police Department is observed, he immediately notifies the Human Resources Bureau Supervisor. If a probationary police officer is transferred to another command prior to the expiration of his probationary period, his original commanding officer forwards all data concerning such probationary police officer to the commanding officer of the new command who submits same, together with a report of the manner in which his duties were performed while in the new command, to the Human Resources Bureau Supervisor at the expiration of the probationary period or otherwise directed.

F. Communications Section Assignment - He, upon request of the Communications Section duty officer, immediately assigns such precinct personnel as required to provide adequate manpower at the Communications Section, such assignments to be temporary in nature.

G. Precinct Desk Assignment - He designates the members within his command performing desk duty to be responsible for the condition and correctness of the authorized books and records used by them.

H. Supervision of Investigators - He requires his duty lieutenants and patrol sergeants to supervise the police officer's preliminary investigations of crimes, to utilize all available resources toward the apprehension of the perpetrator or suspects, the location and interviewing of witnesses and the recovery of stolen property.

I. Detention Attendants - The precinct commander ensures that a current list of Detention Attendants is provided for precinct utilization. The list will compile the names, addresses and telephone numbers of Detention Attendants.

J. Road Block Plans - He compiles and maintains a list of all banks and financial institutions within his precinct. In conjunction with said list, a comprehensive road block plan is drawn up stating in full detail the locations of all participating precinct vehicles to most effectively seal off any given area within, or adjacent to, the precinct. He ensures that the list and road block plan are frequently revised to conform with changing conditions. Copies of both, and revisions thereto, are promptly forwarded to the Research and Development Section, the Chief of Patrol and the Communications Section.

K. Duty Schedule - To afford the presence of the precinct commanding officer or executive officer at the precinct, Monday through Saturday, from 0900 to 1800, a duty schedule is adopted to conform accordingly by the precinct commanding officer.

L. Fixed Position, Motor Patrol - During periods of severe weather conditions which render roadways especially hazardous or impassable, sector operators may be instructed to cease random patrol and take up fixed positions. Such positions shall be preselected by the

precinct commander and shall take into account such factors as centralization within sector, maximum observation of high incident areas, distance between stationary units, etc. The designated location for each sector shall be identified in the precinct syllabus.

M. Traffic Stop (T-Stop) Data Collection Program - The Precinct Commander is responsible for ensuring that members under his or her command comply with all Traffic Stop Collection procedures, including proper entry, monitoring and completion of the traffic stop data collected.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 10: TITLE: PATROL METHODS

SECTION 5: TITLE: PRECINCT EXECUTIVE OFFICER

I. PURPOSE

To enumerate the duties and responsibilities particular to the precinct executive officer.

II. POLICY

The precinct commanding officer is assigned an executive officer to serve as his administrative aide and perform the following duties.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. The precinct executive officer is responsible to and reports directly to the precinct commanding officer.

VI. PROCEDURES

The duties and responsibilities of the precinct executive officer are, but not limited to:

A. Assume responsibility for the accomplishment of the police mission through the effective administration and operation of the command in the absence of the commanding officer.

B. Responsibility for the enforcement of these Rules and Procedures and all authorized orders.

C. Responsibility for the critical supervision of subordinates and their strict compliance to these Rules and Procedures and all authorized orders.

D. Take suitable action in the case of laxity, misconduct, incompetence or neglect of duty coming to his attention in any manner.

E. Thorough familiarization of the assignments and duties of all subordinate officers.

F. Counsel subordinate officers in the performance of their duties on his own initiative or as requested.

G. Supervise the uniform reporting procedures and the records and files of the command and ensure their conformity to these Rules and Procedures.

H. On sight inspection of personnel, equipment, vehicles and command installations.

I. Provide continuity and assistance for planning and in-service training.

J. Coordinate operations between squads and plainclothes details.

K. Draft schedules required for assignments other than the standard tour rotation schedule.

L. Maintain high level of police community relations.

M. Prepare memoranda pertinent to the command and ensure dissemination thereof.

N. Perform such other duties as directed by the commanding officer.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 10: PATROL METHODS

SECTION 6: PRECINCT ADMINISTRATIVE SUPERVISOR

I. PURPOSE

To enumerate the duties and responsibilities particular to the precinct administrative supervisor.

II. POLICY

In the absence of the commanding officer and the executive officer, a precinct administrative supervisor assumes responsibility for the accomplishment of the police mission through the effective administration and operation of the command.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. The precinct administrative supervisor is responsible to and reports directly to the precinct executive officer.

VI. PROCEDURES

A. The precinct administrative supervisor is that member of the Force, of a rank not less than a lieutenant, whose duties and responsibilities are specified, but not limited as follows:

B. Drafts schedules for personnel assigned to his command.

1. Prepares daily post assignments for

personnel assigned to his command.

2. Prepares vacation schedules and reviews all requests for vacation changes.

3. Receives, reviews and approves overtime, compensatory time request, crossing guard payrolls, claim or expense vouchers, employee attendance records.

C. Receives all subpoena's delivered to the precinct and ensures that proper notifications are made in the Daily Journal and the proper compliance to said subpoena is followed.

D. Acts as a regular member of the Department's monthly recognition committee and attends the regularly scheduled meetings.

E. Acts as liaison officer on behalf of the precinct commanding officer with the various governmental agencies within the State to ensure that subordinates are available to appear for governmental hearings or trials.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 09-03

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE PLATOON COMMANDER					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 01/26/09	DATE EFFECTIVE 01/26/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 10: PATROL METHODS

SECTION 7: PLATOON COMMANDER

I. PURPOSE

To enumerate the duties and responsibilities of the platoon commander.

II. POLICY

The platoon commander is that member of the Service, usually a lieutenant, whose duties and responsibilities are specified, but not limited to, as follows.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. The platoon commander is responsible to and reports directly to the executive officer.

VI. PROCEDURES

A. The platoon commander is in charge of and responsible for a complement of police officers and sergeants assigned to a squad. His or her assignment is to effectively manage these officers to advance the accomplishment of the police mission during his or her tour of duty.

B. He or she assumes responsibility for the accomplishment of the police mission through the effective administration and operation of the precinct in the absence of the commanding officer, the executive officer or an officer of superior rank.

C. He or she performs field surveys of the command in regard to

monitoring problems and initiating corrective actions.

D. He or she is responsible for conditions of the precinct building during his or her tour of duty.

E. He or she is responsible for security of precinct weapon's locker, portable radios and cellular telephones.

F. He or she is responsible for ascertaining if a valid arrest exists; e.g., probable cause, when an arrested person is brought before the desk for purposes of booking. In the absence of the platoon commander, this responsibility is borne by the desk supervisor and in his or her absence by an available supervisor.

G. He or she is responsible for the security and well being of prisoners at all times, while they are incarcerated at the precinct.

H. He or she ensures that police vehicles received by members of his or her squad are in good working condition and properly serviced. Any vehicle not in good order, past due for service, or that becomes disabled or damaged during his or her tour is properly noted and serviced.

I. He or she causes the investigation, and critically reviews, all reports relating to injured Department employees, motor vehicle crashes involving Department vehicles, lost, stolen or damaged Department equipment and improper performance by personnel under his or her direct supervision.

J. He or she interviews complainants that are directed to his or her office (civilian and members of the Service) and thoroughly and objectively conducts any required investigations in conformity and compliance with the Rules and Procedures and current directives.

K. He or she posts the duty assignments of platoon personnel and as soon as the platoon is posted, completes one copy of the "Patrol Division Availability Report" and promptly transmits a copy via facsimile network to the Communications Section, Teletype Unit. He or she implements assignment changes and notifies the duty officer if any changes are made throughout the tour of duty.

L. He or she prepares a comprehensive, detailed tour report for the commanding officer for each tour of duty. The tour report will include all significant and unusual activity that occurred during the tour and any incident that would be of interest and more than likely would generate inquiries to the commanding officer, or that would generate an inquiry from any other command or ranking member of the Department.

M. He or she ensures that recognition applications are accurately prepared for personnel from his or her squad and attends recognition meetings when assigned.

N. He or she maintains required Departmental administrative records such as duty rosters and activity reports, as directed by the commanding officer.

O. He or she approves the Daily Journal change of tour entry when he or she reports on duty. He or she causes a Daily Journal entry to be made whenever leaving and upon returning to the precinct facility during his or her tour of duty.

P. The platoon commander is responsible for the implementation of Fixed Position Motor Patrol Plan during instances of severe weather conditions which render roadways hazardous or impassable. He or she shall confer with his or her road supervisors and receive periodic updates regarding roadway conditions. He or she will notify the Communications Section Duty Officer to broadcast the radio code 10-99 to the affected sector(s) in the designated area. Upon notification, the Duty Officer will document the implementation of a code 10-99 in the Duty Officer Confidential Log. After initiating a code 10-99 and notifying the Duty Officer, the Platoon Commander will make a notation in the tour report indicating the time and existing conditions which necessitated the Fixed Position Motor Patrol. Thereafter, and until such time as the Plan is rescinded, he or she shall, not less than once every hour, review existing conditions to determine if adverse conditions still exist. If so, the Plan code "10-99" shall be rebroadcast and an update entered in the tour report. At such time as conditions improve, the platoon commander shall contact the Communications Section Duty Officer to dispatch the order to discontinue the Fixed Position Motor Patrol Plan to all or specific sector units in the area previously designated.

Q. Continually monitors the attendance record, as well as the self initiated field performance of his or her subordinates and, when necessary, initiates appropriate action to improve same. He or she documents significant instances of poor performance and notifies the commanding officer.

R. He or she reviews and signs the completed Duty Chart for his or her tour of duty. He or she ensures that Duty Charts contain accurate information including but not limited to on and off duty times, portable radio numbers and attendance codes.

NOTE: Off duty times should be checked on the next workday to determine if appropriate overtime was reflected.

S. He or she initiates corrective action when observing a violation of the Rules and Procedures, Department Directive, Division Directive or Command Directive by a subordinate.

T. He or she designates a sergeant, typically the desk supervisor, to fulfill administrative responsibilities in his or her absence.

U. He or she ensures that officers directly under his or her supervision are fully trained in all current Department and command procedures.

V. He or she conducts formal inspections of personnel under his or her direct supervision at least once each month, in addition to initiating frequent field inspections of personnel and equipment. He or she immediately notes and corrects any observed deficiencies.

W. He or she ensures that overtime expenditures are minimized and assigns officers in an efficient and effective manner.

X. He or she ensures that all required reports from members of his or her squad are completed and submitted in a timely manner and that they are clear, concise and complete.

Y. The Platoon Commander is to monitor the overall traffic stop data collection process by his subordinates. Duties include ensuring correct use, full compliance and active participation in the process. It also includes obtaining incomplete traffic stop records and disseminating this information to first line supervision for completion of said records by the involved officer. (Reference Chapter 13, Section 9, Subsection VI., C., 2.)

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE COURT APPEARANCE & TESTIMONY			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 01/17/06	DATE EFFECTIVE 01/17/06	DATE TO BE REVIEWED N/A

CHAPTER 11: TITLE: COURTS & LEGAL PROCESSES

SECTION 1: TITLE: COURT APPEARANCE & TESTIMONY

I. PURPOSE

To establish guidelines concerning courtroom attendance and demeanor of departmental personnel.

II. POLICY

Members of the Department required to appear and/or testify in court shall dress appropriately and shall conduct themselves in the highest possible professional manner.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Whenever a member of the Department is required to appear, (excepting jury duty), at any court, Governmental agency or other organization for any reason which is not directly related to the performance of the member's official duties with the Suffolk County Police Department, and this appearance conflicts with the member's scheduled tour of duty, the member shall immediately notify his or her Commanding Officer of the appearance and scheduling conflict. As soon as practical thereafter, when on duty, the affected member shall prepare and submit an Internal Correspondence (PDCS-2042) to his or her Commanding Officer. This correspondence must state the reason for the appearance, (e.g. prior employment with another law enforcement agency, plaintiff/defendant in a lawsuit, etc.), and set forth the date and hours of conflict with the member's duty schedule. No overtime shall be utilized for this notification process. Members of the Department who are called to appear in this capacity will be required to use accrued leave time.

B. During a scheduled tour of duty or scheduled time off, there is

no entitlement to any overtime benefit, travel benefit or meal allowance for any appearance by a member of this Department at any court, Governmental agency or other organization, for any reason which is not directly related to the performance of the member's official duties with the Suffolk County Police Department.

VI. PROCEDURES

A. Personal Appearance and Courtroom Demeanor

1. Employees appearing as witnesses shall wear the prescribed uniform or appropriate civilian attire.

a. Whether appearing in uniform or civilian attire, members of the Department should present a clean, neat and well groomed image.

2. Officers shall conduct themselves with dignity. Loud conversations shall not be engaged in, even if court is not in session. Officers will refrain from continually moving about in the courtroom or slouching in chairs while waiting to testify.

3. Officers shall avoid any action that would indicate a special interest in securing a conviction or give an outward appearance of dissatisfaction with decisions. A position of an impartial public servant seeking justice is the only position justified.

B. Courtroom Testimony

1. Before appearing in court, officers should organize and read their notes and consider the manner in which they intend to testify. Notes should be taken to court.

2. Officers who are in doubt about how to present something which is relevant to a case should discuss the matter with the prosecutor before the trial.

3. Officers should be guided by these rules when testifying:

a. Sit erect on the witness stand; do not slouch, fidget, or assume an unnatural position.

b. Be respectful.

c. Tell the truth.

d. Use everyday language.

e. Speak clearly, slowly, and loud enough to be heard.

f. Do not answer a question until it is understood.

g. Do not interrupt the interrogator during his questioning.

- h. Answer questions concisely.
- i. Avoid using police jargon.
- j. Speak in response to a question. Do not volunteer information which has nothing to do with the question which has been asked.
- k. Do not distort or conceal any facts.
- l. Correct, without delay, any mistakes in testimony.
- m. When testifying before a jury, questions should be answered with divided attention between the jury and the person asking the question.
- n. When testifying before a judge, questions should be answered with divided attention between the judge and the person asking the question.
- o. Do not give the impression to the court that there is any animosity toward the defendant or his counsel.
- p. Avoid loss of temper.
- q. Do not try to be humorous or sarcastic.
- r. Take and leave the witness stand with dignity and confidence.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

- Court Testimony 11/1
- Court Appearance 11/1

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE SUMMONS AND SUBPOENA PROCEDURES			
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DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 11: TITLE: COURTS & LEGAL PROCESSES

SECTION 2: TITLE: SUMMONS AND SUBPOENA PROCEDURES

I. PURPOSE

To provide procedures for the reception of summonses and subpoenas served on members of the Department.

II. POLICY

Duces Tecum subpoenas are to be served on the head of the Police Department, other designated officers, or on the Central Records Section as this Section is charged with the custody and responsibility of Department records. All subpoenas Duces Tecum received at Central Records will be recorded in the subpoena Duces Tecum log. Personal attendance of a particular person requires a witness subpoena separate from the subpoena Duces Tecum required for the production of records.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. The officer designated to deliver said records receives no fee regarding the subpoena Duces Tecum.

VI. PROCEDURES

A. Summonses and subpoenas are to be served on the member named or his commanding officer or designee at the command where the member is assigned.

B. Civil Subpoena Fee - Whenever a member of the Department is subpoenaed in a civil action the fee is as stated in the Civil Practice Law and Rules (CPLR). It is not necessary for the fee to accompany the

subpoena. All fees paid for attendance as a witness shall be the property of the member.

C. Acceptance of Summonses or Subpoenas - When a person appears at a command with a summons or subpoena for a member of that command (whether as a witness or defendant) the commanding officer, or his designee, will accept the summons or subpoena on the member's behalf. The member, on whose behalf the summons or subpoena was accepted, will be advised of the summons or subpoena acceptance.

1. If the summons or subpoena was not personally served, the member must be advised that for the service to be proper he should receive, via mail, a second copy. This second copy should arrive in an envelope marked "personal and confidential" and should not bear any markings indicting that it is from an attorney's office.

2. A member of the Department when served with a summons, subpoena or legal process which involves crashes to Department vehicles, suits for alleged false arrest, or any action which involves members and the Department shall, if received in a secondary mailing, preserve the original transmittal envelope, and is responsible for delivering the envelope with documents, along with an Internal Correspondence stating the place, time and date received, to the Legal Bureau. In matters involving the County, if the member does not receive this second copy, via mail, the member will notify the Legal Bureau of the improper and incomplete service.

a. Recording Receipt of Service - All summonses or subpoenas served at a precinct shall be listed in the Daily Journal. The entry shall include the following: the date of service, by whom, for whom and the amount of fee, if tendered. If the command accepting the service does not maintain a Daily Journal a copy of all summonses and subpoenas received shall be kept, listing whereon by whom the service was made, the date, the time of service and the amount of fee, if tendered. If the member is on leave time or his duty schedule is such that enough time does not exist for notification and appearance, the person serving the summons or subpoena is advised of this. If he still wishes to serve the summons or subpoena, it shall be accepted and the necessary notations, as listed above, shall be made in the Daily Journal or on the copy of the summons or subpoena.

b. Subpoenas Served at Headquarters - If a person appears at the Headquarters building with a summons or subpoena for a member of a command stationed therein and neither the member nor any other member at that command can be contacted to accept the summons or subpoena, the member of the Service on duty at the reception desk shall receive the service following the procedure in subsection A. of this section and forward it to the commanding officer of the named member's command.

D. As an alternate method, service of a summons or subpoena may be completed in its entirety by mail with an enclosed form, Statement of Service by Mail and Acknowledgment of Receipt by Mail. When a member of the Department receives a personal service by mail containing a summons, subpoena or legal process which involves crashes to

Department vehicles, civil rights suits, or any action which involves members and the Department, the member shall preserve the original transmittal envelope and shall deliver the envelope along with the original documents contained therein to the Legal Bureau. The member will not fill out or sign the enclosed form, Statement of Service by Mail and Acknowledgment of Receipt by Mail, or mark the envelope or documents in any manner, but will also deliver that form to the Legal Bureau along with the original documents and an Internal Correspondence stating the place, time and date received.

1. Criminal Action or Witness Subpoena - A member of the Department who is served with a subpoena by the defendant, defense counsel, or who otherwise may appear as a defense witness in a pending criminal action promptly notifies his respective commanding officer in writing of same giving all pertinent information that said member has familiarized himself with concerning said criminal action. The member will forward a copy to the Trials Bureau or Screening Bureau, whichever is handling the offense, the receipt of said subpoena and/or pending appearance of said member and all other pertinent information involving said criminal action.

2. Upon receipt of a Notice of Hearing, or any form of directive to appear before a governmental agency, the officer receiving same will promptly notify his commanding officer.

3. Members of the department may not appear in any court for any criminal action while attired in uniform or any part thereof, for any reason other than as an official representative of the department.

E. Notification - It is the responsibility of the commanding officer or his designee in the command in which the summons or subpoena is served to make a concerted effort to notify the member named in the summons or subpoena. If he is unable to notify the named member, he shall send a letter to the person issuing the summons or subpoena of this fact.

F. Jury Duty - members of the Service that are summoned by the courts to serve as jurors shall not be departmentally excused except as provided in subparagraph 1. below. Members of the Service as well as members of the Department are expected to perform their civic duties and serve as jurors when called upon. They may, however, request excusal or postponement for reasons unrelated to their official department duties by following the procedures outlined on the jury selection summons.

1. Departmental Excusals - the following will be grounds for excusal from jury duty within Suffolk County when such would cause undue hardship or extreme inconvenience to the public:

- a. if attendance interferes with law enforcement investigations or judicial proceedings.
- b. if attendance may compromise the confidentiality of an undercover officer.
- c. if attendance may compromise sensitive assignments.

- d. if attendance may compromise officer safety.
- e. if attendance conflicts with existing scheduled court appearance or criminal prosecutions.
- f. if attendance would diminish the effectiveness of a command that is specialized to such a degree that another officer could not adequately cover the absence generated by the officer performing jury duty.
- g. if, in the opinion of the Police Commissioner (or his designee), attendance would have a negative impact on department operations or services.

2. Any member of the Department that is summoned to serve as a juror shall without unnecessary delay notify his/her commanding officer. Excepting the aforementioned departmental excusals, the member shall either avail himself or herself as summoned or seek excusal or postponement as provided by the summons as per the Judiciary Law. Such excusal or postponement shall not bear any regard to the Department.

a. Any member of the Service meeting the criteria for a departmental excusal shall forward the summons and an Internal Correspondence (PDCS-2042) explaining the grounds for the excusal to the Human Resources Bureau Supervisor through the chain of command. The Human Resources Bureau Supervisor shall submit a letter to the Commissioner of Jurors on official Department letterhead requesting the member's excusal and explaining the grounds therefore.

b. Any member of the Department serving as juror will be granted jury duty leave for those days required by the court that fall on regular work days. Any jury wages from the court for such days will not be accepted. The member may, however, accept wages for days required by the court that fall on the member's regular days off.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE NOTICES OF CLAIM			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 11: TITLE: COURTS AND LEGAL PROCESS

SECTION 3: TITLE: NOTICES OF CLAIM

I. PURPOSE

To enumerate the responsibilities regarding Notices of Claim.

II. POLICY

All Notices of Claim filed against the County alleging Police Department involvement will be forwarded to the Legal Bureau for review and appropriate distribution.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Responsibilities of Legal Bureau - Upon receipt of Notices of Claim, the Legal Bureau will review each document and do the following:

1. Forward the original Notice of Claim to the County Attorney.
2. Forward a copy of each claim alleging police misconduct to the Internal Affairs Bureau.
3. Forward a copy of all claims involving a pending or active criminal prosecution to the Office of the District Attorney.
4. Forward a copy of all Notices of Claim involving motor vehicle crashes, where police misconduct is not alleged or evident, to the County

Attorney's Office, Riverhead.

5. Maintain a card file of all Notices of Claim received, indicating the following:

- a. Name of plaintiff and defendant.
- b. Name of attorney.
- c. Date received by Legal Bureau.
- d. Record of where original and additional copies were forwarded to.

B. Responsibilities of Internal Affairs Bureau - Internal Affairs Bureau personnel will conduct an investigation of Notices of Claim filed against the County alleging police personnel misconduct. The objective of these investigations will be to determine if police misconduct was involved and, if so, to take proper steps to correct and discipline members involved. These investigations will include but not be limited to the following:

1. Gathering related paperwork.
2. Requesting an interview with the complainant or attorney.
3. Interviewing police personnel involved.
4. Documentation of investigative steps performed.
5. Advising the Police Commissioner of the outcome of these investigations.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-13

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE FEDERAL GUN CONTROL ACT-REPORTING RESPONSIBILITES FOR ALL MEMBERS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/23/07	DATE EFFECTIVE 03/23/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 11: TITLE: COURTS AND LEGAL PROCESS

SECTION 4: TITLE: FEDERAL GUN CONTROL ACT-REPORTING RESPONSIBILITES FOR ALL MEMBERS

I. PURPOSE

To ensure that the Department and all members, sworn and civilian, are in conformity with provisions of the Federal Gun Control Act, Title 18, United States Code, Section 922 et seq.

II. POLICY

It is the policy of the Suffolk County Police Department to afford the victims of domestic violence the greatest protection available by enforcing laws and attempting to prevent future violence.

III. DEFINITIONS

For the purposes of this Section, the following definitions apply:

"Intimate Partner" - Title 18, United States Code, Section 921(a) (32) defines the term intimate partner to mean, "with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabitated with the person."

Misdemeanor Crime of Domestic Violence - Title 18, United States Code, Section 921(a) (33) (A) defines the term misdemeanor crime of domestic violence to mean "an offense that-

(i) is a misdemeanor under Federal or State law; and

(ii) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or who has cohabitated with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim."

IV. REFERENCES

Title 18, United States Code, Sections 921, 922 and 925.

V. RULES AND REGULATIONS

—
N/A

VI. PROCEDURES

A. General Guidelines - The Department recognizes that incidents covered under 18 USC 922 are sensitive and each reported case will be investigated. The Department further recognizes that each incident is unique and the underlying facts and circumstances will be thoroughly investigated to determine if the features and definitions of The Gun Control Act apply.

1. If a permanent order of protection issued against a member does not expressly prohibit the respondent from possessing a firearm, the provisions specified in 18 USC 922 (g)(8) will prohibit such possession provided that all specified criteria (see references above) is met. If this criteria is met, there is an exception provided by 18 USC 925 (a) (1) which allows a law enforcement officer subject to such an order to possess firearms while on-duty and officially employed.

2. If a permanent order of protection issued against a member expressly stipulates that the respondent cannot possess a firearm, the "relief of disabilities" exemption will not supercede an express provision on the court order. Only an express provision in such an order allowing the law enforcement officer to carry a firearm on-duty will enable the officer to do so.

B. Required Notification to the Department - Chapter 23, Section 5, subdivision VI. A. 11. of the Rules and Procedures provides administrative notification guidelines when any member of the Department is arrested by any means or is involved in a serious incident. Chapter 2, Section 2, subdivision V. EE. of the Rules and Procedures provides administrative notification procedures relating to orders of protection involving Department members.

1. NOTE: For the purposes of this section of the Rules and Procedures, the above required notifications will be utilized by the Department to determine if the features and definitions of the Federal Gun Control Act apply. The procedures contained in this section do not apply to temporary or permanent orders of protection that are not related to a domestic incident.

2. Whenever a member of the Department has been convicted of a misdemeanor crime of domestic violence, the member must immediately notify his/her Commanding Officer via an Internal Correspondence. A copy of the conviction must be attached to this initial notification and the affected member is required to provide the docket number and Court, date of conviction and statute or law violated.

C. Investigation by Commanding Officer - Upon receipt of notification from a member of the Department reporting that he or she is the respondent/defendant on a temporary or permanent order of protection, the member's Commanding Officer shall immediately initiate an investigation concerning the facts and circumstances of the incident(s) and such order(s). The investigating Commanding Officer shall make an inquiry with the member concerning the location of any firearms owned or possessed by the affected member. For a sworn member, the Commanding Officer shall request a copy of the Employee Weapon Record (PDCS-1029) from the Pistol Licensing Bureau.

1. While the provisions of the Gun Control Act do not apply to ex parte temporary orders, the Commanding Officer will conduct a thorough preliminary investigation in order to determine if the affected member can properly safeguard firearms owned or possessed by the member. If, in the opinion of the Commanding Officer, it is prudent to restrict the possession of Department weapons to sworn members when only on-duty and officially employed, then the Commanding Officer, or designee, shall make appropriate arrangements for securing and issuing the Department weapons. The Commanding Officer shall have the discretion to require that a member surrender firearms to the Department for safeguarding. Procedures for this safeguarding and return of weapons are provided in Chapter 4, Section 3, subdivision V. D. through E. of the Rules and Procedures. The Commanding Officer shall continue to monitor the status of any temporary order of protection. The Commanding Officer will prepare an Internal Correspondence summarizing the investigative and administrative steps taken and submit it through the chain-of-command to his or her Division Chief. The Division Chief will provide a copy to the Commanding Officer of the Internal Affairs Bureau.

2. For a permanent order of protection, the Commanding Officer shall determine if the applicable provisions and definitions of the Gun Control Act apply (18 USC 922(g) (8)). The investigating Commanding Officer can request assistance from any command which may be able to provide guidance on this matter. If it is appropriate under 18 USC 925(a) (1), "Exceptions: Relief from disabilities," then a sworn member subject to such an order may possess firearms and ammunition while on-duty and officially employed. All other weapons and firearms shall be surrendered to the Department for safeguarding. The Commanding Officer, or designee, shall make appropriate arrangements for securing and issuing the Department weapons. The Commanding Officer shall continue to monitor the status of the order of protection. The Commanding Officer will prepare an Internal Correspondence summarizing the investigative and administrative steps taken and submit it through the chain-of-command to his or her Division Chief. The Division Chief will provide a copy to the Commanding Officer of the Internal Affairs Bureau.

D. Investigation by Commanding Officer/Division Chief - Upon receipt of notification from a member of the Department reporting that he or she has been convicted of a misdemeanor crime of domestic violence, the member's Commanding Officer shall immediately initiate an investigation concerning the facts and circumstances of the conviction and obtain copies of all relevant court documents. The investigating Commanding Officer shall make an inquiry with the member concerning the location of any firearms

owned or possessed by the affected member. For a sworn member, the Commanding Officer shall request a copy of the Employee Weapon Record (PDCS-1029) from the Pistol Licensing Bureau.

1. The Commanding Officer will conduct a thorough preliminary investigation in order to determine if the affected member can properly safeguard firearms owned or possessed by the member. If, while investigation is pending, it is deemed appropriate by the Commanding Officer, to remove an officer's weapons and have a restricted identification card issued to the member, the Commanding Officer will remove such and initiate procedures for restricted identification cards contained in Chapter 4, Section 3, subdivision V. G. 2. a. of the Rules and Procedures. The Commanding Officer shall prepare an Internal Correspondence summarizing the investigative and administrative steps taken and submit it through the chain-of-command to his or her Division Chief.

2. The Division Chief, or designee, shall review the preliminary report of the Commanding Officer and seek the legal opinion of officers assigned to the Office of the Police Commissioner. The Division Chief shall determine if the offense for which the member has been convicted meets the applicable definitions and provisions of the Gun Control Act, and whether the conviction establishes a permanent firearms disability for the member (18 USC 922(g)(9)). The Division Chief shall prepare a recommendation and submit an Internal Correspondence through the chain-of-command to Office of the Police Commissioner, and a copy shall be submitted to the Commanding Officer of the Internal Affairs Bureau for review.

E. Responsibilities of the Internal Affairs Bureau - The Commanding Officer of Internal Affairs, or designee, shall review all preliminary investigations of the Commanding Officers and/or Division Chiefs, and, at the discretion of the Commanding Officer of Internal Affairs, conduct an independent investigation to determine if proper steps were taken and whether administrative action is required. This independent investigation is mandatory in all matters involving the likelihood of a permanent firearms disability to the affected member. The Commanding Officer of Internal Affairs shall advise the Police Commissioner of the outcome of any investigation initiated under this section.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

Firearms Disabilities 11/4
Gun Control Act 11/4

Notification: Member-involved Order of Protection and/or
Domestic Violence Conviction 11/4

END

RULES AND PROCEDURES

CHAPTER 12: TITLE: SUPPORT SERVICES - EXTERNAL

SECTION 1: TITLE: REFERRAL SERVICES

I. PURPOSE

To identify services and resources available through public and social agencies.

II. POLICY

It shall be the policy of the Suffolk County Police Department to insure that its officers are made aware of and provided with information on resources and services available through county agencies, local organizations and government.

III. DEFINITIONS

Services and Resources - State, County and local agencies, organizations and volunteer groups available on a continuous basis for immediate response.

IV. REFERENCES

- A. Section 812, Family Court Act
- B. Section 216, Judiciary Law
- C. Section 841, New York State Executive Law
- D. Section 530, C.P.L.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Members of the Force shall be issued the booklet, "Where to Secure Help, A guide to Social and Health Services in

Suffolk". Copies shall be maintained at each command and with the duty officer. The Suffolk Community Council issues this guide as a public service to assist persons in need of help. Organizations listed in this booklet will assist in finding the appropriate service for particular problems. Members of the Force will familiarize themselves with the contents of this resource guide in order to properly refer persons in need of various social services.

1. Periodic updated service and resource numbers are maintained at each command and published as available in the Precinct Daily Journal.

B. Members of the Force shall provide to the victim or complainant of a family offense, a written notice containing a list of agencies and shelters where the victim may secure help. The "Family Offense Assistance and Court Procedures" notice complies with this mandate and is written in English and Spanish, PDCS 7109.

C. All officers who receive a report of a violent crime from a victim who supplies his name and address and who, as a result of the crime suffers personal injury, must advise that victim of his rights to apply to the Crime Victim's Compensation Board for possible benefits, and deliver to that victim a copy of the "Information for Crime Victims" memo book inserts. (See Rules and Procedures chapter 12/2, Crime Victims Compensation Board)

D. Members of the Force who receive information concerning a suspected neglected or abused child; or a neglected or abused child is taken into his/her custody, shall immediately notify by phone at (800)342-3720, the New York State Department of Social Services, Child Abuse and Maltreatment Register of the circumstances and shall follow up this notification in writing, utilizing the New York State Department of Social Services Report of Suspected Child Abuse and Maltreatment form. This form will be forwarded within forty eight hours to the Suffolk County Department of Social Services Child Protective Services. (See Rules and Procedures chapter 27/2, Juvenile Procedures)

E. Pursuant to the New York State Mental Hygiene Law,

members of the Force have the authority to take into custody any person who appears to be mentally ill and who is conducting himself in a manner which is likely to result in serious bodily harm to himself. (See Rules and Procedures chapter 9/6, Response to Incidents Involving the Mentally Disturbed)

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Referral Services, Public Agencies/Child Abuse Referrals
12/1
Family Complaints/Domestic Disputes/Crime Victims
Compensation Board 12/1

END



ORDER NUMBER 08-14

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE NYS CRIME VICTIMS BOARD				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/21/08	DATE EFFECTIVE 01/21/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 12: TITLE: SUPPORT SERVICES - EXTERNAL

SECTION 2: TITLE: NYS CRIME VICTIMS BOARD

I. PURPOSE

To establish a notification procedure reference to victims of violent crimes.

II. POLICY

The Suffolk County Police Department assists victims of violent crimes whenever feasible and will notify said victims in accordance with New York State Laws, reference crime victims compensation.

III. DEFINITIONS

N/A

IV. REFERENCES

New York State Executive Law, Section 625a

V. RULES AND REGULATIONS

A. All officers who receive a report of a crime from a victim who supplies his or her name and address must advise that victim of his or her right to apply to the Crime Victims Compensation Board for possible benefits, and deliver to that victim a copy of the "Information for Crime Victims" memo book insert which identifies New York State assistance locations, if the victim, as a direct result of the crime, meets one or more of the following criteria.

1. Victim sustained physical injury.
2. Victim of unlawful imprisonment 1st degree or kidnapping 1st or 2nd degree.
3. Victim is elderly (60 or older) or disabled and has

suffered loss or damage to articles of essential personal property.

4. Surviving spouse, parent, child, or person dependent for principal support on victim who dies as result of crime.

5. Person who incurs burial expense of victim who dies as result of crime.

6. Child (under 18) who is victim of or witness to a crime, or child's parent, guardian, or sibling.

VI. PROCEDURES

A. All precincts, detective squads and Police Headquarters are to have both English and Spanish pamphlets and applications on hand, as well as a supply of the "Information for Crime Victims" memo book inserts. A Crime Victims Compensation Board sign will be conspicuously posted in lobbies of all precincts, in all detective squad rooms, and in the lobby of Police Headquarters, in plain view of the public. The above materials may be obtained from the Quartermaster Section.

B. Members of the Department are directed to provide the New York State Crime Victims Board with the information necessary for them to investigate and process claims for crime victim compensation. In order to provide the Board with the necessary information in a timely manner, the following procedures are to be followed:

1. All requests from the Crime Victims Board for information regarding crime victim compensation will be processed through the Central Records Section.

2. An administrative staff member from the Central Records Section will contact the investigating command to obtain a contact and facsimile number.

3. A "Police Information Request" (PDCS-8106) form will be transmitted by a member of the Central Records Section to the investigating Officer or Detective.

4. The "Police Information Request" (PDCS-8106) shall be completed (all fields) and faxed to the Central Records Section at 852-6025 within 7-10 days; the original sent via Department mail.

5. Upon receipt of the completed "Police Information Request" (PDCS-8106), the Central Records Section will forward same to the Crime Victims Board.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 12: TITLE: SUPPORT SERVICES - EXTERNAL

SECTION 3: TITLE: NARCOTIC ADDICT COMMITMENT

I. PURPOSE

To establish a narcotic addict commitment information procedure.

II. POLICY

To prevent the spreading use of narcotics and other dangerous substances, the Department engages in public education programs to inform people about the effects and hazards of drug abuse. Additionally, the Department provides the public with factual information with which to make decisions regarding the use of drugs and to assist members of the public in recognizing symptoms and indications of drug use in others. An understanding and appreciation of the full effect and extent of drug abuse is essential for success in overcoming its threat. By working with and through the community, the Department seeks to engage the people in a cooperative attack on this critical problem.

III. DEFINITIONS

N/A

IV. REFERENCES

Article 81 of the New York State Mental Hygiene Law

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Any member of the Department who is approached by any person requesting information as to how they could apply (under

the provisions of the New York State Mental Hygiene Law - Article 81 and in a non-criminal involvement), for an order directing a civil commitment of such person (a possible or alleged drug dependent person), to the care and custody of the office of Drug Abuse Services, does as follows:

1. Notes the name, address and age of the person for whom such civil commitment is being requested.

2. Advises the person to call Supreme Court, Hauppauge, New York - special term 7, Monday through Friday, 0900 to 1700 hours for appointment and/or advise the person to call the Suffolk County Department of Health Services, Screening and Detoxification Clinic, Hauppauge, New York.

3. Submits the noted information on Internal Correspondence to his commanding officer for direct forwarding to the Chief of Detectives.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-47

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE TEMPORARY IMMIGRATION BENEFITS – PETITION FOR U NONIMMIGRANT STATUS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/26/08	DATE EFFECTIVE 06/26/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 12: TITLE: SUPPORT SERVICES - EXTERNAL

SECTION 4: TITLE: TEMPORARY IMMIGRATION BENEFITS - PETITION FOR U NONIMMIGRANT STATUS

I. PURPOSE

To provide procedures to be followed when presented with Supplement B of Department of Homeland Security, U.S. Citizenship and Immigration Services Form I-918, Petition for U Nonimmigrant Status.

II. POLICY

Whenever a member of the Department is presented with Supplement B of Department of Homeland Security, U.S. Citizenship and Immigration Services Form I-918, Petition for U Nonimmigrant Status, the Department's Certifying Official shall follow the procedure outlined below to certify that the applicant has been the victim of one of the designated crimes, as described in Part 3 of Form I-918 Supplement B, and that the applicant is cooperating with law enforcement during the investigation and prosecution of the criminal activity in which they were victimized, as described in Part 4 of Supplement B.

III. DEFINITIONS

A. Certifying Official - Police Commissioner, or another person specifically designated by the Police Commissioner to issue U nonimmigrant status certification on behalf of the Department, as described in Part 6 of Supplement B of Form I-918.

IV. REFERENCES

A. Department of Homeland Security Instructions for Form I-918, Petition for U Nonimmigrant Status

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. "U" Nonimmigrant Status Certification - An undocumented immigrant who is a victim of certain serious criminal activity may apply for temporary immigration benefits by completing Department of Homeland Security, U.S. Citizenship and Immigration Services Form I-918, and returning the completed form to the Department of Homeland Security.

A required part of Form I-918, "I-918 Supplement B, U Nonimmigrant Status Certification", is to be completed by the investigating/prosecuting agency that investigated the crime in which the immigrant was victimized. Upon receipt by a member of the Department of a Supplement B certification request involving a crime investigated by the Department, the following procedure shall be followed:

1. Form I-918, Supplement B shall be forwarded to the commanding officer of the Kidnap Investigation Team (designated as the Certifying Official of the Department), who will draw a Central Complaint number to initiate a police investigation.

2. The Certifying Official will assign it to the appropriate detective for investigation/review to determine that:

- a. the applicant is the victim of a qualifying crime, as described in Part 3 of Supplement B.

- b. the applicant is cooperating in the investigation, as described in Part 4 of Supplement B.

3. The assigned detective will:

- a. contact the prosecuting district attorney to ascertain the victim's level of cooperation.

- b. complete a draft of Supplement B, including attaching a copy of the IRS report, medical records, and appropriate statements.

- c. forward the completed draft of the Supplement B package to the Certifying Official.

4. The Certifying Official shall review the draft and, upon approval, complete the Supplement B.

5. Upon approval and completion of Supplement B, the Certifying Official shall:

- a. send a copy to the prosecuting assistant district attorney with a request to notify the United States Citizenship and Immigration Service if the victim fails to cooperate in the ensuing prosecution.

- b. return the completed Supplement B to the applicant.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

Immigration Benefits, Temporary 12/4

Petition for U Nonimmigrant Status 12/4

END



ORDER NUMBER 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE NUMBERING SYSTEMS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 13: TITLE: RECORDS/REPORTING PROCEDURES

SECTION 1: TITLE: NUMBERING SYSTEMS

I. PURPOSE

To establish a numbering system procedure.

II. POLICY

In order to maintain accurate records, avoid duplication of effort and to assist in the retrieval of information a standardized numbering system is a necessity.

III. DEFINITIONS

A. Message Cards - Used by the Communications Section to record calls for police service.

1. Type No. 1 - All complaints received by the Communications Section Turret Operator are recorded on white pre-numbered message cards.

2. Type No. 2 - Pink unnumbered message cards are used in recording assists, personals, repairs and other messages which are non-incident only.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Message Card Procedure - The Communications Section turret operator enters the complainant's name, address, location and nature of complaint, and then "date and time" stamps the message card. He then determines the appropriate precinct sector car to be assigned and

records same on the message card. The code number is entered indicating the type of complaint using the Department's 10-code system. The message card is forwarded by the Communications Section turret operator to the dispatcher. After broadcasting the message, the dispatcher "time broadcast" stamps the message card and places the card in the availability board slot indicating the unavailability of the car for future assignment. The dispatcher then "time back in service" stamps the card, records the officer's shield number and forwards same to the Central Records Section.

B. Central Complaint Number - Only one number is assigned to an individual or single incident. This number originates with the message cards and appears on all subsequent reports relating to the complaint. Accuracy cannot be overly stressed in the exchange of these numbers since any error can conceivably result in related reports separating or going astray. Central Complaint Numbers are in the following form: they are preceded by the last two digits of the year. For example: 82-12345 would indicate the 12,345th number issued in 1982.

1. The officer assigned to investigate an incident generally obtains the complaint number from the dispatcher by radio when he completes the call, however, there are times when the dispatcher will be unable to do so, in which case, the assigned officer is to obtain the number from the Communications Section turret operator. It is the assigned officer's responsibility to obtain this number.

a. A Central Complaint Number shall be obtained when undertaking any official police investigation. This includes normal investigations, undercover assignments, or any other investigation of a confidential nature. The Central Complaint Number is to be obtained prior to initiating the investigation or as soon as is practical after commencement of the investigation.

2. Voiding a central complaint number is generally not done if a Department member responds to an incident. The only exceptions to this rule are that a central complaint number may be voided when one or more of the following conditions exist:

a. A complainant is assigned separate central complaint number(s) which are actually duplicates of the same incident (e.g., several people call about the same auto crash), or

b. A new central complaint number is assigned to an incident to which a number was already assigned and the officer can supply that central complaint number to the dispatcher (e.g., you are assigned a burglary call which turns out to be merely added information on a burglary already reported), or

c. A central complaint number is assigned to an incident which is immediately discovered not to be within the Department's jurisdiction and no response is made, or

NOTE: If a member responds to an incident that is handled by another agency (e.g., a village police department within

the Police District) to which a Suffolk County Police Department central complaint number is assigned, the central complaint number shall not be voided. The Field Report will indicate that the incident occurred in another jurisdiction and the appropriate agency responded or was notified. The report should be titled, Assist to Another Authority.

d. Special circumstances exist within the Communications Section, whereby a Communications Section supervisor authorizes a central complaint number to be voided prior to being dispatched (e.g., a central complaint number is assigned to an incident and the complainant subsequently recalls requesting that the police response be canceled prior to the call being dispatched), or

e. A new central complaint number assigned to an "Alarm" call which had already been handled, may be voided if the new call occurs within one (1) hour of the previous one and the field officer can supply the original central complaint number to the dispatcher. (The field officer maintains the responsibility for properly checking the security of the alarm location.)

C. Arrest Numbers - Every arrest made by a member of this Department will have an assigned arrest number that will be entered on the arrest report.

D. Procedure, Automated Arrest System - Immediately following an arrest, if the arrest is to be entered into the Automated Arrest System, an arrest number will not be obtained from Central Records. (NOTE: an exception to this section would be FOA arrests for which see "F.O. A. Arrests", this manual). Central Records will be contacted for a Person Identification Number as well as for previous criminal history information (where required) or for the status of any active warrant. The first screen of the arrest entry should be completed leaving the arrest number blank. After transmitting the first screen, the second entry screen will follow and will have a computer generated arrest number on the arrest worksheet.

1. Procedure, Manual Arrest - If the arrest is not entered into the Automated Arrest System, the arresting officer must request an arrest number from Central Records. A Personal Identification Number as well as a previous criminal history record check (Where required) should be obtained from Central Records.

E. The purpose of assigning Arrest Numbers and Personal Identification Numbers is to provide control over and ensure that the required reports, fingerprint images, photo images, etc. are received by the Central Records Section and the Identification Section.

F. Numbering System - Arrest numbers will adhere to the following format:

1. Automated System - Suffolk County Police Department arrests entered into the automated system will appear in the arrest number box on the arrest report and will have seven (7) digits. Example: Arrest Number 00235-80 will be the 235th arrest entered into the automated system for 1980.

2. Manual System - Suffolk County Police Department arrests which are prepared manually will have arrest numbers not less than 50,000. Example: Arrest Number 50235-80 will be the 235th manual arrest for 1980.

3. F.O.A. System - Suffolk County Police Department arrests for other authorities will utilize arrest numbers not less than 70,000. Example: Arrest Number 70235-80 will be the 235th F.O.A. arrest for 1980.

4. Personal Identification Numbering System - P.I.N.s are issued consecutively and are not preceded or followed by any yearly designation. Once identified by a P.I.N., an arrestee will be issued that same number for any and all subsequent arrests by this Department.

G. Information Required - At the time an arrest number is requested from the Central Records Section, the officer or employee making the request is to provide the following information:

1. Arrestee's name and D.O.B.
2. Charge and CC number.
3. Arresting officer's name and command number.
4. Court of Arraignment.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER	08-13 08-41
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE CASE STATUS			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 01/18/08 06/16/08	DATE EFFECTIVE 01/18/08 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 13: TITLE: RECORDS/REPORTING PROCEDURES

SECTION 2: TITLE: CASE STATUS

I. PURPOSE

To establish categories of case status to be used when investigations are considered founded.

II. POLICY

Members of the Department shall determine and assign a case status to investigations based on specific criteria.

III. DEFINITIONS

A. Procedure Unfounded - A complaint is considered unfounded when the offense or incident complained of did not in fact occur. For example: A report of an auto theft, where the investigation shows that the car has merely been taken home by another member of the family.

1. When it is stated that an incident did not happen, the status of a case is set as final. No other status such as active, pending, cleared by arrest or exceptionally cleared is then a material factor. The incident is unfounded and there can be no other status involved.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Case Status - When an investigation is considered founded, the status of the case must be indicated as being one of the following:

1. Active - Indicating the investigation is actively continuing and further reports will follow.

2. Pending - Indicating that the case is still open and after the required reports are submitted, no other reports are due unless additional information is obtained.

3. Cleared by Arrest - Self explanatory. One arrest is sufficient to clear a case even though the investigation is still continuing, pending a subsequent arrest.

4. Exceptionally Cleared - A case may be exceptionally cleared if the investigation complies with each of the following:

a. The identity of the offender is definitely established.

b. There is enough information to support an arrest, a charge and the prosecution of the case.

c. The exact location of the offender is known so that he/she could be taken into custody.

d. And any one or more of the following reasons exists:

(1) The offender is in custody and under prosecution by another jurisdiction.

(2) The offender is in custody for a different crime and confesses to the offense.

(3) The offender is deceased.

(4) The complainant refuses to prosecute the offender.

(5) Extradition is denied.

(6) The investigation is referred to another authority, e.g., Criminal Summons request, or other police agency. Case jackets of exceptionally cleared cases will be retained at the command of origin for a minimum of sixty (60-) days in the event of the return of the case for further investigation, then forwarded to Central Records. NOTE: In all felony cases the Chief or Deputy Chief of the Grand Jury Bureau of the District Attorney's Office or his designee must be contacted and agree that the case should be exceptionally cleared. The date, time and name of person contacted will be included on paperwork submitted.

5. Closed Criminal - A case may be marked a Closed Criminal if the District Attorney's Office indicates that it has declined to prosecute that particular case or the Court in which the accusatory instrument is filed notifies the Department that it has dismissed the instrument, with

prejudice, thereby precluding further prosecution. The date, time and name of the person representing the agency making such notification will be included on the submitted paperwork.

B. Case Clearance

1. It is important to note that the recovery of stolen property does not clear an offense, whether it be the recovery of a stolen car, or silverware, which has been found after a break. Only an arrest or exceptional clearance will clear the case.

C. Multiple Offenses - If apparently separate and distinct offenses are committed by the same subject(s), the following guidelines will be followed:

1. If the offenses are committed against one complainant in the same general location during a continuous period of time they should be considered a single incident for reporting purposes. This in practicality means that a single Central Complaint Number will be issued to report these type incidents.

2. When continuing series of offenses occur (Example: numerous criminal mischiefs to different cars in a parking lot, burglaries of five motel rooms) involving separate complainants, an individual Central Complaint Number will be assigned to each incident.

D. Recovered Stolen Vehicle - When a vehicle, as defined in article 10 of the New York State Penal Law, which includes boat, motor, snowmobile, aircraft or trailer, is previously reported stolen to this Department and later recovered, the recovery is not a new incident. The officer who recovered the vehicle must complete a Recovered Stolen Vehicle Report and an Arrest Report if he/she apprehends an occupant. He/she must notify, as well as forward, all copies of the Recovered Stolen Vehicle Report and a copy of any other reports prepared to the original investigating command. The investigating command will forward a copy of the Recovered Stolen Vehicle Report to the Vehicle Theft Section.

Stolen Vehicle incidents may be kept "active" until the item is recovered, but it is generally better to make a case "pending" when you anticipate that recovery is unlikely due to lack of leads or other information that would aid recovery.

E. Active Pending Case - Do not continue any case's status as "active" if there is no avenue of investigation left open and you are certain that there is no planned future effort. This does not close a case. It may be actively continued at any time as circumstances and new evidence dictate, but for follow-up control on further reports due, it is pending.

F. Incident Classification - For reporting purposes the Department is interested in "actual classification" of an incident not in the probable court determination. Report the crime as legally defined, regardless of the probable disposition.

1. Incident Reclassification - Commands responsible for the completion of Supplementary Reports regarding an incident are required to

reclassify the incident when subsequent investigation reveals that a change in the original classification is warranted. Example - Original classification: Fire Investigation, non-criminal. Subsequent reclassification: Arson 2nd, criminal.

G. Assist to Other Authority, Non-Arrest - When rendering assistance to another police agency or governmental authority, whether outside or within the Suffolk County Police District, a Field Report will be prepared and entitled "Assist to Other Authority". In non-arrest situations, the expenditure of time or utilization of Department resources in a cooperative effort to perform police duties would constitute such assistance. Examples include, but are not limited to, assisting the New York State Police with a motor vehicle crash on the Southern State Parkway, or assisting the Federal Bureau of Investigation as well as Probation, Parole, or Child Protective Service agencies in investigations within the Police District.

1. A member of the Department shall notify his or her supervisor when a request is received to assist an associated agency.

2. In any instance where a Suffolk County Police Department Central Complaint Number has previously been assigned to the incident under review by the associated agency, the assisting member of this Department shall prepare a Supplementary Report (PDCS-1084) concerning the assistance rendered and shall utilize the existing Suffolk County Police Department Central Complaint Number.

3. When assisting another police agency or governmental authority with an arrest, members of the Department are directed to refer to Chapter 16, Section 1, of the Rules and Procedures.

H. Command Jurisdiction - When a member of a command responds to a citizen complaint and finds that the incident occurred in another command he is to take whatever police action necessary at the time. The command responding makes out a Field Report and shows the actual precinct and sector of occurrence. The precinct of occurrence is notified so that they may carry a Daily Journal entry and be prepared to submit further follow-up reports that may be required. Although the precinct of occurrence is responsible for any follow-up reports, exceptions may be made where the precinct having made the initial investigation might better perform the follow-up investigation.

I. Forwarding Reports - Be careful not to submit duplicate reports or multiple Central Complaint Numbers on any one case. If a case is already identified by a Central Complaint Number, any command may make use of that number for reporting purposes. The main idea is to keep everything connected with an incident under one Central Complaint Number.

NOTE: As a general rule, the uniformed commands are not required to submit or forward copies of reports to the Detective Division on those complaints fully handled by the uniformed command and which the Detective Division has no active part in investigating. However, those incidents that are within the investigative responsibility of the Detective Division shall be directed to that division.

1. Confidential Reports - Reports containing confidential or sensitive information relative to an active investigation will be maintained in the case folder at the investigating command. Upon a change of case status to anything other than active, the case folder shall be purged by the investigating officer or his supervisor and the required reports forwarded to the Central Records Section.

J. Originals to Central Records - It is a general rule that the originals of all report forms are to be forwarded to the Central Records Section.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 09-15

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE AUTHORIZED ABBREVIATIONS			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 04/14/09	DATE EFFECTIVE 04/14/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 13: TITLE: RECORDS/REPORTING PROCEDURES

SECTION 3: TITLE: AUTHORIZED ABBREVIATIONS

I. PURPOSE

To authorize the use of abbreviations on Department records.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Authorized Abbreviations - The following abbreviations are used when making entries in the Daily Journal and other records:

- | | |
|---|----------|
| Absent with leave | A.W.L. |
| Absent without leave | A.W.O.L. |
| Adjourned | Adj. |
| Adjournment in Contemplation of Dismissal | A.C.O.D. |
| Alcoholic Beverage Control | A.B.C. |
| Ambulance | Amb. |
| April | Apr. |
| Article | Art. |
| Assembly District | A.D. |

Assistant District Attorney	A.D.A.
Attendant	Att.
August	Aug.
Authority	Auth.
Automobile	Auto.
Avenue	Ave.
Black	Blk.
Blood Alcohol Content	BAC
Boating While Intoxicated	BWI
Boulevard	Blvd.
Brown	Brn.
Building	Bldg.
Bureau	Bur.
Captain	Capt.
Central Complaint	C.C.
Central Records Section	C.R. Sec.
Chapter	Chap.
Chauffeur	Chauf.
Chief of Department	C.D.
Chief of Detectives	C.O.D.
Chief of Detective's Office	C.D.O.
Chief of Patrol	C. Pat.
Chief of Patrol's Office	C. Pat. O.
Chief of Support Services	C.S.S.
Civil Defense Section	C.D. Sec.
Civil Practice Law and Rules	CPLR
Civilian	Civ.
Clerk	Clk.
Commanding Officer	C.O.
Commissioner	Comm.
Communications Section	C.S.
Community Oriented Police Enforcement	COPE
Community Service Aide	C.S.A.
Contaminated Control Area	CCA
County	Co.
County Attorney	Co. Atty.
County Court	Co. Ct.
County Executive	Co. Ex.
County of Nassau	C.N.
County of Suffolk	C.S.
Court	Ct.
Court (street)	Crt.
Criminal History and Suspect Evaluation	CHASE
Criminal Intelligence Section	CIS
Criminal Justice Information System	CJIS
Criminal Procedure Law	C.P.L.
Crossing Guards	C.G.
Date of Birth	D.O.B.
Dead on Arrival	D.O.A.
December	Dec.
Decentralized Individualized	DIIT
In-Service Training	
Defendant	Def.
Department	Dept.

Dept. of Criminal Justice Service	D.C.J.S.
Department of Motor Vehicles	D.M.V.
Deputy	Dep.
Deputy Commissioner	D.C.
Deputy Commissioner's Office	D.C.O.
Deputy Inspector	D.I.
Deputy Medical Examiner	D.M.E.
Desk Officer	D.O.
Detective	Det.
Discharged Own Recognizance	D.O.R.
Disorderly Conduct	Dis. Con.
District	Dist.
District Attorney	D.A.
District Attorney's Section	D.A. Sect.
District Court	Dist. Ct.
Division	Div.
Doctor	M.D.
Drive (street)	Dr.
Driving While Intoxicated	D.W.I.
Drug Abuse Resistance Education	DARE
East	E.
Effective	Eff.
Election District	E.D.
Electronic Investigations Bureau	E.I.B.
Enforcement Section	Enf. Sect.
Executive Officer	EO
Extra Day Off	X.D.O.
Family Court	Fam. Ct.
February	Feb.
Federal Bureau of Investigation	F.B.I.
Field Training Officer	FTO
Finance Section	Fin. Sect.
Felony	Fel.
Female	Fem.
Field Appearance Ticket	Field A.T.
Fire Department	F.D.
Foot (post)	Ft.
For Other Authority	F.O.A.
Forward	Fwd.
Found Guilty	F.G.
Found Not Guilty	F.N.G.
Friday	Fri.
General Orders	G.O.
Grand Jury	G.J.
Headquarters	Hq.
Highway	Hwy.
Highway Patrol Bureau	Hwy. Pat. Bur.
Homicide	Hom.
Homicide Squad Section	Hom. Sqd. Sect.
Hospital	Hosp.
Human Resources Bureau	H.R. Bur.
Identification Section	I.D.
Inclusive	Incl.
Incorporated Village	Inc. Vill.

Incident Location	I/L
Inspector	Insp.
Internal Affairs	IA
Internal Correspondence	I.C.
Intoxicated Driver Testing Unit	I.D.T.U.
January	Jan.
Junior	Jr.
Lane (street)	La.
License	Lic.
Lieutenant	Lt.
Long Island Power Authority	LIPA
Long Island Railroad	LIRR
Main Desk	Mn. D.
Male	M.
March	Mar.
Marine Bureau	Mar. Bur.
Medical	Med.
Medical Evaluation Bureau	M.E. Bur.
Medical Examiner M.E.	
Memorandum	Memo.
Message	Mess.
Misdemeanor	Misd.
Metropolitan Transit Authority	MTA
Modus Operandi	M.O.
Monday	Mon.
Motor Vehicle Crash	MVC
Motorcycle	Mtcyl.
Motor Vehicle	M.V.
National Crime Info. Center	N.C.I.C.
National Incident Management System	NIMS
Narcotics Squad Section	Nar. Sqd. Sec.
N.Y.S. Police Info. Network	N.Y.S.P.I.N.
North	N.
Notified	Ntfd.
November	Nov.
Number	No.
Occupational Safety and Health Administration	OSHA
Occurrence	Occ.
October	Oct.
Office of Drug Abuse Services	O.D.A.S.
Operator	Opr.
Ordinance	Ord.
Paragraph	Par.
Parkway	Pky.
Patrol Division	Pat. Div.
Payroll Section	Pay. Sect.
Penal Law	P.L.
Performance Evaluation Report	PER
Personal Identification Number	PIN
Personal Protective Equipment	PPE
Personnel Orders	P.O.
Place (street)	Pl.
Plainclothes	Plcl.

Platoon	Pla.
Plead Guilty	P.G.
Police Academy	P.A.
Police Commissioner's Office	P.C.O.
Police Department	P.D.
Police Department, County of Suffolk	P.D.C.S.
Police Officer	P.O. (officer)
Precinct	Pct.
Precinct Crime Section	PCS
Precinct Detective Bureau	Pct.Det.Bur.
Probationary	Prob.
Probationary Police Officer	PPO
Property Section	Prop. Sect.
Property Clerk	Prop. Clk.
Quartermaster Section	Qm. Sect.
Radio Dispatcher	R.D.
Received	Recd.
Registration	Reg.
Revocation Section	Rev. Sect.
Road	Rd.
Rules and Procedures	R&P
Saturday	Sat.
Section	Sect.
Sector	Sec.
September	Sept.
Sergeant	Sgt.
Shield Number	Sh. No.
Sick Leave	S.L.
South	S.
Special Orders	S.O.
Squad	Sqd.
State Liquor Authority	S.L.A.
Straight Time	S.T.
Subdivision	Subd.
Subpoena	Subp.
Suffolk County Court Officer	SCCO
Suffolk County Identification Number	SCIN
Sunday	Sun.
Supply Section	S. Sect.
Supreme Court	Sup. Ct.
Surgeon	Surg.
Suspended Sentence	S.S.
Technical Service Section	T.S.S.
Telephone	Tel.
Teletype	T.T.
Thursday	Thurs.
Time and One-half	T.H.
Town Ordinance	Twn. Ord.
Traffic Violation Bureau	T.V.B.
Trailer	Trl.
Transportation Section	T. Sect.
Tuesday	Tues.
Turnpike	Tpke.
Uniform Crime Reporting	UCR

United States	U.S.	
Unknown		Unk.
Vacation		Vac.
Vehicle		Veh.
Vehicle Identification Number		V.I.N.
Vehicle & Traffic Law		V.& T.L.
Verizon Telephone		Ver. Tel.
Village Ordinance		Vill. Ord.
Violation		Vio.
Warrant		War.
Weapons of Mass Destruction		WMD
Wednesday		Wed.
West		W.
White		Wh.
With Leave		W.L.
Without Leave		W.O.L.
Yellow		Yel.

** Long Island Lighting Co. has been deleted and replaced by LIPA

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 13: TITLE: RECORDS/REPORTING PROCEDURES

SECTION 4: TITLE: WRITTEN/VERBAL COMMUNICATIONS

I. PURPOSE

To establish guidelines governing written/verbal communications.

II. POLICY

N/A

III. DEFINITIONS

A. Communication - Any communication, whether verbal or written, containing matter relating to the official business of the Department, or a member of it, is an official communication.

IV. REFERENCES

A. CPLR 2101(a).

V. RULES AND REGULATIONS

A. Members of the Department shall not knowingly give false written or verbal communications.

VI. PROCEDURE

A. Written Communications - A communication deals with only one subject. It is typewritten on official stationery, and signed in black or blue-black ink. When reference is made in the body of the communication to a member of the Force, his rank, or title, his first name in full, middle initials, surname, shield number and command is given the first time used, and thereafter only the title and surname is used.

1. All official communications prepared by

members of the Department shall be approved by the member's commanding officer and signed by the member sending such communication.

2. Written communications are promptly forwarded to its addressed destination through official channels, unless otherwise directed.

B. Endorsement - When communications are forwarded to the Police Commissioner by endorsement, each official signing the endorsement states his approval or disapproval, and briefly outlines his conclusions or recommendations, if necessary.

C. Receipt of Communications - A member of the Department receiving a written communication directly from the public promptly acknowledges receipt, if authorized by his commanding officer, either in writing or through an investigating officer.

D. Messenger Service - All communications and enclosures to any office within the Department are forwarded by messenger unless otherwise directed.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 06-32

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE DEPARTMENT RECORDS AND FORMS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 03/15/06	DATE EFFECTIVE 03/15/06	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 13: TITLE: RECORDS/REPORTING PROCEDURES

SECTION 5: TITLE: DEPARTMENT RECORDS AND FORMS

I. PURPOSE

To establish a procedure for the creation of Department forms to include control, design and revision.

II. POLICY

To ensure Department efficiency, to conform with the spirit of the Freedom of Information Act, to promote uniformity throughout the Department and avoid the creation of unauthorized and duplicate forms, a system must be adhered to, to prevent the creation, revision, design, printing and issuing of forms that have not been approved by the Police Commissioner.

III. DEFINITIONS

Forms - An object having constant information printed on it and having spaces for the entry of variable information.

Forms Manual - A manual which contains Department Forms Orders issued to authorize and explain the information necessary for the proper completion of Department forms.

Printed Matter - Other material that does not fall under the definition of forms e.g., handouts, booklets, training material, etc.

Authorized Form - One that has been authorized by the issuance of a Department directive. No member of the Department shall use a form unless authorized for use by the Police Commissioner.

IV. REFERENCES

A. CPLR 2101(a).

V. RULES AND REGULATIONS

The responsibility to create, design, revise and control Department forms lies with the Research and Development Section. To prevent duplication in forms, identify forms no longer used, forms that require updating, etc., an annual review shall be performed.

A. Familiarization - Members of the Department are responsible to familiarize themselves with all current forms and their purpose.

B. Completion of Forms - A member of the Department makes entries and completes designated forms accurately and concisely without unnecessary delay. Entries are made in accordance with the designated form instructions. Generally the copies required and distribution of the reporting forms is defined on the form itself. Should there be no instructions on the form, the instructions in the Department Forms Manual shall be followed. Most information requested is self-explanatory. Those segments of forms that are not will be further explained in the Forms Manual. The Forms Manual will also inform the user of how to complete and submit a form, not when. When to complete the form is set forth in the procedural orders of the Department.

1. When completing any Department form which requires the entry of an address, whether it is your own, a defendant, victim, complainant, etc., a complete address shall be entered including: house or building number, apartment or suite number, street, hamlet, state and zip code, and if known, the zip code extension. This complete information is to be entered on all forms, in particular arrest related and court paperwork, even if they do not specifically reflect an individual space for each entry. NOTE: Members completing forms requesting their residential address shall comply in conformance with subsection V. G. of this section.

C. Supervisory Review of Police Reports - Supervisors will review all reports generated by officers under their immediate supervision. The review will check for clarity, accuracy and completeness. If the report is complete and has no discrepancies, the supervisor will sign the report in the designated space. If there are discrepancies in the report or the report is incomplete, the supervisor will determine if the report contains any perishable information necessary to initiate or continue an investigation. If such is the case, the supervisor will photocopy the report, clearly mark it "copy" and disseminate it to the appropriate unit(s) while returning the original report to the officer for any necessary corrections. Supervisors will also maintain a current knowledge of what reports are being completed by his unit in order to guarantee their completion in a timely manner.

D. Erasures - Erasures are not made on any designated form. When a correction is necessary a line is drawn through the incorrect matter, and the correction entered immediately above and initialed by the person making same.

E. Signature - "Signature" includes name, rank, shield number, command, squad or team number. Example: Signature/Rank/ Shield No./Command/Squad or Team.

F. When reporting an individual's name on any Departmental form, the following procedure will be adhered to unless otherwise specified on the form.

- a. Surname - reported first (capital letters)
- b. First name - reported second
- c. Middle initial - reported last

Example: Robert W. Smith will be indicated as SMITH, Robert W.

G. Reporting Member's Home Address/Phone Number - When completing any general reporting form requiring a member's home address and/or telephone number, the address and telephone number of his/her assigned command will be entered in the applicable spaces. This requirement does not include forms for Personnel Section use, which require the address of the location where the member actually resides.

H. General Instruction - All Departmental forms are to be used for the purpose intended and no other.

Only authorized forms will be used by members of the Department. No proposed or amended Department forms shall be printed without the authorization from the Police Commissioner nor shall they be released by the Stock Room Unit unless authorized by a Department directive or the approval of the Police Commissioner.

I. Ink - Members of the Department shall use black or blue-black ink to complete handwritten entries on all legal and Department forms. Members of the Department shall also sign documents and correspondence in black or blue-black ink. Scannable forms requiring the use of a #2 pencil are the only recognized exception.

J. Archives - To help reduce the cost of storing records the Suffolk County Archives and Record Center was established to store inactive records. Inactive records are those records which are not eligible for disposal and are not referred to more than once a month. Commands having records meeting this definition may request that they be stored at the County Archives and Record Center by following the procedures in the County's Standard Operating Procedure C-08.

VI. PROCEDURE

A. Request for Printing Services

1. Those forms already authorized and produced and ordered from the Quartermaster Section's stock room will be available by submitting a Requisition form directed to the Quartermaster Section.

2. Those forms already authorized and produced but not available from the Quartermaster Section are to be ordered from the Research and Development Section by submitting an Internal Correspondence. The Internal Correspondence should include name of the form, PDCS number, and volume requested. A clean, original copy of the desired form must be attached to the Internal Correspondence (photocopies are generally not accepted).

3. Commanding officers or their designees requesting or suggesting the creation of a new form, revision of an existing form, or other type of specialized printing will request such from the Research and Development Section by submitting an Internal Correspondence. The Internal Correspondence should include, in addition to the information specified above, an explanation of the intended purpose and use of the new and/or revised form. Again, a clean sample of the requested material, typed and/or hand drawn, should be attached to the request. Assistance in form design and content will be available through the Research and Development Section if required.

B. All requests must be limited to essential printing requirements. Amounts ordered should adequately reflect an intended usage period of no longer than one year. Frivolous or individual unit customization of generic departmental forms will not be authorized, except upon demonstrated need.

C. Printing requests should be submitted well in advance of actual need. A minimum of twelve weeks is presently required for delivery although shorter deadlines can be met if absolutely essential.

D. Finally, all inquiries regarding printing orders shall be made via the Research and Development Section. No member of the Department shall be authorized to directly contact the County Print Shop.

VII. ACCREDITATION STANDARDS

A. CALEA 13.1.3, 14.2.1, 61.2.4, 82.1.9, 82.1.13

B. NYSLEAP

VIII. INDEX

Black and Blue-Black Ink 13/5
Ink, Black and Blue-Black 13/5
Archives 13/5

END

RULES AND PROCEDURES

CHAPTER 13: TITLE: RECORDS/REPORTING PROCEDURES

SECTION 6: TITLE: DESCRIPTION PROCEDURES

I. PURPOSE

To emphasize the necessity for accurate descriptions of persons and property.

II. POLICY

To assist the Department and other law enforcement agencies in locating wanted persons and lost or stolen property, it is of the utmost importance to accurately describe such items or persons.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Descriptions - Accurately describing wanted persons, lost property or stolen property is an important part of an investigating officer's duties.

1. A description, if not distinctive, is of little value. General alarms, bulletins, reference files, etc., are as a rule, prepared from information supplied by the officer making the initial investigation. Bear in mind that other persons and

agencies must work from your description.

2. When searching prisoners and their premises, obtain an accurate description list of all identifiable property for check with Property Section.

3. On all articles listed, no matter what they may be, always show the maker's or brand name, serial and model numbers, size and color and valuation. Show any initials or other marks of identification which may have been added after purchase of articles. If owner is not sure of valuation, give approximate valuation.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 09-05

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE SUMMONS PROCEDURE				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/27/09	DATE EFFECTIVE 01/27/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 13: TITLE: RECORDS/REPORTING PROCEDURES

SECTION 7: TITLE: SUMMONS PROCEDURE

I. PURPOSE

To establish guidelines for the recording, issuance, accountability and distribution of the universal traffic summons.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Jurisdiction

1. Offenses Returnable to Village Courts - For offenses committed within the boundaries of a village where a Police Justice Court is established, the Village Court has primary jurisdiction over the following offenses:

a. Infractions of the Vehicle and Traffic Law.

b. Certain misdemeanors of the Vehicle and Traffic Law, if administrative agreements exist between First District Court and the Village Police Justice Court.

c. Village ordinances.

2. Outlying District Courts have primary jurisdiction over town ordinances.

3. Generally, the Traffic Violations Bureau has primary jurisdiction over all Vehicle and Traffic Law violations outside the jurisdiction of Village Courts. The Traffic Violations Bureau does not have jurisdiction over:

a. Offenses which do not specifically involve the operations of a motor vehicle including, but not limited to:

(1) Bicycle/bicyclists infractions.

(2) Pedestrian infractions.

b. Parking infractions.

4. First District Court has primary jurisdiction over all other offenses. There are exceptions if administrative agreements exist between First District and Village Courts for prosecution of certain misdemeanors.

a. When a person has violated section 65-c of the Alcoholic Beverage Control Law (Unlawful possession of an alcoholic beverage with intent to consume by persons under the age of twenty-one), the person shall be issued a Court Appearance Ticket (PDCS 6160), commonly called a Summons, returnable to First District Court. The subject shall not be arrested, and a Court Information and arrest paperwork shall not be prepared.

B. Responsibilities

1. Commanding officers, or their administrative officers, are responsible for instructing members of the Service assigned to their commands as to the proper jurisdiction to which a summons is returnable. Additionally, he will insure the following:

a. All un-issued summonses are stored in a secure area, and

b. a supply of summonses is available to members of the Service on a twenty-four hour basis.

2. It is the officer's responsibility to ensure that a violator is charged correctly and when court is indicated, directed to the appropriate court at the proper time, date, etc.

a. It is the officer's responsibility to have readily available, during their tour of duty, records of all summonses they have issued during the previous six months.

b. Legibility - When a violator is cited for any

offense, the issuing officer shall legibly print all entries, including the officer's name.

c. Factual Portion - For all summonses issued, the factual portion shall be completed except for those summonses issued in conjunction with the Field Appearance Ticket and those returnable to the Traffic Violations Bureau.

d. Multiple Offenses - When a violator is cited for multiple offenses, the officer enters only one offense on each summons. If the jurisdiction for any of these offenses is in a Village or District Court, all the summonses will be returnable to such court.

e. I.D. Number - The officer's New York State Retirement Number will be used as the identifying number. If the member's N.Y.S. Retirement contains a prefix letter, this letter will be omitted when recording the number on the summons.

f. Distribution - Part one (white) - Complaint/Information (returned to supervisor); Part two (pink) - Court Appearance (issued to violator when returnable to local Village or District court); Part three (yellow) - Traffic Violations Bureau (issued to violator when returnable to Traffic Violations Bureau); Part four (Tag stock) - Parking Tag (attached to vehicle for all parking violations).

(1) After an officer issues a summons for any offense other than parking, he shall retain Part four, the Parking Tag, for his records. The remaining two parts of the summons are submitted to his supervisor.

(2) After an officer issues a Parking Summons he retains Part two - Court Appearance (pink) for his records. The remaining two parts of the summons are submitted to his supervisor.

(3) The officer's copy of the summons will be retained by the member for a minimum of two (2) years after final disposition. However, it is recommended that the officer retain these copies until at least two years after retirement.

C. Supervisor's Responsibility - The member's supervising officer, upon receipt of the summons, will review it for accuracy of court designation, date of return, etc. Upon satisfaction that the summons has been completed correctly, the supervisor will legibly place his rank and shield in the designated section and forward all parts to the command's administrative office for posting and transmittal to the appropriate court or bureau.

D. Return Dates - Local, Village and District Court - Summonses returnable to Village or District Courts shall be scheduled according to established court return date schedules.

E. Administrative Office Distribution - Upon receipt of the summons, the command's administrative officer will make the appropriate entries on the Officer Ticket Receipt and prepare the summons for the transmittal to the appropriate court or bureau. Summonses are forwarded daily in the following manner:

1. Whenever a summons is returnable to Village or District Court, Part three (yellow) is forwarded along with Part one (white) to the appropriate court.

2. Whenever a summons is returnable to the TVB, only Part one (white) is forwarded to the TVB.

F. Ticket Transmittal Sheet

1. The form is completed in triplicate. The original and one copy is forwarded in the same enclosure, with each shipment of summonses to the designated court/bureau by the clerical personnel. One copy is retained at the command.

2. The Court Clerk checks each ticket individually in the "Court Use" column, thus affording a permanent record of having received same.

3. Missing tickets, i.e., those listed under "ticket number" and not in the packet, are so noted in the "Court Use" column.

4. To facilitate the checking process the clerical personnel arrange and secure the summonses in the same order as listed on the Ticket Transmittal Sheet before forwarding to the designated court or bureau.

5. The original, after having been checked and signed by the court clerk, is returned to the submitting command as a record of receipt.

G. Forwarding Summonses - Summonses are forwarded to courts or the TVB as follows:

1. Village and outlying District Courts by precinct personnel.

2. To First District Court in a plainly marked jacket via Police Department courier.

3. To TVB in a locked and properly marked bag via Police Department courier.

H. Voided Summons - No summons once issued to an alleged violator may be voided by a member of this Department. The disposition of a summons issued for an alleged violation can only be made in court.

1. A summons may be voided only under the following circumstances:

a. If lost, mutilated, destroyed, illegibly printed, or rendered unsuitable for use due to damage.

b. An improperly written summons.

I. Voided Summons Procedure - A summons is voided by completing a Voided Summons Report and forwarding it along with all parts of the summons to the member's immediate supervisor. The report is reviewed and if found to be justified, the report is signed by the supervisor and then forwarded to the commanding officer for concurrence and signature.

1. If another summons is issued in lieu of the submitted voided ticket(s), note same by serial number on the attached Voided Summons Report.

2. All voided summonses with attached Voided Summons Report are submitted to the member's immediate supervisor and subsequently to the member's commanding officer.

3. All copies of voided summonses with attached Voided Summons Report are forwarded to the Central Records Section via interdepartmental courier.

J. Administrative Responsibilities Concerning Traffic Violations Bureau (T.V.B.)

1. All Patrol Division commands, by September 15, will submit to the Chief of Patrol's Office a list of available dates per month for each officer assigned to the command for the following year. The Chief of Patrol's Office will subsequently forward this list to Albany.

a. Officers working 2 tours and all Highway Patrol Officers will be listed for 2 dates per month.

b. One (1) date every two months will be listed for Precinct Officers assigned to 2100-0700 tours.

c. The Highway Patrol Bureau and the Precincts having radar operators will supply two additional days for each radar trained officer assigned to the command for the months of October, November and December.

d. Schedule officers in double cars for the same dates and times.

e. Stagger the dates for each officer from different weeks in the month if possible.

f. Stagger dates for entire squad. Do not schedule all officers in the same squad for the same date and time (i.e.: 12 officers in squad 1 send 4 Officers per day, per time period.)

g. Officers are reminded to put their I.D. # on all tickets.

2. All Patrol Division commands, no later than December 15th, will submit to the Chief of Patrol's Office the scheduled vacation days off for the following year for all sworn members of the command. These schedules will then be forwarded to the Court Liaison Section.

3. All commands (not only commands in the Patrol Division) are responsible to advise the Court Liaison Section, via Internal Correspondence, whenever any of the following changes of status effecting sworn personnel occur:

- Change of command (both the receiving and departing command). The new command must include duty schedule designation the member will work.

- Change of New York State Retirement tax number (employee I.D. number).

- Any change that affects the assigned duty schedule, squad, team or days worked within a duty schedule.

NOTE: This information shall be forwarded regardless of officer's work assignment or rank.

4. T.V.B. appearances are a foremost priority. Prosecution of traffic offenses is integral to the Department's overall traffic enforcement efforts. Unnecessary absences from scheduled T.V.B. hearings negatively impacts on the effectiveness of traffic enforcement and reflects poorly on the Department. Such absences shall be avoided whenever practical, therefore:

a. Members **will not** be granted discretionary leave time, assigned to training, prisoner transports or special assignments on their previously scheduled T.V.B. dates.

b. T.V.B. hearings are given priority over other DMV safety hearings (DWI Refusal, Zero Tolerance, etc.) held at the New York State Office Building in Hauppauge. Officers scheduled to hearings with conflicting appearance times will notify T.V.B. Liaison.

Liaison personnel will make the necessary adjustments with the appropriate office to permit the officer to attend the other scheduled hearing upon completion of his/her T.V.B. hearing.

c. Any supervisor who grants discretionary leave time, schedules a training assignment, prisoner transport or special assignment to an officer, or excuses an officer due to any other work assignment, which results in that officer's unavailability for, or untimely response to, a scheduled T.V.B. appearance, shall be required to submit a PDCS 2042 to his/her Commanding Officer outlining the reason(s) for his/her decision.

5. **All Patrol Division Commands** - will, at the start of each weekday day tour that Traffic Violations Bureau (T.V.B.) is in session, transmit a copy of the command's current Duty Chart to the T.V.B. Liaison office at FAX 360-8696. The following T.V.B. notification and response procedures shall then be followed:

a. T.V.B. Liaison will notify the Communications Section Duty Officer of each Patrol Division member needed for court appearance

by the member's name and his/her assigned unit number, as indicated on the Duty Chart.

b. The Duty Officer will ensure that a Communications Section dispatcher notifies the patrol supervisor responsible for the requested patrol unit(s).

c. The assigned supervisor will facilitate the response of the requested member(s) to T.V.B., which will include making every effort, if the officer is on assignment, to have the officer relieved by another unit, or if practical, postpone his/her current assignment, pending return from T.V.B.

d. If the assigned supervisor determines the requested member(s) cannot directly respond (due to an assignment from which he/she cannot be relieved, conflicting court appearance in a different location, etc.), he/she will notify T.V.B. Liaison office of that fact. The reporting supervisor's name and the reason for the officer's unavailability will be specified. If there will be a delay, the officer's approximate time of response will be provided.

e. T.V.B. Liaison office personnel receiving the assigned supervisor's notification of a requested officer's unavailability will record the notifying supervisor's name and the specified reason on the T.V.B. Police Appearance List alongside the affected member's name.

f. The commanding officer of Court Liaison Section will ensure the completed T.V.B. Police Appearance List is transmitted to the Internal Affairs Bureau upon the conclusion of each day's T.V.B. Hearing schedule.

6. **Non-Patrol Division Commands** - will be contacted directly by T.V.B. Liaison and a supervisor responsible for the requested officer will be notified of the pending court appearance. If no supervisor is available, the request will be conveyed to another available command member. The following T.V.B. notification and response procedure shall then be followed:

a. The supervisor will facilitate the requested officer's response, which will include making every effort to relieve the officer from his/her current assignment or, if practical, postponing the assignment, pending his/her return from T.V.B.

b. On occasions when no supervisor is available, the command member receiving a T.V.B. appearance request for another officer will duly notify the requested member. The requested officer will make every effort to respond in a timely manner.

c. In instances where the requested officer cannot directly respond, the supervisor or member receiving the appearance request will notify the T.V.B. Liaison office of that fact. The reporting supervisor or member's name and the reason for the requested member's unavailability will be specified. If there will be a

delay, the officer's approximate time of response will be provided.

d. T.V.B. Liaison office personnel receiving the notification of a requested member's unavailability will record the notifying supervisor or member's name and the specified reason on the T.V.B. Police Appearance List alongside the affected member's name.

e. The commanding officer of Court Liaison Section will ensure the completed T.V.B. Police Appearance List is transmitted to the Internal Affairs Bureau upon the conclusion of each day's T.V.B. Hearing schedule.

K. Mandatory Sign-In/Sign-out Procedures and Release from T.V.B. Assignment -

1. All Department personnel assigned to a T.V.B. Hearing shall sign-in upon their arrival at the T.V.B. Liaison office.

2. Officers will only be released when all of their cases have been adjudicated by the judge. The T.V.B. Liaison will verify that the officer is no longer needed to testify, prior to the officer leaving T.V.B.

3. When released by T.V.B. Liaison personnel, the officer shall sign-out in the T.V.B. Liaison office.

4. If the officer is sick or otherwise unable to complete his required T.V.B. appearance, the officer must notify T.V.B. Liaison personnel immediately. T.V.B. Liaison personnel will document these circumstances on a PDCS-2042, notify the Court Liaison Commanding Officer, and ensure that the Desk Sergeant or supervisor at the officer's command is notified as well.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-58

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE REPORTING POLICE ACTIVITIES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 09/10/08	DATE EFFECTIVE 09/01/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 13: TITLE: RECORDS/REPORTING PROCEDURES

SECTION 8: TITLE: REPORTING POLICE ACTIVITIES

I. PURPOSE

To establish a reporting system for each incident handled by a member of the Service.

II. POLICY

Proper documentation of police activity or action is an important function performed by members of the Service. Accurate records documenting police activity significantly enhances police productivity and police management, as well as making basic information available when requested by the public.

III. DEFINITIONS

A. Incident - Is an event or condition, whether criminal or non-criminal, reported to or observed by a member of the Service, that requires police attention, police response or police action.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Required reports and all calls for service handled by Department members shall be reported as follows:

1. The Incident Report (PDCS-1099) is used for all violations defined by state law that require police follow-up (arrest, investigation, interviews, statements, etc). Incident Reports are not completed upon the issuance of a traffic summons, including 511 VTL

summonses. However, several traffic infractions require police follow-up such as 600 VTL (property damage) and 1192.1 VTL (alcohol impaired) and therefore require Incident Reports.

2. A Field Report (PDCS-1053a) shall be used to report non-criminal and other police services except domestic incidents and missing person incidents (missing persons located contemporaneously shall be reported by the completion of a Field Report).

3. A New York State Domestic Incident Report (DCJS-3221) is required as mandated in Chapter 16, Section 6.

4. No police report is required, yet complete Memorandum Book entries shall be made for calls for service that either:

- a. Are determined to be a false automatic alarm, (e.g. burglary, hold-up, fire, entry, etc.), or
- b. Originate from an abandoned 911 call which is subsequently found to be unfounded or accidental, or
- c. Are non-criminal (no offense committed), and

(1) Have either an anonymous complainant or a complainant that declines/refuses an interview or is not physically present, and

(2) Are unfounded or gone upon arrival.

B. Submission of Forms - Members of the Service completing any of these reports shall submit the report in a timely manner to his/her road supervisor or to the desk supervisor.

1. The road supervisor is responsible to ensure the timely delivery of reports to the desk supervisor of the appropriate precinct.

2. The commanding officer of the member of the Service preparing these reports who is from a command other than the precinct where the incident occurred is responsible to ensure that a copy of the report is sent to the desk supervisor of the appropriate precinct without unnecessary delay.

3. Desk supervisors are responsible for submission of the reports received to the appropriate member of the precinct assigned to prepare the precinct Daily Journal. Daily Journal/Blotter entries will be made using the information contained from the Domestic Incident Report, Field Report, or Incident Report.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

END



ORDER NUMBER 09-01

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE TRAFFIC STOP DATA COLLECTION			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 01/26/09	DATE EFFECTIVE 01/26/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 13: TITLE: RECORDS/REPORTING PROCEDURES

SECTION 9: TITLE: TRAFFIC STOP DATA COLLECTION

I. PURPOSE

To establish guidelines for the recording and collection of officer initiated traffic stop data. The data collected will be maintained by the Research and Development Section for statistical review and analysis. These analyses will be published when sufficient data has been collected to support reliable statistical analysis.

II. POLICY

In support of the Department's commitment to unbiased, fair and equitable enforcement action involving all members of the public, the Traffic Stop Data Collection process is intended to provide data that, through statistical analysis, will demonstrate this commitment. The data collected can be used to make a meaningful examination of the Department's traffic enforcement activity and provide a basis to respond to allegations of racial profiling or racially biased policing. Implementation of this data collection process will demonstrate to the community the Department's sensitivity and responsiveness to their concerns about the issue of racially biased policing. This procedure applies to all uniformed Patrol Division personnel.

III. DEFINITIONS

"Traffic stop" for the purposes of this section of the Rules and Procedures means all self-initiated vehicle and traffic enforcement action regardless of whether formal enforcement action is undertaken. Exceptions to this definition are traffic stops based on any call for service that is associated with a central complaint number, road blocks/check points if exclusion is approved by a ranking supervisor, and traffic stops resulting from broadcasts notifications (BOLO's).

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES - Data is to be collected on all traffic stops which are self-initiated.

The required information shall be entered into the Mobile Data Computers (MDC's), which are installed in most Department vehicles or recorded manually on the "Traffic Stop Data Collection Report" (PDCS-3226), when a Mobile Data Computer is not available.

A. Mobile Data Computer Procedure

1. Preliminary Data Collection - Before exiting the vehicle, if possible, or if not; as soon as possible after the driver is interviewed, members of the Service shall select the "**T-STOP**" button (Within CAD-F4 or Utilities-F7 of the MDC Home menu) and collect four (4) data points.
 - a. Reason *: (Use Drop Down List)
 - Suspicious Person
 - Suspicious Vehicle
 - VTL
 - b. Plate *: Enter the registration number and any other required information from the drop down menus: State, Type of Vehicle, Year.
 - c. Location: Enter the location of the stop with sufficient detail to identify each location in the future, if needed for geographic comparisons of collected data. This entry should be at least as specific as the location information entered on a uniform traffic ticket (UTT).
 - d. Description: (Optional) Make, Model, and Color of Vehicle.

(*Required Fields)

Once the above information is entered, the officer will press "**SEND**" and an administrative CC number will be assigned. This administrative CC number must be recorded on the top right corner of the UTT for all self-initiated traffic stops which result in enforcement activity.

2. Completion of the Traffic Stop - Upon Completion of the stop, the officer will press the "**Complete**" button from within the C.A.D. System to record the final disposition of the traffic stop. The unit's status in C.A.D. will not be returned to "Reporting in Service" (10-27), until the officer describes the final disposition of the stop, using a series of seven (7) fields with drop-down lists as described below:

- a. First Field *: Age
- Less than 16
 - 16 to 25
 - 26 to 35
 - 36 to 45
 - 46 to 55
 - 56 to 65
 - 66 and Over
- b. Second Field *: Sex
- Male
 - Female
- c. Third Field *: Race
- Asian
 - Black
 - Hispanic
 - Middle Eastern
 - Mixed Heritage
 - White
- d. Fourth Field *: Disposition
- Arrest
 - Ticket issued
 - Incident Report Completed
 - Field Report Completed
 - Field Interview Report Completed
 - Data Inquiry Made
 - Verbal Warning Issued
 - No Police Action Taken
- e. Fifth Field *: Search Conducted
- "Pat down" for weapons
 - No Search Conducted
 - Yes, without signed consent
 - Yes, with signed consent
- f. Sixth Field: Admin CC#
(Officers shall record this number in memo books and on summonses, if issued.)
- g. Seventh Field: Reason (Use Drop Down List)
- Suspicious Person
 - Suspicious Vehicle
 - VTL

(*Required Fields)

Upon entering the required information the officer shall press the "Send" button to transmit and record the traffic stop. The unit's status is then listed as "Reporting in Service" (10-27), in the C.A.D. system.

Officers forced off the traffic stop due to another assignment, or advising Communications Section that they are "Reporting in Service" (10-27), prior to completing the T-STOP Data Screen, will be unable to use the "Complete" button. In these instances officers can complete the T-Stop data entry function at a later time. The officer must first record the CC# which will be needed to complete the T-Stop data entry activity. Upon completion of the forced call, the officer must depress the "T-Stop" button on the MDC screen and then depress the "T-Stop Data" button on the MDC screen. This will allow the officer to complete the T-Stop data entry activity that was interrupted by following the procedure outlined above through display of the "T-Stop Entry Successful" message on the MDC screen.

B. Procedure Without Mobile Data Computer - Officers without MDC's who engage in traffic stops as defined in subsection III of this section will still be required to collect the data in the format described above. In those cases, officers shall complete the "Traffic Stop Data Collection Report" (PDCS-3226), for each tour of duty in which traffic stops occur. An administrative Central Complaint number will be generated by the dispatcher as requested by the officer on the traffic stop. For all self-initiated traffic stops which result in enforcement activity the administrative CC number must be recorded in the upper right corner of the UTT, and must also be recorded on the PDCS-3226 "Traffic Stop Data Collection Report". The data collected in this manner will be entered into the IRS system upon submittal of the PDCS-3226.

C. Supervisor's Responsibility

1. Patrol Sergeants are to:

- a. Conduct random checks of data base entries for observed self initiated V&T stops.
- b. Check incomplete entries on a weekly basis.

2. Patrol Lieutenants are to monitor the incomplete traffic stop records and disseminate this information to first line supervision for completion of said records.

3. Commanding Officers shall review summary analyses of the data to investigate atypical patterns of traffic stops and/or enforcement activity.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 14: TITLE: EVIDENCE PROCEDURES

SECTION 1: TITLE: CRIME SCENE EVIDENCE

I. PURPOSE

To provide procedures which will assist members of the Department with the proper handling of evidentiary material.

II. POLICY

The effective exercise of the law enforcement responsibility regarding the investigation of crime and in the prosecution of offenders requires that information be obtained through the application of scientific knowledge and methods. Through evidence it is often possible to reconstruct the crime to identify the criminal, and to negate an alibi claimed by the criminal.

III. DEFINITIONS

Evidence - Any material or articles found in an investigation which will assist in the solution of the crime and the prosecution of the criminal.`

Investigating Officer - As used throughout this chapter refers to members of the Patrol Division or Detective Division and Civilian Scientists.

IV. REFERENCES

Penal Law, Article 265

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Investigating Officer's Duties and Responsibilities

1. Prosecution - The primary duty and responsibility of the investigating officer is to furnish the prosecutor and the District Attorney with legally acceptable evidence of sufficient probative value to warrant a conviction.

2. Responsibilities - The investigating officer, preparing a case for court or Grand Jury presentation, is responsible for the proper identification, preservation and custody of all physical evidence relating to the case.

a. Properly mark, identify and preserve each item of evidence.

b. Chain of Evidence - Whenever custody of evidence changes, transfer will be recorded on appropriate Department forms and will include at least the following information:

(1) Date and time of transfer.

(2) Reason for transfer (e.g., lab analysis).

(3) Name/Title of recipient.

(4) Recipient signature.

c. See that evidence is delivered to Property Section or Crime Laboratory for safekeeping pending Grand Jury presentation or trial. An exception to this rule may be made in those instances in which the evidence is of such a nature as to make inclusion in the prosecution folder desirable, such as in the case of certain documentary evidence.

(1) Firearms and weapons evidence to be sent directly to the Property

Section - The determination as to when evidence, which are firearms or weapons, should be sent to the Identification Section or Crime Laboratory before sending it to the Property Section depends on the potential value or capability of scientific examination aiding the investigation or the subsequent prosecution of a defendant.

(2) Investigating Officers are required to ensure that weapons are processed and examined in accordance with Chapter 24, Section 8 of the Rules and Procedures entitled Weapons/Handgun Investigations, and adhere to all minimum investigative procedural standards.

(3) Based on this criteria and under normal circumstances, firearm and weapon evidence collected under the following conditions shall be sent directly to the Property Section:

- Firearms and weapons used to menace an individual;

- Firearms used during the commission of offenses of the Environmental and Conservation Law;

- Weapons other than firearms, when illegally possessed and/or used to commit crimes (e.g., billies, knives, chukka sticks, etc.) where there is no trace evidence likely to be found on the weapon;

- Evidence from the scene of a criminal offense against property where no suspect has been identified.

d. In all cases, the assigned investigating officer sees that the evidence is

made available to the proper Grand Jury or court at the time the matter is heard. Exception to this rule may be made when the size or weight of the item of evidence makes such action impractical. In such instances, photographs of these items are placed in the prosecution folder.

e. Physical evidence presented before local Criminal Courts is returned to the Property Clerk at conclusion of the trial for disposition.

f. In indictable cases after Grand Jury presentation, the evidence should be properly marked and packaged and returned to the Grand Jury vault. Where no indictment is returned, proceed without reference to appeal period.

g. If indictment is returned, make evidence available in Superior Court during trial and be responsible for its custody.

h. After trial the properly marked and packaged evidence should be returned to the Property Section. Care should be taken to preserve any additional markings made by the court.

i. The defendant has a period of thirty days from the date of pronouncement of judgment in which to appeal the decision of the court. Immediately after this thirty day period has passed, and if no appeal has been taken, the items of evidence are to be returned to the Property Clerk.

B. Crime Scene

1. Secure the Area - A member of the Force at the scene of a crime bears the responsibility for the immediate security of same. Detective personnel assigned to the incident assume command upon arrival. No unauthorized persons are to have access to the area until the initial investigation is completed and all

evidence is secured. When physical conditions warrant such attention, an area of sufficient size to protect the scene is roped off and clearly designated.

2. Protection of Scene - In the investigation of an alleged crime or suspicious death, a member of the Force makes every effort to protect evidence on bodies, effects and surrounding property, particularly avoiding the destruction of fingerprints by unintelligent handling. He prevents unauthorized persons from entering upon the scene of the crime until a member of the Detective Division appears. In the case of death, search of the body is by direction or under the supervision of a Medical Examiner only.

3. Investigation - Pending the arrival of the detective, the member of the Force first upon the scene, without damaging evidence or the crime scene, makes an immediate and thorough investigation into the circumstances of the crime, obtains the names and addresses of witnesses and all pertinent information possible. Supervising officers are held responsible for the completeness of this investigation. If the perpetrator is not apprehended, all evidence is submitted to the detective who assumes charge of the case. When conducting a felony investigation where photographs are not taken or where physical evidence is not recovered from the scene of a serious crime against person or property, the assigned detective will include in his written report the reasons why evidence and/or photographs are not included.

4. Evidence Examination - When circumstances require technical examination of an article of evidence at the scene, or when the collection, removal or preservation of the evidence requires specialized skills, the investigating officer in charge requests the services of the Crime Scene Section by calling the Communications Section duty officer. If the evidence to be collected is in danger of contamination and cannot be protected to avoid contamination, the Crime Scene notification shall be made without delay.

Improper examinations, handling or removal may destroy the value of the evidence.

5. Evidence to Crime Laboratory - When analysis of any substance or liquid for use as evidence is required, the investigating officer/detective, or at his direction, a Crime Scene Section member, Identification Section member, or a member of the Medical Examiner's Crime Lab is responsible for delivering the evidence with an Evidence Analysis Request form (PDCS-3220-9), requesting written results of the analysis, to the Crime Laboratory as follows:

a. All times, including holidays:

(1) Respond to the 4th Precinct desk.

(2) Record deposit of evidence in Log Book.

(3) Obtain security card and lock and respond to reception area of Crime Laboratory.

(4) Deposit evidence in appropriate locker. Note: Perishable items (e. g., liquid blood) must be secured in refrigerated lockers only.

(a) There are three types of evidence lockers:

Lockers #1 through #10 are long gun lockers 9"w x 46"h x 16"d.

Lockers #11 through #42 are drug, handgun, misc. 9"w x 17"h x 17"d.

Lockers #R1 through #R20 are refrigerated 11"w x 12"h x 19"d.

(5) Immediately return security card to 4th Precinct desk.

b. In cases where evidence is too large for a locker, special arrangements must be made with the Crime Lab. Members are directed to contact the Lab at 853-5585.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE EVIDENCE COLLECTION					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 14: TITLE: EVIDENCE PROCEDURES

SECTION 2: TITLE: EVIDENCE COLLECTION

I. PURPOSE

To provide procedures for the proper collection of evidence.

II. POLICY

Although the collection of evidence and the processing of a crime scene is usually accomplished by specialized commands it is of the utmost importance that all members of the Force are knowledgeable in the area of evidence recognition and recovery.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Notes and Sketches

1. Note Taking - The member of the division assigned to the collection of evidence makes a proper record in the form of clear and concise notes which contain a full description of each article of evidence, indicating any trade marks, serial numbers, labels, the location, size and conditions, together with the date and time of day when each item came into his possession and the manner of marking for future identification. If a second member of the Force is present, he keeps a similar record, thus making available a second witness in the event the

first is unavailable at trial. Additionally, members include in their notes and report:

- a. Date and time of arrival at scene.
- b. Location of crime.
- c. Name of victim(s), if known.
- d. Name of suspect(s), if known.
- e. Action taken at scene, including the number of photographs taken, measurements taken, if any.
- f. Listing of physical evidence recovered.
- g. Central Complaint Number.

2. Photographs - Some types of fixed or immovable evidence can only be recorded by means of photographs and notes. If complete notes have been kept, there should be no difficulty introducing the photographs as evidence. These notes contain the names of individuals present when the photographs were taken, the type of camera and lens used, the shutter speed, the diaphragm opening and kind of film used. The date, time, location, Central Complaint Number, light conditions and whether or not artificial lighting was used shall also be included.

3. Sketches - When necessary, the investigating officer in charge at the scene makes or causes to be made, a sketch of the scene using two stationary objects as measuring points and plotting each article of evidence on the sketch by measurement from these stationary points or by measuring the distance at the right angle from a determined point between the two fixed points.

B. Identification and Preservation

1. Marking Evidence - A member of the Force promptly marks for future identification and secures against tampering all evidence that is obtained in connection with a case.

2. Collection of Evidence - The collection of evidence at the scene of a crime is, if possible, assigned to one person. No member of the Force disturbs evidence found at the scene, but calls it to the attention of the investigating officer in charge who is responsible for its proper handling and determines whether the evidence shall be photographed, analyzed or measured.

3. Marking Procedures - Each article of evidence presents its own particular problem of marking for future identification. All articles of evidence are to be identified by attaching an evidence tag or evidence label to the article itself, or to the container, depending on its nature. Such tag or label is to indicate the title of the case, the case number, the date and time acquired, the investigating officer's name and the signature or initials of the investigating officer in his own

handwriting. In addition, the article if possible, bears some permanent identifying mark when such mark does not destroy any of its value as evidence.

4. Cast Reproductions - Cast reproductions of all sorts are to be identified by placing initials, date, and other marks on the cast just prior to the time when the cast hardens. Here again, complete reference must be made in the investigating officer's notes concerning the circumstances surrounding the making of the cast. When documenting evidence of shoe prints and tire tracks via photography:

- a. Include a ruler for scale.
- b. Lens should be parallel to print.
- c. Minimum of four (4) photographs adjusting flash at different angles.
- d. Incorporate a tripod.
- e. Do not place suspect shoe/tire near questioned print in order to photograph items.

5. Documents - All documents, letters and other papers collected as evidence are initialed and dated inconspicuously and in a position on the reverse side or other place on the subject where such marking will not damage its value as evidence nor interfere with laboratory examination. Such evidence is not to be folded nor changed from its original form when found. When types of paper are obtained for comparison with documents or letters in question, such paper is likewise marked and submitted in a separate envelope together with the evidence. Caution must be exercised in the handling of documentary evidence where there is a possibility of latents being present. When obtaining known writing samples, submit as many as possible, utilizing general handwriting forms available from the Crime Laboratory. **SAMPLES:** Signatures should be written on separate pieces of paper with each removed from the sight of the writer before the next one is written. Writings to be compared must contain the same letter combinations or words. If printed unknowns are to be examined, obtain printed known samples. If written unknowns are to be examined, examine written known samples.

6. Suicide Notes - Suicide notes are treated as confidential and are not divulged for publication. When such notes come into the possession of the Department, the assigned investigating officer causes two photo-static copies of the same to be made for Department records and delivers the original to the Medical examiner and obtains receipt.

7. Trace Evidence - Submissions of trace evidence to the Crime Laboratory for analysis shall, when available, be accompanied by an exemplar control sample for comparison purposes. For example, when a sample of blood is recovered from a painted wall, a nearby area (unstained) should also be submitted as a control; when submitting unknown paint samples from a vehicle involved in a hit and run crash known samples should also be submitted. Care should be taken in packaging trace

evidence to avoid cross contamination. (See Chart - End of Chapter)

8. Soil and Dust - Evidence of soil or dust is placed in a small pill or powder box. The box is sealed with transparent tape or adhesive tape and properly labeled. When collecting known specimens of soil for comparison purposes, such specimens are to be submitted not only from the place where the subject is presumed to have been, but representative specimens of soil from surrounding areas should likewise be submitted. This permits the Crime Laboratory to determine whether or not soil found at the suspected place is similar to that of surrounding areas or whether it contains ingredients peculiar to that spot from which it was collected. The same care must be exercised in packing and labeling known specimens as with the original evidence.

9. Handling Firearms - A firearm found at the scene of a crime must be handled in such a manner as to protect and preserve any possible latent fingerprints and to prevent additional prints being placed upon it. Consideration is to be given to the possibility of developing latents on cartridges or expended casings which may still remain in the weapon. When the laboratory is to respond, do not touch or unload the firearm. Secure the area where the firearm is, and keep unauthorized persons away. The unloading procedure and condition of the firearm can be critical to successful prosecution.

a. Marking Firearms - A firearm is marked by scratching initials or another identifying mark on the weapon as well as by tagging. When it is determined that the firearm is to be transported for the purpose of being treated for the development of latent prints, it is placed in a plastic bag or thick paper envelop. If it is too large for such treatment, it is placed in a box in such a manner that there will be the least possible contact with such container. The investigating officer records in his notes the make, model, calibre, and serial number of the weapon. He also records information as to whether the gun was loaded or unloaded, and the number and position of any fired and unfired cartridges it contained.

b. Live Cartridges - Live cartridges are marked by scratching the identifying mark on the side of the cartridge case near the projectile end. Care must be exercised so as to not mark the case near the base end nor on the projectile itself since these areas are used for comparison tests by the firearms examiner.

c. Expended Cartridge Cases - Expended cartridge cases are marked on the inside or outside mouth area of the casing (see diagrams, end of chapter).

d. Spent Bullets - Identifying mark on spent bullets is placed on the base of the bullet. Only one person should mark any bullet. Other persons handling such bullet should mark the container rather than the bullet. When a spent bullet is obtained from a body, the Medical Examiner or surgeon performing the autopsy or operation should be cautioned to handle the bullet in such a manner that no additional mark or scratches are placed upon it. The person removing the bullet from the body should place the identifying mark on the base

of the bullet (see diagram, end of chapter). NOTE: When marking may affect the quality of the evidence, the package containing the evidence should be marked instead of the actual item.

e. Packaging Bullets, etc. - Bullets, cartridges and cartridge cases which are to be used as evidence are carefully wrapped and packaged to prevent extraneous markings during storage or transit. Each item is separately wrapped in a wad of clean, soft, absorbent cotton and then placed in a box with sufficient additional cotton added to prevent movement. The box is properly sealed and labeled.

10. Bloodstains - Bloodstained evidence consists of clothing, weapons, bedclothes, towels and numerous other easily portable items. Bloodstains will also be found on fixed objects, objects too large to move from the scene, and on earth, rock and concrete. Each type of article will require its own special handling.

a. When bloodstained items are submitted to the Crime Laboratory for blood typing, a blood sample or blood type of suspects and victims must also be submitted. Arrangements for blood typing of persons can be made with the Crime Laboratory.

b. Transporting Bloodstains - No bloodstained article is to be packed for storage or transmitted to the Crime Laboratory until it is thoroughly dried. The drying is to be a natural drying process and no heat or mechanical agitation, such as a fan, is to be used.

c. Care must be exercised to prevent bloodstained articles from coming into contact with each other or with any foreign material.

d. Each bloodstained article is packaged separately, using good quality, clean brown wrapping paper or brown paper bags. Packages are to be tightly sealed with transparent tape, adhesive tape or gummed tape, and placed together in a suitable box or container.

e. Each bloodstained article, as well as the box or container, is properly tagged and labeled.

f. When bloodstains are found on fixed or bulky objects, they are photographed prior to processing, with the lens parallel to the object and a scale ruler placed in the photograph. A second photograph is then taken without the scale ruler.

g. Dried Bloodstains - Dried bloodstains on a highly polished surface are removed by scraping the stain from the surface onto a clean piece of white glazed paper with any sharp instrument. The particles of the stain are then transferred from the clean, white paper to a clean glass vial which will be tightly sealed with tape and properly tagged and labeled.

h. When bloodstains appear on a porous surface, such as unpainted wood, soil or unfinished concrete, the investigating officer

immediately, whenever possible, not only removes the stain, but also a portion of the porous article under and around the stain.

i. All types of bloodstain evidence are forwarded to the Crime Laboratory as soon as possible in order that the examination may be conducted as quickly as possible and before contamination or further deterioration can take place.

j. Liquid Bloodstains - Whenever bloodstains are found in the form of small pools of blood, they must be removed with a clean instrument and placed in a clean glass container. When practical, a sample of the material from which the stain was removed should be sent to the Crime Laboratory, properly marked for identification, with item of evidence.

k. Liquid blood for analysis or comparison is submitted in a clean, dry, glass container.

1. Preservation - When a preservative other than sodium fluoride has been added to liquid blood submitted for laboratory examination, a small amount of the preservative is also submitted together with a notation of the name and amount of preservative used.

11. Poisoning - In all cases of suspected poisoning an immediate examination of the scene is made for the purpose of obtaining any physical evidence which might contain the toxic agent as well as any medicine or other substances used as an antidote. A detailed description of the outward appearance of the victim is to be noted. Clothing of the victim is to be noted. Clothing of the victim must be handled with utmost care to prevent the loss or disintegration of particles of poison, vomitus or feces which may be present. Samples of vomitus and feces present is submitted to the Medical Examiner for analysis.

12. DNA - Detailed information on DNA and the proper procedures for the collection and handling of DNA evidence are detailed in the Detective Investigative Guide, Chapter 16.

C. Medical Examiner, Cause of Death - In all investigation of deaths of persons from criminal violence, criminal neglect, accident, suicide, or suddenly when in apparent health, or when unattended by a physician, or in prison, or in any suspicious or unusual manner, the Medical Examiner is charged with the responsibility of determining the cause of death.

1. Evidence Required by Medical Examiner - Any items of physical evidence found in the course of such an investigation, which the Medical Examiner shall require for examination or analysis to aid in determining the cause of death, are immediately turned over to him for processing and receipt for such items obtained.

2. When such items of evidence also require additional examination or analysis by the Medical Examiner, for purposes other than determining the cause of death, the Medical Examiner shall be so notified

in order to safeguard against the possible destruction of additional evidence of value to the police.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 14: TITLE: EVIDENCE PROCEDURES

SECTION 3: TITLE: FIREWORKS/HAZARDOUS MATERIALS

I. PURPOSE

To establish procedures for the safe handling and evidence recovery of fireworks and hazardous materials.

II. POLICY

The recovery of evidence to be used for prosecution of offenders is an important aspect of any investigation, however, certain types of incidents require a greater emphasis on safety for both the public and the investigators. Such is the case when dealing with potentially explosive fireworks and with hazardous materials. Strict adherence to established procedures should help minimize the danger.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Fireworks

1. Fireworks Invoiced - All fireworks coming into the custody of this Department will be invoiced using appropriate property forms. The invoicing officer will make one extra copy of the Property

Invoice Receipt and attach it to the contraband. The original set of property paperwork and the final disposition card indicating fireworks destroyed will be placed in the precinct property locker for pick up by Property Section personnel.

2. Fireworks Photographed for Evidence - It shall be the responsibility of the investigating officer to ensure that all fireworks seized as evidence will be photographed at the scene of command immediately after seizure.

3. Destruction of Fireworks - After invoicing (and photographing of evidence), all fireworks will be transported to a pre-designated safe site for destruction by Emergency Service Section personnel.

4. Performance Testing - A sample of each different type will be ignited separately by an explosives technician assigned to the Emergency Service Section to determine, for prosecution purposes, if they perform as designated. The officer witnessing the destruction will indicate across the copy of the Property Invoice Receipt that the destruction has been completed and will affix his/her signature. This copy will then be forwarded to the Property Section.

B. Hazardous Materials

1. Illegal Dumping - When a member of the Department suspects that an act of illegal dumping of hazardous materials has occurred, the officer will take the following action:

a. Request an Emergency Service Section to respond.

b. Protect the scene as a crime scene. Extra care should be taken to preserve any tire tracks, footprints or other evidence.

c. Do not allow any unauthorized

persons to enter the crime scene area.

d. Take necessary precautions and secure a large enough area due to the unknown health hazards of the material. (Stay upwind of the dumpsite.)

2. Emergency Service Section - Personnel upon arrival will:

a. Ascertain proper health hazard precautions are being observed.

b. Request the response of the District Attorney's Environmental Crime Unit (E.C.U.).

c. Assume control of the crime scene until the arrival of E.C.U. (seal off the area). Assist E.C.U. if so requested.

NOTE: If the discharge of hazardous materials is accidental, the E.C.U. does not have to be contacted. However, Emergency Service Section personnel will notify other appropriate agencies for assistance in the cleanup.

3. Hazardous Material Evidence - When a member of the Department comes into possession of a hazardous material to be used as evidence, the officer will immediately request an Emergency Service Section response to the location. The Emergency Service officer will contact the District Attorney's Environmental Crime Unit (E.C.U.) who will respond and take the necessary evidence samples. Emergency Service Section officers will assist E.C.U. if requested. The material not retained as evidence will be returned to the owner or disposed of by whatever method is deemed safe. When all the material must be retained and its possession is hazardous, each situation will be resolved on a case by case basis predicated by all facts and information available.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE CONSUMER PRODUCT TAMPERING					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/18/08	DATE EFFECTIVE 01/18/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 14: TITLE: EVIDENCE PROCEDURES

SECTION 4: TITLE: CONSUMER PRODUCT TAMPERING

I. PURPOSE

To establish a procedure for investigating, reporting and submitting evidence for analysis in cases of suspected consumer product tampering.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

New York State Penal Law, Sections 145.40 and 145.45

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Investigation - A member of the Service investigating a complaint of consumer product tampering must obtain comprehensive information concerning the circumstances of the complaint.

1. In order to facilitate an analysis of evidence gathered, the following information is required by the Suffolk County Crime Laboratory personnel:

a. Was anyone injured or made ill after consuming the product?

b. If someone became ill, what were the effects or symptoms (e.g., nausea, burning, rash, etc.)?

c. Name, address and phone number of the complainant.

d. If the injured person(s) sought medical attention provide the name, address and telephone number of the physician.

B. Analysis of Tampered Consumer Product - When submitting evidence of consumer product tampering, the investigating officer will package the evidentiary material in suitable, uncontaminated containers. Whenever possible, a control sample will be submitted for comparative analysis. A control sample is a duplicate product with the same lot number, or a sample which comes from the same package as the evidentiary material. To avoid possible contamination, the control sample will be packaged separately from the evidentiary material. When available, all packaging, remaining consumer products and recovered foreign objects are to be submitted to the laboratory. The investigating officer is not to damage the consumer product by crushing or crumpling the product to look for other foreign objects.

1. If the Suffolk County Crime Laboratory analysis reveals the incident is not criminal in nature, the Suffolk County Crime Laboratory will advise the complainant and investigating officer. Any further analysis will be the responsibility of the complainant.

2. The complainant may have a private laboratory analyze the affected material if they wish to pursue a resolution to the incident. The local office of the New York State Division of Agriculture or the United States Food and Drug Administration may be contacted. If comprehensive information is supplied, a common manufacturing error may be disclosed. Crime Laboratory personnel will contact the complainant and advise of the option to take possession of the sample, or authorize sample destruction.

C. If the Suffolk County Crime Laboratory's investigation requires consultation with an associated agency (i.e., N.Y.S. Division of Agriculture and Markets or U.S. Food and Drug Administration), the submitting officer will be advised.

D. When an inordinate number of requests for analysis are received by the Suffolk County Crime Lab (e.g., Halloween), the workload may preclude individualized complainant contact by the Suffolk County Crime Laboratory. The Crime Lab will utilize an alternative method of complainant notification.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE POISONING OR ATTEMPTS TO POISON ANIMALS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/18/08	DATE EFFECTIVE 01/18/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 14: TITLE: EVIDENCE PROCEDURES

SECTION 5: TITLE: POISONING OR ATTEMPTS TO POISON ANIMALS

I. PURPOSE

To establish a procedure for reporting and submitting evidence in cases of suspected poisoning or attempted poisoning of animals.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

Agriculture and Markets Law, Section 360.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Investigation - When a member of the Service investigates a complaint of intentional animal poisoning, evidentiary material may be submitted to the Suffolk County Crime Laboratory for analysis. The investigating officer will record pertinent details of the incident.

1. In order to facilitate an analysis the following information is required by Suffolk County Crime Laboratory personnel:

a. Name, address and phone number of the complainant and veterinarian.

b. Description of facts which established probable cause

to suspect intentional poisoning.

c. A list of clinical signs and medications dispensed to the animal.

d. Provide the animal owner with the name and/or command of the investigating officer assigned to the subsequent investigation. Advise the animal owner that a Crime Laboratory analysis will require a veterinarian to obtain the following physical evidence:

If animal is alive, obtain:

(1) Urine (most important)

(2) Emesis

(3) Blood

If animal is expired, obtain the following:

(1) Urine

(2) Stomach contents

(3) Liver

(4) Kidney

(5) Injection site if route of administration was by injection.

e. The animal owner must advise the veterinarian to contact the investigating officer responsible for the investigation at the conclusion of the veterinarian's examination, to arrange for submission of physical evidence to the Suffolk County Crime Laboratory.

2. The evidentiary material and control sample will be submitted in separate uncontaminated containers for analysis as soon as possible and kept refrigerated when feasible.

3. If the Suffolk County Crime Laboratory investigation reveals the incident is not criminal in nature, the Suffolk County Crime Laboratory will advise the complainant and investigating officer that the analysis is concluded. Any continued analysis will be the responsibility of the complainant.

4. The complainant may have a private laboratory analyze the affected material if they wish to pursue a resolution to the incident. The local office of the New York State Division of Agriculture or the United States Food and Drug Administration may be contacted. If comprehensive information is supplied, a common manufacturing error may be disclosed.

5. Crime Laboratory personnel will contact the complainant and advise of the option to take possession of the sample, or authorize sample destruction.

B. If the Suffolk County Crime Laboratory's investigation requires consultation with an associated agency (i.e., NYS Division of Agriculture and Markets or the U.S. Food and Drug Administration), the submitting officer will be advised.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 14: TITLE: EVIDENCE PROCEDURES

SECTION 6: TITLE: ALCOHOLIC BEVERAGES

I. PURPOSE

To establish a procedure for the submission of suspected alcoholic beverages for analysis.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Investigation - Members of the Force submitting suspected alcoholic beverages to the Suffolk County Crime Laboratory for analysis will utilize the following procedures:

1. When the evidence consists of liquid in an open container, purported or suspected of being an alcoholic beverage, remove the liquid from the open container and submit it in an uncontaminated screw top container, supplied by the Suffolk County Crime Laboratory. These specialized containers used for the submission of liquid evidence will be stored in an accessible place within the precincts.

a. After filling the evidence container to capacity it will be sealed and labeled listing the date, central complaint number and investigating officer's name. Once filled and sealed the labeled evidence container will be taken directly to the laboratory or placed in a refrigerated evidence locker if the Laboratory is closed.

b. Once an evidentiary sample has been removed from an open alcoholic beverage container, the remaining liquid may be disposed of. The empty original beverage container will be submitted to the Property Section as evidence.

2. If the evidence consists of original sealed containers, and the fact that the content is an alcoholic beverage is not at issue, the evidence can be submitted directly to the Property Section.

a. If the evidence consists of original sealed containers and the contents must be analyzed to determine if it is an alcoholic beverage, a random sampling, the number of which is based on the amount of containers and the offense being investigated, is submitted, without breaking the seal, to the Suffolk County Crime Laboratory for analysis. The remaining containers will be submitted to the Property Section.

b. If the evidence consists of a single original sealed container, submit without breaking the seal to the Crime Laboratory for analysis.

3. Marking as Evidence - All containers, whether opened or unopened, must be properly marked as evidence as outlined in Section 2. of this chapter before being submitted to the Crime Laboratory or Property Section.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 08-19
 08-43

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE CONTROLLED SUBSTANCES AND MARIJUANA				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/11/08 06/16/08	DATE EFFECTIVE 03/11/08 06/16/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 14: TITLE: EVIDENCE PROCEDURE

SECTION 7: TITLE: CONTROLLED SUBSTANCES AND MARIJUANA

I. PURPOSE

To establish and define the procedure for the handling and processing of evidence or contraband suspected to be a controlled substance or marijuana.

II. POLICY

When handling evidence we must provide evidential integrity and standardization, particularly when submitting controlled substances or marijuana to the Property Section for storage or transfer to the Crime Laboratory for analysis. In addition, a defined procedure should allow for the orderly, controlled transfer of evidence for court presentation as necessary.

III. DEFINITIONS

Controlled Substance - Any substance listed in schedule I., II., III., IV., or V. of Section 3306 of the Public Health Law other than marijuana but including concentrated cannabis as defined in paragraph (a) of subdivision five of Section 3302 of the Public Health Law.

Marijuana - Means "marijuana" or "concentrated cannabis" as those terms are defined in Section 3302 of the Public Health Law.

Evidence Drop Box - Secure Department approved container or enclosure designed to prevent tampering and to provide integrity for the controlled substances and marijuana stored therein.

Security Envelope Correction Drop Box - Secure Department approved container or enclosure designed to prevent tampering and to provide integrity for the controlled substances and marijuana stored therein. This box shall be utilized only in instances where Property Section personnel determine that previously prepared security envelopes are in need of correction.

IV. REFERENCES

New York State Penal Law Section 220.00, Subsection 5

V. RULES AND REGULATIONS

Any member coming into possession of a compound believed or suspected of being a controlled substance or marijuana shall invoice and submit same to the Suffolk County Police Department Property Section or Crime Laboratory.

VI. PROCEDURES

A. Initial Processing

1. All suspected controlled substances or marijuana seized or coming into the possession of a member of the Service shall be invoiced on a Property Section Invoice-Receipt (PDCS-4201) whether evidence or contraband. If a laboratory analysis is required or requested, an Evidence Analysis Request form (PDCS-3220-9) shall be prepared and attached to the Property Section Invoice-Receipt. If no analysis is required, the officer invoicing the material shall check the box in front of "Surrendered (To be destroyed)" within the "Type of Property" section on the Property Section Invoice- Receipt. The suspect material shall then be placed in a Department issued tamper-evident security envelope issued by the platoon commander/officer in charge. The invoicing officer shall date and sign across the SEALED area of the security envelope. Documents shall not be stapled to the security envelope.

2. Completed forms will be reviewed and signed by a supervisor who shall make a recorded entry in the command evidence control log. The supervisor making this log entry will ensure the evidence is properly secured in the security envelope with all appropriate forms which are then placed in a manila envelope and deposited in the evidence drop box maintained at each precinct. If the controlled substance or marijuana evidence supports a felony charge and a defendant is in custody, or if extenuating circumstances exist, delivery of controlled substance or marijuana evidence shall be made directly to the Crime Laboratory.

B. Evidence Transfer Procedures

1. A sworn officer from the Property Section shall be responsible for removing security envelopes from the secure evidence drop boxes from each command and delivering said envelopes to the Property Section. Before removing the security envelopes from the evidence drop boxes, the officers from Property Section shall examine the security envelopes for any possible compromises or tampering. Attached documents shall also be reviewed for compliance with evidence submission procedures. The officers from Property Section shall initial and date the property log in each command to indicate that they have removed security envelopes from the secure evidence drop box.

a. Should the Property Section officer determine that an error exists which prevents the receiving of the invoice into that officer's custody, the Property Section officer shall provide written

notification describing the error and indicating the invoicing officer's attention is required to correct the error. The Property Section officer shall place a copy of the written notification along with a copy of the invoice into the invoicing officer's precinct mail folder specifying that a drug invoice has been rejected and requires the officer's correction.

(1) If the error is limited to the paperwork (invoice), the invoicing officer shall correct the error and place the invoice back into the Evidence Drop Box, to be matched up with the Security Envelope by the Property Section officer.

(2) If the error involves the preparation of the Security Envelope, the Property Section officer shall place the Security Envelope in need of correction into the Security Envelope Correction Drop Box. Upon receipt of notification of the error, the invoicing officer shall retrieve the Security Envelope from the Security Envelope Correction Drop Box via the Duty Lieutenant or, in the Duty Lieutenant's absence, the Desk Sergeant, and make the appropriate corrections. Upon correction, the Security Envelope shall be placed back in the Evidence Drop Box for Property Section personnel pickup. Documentation of the transfer of each erroneously prepared Security Envelope to and from the Security Envelope Correction Drop Box shall be entered in the command's Security Envelope Correction Log Book, as detailed in Chapter 20, Section 3 of these Rules and Procedures.

C. Evidence Transfer/Property Section Evidence Procedures

1. All Property Invoices received by the Property Section are then entered into the automated control of evidence computer system producing an assigned invoice number for the submitted material. The material is then stored in a secure manner. For purposes of documenting the chain of custody, Property Section personnel shall also ensure that the identities of couriers are documented.

2. When invoiced material suspected of being a controlled substance or marijuana requires analysis it shall be transported to the Crime Laboratory by a Property Section member as soon as possible following receipt. The completed Evidence Analysis Request along with a four-part transfer receipt generated by the Property Section computer accompanies the evidence transfer to the lab. The original transfer receipt is then signed by lab personnel indicating receipt of the evidence. The Evidence Analysis Request is retained at the lab while the original signed transfer receipt is returned to the Property Section.

3. All evidence suspected to be controlled substances or marijuana that is returned to the Property Section from the lab shall be packaged in approved containers that are properly heat sealed in the Crime Laboratory. Original invoice receipts or transfer receipts initially submitted to the lab shall accompany the returned material to the Property Section.

4. Invoiced controlled substances or marijuana, when taken from

the Property Section for court presentation, will be taken by authorized sworn Department personnel or members of the District Attorney's Office. They shall verify the sealed condition of the evidence prior to actual transfer. A transfer receipt will be prepared to document evidence transferred along with a photograph of the individual receiving the invoiced evidence. This photograph, to be attached to the applicable Property Section file, will clearly display the individual with a container.

NOTE: In addition to the above procedures, whenever controlled substances or marijuana are withdrawn from Property Section by an officer or detective, form PDCS-4221, Controlled Substances And Marijuana Withdrawal Receipt, shall be completed by Property Section personnel. (The appropriate routing and distribution is noted on form PDCS-4221.)

5. A Property Section officer shall verify the sealed condition of evidence returned from court presentation and a receipt will be issued. Should the evidence seal be broken or the sealed container be otherwise tampered with, a supervisor shall be immediately notified. The responding supervisor shall seal the returned evidence in an appropriate container in the presence of the returning individual who will verify this process. The supervisor will then issue a receipt to the individual returning the evidence and investigate the circumstances that caused the sealed container to be breached.

VII. ACCREDITATION STANDARDS

- A. CALEA 83.1.5, 84.1.1, 84.1.4
- B. NYSLEAP 7.1, 7.5

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-44

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE FIRE EMERGENCY					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/19/07	DATE EFFECTIVE 06/19/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 1: TITLE: FIRE EMERGENCY

I. PURPOSE

To establish guidelines to be used at the scene of a fire emergency.

II. POLICY

Emergencies involving fire are among the most hazardous threats to human life and property that may be encountered during a tour of duty. The prudent exercise of caution cannot be overemphasized.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Fire Emergency Procedure

1. Fire Equipment Installation - Every member of the Service familiarizes himself with the location of all fire houses and fire alarm boxes in his area. He immediately notifies the desk officer if there are any damaged fire alarm boxes and the desk officer notifies the Fire Department having jurisdiction.

2. First at Scene - The member who arrives first on the scene of an unreported fire immediately sends in an alarm to the Communications Section via radio stating the exact location of the fire. If the location

is difficult to describe, he stations himself, or another, at the vantage point from which the fire department may be readily directed to the scene.

3. Evacuation - If human life may be endangered he immediately takes all possible steps to evacuate all persons from the premises and prevents the entrance of all unauthorized persons into the burning area.

4. Traffic Control - He directs the flow of traffic in such a manner as to ensure the unimpeded passage and parking of fire fighting apparatus and other authorized emergency vehicles. If necessary, he requests additional police be assigned to the area.

5. Fire Lines - Upon the arrival of the fire department, the chief or other ranking officer of that department is in charge of the operation at the scene. Members of the Service cooperate fully with the fire police in the continued control of traffic and the establishment and maintenance of fire lines, both at the scene and at other designated traffic control points. These lines are maintained with discretion so as not to interfere unreasonably with the rights of persons living or working therein. No unauthorized person is permitted within the fire lines. Except with the consent of officials of the Police Department or Fire Department, members of the Service admit only the following persons and/or vehicles within the fire lines.:

- a. County Executive, Town Supervisor, Village Mayor and other municipal officials.
- b. Fire Department personnel.
- c. Police Department personnel.
- d. Ambulance and medical personnel.
- e. Accredited representatives of the news media.
- f. U.S. Mail.
- g. Public utilities and other emergency vehicles.

6. Police Duties, Members of the Service:

- a. Prevent any person from interfering with the fire fighting efforts of the Fire Department personnel.
- b. Do not permit vehicles to drive over unprotected hose without the consent of the Fire Department personnel.
- c. Notify the Detective Division without delay, if a crime is indicated or suspected as a contributory cause of fire.

VII. ACCREDITATION STANDARDS

- A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 2: TITLE: STRIKES AND LABOR DISPUTES

I. PURPOSE

To provide informational guidelines regarding strikes and labor disputes and to establish procedures to be used in the handling of these kinds of incidents.

II. POLICY

Negotiation and collective bargaining are legally recognized methods of peacefully settling labor disputes. In such disputes, it is not the function of the Department to deal with the issues involved; rather, it is the role of the Department to protect the rights of the public and the disputants by enforcing the law and by maintaining order.

III. DEFINITIONS

A. Strikes - A resultant of dissension between labor and management and the usual causes are salaries, seniority or fringe benefits.

B. There is a constitutional right to strike and right to public assembly which must be presumed legal unless advice is received to the contrary from the courts or other competent authority.

C. Picketing - An incidental right so long as there is no violence; no violation of law committed; no interference with pedestrian or vehicular traffic.

D. Police may reasonably limit the number of pickets. This limit must not be done arbitrarily or capriciously, if it is done so, the Department is subject to an injunction.

E. Examples of illegal picketing and activities:

1. Blocking of highways, sidewalks, entrances or exits by mass picketing.
2. Display of false or inflammatory statements on placards.
3. Shouting or use of language tending toward breach of the peace.
4. Use of loudspeakers to incite violence.
5. Lying down in front of vehicles.
6. Marching in circles to prevent entrance and exit of places of business.
7. All forms of intimidation, including following vehicles of persons involved.
8. Secondary picketing, not a party to the dispute. A particular product may be picketed, but cannot coerce a place of business to "take sides" and withdraw products from sale.

IV. REFERENCES

Court decisions regarding strikes:

- A. Marching up and down in front of a place of business where there is no strike does not constitute disorderly conduct.
- B. Police orders at strike must not be arbitrary, unreasonable or capricious.
- C. The fact that a strike may be enjoined (injunction) does not mean that pickets are guilty of disorderly conduct.
- D. If threatened disorderly activity is sensed, picketing is to be banned (danger must have a basis).
- E. Notice to pickets in all matters is important.

F. Privately owned shopping centers are considered private property used for public commercial activity and as such unions have no first Amendment right to picket in these areas. However, the National Labor Relations Board may grant written permission to a union when no other reasonable means to communicate is available. Picketing must be peaceful and may not interfere with customer access to the shopping center or any business within. If the issue of permission is in dispute, the union representative must show the assigned officer the written order from the National Labor Relations Board authorizing the union to picket on the private property. If the union representative fails to show the correspondence the officer will:

1. Advise the picketers that the owner of his authorized agent may request them to leave the property and if they refuse, he may make a civilian arrest.

2. Advise the property owner or his authorized agent that he may direct the picketers to leave the property. (This message must be personally communicated to the picketers.) If the picketers refuse to leave, the property owner or his authorized agent may make a civilian arrest for trespassing.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Precinct Commanding Officer's Responsibility - A precinct commander, upon receipt of notice of a strike in progress, an impending strike, or other labor dispute (i.e., informational picketing, union organizing or any other group actions), in the jurisdiction of his precinct, notifies or causes to be notified without delay, the Communications Section duty officer, who will in turn notify the Suffolk County Commissioner of Labor, stating the facts of the situation. He interviews, or causes to be interviewed, the plant owner or manager and the strike leader, union organizer or group

spokesperson.

1. Advise them of their rights.
2. State intent of police to enforce the law impartially.
3. Seek cooperation of both.
4. Determine opening and closing time, meal periods, time or expected deliveries, number of personnel on strike, and number working.
5. Determine if trouble is anticipated.
6. Investigate for possible agitators and concentrate on them.
7. Obtain all information deemed of value to police the area.
8. Advise them that any criminal acts will be promptly dealt with.
9. Advise them that assaults on police officers will not be tolerated, force will be met with force and arrests will follow.

B. Precinct Commanding Officer's Duties - Precinct commander:

1. Studies and sketches the external layout of the premises, entrances, exits, parking area, highways adjacent and those used as normal routes by employees.
2. Establishes written S.O.P. in detail, covering all phases of police activity contemplated.

3. Upon completion of his initial survey of the situation notifies the Chief of Patrol of his findings and, if deemed necessary, requests the aid of additional manpower and special equipment.

4. Directs the officer in command of the detail at the scene to keep the Chief of Patrol and the precinct desk officer informed of developments throughout the duration of the strike.

C. Police Mission - Police personnel in sufficient numbers, with adequate supervisory personnel are assigned to accomplish the police mission, which is the protection of rights and property and the preservation of peace. Members of the Force assigned are guided by the following to accomplish that purpose.

1. Jibes, taunts and remarks of pickets or sympathizers, which do not incite to riot or cause a breach of the peace must be ignored. This is a method of deliberately creating an "incident".

2. Flirting by pickets or sympathizers must be ignored.

3. Police avoid commenting or conversing with either side, strict impartiality must be maintained at all times.

4. Violence and lawlessness must be met promptly with firm action. Reasonable and necessary force is permissible, but not excessive force nor brutality.

5. Observe groups for agitators or ringleaders, control of this minority may prevent general mob violence.

6. The display of a well trained and equipped police detail is in itself a great deterrent to a potential unruly group. Those assigned will bear in mind that their mere presence at the scene can do much

to preserve order; create and maintain the desired impression by acting in a businesslike and dignified manner.

7. Warnings and orders to pickets and others are given in a clear and concise manner.

D. Supervisory Duties - Supervisory personnel at the scene of a strike or labor dispute instruct members under their command as to the following:

1. The proper method of policing a labor dispute.

2. That when they report for duty, they are listed on a duty chart(s), informed of their squad number, immediate supervisor and post to which they are assigned.

3. As to their relief and meal periods.

4. That they are not to leave their assigned posts or assembly area without permission of commanding or supervising officer.

5. That they are not to enter upon the property nor enter any building of the premises being struck.

E. Common Offenses - Offenses often committed at strikes are: homicide, offenses against public order, assault and related offenses; harassment, duress, coercion, criminal mischief and related offenses, obstruction of public servants and vehicle and traffic offenses.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-38

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE AIR CRASH					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 05/04/07	DATE EFFECTIVE 05/04/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 3: TITLE: AIR CRASH

I. PURPOSE

To provide procedures for handling incidents involving the crash of aircraft.

II. POLICY

The voluminous amount of air traffic and the close proximity of several airports in and around the police district requires a response plan which provides for rapid and coordinated efforts on the part of various agencies. The Department will provide primary response and will assist associated agencies as necessary.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Communications Section Notifications - The Communications Section duty officer, when notified of an air crash, obtains available facts and notifies or causes to be notified when necessary, the following:

1. Sector car and adjacent sector cars.
2. Units from other precincts and commands, as required.

3. Commanding Officer of precinct of occurrence via the precinct.
4. Medical aid: doctors, ambulances, rescue units.
5. Hospital(s) to which injured will be removed.
6. Local fire department.
7. Federal Aviation Agency.
8. Commanding Officer, Communications Bureau, to set up mobile command post and provide for communications.
9. Police Commissioner and Deputy Commissioner.
10. Chief of Department.
11. Chief of Support Services.
12. Chief of Patrol.
13. Chief of Detectives.
14. District Commander
15. Highway Patrol units on patrol.
16. Medical Examiner.
17. Public utilities involved.
18. F.B.I. Disaster Identification Unit.
19. Request F.A.A. issue "Notice to Airman" (NOTAM) restricting air traffic over crash site.

B. Water Crash Procedure - If the air crash occurs in water or on the Barrier Beach, in addition to foregoing, notify:

1. Police Marine units.
2. Coast Guard.
3. Commanding Officer of the precinct to which dead and injured will be sent.
4. Commanding Officer, Barrier Beach Section.

C. Commanding Officer of the precinct - The following are the responsibilities of the commanding officer of the precinct:

1. Rope off the area to secure.

2. Assign personnel to reroute and control traffic.
3. Aid injured and trapped victims.
 4. Assign personnel to protect property and prevent tampering with wreckage.
 5. Check with Medical Examiner as to removal of dead bodies and temporary morgue.
 6. Identification of victims (obtain list of plane's occupants).
 7. Maintain record of assignments and activities. Use duty charts, Daily Journal and unusual disorder or disturbance assignment of activity forms as required.
 8. Secure required emergency equipment (lights, vehicles, etc.).
 9. Assign aide as liaison for communications.
 10. Utilize auxiliary police.
 11. Engage private ferry if necessary.

D. Crash, MacArthur Airport - Air Crash Procedures Within Airport Boundaries: Follow procedures as outlined in paragraphs A. through C. of this section. The precinct commander of the precinct involved assumes command and:

1. Designates a command post at the scene and advises the Communications Section duty officer of exact location.
2. Assigns sufficient personnel to maintain uninterrupted liaison with Communications Section as well as key personnel at the crash site.
3. Notifies the Chief of Support Services regarding activation of special Department equipment that may be needed at the crash site.
4. Establishes police lines within the airport perimeter to keep all runways clear.
 - a. Police personnel and available radio patrol units are assigned traffic posts at strategic points, depending upon the location of the crash site to divert all vehicular traffic from the scene with the exception of emergency and other authorized vehicles.
 - (1) Intersection of Smithtown Avenue and Lakeland Avenue (Ronkonkoma) to detour traffic north, west or east. No traffic permitted over the railroad bridge.
 - (2) Intersection of Smithtown Avenue and Baek Street to detour traffic north or west.

(3) Intersection of Smithtown Avenue and Veterans Highway to detour traffic south or west.

(4) Intersection of Lakeland Avenue and Veterans Highway to detour traffic north, south or west.

(5) Intersection of Johnson Avenue and Veterans Highway to detour traffic south and east or west depending upon the location.

(6) Intersection of Lincoln Avenue and Veterans Highway to detour traffic east, north or south.

(7) Intersection of Knickerbocker Avenue and Railroad Avenue to detour traffic east or north.

(8) Smithtown Avenue, Veterans Highway and other areas as required are to be patrolled by units to ensure adequate passageway to emergency and/or authorized vehicles and prohibit unauthorized parking.

E. Crash Scene Information Required - It will be the responsibility of the officer-in-charge at an aircraft crash scene to obtain the following information:

1. Incident location (includes diagram of crash scene).
2. Date and time of crash.
3. Weather conditions at the time of incident.
4. Pilot information:
 - a. Name of pilot.
 - b. Address.
 - c. Age and Sex.
 - d. Pilot license number.
5. Passenger(s)/person(s) on ground who are injured or killed; and the rescue(s) and hospital(s) assigned:
 - a. Name(s) of injured and deceased.
 - b. Their address(es).
 - c. Age(s) and sex.
 - d. Name(s) of rescue(s) who transport.

e. Name(s) of hospital(s) and/or morgue(s) locations injured and killed removed to.

6. Aircraft information:

a. Owner's name and address.

b. Aircraft make and model.

c. Aircraft type and number of engines.

d. Aircraft registration number (located on side of aircraft).

e. Describe damage to aircraft.

7. Damage to property on ground:

a. Attempt to identify property damaged on ground and owner(s) information.

8. Determine the name(s) of the F.A.A. Inspector(s) at scene and times they respond.

9. All the above information will be gathered whenever possible from information available at the scene; and will be included as part of the investigators report.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 07-42

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE EXPLOSIONS, BOMB THREATS, AND SUSPICIOUS SUBSTANCES				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 05/28/07	DATE EFFECTIVE 05/28/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 4: TITLE: EXPLOSIONS, BOMB THREATS AND SUSPICIOUS SUBSTANCES

I. PURPOSE

These guidelines are for incidents involving explosions, bomb threats and suspicious substances.

II. POLICY

The Department will respond to assist all agencies, public and private institutions and individual citizens, in emergency evacuation and search procedures involving explosive devices and suspicious substances. When required, the Department will provide disposal of suspicious substances, as well as explosive, incendiary, or chemical filled devices. The Department will also notify the appropriate agencies of all bombings, explosives violations and suspicious substance calls.

III. DEFINITIONS

A. Suspicious Substance calls - Often referred to as "White powder calls," occur when the police are notified of an unknown powder, liquid, or other material that could be hazardous. These situations can occur with or without a communicated threat and with or without illness. This definition includes substances of an unknown or suspicious origin.

B. Suspected Package - Any package, box, container, suitcase, etc., that is suspected of being an explosive device.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Members of the Service do not handle, dismantle or dispose of any bomb, explosive, suspected package or suspicious substance unless they

are members of the Emergency Service Section or are acting under direct supervision and direction of Emergency Service Personnel.

B. An explosive device can be concealed within virtually any type of container. If an item, regardless of what it appears to be, is encountered under suspicious circumstances it should be considered hazardous.

VI. PROCEDURE

A. Personnel Dispatched - The Communications Section, upon receiving any calls regarding explosions, suspected explosive devices, suspected packages or bombs, bomb threats, or suspicious substances, shall dispatch sufficient sector cars and a supervisory officer to the scene. When the incident location is a school, the Communications Section shall notify Suffolk County Fire Rescue Emergency Services (F.R.E.S.) to place local Fire Departments on standby. If an actual explosion or fire has occurred, the appropriate Fire Department will respond immediately to the scene.

1. Explosion - When a member of the Service responds to the scene of an explosion, the initial assumption should be that the cause of the explosion was of a criminal nature until proven otherwise. Therefore, responding personnel shall take appropriate steps to protect emergency responders and anyone else potentially exposed to the dangers posed by the aftermath of an explosion or by potential secondary or multiple explosive devices, while treating the incident location as a crime scene.

a. The Emergency Service Section shall be notified and respond to the scene of any explosion.

b. Personnel shall be made aware of the possibility of secondary or multiple devices and shall communicate with other agencies about this possible threat.

c. Personnel must be alert for possible surveillance being conducted by perpetrators.

d. A crime scene shall be established as early into the incident as is practical. _

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2. Bomb Threats - Operational Procedures - Upon arrival at the scene of a bomb threat, police personnel should recommend evacuation and may assist in conducting a search of the building for any suspicious items. The time consumed will depend on the number of police and building personnel available and the area to be searched. Normal procedure in evacuating is to have all personnel proceed out of the building to a safe area and to remain there until the search has been completed.

3. School Responsibility - The New York State Education Law requires all schools to have a procedure on dealing with bomb threats. Legal counsel have held that school authorities are responsible for care and supervision of students during specified hours and failure of schools to fulfill their responsibilities makes them liable. In view of this, the ranking officer at the scene shall recommend evacuation to the principal or person in charge of the school and have that person decide the search procedure the school authorities will undertake.

4. Suspicious Substance Calls - When the presence of a suspected

hazardous substance exists, patrol officers should keep the substance isolated to ensure there is no human contact, while awaiting the arrival of Emergency Service personnel.

B. Evacuation Procedures - A member of the Service whose attention is called to a location where a suspected package, suspicious substance, military ordnance or item believed to be an explosive is found, causes the immediate evacuation of all people to a safe distance. If the item is found within a building, all windows and doors are ventilated in the area of the suspected explosives. All utilities such as electric, gas and fuel lines are shut off unless the suspected package is within 50 feet of the main power source, in which case personnel should not approach the area. In determining the extent of evacuation required, it is assumed that an explosion may cause damage to property and fatal or serious injury to persons within an area of at least 300 feet from the point of explosion.

C. Searching Procedures - At the request of a building owner, manager or other person in charge of a facility, members of the Service may assist in searches of all buildings or areas involving bomb threats. In searching a building, the assistance of custodial and staff personnel is desired in order to familiarize the searchers with the physical layout of the building, to provide access to locked areas, to operate building facilities and to identify objects foreign to the premises. Therefore, the aid of such custodial and staff personnel must be enlisted and a systematic search pattern, as suggested by the floor plan of the building, should be formulated. In large buildings, a Command Post shall be established and a check list prepared for areas to be searched. A record is maintained of police personnel assigned to search these areas. Additionally, a record shall be maintained to track the progress of the search. The plan of search will be largely dependent upon considerations unique to each case and the general search procedure should be amenable to modifications as needed. Upon completion of a search, police personnel should only inform the person in charge that no bomb has been found. **Do not** use statements such as "The building is safe," or "There is no bomb."

D. Notifications - Upon being notified of a bomb threat, the Communications Section Duty Officer shall contact, for informational purposes only, Suffolk County Fire Rescue and Emergency Services (FRES) and advise FRES of the bomb threat. FRES shall also be notified of the final disposition of the incident. Members of the Service notify the Communications Section Duty Officer immediately upon finding a suspected package, explosive, military ordnance, or incendiary device. The Duty Officer then notifies the Emergency Service Section to respond to the scene and notifies the Suffolk County Fire Rescue Emergency Services (FRES) to place local Fire Departments on standby.

E. Police Lines - Members of the Service at the scene establish and maintain police lines at a safe distance (at least 300 feet) until the removal of the suspected package, suspicious substance, explosive or incendiary device is made by members of the Emergency Service Section.

F. Special Instructions - When a suspected package, explosive, military ordnance, or incendiary device is found, members of the Service

do not, without authorization from the Emergency Service Section:

1. Touch, move, handle or disturb any real or suspected explosive or incendiary device.
2. Transport any real or suspected explosive or incendiary device.
3. Allow any persons who are not Suffolk County Police Department Bomb Technicians to approach.
4. Bring or permit anyone to bring into any precinct or Department building any explosive or suspected explosive.
5. Smoke in the vicinity of an explosive or suspected explosive.
6. Turn off or turn on any radio or radio transmissions to occur within 50 feet of the suspected package.
7. Make use of any equipment or devices that may cause an electric spark within 50 feet of the suspected package (e.g., telephone, lights, etc.)

G. Emergency Service Section - Members of the Emergency Service Section shall respond to all scenes where an explosive, military ordnance, incendiary device, or suspicious substance is found and shall determine what action has to be taken in connection therewith. Emergency Service personnel shall be responsible for the immediate scene where the item is located, until the scene is considered safe.

H. Arson Section - Members of the Arson Section shall, upon being notified of an explosion, respond as soon as possible to initiate an investigation. When requested, Emergency Service personnel will assist Arson Section investigators in determining the manner in which the explosion occurred.

1. In instances where an explosive device planted with obvious criminal intent is recovered, or at the request of the investigating Detective Squad or Precinct Crime Section, the Arson Section will have one of its members present at the dismantling or destroying of the device.

I. Photographs - Members of the Emergency Service Section, where practical, shall have the suspected package, explosive, military ordnance, incendiary device or suspicious substance photographed when there is evidence of criminal intent or potential criminal prosecution.

J. Field Report - A copy of the Field Report will be forwarded to the Arson Section and Emergency Service Section on all incidents relative to suspected explosives, military ordnance, suspicious packages, infernal machines, bombs and bomb threats.

K. Calls Outside the Police District - When notified by the Communications Section Duty Officer of a request for service outside the Police District, the Emergency Service Section will respond and

take appropriate action in regard to suspicious packages, explosives, military ordnance, incendiary devices and suspicious substances. In addition, the duties and responsibilities of the Arson Section shall remain consistent with those performed within the Police District.

L. Unavailability of Emergency Service Personnel - In the event that Emergency Service personnel are not available, an Emergency Service supervisor shall be contacted to provide additional direction and arrange for appropriate assistance.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 07-85

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE RADIOACTIVE MATERIALS
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DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 11/05/07	DATE EFFECTIVE 11/05/07	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 5: TITLE: RADIOACTIVE MATERIALS

I. PURPOSE

To establish procedures for the safe management of incidents involving radioactive materials, detection of such materials, and preliminary investigation of the source of any radioactive alarm.

II. POLICY

A. Exposure to low levels of ionizing radiation has the potential to increase the risk of health effects in proportion to the dose received, however, these risks can be minimized to as low as reasonably achievable, (ALARA), through the proper use of time, distance and shielding principles._

B. Exposure to high levels of ionizing radiation has the potential to cause acute health effects. In the event of an emergency that results in the potential exposure to high doses of radiation, acute health effects can be prevented by controlling the absorbed dose below the thresholds for acute radiation effects.

C. The harmful effects of radiation diminish rapidly as the distance away from the source material is increased, the time near the source material is lessened and proper shielding is deployed. In certain forms, radioactive material can cause contamination when it is deposited in an unwanted location. Containment of the material is an important consideration, in order to minimize the scope of an incident.

D. In addition to its legitimate uses, radiation can be used for criminal purposes. The most devastating situation would involve its use as a weapon of mass destruction. Screening for radiation in certain instances is a necessary precaution; however, the most likely sources to be detected will be either a naturally occurring source, or a legitimate use of radiation. Radiation detection equipment should be deployed with these facts in mind.

III. DEFINITIONS

A. Personal Radiation Detector (PRD) Alarm - Selected personnel have been trained to use "pager" style personal radiation detectors while on patrol or on special assignment. The detector's monitor alarm may activate, alerting the Officer to the presence of radiation that is detected at a preset level. Alarms may be caused by legitimate or illegitimate sources of radiation.

B. Radioactive Materials Incident - Includes reports of lost or stolen radioactive materials, fires, explosions, accidents and similar situations wherein radioactive materials are involved under conditions where a hazard exists to life or property. In certain circumstances, alarms on radiation monitoring equipment may also develop into a radioactive materials incident if there is deemed to be a danger to life and health, or a risk of contamination. Each alarm will be treated individually and the totality of the circumstances will determine if the incident is treated as a radioactive materials incident.

C. Radiation Control Zone (RCZ) - A minimum 300 foot radius from a suspected source of radiation; to provide an initial distance between personnel and the source. For incidents where the source material is in a form conducive to causing contamination, i.e. liquid or fine powder, a radiation control zone is used to prevent radioactive contamination to personnel and equipment.

D. Time, Distance and Shielding Principles - When dealing with actual or suspected radioactive material, the potential for adverse health effects can be diminished by limiting the amount of time spent near the source of the radiation, by maximizing the distance between personnel and the material and by utilizing appropriate shielding between personnel and the radioactive material.

E. Tier Three Response Asset - Personnel who have received the appropriate prerequisite training, including Radiation Awareness Training and instrument specific training, and who have been issued personal radiation detectors or PRDs to use during the course of their duties.

F. Tier Two Response Asset - Members of the Emergency Service Section who have received advanced radiation training to either the Operations or Technician level and who have been trained to operate Radioactive Isotope Identification Devices or RIIDs. Tier Two response assets will have the ability to conduct basic isotope identification and reach back through the Domestic Nuclear Detection Office's Joint Analysis Center.

G. Tier One Response Asset - Generally highly trained federal or state response assets that have the ability to perform advanced isotope identification and hazard analysis. These assets will be dispatched via the Domestic Nuclear Detection Office's Joint Analysis Center or the New York State Intelligence Center. The Radiological Assistance Program (RAP) Team from Brookhaven National Laboratory would be an example of a Tier One Response Asset.

H. Innocent Alarm - A radiological detection event due to proximity to an individual following or while receiving a medical radiation treatment.

I. Identified Alarm - A radiological detection event that is both non-criminal and non-threatening, such as a licensed medical transporter, a nuclear power plant, a research or medical facility and common construction materials or instruments.

J. Hostile Alarm - A radiological detection event that is resulting from a substance or device that appears suspicious or criminal or one which involves a source that cannot be identified.

K. Unverified Alarm - A radiological detection event that can not be verified. This may indicate that a radiological source was present, but has moved and can not be located; also, a potential false alarm.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Radioactive Materials Incident - A member of the Service first on the scene of an incident involving, or suspected of involving, radioactivity immediately notifies the Communications Section Duty Officer, giving a brief description of the incident and the location; notifies a patrol supervisor, and establishes a command post with other emergency response agencies.

1. Notification and Instructions - The Communications Section Duty Officer shall notify the Emergency Service Section to respond to the incident. For incidents involving the transportation of radioactive material in a vehicle, the Duty Officer shall notify the Motor Carrier Safety Section to respond in addition to the Emergency Service Section. The Duty Officer will also be responsible to notify all proper agencies, to specifically include Suffolk County Fire Rescue and Emergency Services and Suffolk County Department of Health Services, and relay any special instructions to the member of the Service at the scene.
2. Radiation Control Zone (RCZ) - Responding officers first on the scene will maintain a minimum 300 foot radius RCZ, until the arrival of Emergency Service personnel, or until receiving special instructions from the Duty Officer. This initial 300 foot radius can be adjusted once radiological metering equipment is utilized. If patrol personnel with PRDs are present at the scene, they should ensure that the exposure level at the 300 foot radius does not exceed 25 milliRem/hour and if it does the perimeter should be expanded until the readings do not exceed these levels. In all cases, the 300 foot distance is measured from the actual radioactive source and in the case of spillage or release, measured from the outermost boundary of said release. The recommended distance of 300 feet is the minimum and should immediately be expanded where applicable.

a. NOTE: The RCZ is to be maintained until the radiation source has been removed, neutralized or shielded and the area involved has been decontaminated and declared safe by the proper radiation emergency personnel.

3. Entering Radiation Control Zone - Members of the Service should enter the RCZ only to perform lifesaving operations and will leave as soon as possible, unless otherwise directed by Emergency Service Section or Health Department personnel, who have determined that entry can be made safely. Injured victims should be removed from the immediate area with a minimum of contact. Officers should keep away from the actual radioactive material, whether it involves a container, or a transporting vehicle.

4. Decontamination Area - A decontamination area will be established. Before leaving the scene, all personnel are to report to the person in charge of the decontamination area, in order to determine who might have become contaminated. If contaminated, affected members will comply with all instructions regarding decontamination.

5. Other Considerations -

a. First Aid - Lifesaving measures are the first priority and should not be delayed due to the possibility of radiological exposure or contamination. Unlike chemical or biological agents, radioactive contamination is not immediately dangerous to the life of personnel performing the rescue. Cover the victim with a sheet or blanket before coming in contact, as long as it will not cause a delay in treatment or transport. The preservation of life is all that should be attempted until arrival of medical assistance familiar with radioactive material. When possible, personnel should employ measures to minimize their exposure to contamination while performing first aid, i.e., wearing gloves, protective clothing and respiratory protection. Standard clothing can provide adequate protection to rescue a contaminated victim in most cases; however, additional protective measures should be employed when their use will not substantially impact upon lifesaving measures. Decontamination should be done promptly; however, it is not an urgent action as with other more toxic agents.

b. Transport of Injured - If an injured person is removed to a hospital, a member of the Service shall cause the hospital to be notified that an injured person, possibly contaminated with radioactive materials, is being transported to them. If possible, the injured person will be transported with personnel trained in incidents involving radioactive materials.

c. Police Vehicles are parked a safe distance upwind and uphill from the RCZ, if possible, to avoid contamination from dust, smoke, or flow-off water. Police vehicles that have inadvertently entered the RCZ or are otherwise suspected of being contaminated should not be moved until examined and decontaminated, if necessary, to prevent the potential spread of radioactive material outside the RCZ.

d. Police Equipment within the RCZ is not to be removed until examined and decontaminated if necessary.

e. Responding Officers should not eat, drink or smoke in or near the RCZ. Officers should not use food or water that may have been in contact with materials involved in the incident. The deleterious health effects of radioactive materials can, at times, be increased dramatically if the materials enter the human body by ingestion, inhalation, or absorption. Officers should take actions to prevent the inhalation of dust or smoke during a radiological materials incident.

f. Criminal Incidents involving the use of radioactive materials will be investigated by the Arson Section.

g. Transportation of radioactive materials by any vehicle will be investigated by the Motor Carrier Safety Section.

h. Approach to the scene should be consistent with other incidents involving potentially hazardous materials and where possible, should be done from uphill and upwind.

i. Other hazards may be present during radiological incidents. Officers should not focus solely on the potential hazard presented by the radiological materials and should be cognizant of other hazards, including explosive materials, that present a more immediate threat to health and safety.

B. Radiation Detection - Selected personnel have received radiological training to respond to incidents involving radioactive materials and have been issued Personal Radiation Detectors (PRDs) which they shall utilize during their normal patrol duties and on special assignments. The use of PRDs will be limited solely to trained and qualified personnel. This equipment can detect the presence of gamma radiation as well as recording the total accumulated dose received by the user. Personnel utilizing this equipment should be cognizant of the fact that the instrument will not discriminate between legitimate or hostile sources of radiation that may cause alarms. Legitimate sources of radiation include radioactivity in consumer products, medical patients who have received certain nuclear medicine treatments, and industrial radiation sources in commerce, to name a few. The following procedures will govern the use of this detection equipment:

1. Prior to utilizing this detection equipment, operators will confirm that the equipment is functioning properly, including having sufficient battery power, by performing the necessary testing procedures.

2. Personnel will note the previous accumulated dosage and record this data within their memo books. Should this data indicate that a prior significant dosage has occurred, a supervisor will be notified. When this data has been recorded, the accumulated dosage will be zeroed-out prior to deployment of the meter.

3. Should the detector's rate alarm activate indicating the presence of

radiation, the following steps will be followed:

a. Immediately note the dose rate displayed on the monitor. When necessary, the investigating Officer can utilize the "10-44" code to advise the Communications Section of a radiation detection event.

Officers who have been assigned Thermo Radeye PRDs should take note of whether the instrument is indicating a low, balanced or high energy source. This information, while not conclusive, can be used to help resolve the alarm.

b. Observations - take note of any people, vehicles or items in the immediate vicinity that may have caused the alarm to activate. Look for radiation labels or placards.

c. Survey the area, utilizing procedures detailed during training, to ascertain the general or exact location where the highest radiation reading is found. If the levels approach 25 milliRem/hour, stop movement toward the source material, secure the area, notify the Emergency Service Section and continue to investigate. The Thermo Radeye PRD will display "OVERLOAD" at levels above 25 milliRem/hour. If an overload message is displayed, personnel should move away from the location of the suspected radiation source until a valid rate reading is displayed. This will help ensure that they are not within a high radiation exposure area. Prior to the detector going into overload, a safety alarm will activate alerting the user that the device is near to the overload threshold. The Emergency Service Section will be notified whenever an overload message has been encountered.

d. One or more of the following tactics should be employed in an effort to determine the source of the alarm:

(1) Interview persons in the immediate vicinity.

(2) Examine any vehicles in the immediate vicinity.

(3) Inspect any items in the immediate vicinity. Suspicious, unattended items should not be handled and personnel should instead refer to the procedures detailed in Rules and Procedures Chapter 15, Section 4, titled, "Explosions, Bomb Threats and Suspicious Substances".

e. If the source of the alarm has been determined to be either an innocent or identified alarm, and the incident can be immediately resolved because it involves a legitimate use of radioactive materials, the investigating officer shall document the encounter on a Field Report. If the source of the radiation can be confirmed, form PDCS-7155, Radiological Investigation, shall be issued to the involved individual so that documentation is available during any subsequent radiological investigations involving the same individual who may continue to emit radioactivity for a period of days or weeks. The Criminal Intelligence Section will be notified of all PRD alarms by faxing the Field Report to them as soon as possible. The Criminal Intelligence Section is responsible for submitting the State Radiation Anomaly Report to the New York State Intelligence

Center, NYSIC, when appropriate.

f. If these procedures do not reveal the source of the alarm and the alarm does not appear to be of a spurious nature or if it is a potentially hostile alarm, the investigating officer shall contact the Emergency Service Section and request a Tier Two response. Should the event involve the transportation of a radiological source within a motor vehicle, the Motor Carrier Safety Section should be requested in addition to the Emergency Service Section.

g. If an alarm has been identified as a potential hostile source, the Emergency Service Section should be requested to respond to identify the specific isotope involved using advanced instrumentation. If necessary the Emergency Service Section will request a Tier One response to assist in the alarm resolution. All requests for Tier One federal assets will be made through either the Domestic Nuclear Detection Office's Joint Analysis Center or the New York State Intelligence Center (NYSIC).

h. The following notifications will be made whenever an alarm is deemed to be potentially hostile:

- (1) Patrol Supervisor
- (2) Duty Officer
- (3) Emergency Service Section
- (4) Motor Carrier Safety Section (when the suspected material is transported by a vehicle)
- (5) Criminal Intelligence Section
- (6) Suffolk County Department of Fire Rescue and Emergency Services
- (7) Suffolk County Department of Health - Radiological Safety Officer
- (8) Arson Section
- (9) Office of Homeland Security and Anti-Terrorism

i. All incidents involving PRD alarms will be documented via a memo book entry and a Field Report titled, "Radiation Detection Event". In addition, the New York State Radiation Anomaly Report shall be completed by the Criminal Intelligence Section and forwarded to the NYSIC when required. The field report will include the following information:

- (1) Date, time and location of the alert.
- (2) The highest monitor reading encountered, what instrument was utilized to obtain this reading, including the serial

number, and the distance from the suspected source at which this reading was obtained.

(3) The accumulated dose.

(4) Any identified source material.

(5) The circumstances surrounding the alert.

(6) Any notifications made as a result of the alert.

(7) Any Departmental personnel or other agencies who responded as a result of the alert.

(8) If form PDCS-7155, Radiological Investigation, was issued and to whom.

(9) A notation that a copy of the report be sent to the Criminal Intelligence Section and Office of Homeland Security and Anti-Terrorism.

4. Any questions or problems concerning maintenance, calibration, or service of Personal Radiation Detectors should be reported to the Emergency Management Section. Instruments will be periodically tested and calibrated. The Emergency Management Section will maintain a record of these calibrations. Detectors that are beyond calibration will be placed out of service and not used. Detectors that do not pass internal testing procedures will also be placed out of service. Instruments that do not display the correct date and time will be brought to the Emergency Management Section for adjustment.

5. Personnel trained and equipped with PRDs who respond to scenes involving explosions, will utilize these devices as soon as practical to survey for radiological materials.

6. Background radiation levels vary throughout Suffolk County. Personnel utilizing detectors should attempt to become familiar with these variations and take note of areas with higher background radiation during routine patrol, for future reference.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

Personal Radiation Detector (PRD) 15/5

Radiation Anomaly Report 15/5

Radiation Detection Event Report 15/5

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE NATURAL DISASTER PLAN
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DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/23/07	DATE EFFECTIVE 03/23/07	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 6: TITLE: NATURAL DISASTER PLAN

I. PURPOSE

To provide response guidelines for use in the event of a natural disaster.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. The Communications Section is designated as Command Post No. 1.
 The duty officer performs the following functions:

1. If reports indicate a possible incident requiring precautionary or emergency measures, notify all commands by teletype, and telephone the Police Commissioner, Chief of Department, Chief of Support Services, Chief of Patrol, and Chief of Detectives, giving full details and supplementary information, as received.

a. Upon determination, by the Police Commissioner or Chief of Department, that the natural disaster recording procedure will be initiated, the duty officer shall include the starting time as part of the aforementioned notifications.

2. Maintain liaison with County Executive, Office of Civil Defense and Sheriff.

3. Assign Departmental vehicles as command posts at the scene, as required.

4. Assign adequate personnel to switchboard and turrets.

5. Assign electronic technician to Communications Section.

6. Order emergency mobilization of personnel and equipment, as required and directed.

7. Maintain a separate log of all action taken using a Supplementary Report, PDCS 1084.

B. The personnel of the Office of the Chief of Patrol report to District Headquarters when notified.

C. Precinct Commanders - Establish operational plans for known critical areas and the following items:

1. Emergency mobilization of personnel and equipment, as required.

2. Evacuation of persons and rerouting of traffic.

3. Set up barricades and warning lights for hazards.

4. Establish anti-looting patrol.

5. Utilization of Auxiliary and Civil Defense Emergency Units.

6. Maintain liaison with head of local government, local government agencies, fire departments, hospital, institution, and public utilities.

7. Have police vehicles checked for gas, oil and tire chains, if required.

8. Provide for emergency power, light, fuel, etc.

9. Maintain a list of all personnel reporting on and off duty and assignments using a Duty Chart, PDCS 2004.

10. Maintain Daily Journal record of all wires and trees down, obstructions, washouts, hazards, auto accidents fatalities, injuries and other accidents caused by the incident as reported during emergency.

11. Desk officer will promptly notify Communications section duty officer of all developments.

D. The Marine Bureau complies with Marine Bureau directive on file with Communications Bureau duty officer.

E. The Highway Patrol Bureau mobilizes as required and responds as directed. Patrol is continued on the Long Island Expressway.

F. The Transportation Section mobilizes, as required, and responds, as directed.

G. The Police Academy Bureau releases all in-service training classes to their respective commands; assigns all recruits to precincts for emergency duty, as directed; Police Academy mobilizes personnel, as required; and responds as directed.

H. The Property Section mobilizes as required, and responds as directed.

I. The Detective Division mobilizes as required, and responds as directed.

J. The Internal Affairs Bureau mobilizes as required, and responds as directed.

K. The Civil Defense Section mobilizes as required, and responds as directed; maintains liaison with Suffolk County Civil Defense as required.

L. The Crime Stoppers Bureau maintains liaisons with local radio stations and the press.

M. The Natural Disaster Recording Procedure is utilized to accumulate information regarding work performed, equipment, supplies expended and work-hours dedicated, to incidents classified as natural disasters.

a. The decision to initiate this procedure will be made by the Police Commissioner or his designee and conveyed to the duty officer.

b. The duty officer shall activate the recording procedure by designating a starting time and notifying all commands as per the aforementioned notification procedures. The duty officer will similarly notify commands of the time to terminate the recording procedure upon determination by the Police Commissioner or his designee that the emergency has passed.

c. Recording - The member of the Department assigned to work during the established time period of the natural disaster shall record the time dedicated to performing only those tasks related to the disaster and all equipment/supplies expended due to the disaster on Department form Major Incident Record, PDCS 2033, and submit as follows:

(1) The Major Incident Record - form shall be completed by the member performing the assignment and/or expending equipment/supplies due to the disaster and submitted to the member's supervisor at the end of each uninterrupted tour.

(2) Supervisor - Will review each form and affix signature to verify accuracy before forwarding to the appropriate member of the command.

(3) Commands - Will assemble all Major Incident Record forms and forward to the appropriate division chief.

(4) Division chiefs are responsible for the forwarding of forms to the Finance Section within two days of the time of termination of the recording procedure.

d. Finance Section is responsible for the preparation of the final report based on submitted forms. This report shall be submitted to the Chief of Department within five (5) working days from receipt of all forms.

e. Office of the Chief of Department is responsible for the preparation of all required applications for funding to the appropriate agency/agencies (i.e., S.C.E.M.O., S.E.M.A., F.E.M.A.).

VII. ACCREDITATION STANDARDS

A. CALEA - N/A

B. NYSLEAP - N/A

VIII. INDEX

Recording Procedures, Natural Disaster Incident 15/6

END

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 7: TITLE: CIVIL DEFENSE WARNING

I. PURPOSE

To inform all personnel of procedures to be implemented immediately upon notification of a civil defense warning.

II. POLICY

Upon receipt from the National Warning System of detection of an attack, actual or imminent upon the Country, the Suffolk County Warning Point located in the Firematic Center in Yaphank will notify the Communications Section via radio of such warning.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Broadcast of Warning - The Communications Section repeats this message over its radio networks to all its precincts and commands and to village police departments that monitor the County Police networks.

B. Precinct Responsibility - Each precinct is responsible for the notification of key civil defense officials within its jurisdiction. NOTE: Contact Civil Defense Section for

information concerning above.

C. Responsibility of Force - All members comply with all orders received pursuant to said warnings and notifications immediately.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 8: TITLE: PUBLIC ASSEMBLIES

I. PURPOSE

To provide a procedure for use with incidents involving public assemblies.

II. POLICY

Public assembly is a basic right of our people. Ordinarily, public assemblages are lawfully conducted and serve a useful purpose. However, without careful supervision, they may interfere unreasonably with the rights of others or even result in mob action. These considerations place particular obligations on members of the Force assigned to public assemblages. The job of policing demands strict attention. Directions given must be courteous and efficient. Emergencies must be handled properly, carefully, quickly and decisively.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Meetings Conducted in Streets

1. These meetings involve the constitutional right to freedom of speech and public assembly. There

is no permit required and the meeting cannot be prevented from being held, even if trouble is anticipated.

2. Speakers cannot incite the assemblage to riot by advocating anarchy, by libelous statements, or by committing disorderly acts. The assemblage must not interfere with traffic.

3. Sufficient police personnel are assigned to: Regulate traffic, protect spectators, guard against disorder, particularly at controversial meetings.

B. Meeting in Buildings

1. Obtain essential information, including date, time, place, purpose and sponsor, number participating, anticipated difficulty, if any.

2. Make flexible plans.

3. Assign sufficient police personnel inside and outside.

4. If topic is controversial, keep a number of police in reserve, in case of unforeseen disorder.

5. Cooperate with fire department and auxiliary police in keeping exits and aisles open.

6. Be impartial, converse with no one, except officials conducting meeting.

7. Take command of meeting if serious disorder threatens.

8. If arrests of audience or hecklers are to be made, try to secure sponsors of meeting as complainants.

9. Inspect police personnel for equipment and

neatness.

10. Provide proper relief for police personnel.

11. Have ambulance and emergency equipment present, if warranted.

12. Check personnel before dismissing.

13. Keep a record of the police activity.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 9: TITLE: SPECIAL EVENTS PROCEDURE

I. PURPOSE

To establish guidelines and procedures for handling special events.

II. POLICY

In response to the community's law enforcement needs, the Department should assist the public at special events so as to ensure the safety of citizens by maintaining a detail at such events. The Department's main function should be coordinating the coverage of such an event with the use of traffic, crowd control and crime prevention measures necessary for the event in order to achieve the Department's objective of public safety.

III. DEFINITIONS

Special Event - An activity such as a parade, athletic contest or public demonstration that results in the need for control of traffic, crowds or crime.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. The procedures involved in a special event should include, at a minimum, provisions for the following:

1. Use of special operations personnel, if

any.

2. Designation of a single person or position as supervisor and coordinator for the coverage of a given event.

3. Written estimate of traffic, crowd control, and crime problems expected for any given event.

4. Logistics requirements.

5. Coordination inside and outside the agency.

B. Commanding Officer's Responsibility - The commanding officer of a precinct in which a special event is to be held has direct charge of policing the special event. He inspects the area to be utilized by the event, route, and the formation and dismissal areas if applicable. Where necessary, he divides the entire area affected by the special event into sectors and selects a location near the event for an event headquarters. The precinct commanding officer submits plans and requests for details to the Chief of Patrol in time to permit orders and assignments to be prepared. He prepares a written order to properly orient all assigned personnel to the special event detail.

C. General Police Duties at Special Events

1. Obtain essential information, including date, time, area utilization, route and alternate route, proper permits by municipalities, number of spectators anticipated, number participating, purposes of the special event, ascertain if the public has been informed, and anticipate difficulty if any.

2. Inspect the area and/or route, paying particular attention to contemplated repairs of highways, excavations, and other traffic hazards.

3. Keep in touch with sponsors for any

change.

4. Set up headquarters at the scene, regardless of size of the special event, to be utilized as a clearing house for orders, lost children, injured persons, lost property, and general information.

5. Assign sufficient personnel.

6. Assign necessary personnel in civilian clothes.

7. Cooperate with fire department, auxiliary police or other agencies and personnel as warranted by the event.

8. Clear area and/or route of parked cars, and use temporary signs and barricades.

9. Assign police to important cross streets for use of general traffic, fire vehicles, ambulances, etc.

10. Establish proper detours.

11. Check peddlers licenses, if required.

12. Keep sidewalks reasonably clear so as to prevent undue interference with business.

13. Guard against injury to spectators caused by unsafe conditions.

14. Properly police the scene and be on the alert.

15. Be flexible in planning.

16. Personnel considerations at the special event include proper supervision, instruction of police as to specific duties, outline plan in writing as directed, have police, as directed, face the spectators

to observe violations and possible hazards, provide proper relief.

17. Keep a record of the police activity.

D. Special Event Area and/or Route - The special event area and/or route is to be re-inspected by the commanding officer 24 hours before the event to note conditions requiring special attention or change of plans and he reports his findings promptly to the Chief of Patrol. The commanding officer of the Highway Patrol Bureau cooperates with the precinct commander in policing street intersections in the area or along the route as necessary to regulate vehicular traffic.

E. Parking Restrictions - Sufficiently in advance of the assignment of the special event detail, the precinct commander causes signs to be posted and assigns members of the Force to prevent parking in the formation and dismissal areas or along any parade routes.

F. Detour Traffic - Members of the Force assigned to direct traffic, courteously explain to persons diverted, the alternate route or most convenient way of reaching their destination.

G. Messenger Dispatched - The special event detail commander dispatches messengers 10 minutes before the start of the special event to notify the traffic control officers of the start of the special event. The special event detail then excludes vehicles from the event area and/or route.

H. Barriers - Portable barriers, where and when possible, should be used to maintain police lines. The main purpose for the use of barriers are to designate a line that is not to be crossed or to deny entry to an area. This conserves personnel for other functions and duties.

1. The Department's supply of barriers is maintained by the Transportation Section, and requests shall be submitted on an Internal Correspondence, prepared in duplicate, addressed to the commanding officer of the Transportation Section. The request

shall contain the exact date(s), time(s), location(s) and number of barriers to be delivered, set up and removed by Transportation Section personnel.

2. If it is determined that the Department's supply of barriers is exhausted or insufficient, the appropriate town or village shall be requested to provide additional barriers.

I. Pedestrian Crossing- Members of the Force assigned to a special event such as a parade, make arrangements to permit pedestrians to cross event routes at breaks in the event. They see that cross traffic is permitted to move at intervals during the event as conditions warrant.

J. Emergency Equipment Available - The commanding officer may have ambulances and emergency equipment available, if warranted.

K. Supervisor Duties - A member of the Force supervising a special event detail notifies the Communications Section and special event headquarters when the event enters and leaves his sector and if there are any accidents, arrests, unusual delays or incidents connected with the special event. He inspects uniform personnel for appearance, proper uniform and equipment.

L. Protection of Property - The commanding officer alerts members of the Force to protect public and private property.

M. Officer's Duties - Police officers assigned to the special event area and/or route face the spectators and:

1. In policing the area, he is alert for suspicious, disorderly persons.

2. Prevent persons or organizations from joining the event at other than the formation area.

3. Prevent unauthorized persons or vehicles from entering police lines after the start of the event.

4. Prevent spectators from assembling in the

rear of columns of paraders if applicable.

5. Prevent spectators from standing near excavations, or climbing on structures, trees, poles, etc., or from using barrels, boxes or other portable stands.

6. Prevent the sale of programs, flags, and other commodities inside police lines unless authorized by the special event sponsor.

N. Dismissal of Detail - Unless otherwise instructed, a member of the Force reports in person to his detail commander after the special event has left his sector and conditions are normal. A commanding officer dismisses his details as directed by the officer in charge of policing the special event. A commanding officer at the reviewing stand or official parking area does not dismiss his detail until the distinguished persons and officials have departed and conditions are normal.

VII. ACCREDITATION STANDARDS

- A. CALEA 47.1.15
- B. NYSLEAP 43.6

VIII. INDEX

Demonstrations, Public 15/9
Assemblages/emergencies 15/9
Special Events Procedures 15/9

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE UNUSUAL DISORDER AND DISASTER PROCEDURES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 11/18/08	DATE EFFECTIVE 11/18/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 10: TITLE: UNUSUAL DISORDER AND DISASTER PROCEDURES

I. PURPOSE

To establish procedures to be implemented in the event of an unusual disorder or disaster.

II. POLICY

Incidents which are considered unusual disorders and/or disasters may include widely diverse sets of circumstances, therefore it is necessary to establish a specific plan with sufficient flexibility to enable the affected personnel to take appropriate action, yet ensure a consistent and comprehensive response.

III. DEFINITIONS

Unusual disorder and/or disaster: an event causing death and/or extensive property damage, which overrides usual response capabilities or an event involving injury, death or damage that constitutes a significant disruption to public life.

A. Emergency Commander Responsibilities:

1. The Firearms Commander is the Commanding Officer of the Firearms Training Section. The Firearms Commander supplies and maintains the following as needed: gas masks, riot guns, ammunition, gas guns, gas shells, illumination shells and smoke grenades, as well as the solution to any firearms problem in general. The equipment will be secured in a vehicle at the scene.

2. The Special Services Commander is the Commanding Officer of the Police Academy. The Special Services Commander is charged with the security of the police compound, the handling and processing of prisoners at the scene, the maintenance of duty charts and the maintenance of an Electronic Blotter at the command post. The Electronic Blotter shall contain an accurate account of all personnel and police activity pertaining to the incident.

3. The Supply Commander is the Commanding Officer of the Quartermaster Section. The Supply Commander supplies the following as needed: food, beverages, a mobile canteen, latrines, tent for reserve personnel, necessary barriers, No Parking signs, expandable batons, helmets and handcuffs, as well as the solution to any supply problem in general.

4. The Transportation Commander is the Commanding Officer of the Transportation Section. The Transportation Commander supplies and maintains the following as needed: police vehicles and equipment therein, ambulance service, tow trucks and a command post vehicle, as well as the solution to any transportation problem in general.

5. The Communications Commander is the Commanding Officer of the Communications Section. The Communications Commander supplies and maintains the following as needed: public address systems, bullhorns and radios (vehicle and portable), as well as the solution to any communication problem in general.

6. The Crisis Action Team (CAT) Commander is the Commanding Officer of the Crisis Action Team personnel that are assigned to maintain order and to assist in emergency operations.

7. The Suffolk Coordinated Law Enforcement Response Group (SCLERG) Commander is the Commanding Officer of personnel from associated law enforcement agencies that are requested or that respond to the mobilization point.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. First Responder Actions, Police Officer:

1. Immediately notify the Communications Section Duty Officer stating the nature of the occurrence, exact location, extent of damage and assistance necessary.

2. Assume command until the arrival of a member of the Service of equal rank from the precinct of occurrence or officer of higher rank.

3. Take whatever action is necessary in connection with the emergency.

B. Duty Officer Actions:

1. Assign sufficient cars and other necessary resources to the incident.

2. Notify the following:

Precinct of occurrence
Commissioner
Deputy Commissioner
Chief of Department
Chief of Patrol
Chief of Detectives
Chief of Support Services
Deputy Chief of Homeland Security
CO Communications Section
CO Highway Patrol
Emergency Services Section
CO Special Patrol Bureau
Suffolk County Dept. of Fire, Rescue and Emergency Services

(FRES)

Utility companies
Local fire and ambulance departments

3. The Chief of Patrol will be the Incident Commander.

C. First Responder Actions, Supervisor:

1. Make a rapid survey and estimate the seriousness of the incident.
2. Establish an Incident Command Post (ICP)
3. Request the Communications Section Duty Officer get authorization for activation of an Emergency Mobilization Plan, as required (See R&P 15.13 for plans). Follow incident specific procedures as outlined in the R&P, Chapter 15.
4. Specify connecting route from scene to the mobilization point.
5. Specify temporary location of staging area and parking areas.
6. Notify Communications Section of the location of the Incident Command Post. Relate the status of communications, personnel, equipment and the incident.
7. Supervise rescue operations, as required.
8. Maintain communications with Communications Section by means of an open telephone line, if necessary.
9. Brief the succeeding Supervisor. Relate the status of communications, personnel, equipment and the incident. Review action taken and anticipate any further action.
10. Continue with necessary police action as directed by the succeeding Supervisor.

D. Additional Supervisors Actions:

1. Report to the staging area to be briefed and assigned to one of the following areas if necessary:

- Command Post
- Incident area
- Traffic Control and Emergency Response Route
- Temporary Morgue
- Triage Area
- Medical Aid Station
- Media Center
- Information Center
- Property Recovery and Disposition
- Detention Areas
- Other duties as required

E. Chief of Patrol Actions:

1. Promptly proceeds to the Incident Command Post and supervises all police operations as Incident Commander.

2. Notifies Communications Section as soon as possible after the incident occurs. At the beginning of each subsequent tour relates the status of personnel and equipment.

3. Assigns staff to the County Emergency Operations Center at the Suffolk Department of Fire, Rescue and Emergency Services (FRES) to assist Emergency Management Section personnel as necessary

4. Activates the Suffolk Coordinated Law Enforcement Response Group (SCLERG), as appropriate.

5. Activates the Crisis Action Team (CAT), as appropriate.

6. Activates and staffs the Police Operations Center, as appropriate.

7. As Incident Commander coordinates forces engaged in dispersing mobs, establishing special zones, isolation areas and/or other major activity.

8. Completes the requirements of the Emergency Mobilization Plan and follows incident specific procedures as outlined in the R&P, Chapter 15.

9. Appoints a liaison to communicate with the County Emergency Operations Center at the Suffolk Department of Fire, Rescue and Emergency Services (FRES).

F. Assistant Chief of Patrol Actions:

1. Reports to Police Headquarters and assumes command of other police functions not delineated above. Takes command of the Police Operations Center if activated, and performs other duties as otherwise directed by the Chief of Patrol.

2. Review facts pertaining to the incident, actions taken as well as actions anticipated, mobilization points activated and review of notifications made.

3. Supervises Incident Action Planning process and distributes plans to appropriate personnel.

4. Ensures Central Complaint Number is assigned and major Incident Reporting Procedure is initiated.

5. Office of Chief of Patrol personnel, other than the Assistant Chief and personnel assigned to the Police Operations Center, report to the Chief of Patrol at the Command Post, or as otherwise directed.

G. Precinct Commanding Officer Actions:

1. Receives a briefing from a Supervisor at the incident concerning the status of personnel, equipment and actions taken.

2. Reports to the Chief of Patrol (IC).

3. Assigns to each mobilization point a Supervisor who is thoroughly familiar with precinct conditions and briefs the Supervisor on detail assignments.

4. Deliver to each Supervisor a sufficient supply of properly prepared Assignment List (ICS-204) forms.

5. Assign a Supervisor at the Precinct to oversee logistics and to supervise the handling of property coming into custody of the police and see that it is invoiced, tagged and safeguarded.

6. Direct that the Electronic Blotter be maintained in the usual manner. In addition, a separate Electronic Blotter is maintained in the command as an Unusual Disorder Complaint Record.

7. Direct that all Officers assigned to the incident be issued and carry expandable batons.

8. Direct that all roof tops and other vantage points be covered where necessary and, if possible, assign two or more Officers.

9. Direct that a record, Unit Log (ICS-214), be maintained at each activated mobilization point to record assignments of each member reporting post changes, unusual occurrences, property damage, thefts, property recovered, etc.

11. Direct that a separate arrest record be maintained at each location at which prisoners arrested in connection with incidents are detained.

H. Supervisor Assigned to Mobilization Point Actions:

1. Obtains prepared Assignment List (ICS-204).

2. Immediately establish command at the mobilization point and assign Officers to receive and transmit calls.

3. Notify the Communications Section, the precinct of occurrence and the Special Services Commander, if activated, of the phone number of the mobilization point.

4. Establish the official parking area and assign personnel to prevent parking in any area that may block access to and from the mobilization point.

5. Instruct and assign personnel reporting at the mobilization point and record their identity and assignment in the Unit Log (ICS-214).

6. Assign Officers to each area hospital to obtain information and report on aided cases if conditions warrant.

7. Indicate the designated detention area to Officers assigned to transporting prisoners.

8. Supervise reserve personnel, equipment, parking area and staging area.

9. Keep the mobilization point recorder informed of all arrests, unusual occurrences and developments.

10. On orders from the State Liquor Authority, restrict or prohibit the sale of alcoholic beverages in the area of disorder and take necessary action.

I. Desk Officer at Mobilization Point Actions:

1. The Desk Officer keeps the record of assignments and activities, using duty charts, Electronic Blotter and other forms as required.

2. The Desk Officer keeps a record and keeps the precinct informed of all unusual occurrences and developments, number of arrests made, injuries, deaths, complaints and accidents.

J. Sergeant Assigned to the Incident Actions:

1. The Sergeant shall immediately proceed to the assigned sector with appropriate personnel.

2. Comply with Assignment List (ICS-204) instructions.

3. Assign Officers to all vulnerable points.

4. Inform Officers as to the Precinct Commander's instructions concerning local conditions, designated detention area for prisoners and to call the mobilization point for vehicles to transport prisoners.

5. Supervise Officers to ensure compliance with instructions.

6. Keep superiors informed as to conditions and assistance needed.

7. Keep detail intact until relieved and comply with relieving and dismissal instructions.

K. Commanding Officer, Highway Patrol Bureau Actions:

1. Assign all available Officers and necessary equipment to the mobilization point or scene as directed by the Incident Commander.

2. Proceed to scene promptly, report to Chief of Patrol, and assume command of Highway Patrol personnel.

3. Instruct bureau members as to assignments and duties.

4. Furnish police escort to vehicles transporting vital supplies and to employees of essential businesses within special zones. This will assist the Department in sustaining business functions during a critical time of need and help speed the recovery of local companies or organizations.

5. Provide traffic control to assist emergency vehicles responding to scene along primary traffic routes and exclude unnecessary traffic from special zones and isolation areas.

6. Officers assigned to an emergency response route are to enforce applicable traffic restrictions and keep the route clear.

7. Assign messenger(s) to Command Post if requested.

8. Provide for the transport of medical supplies from hospitals to designated locations during a disaster. The Centers for Disease Control (CDC) have placed portions of the Strategic National Stockpile (Chempacks) at various hospitals within Suffolk County in order to provide timely access to medication. The Chempacks consist of sealed color coded boxes containing medical supplies.

a. Chempacks are located in 5 hospitals in the Police District:

- (1) University Hospital, Stony Brook
- (2) St. Catherine's Hospital, Smithtown
- (3) Southside Hospital, Bay Shore
- (4) Good Samaritan Hospital, West Islip
- (5) Brookhaven Hospital, East Patchogue

b. Persons designated by the NYS Department of Health can authorize the use of Chempacks in an actual emergency. In most cases portions of the Chempacks will need to be transported from one or more of the above hospitals to an incident, a non-participating hospital or a FIRE/EMS/Medical Facility.

c. Hospitals, the Department of Health Services (DHS) or the

Department of Fire, Rescue and Emergency Services (FRES) may request transport of Chempack material by contacting the SCPD Duty Officer. The Duty Officer will then notify the Office of the Chief of Patrol and the Office of Homeland Security and Anti-Terrorism.

d. The Highway Patrol shall coordinate security and transport for the Chempacks. This will include security at the incident scene or a medical facility if requested. (Note: the Suffolk County Sheriff's Department is responsible for the transport and security of Chempacks stored in hospitals outside of the Police District).

e. Upon request of any of the above hospitals, DHS or FRES, the SCPD shall secure and transport Chempack materials to any location designated by hospital personnel. SCPD vehicles shall be the primary mode of transportation. In most cases marked sector patrol units will be sufficient to move materials. For larger deployments a prisoner van may be necessary for the transport and security of the Chempacks. If necessary the supervisor may request assistance from another command to fulfill this mission. If requested, Officers shall provide escort to hospital or health personnel if the health professionals prefer to transport materials themselves.

f. Officers receiving Chempack supplies shall sign the Department of Homeland Security custody forms and any receipt for materials prior to transporting materials. Upon delivery of a Chempack to a designated location, Officers delivering the materials shall require the receiving party to sign a Department of Homeland Security custody form and any receipt. The transporting Officer shall complete a field report entitled "Chempack Transport", and forward all paperwork to the Office of Chief of Patrol.

L. Detective Squad Commander Actions (Precinct of Occurrence):

1. From the Detective Squad dispatch all available Detectives required at the scene. Personnel shall report to the mobilization point.

2. Notify the Chief of Detectives.

3. Proceed to the scene and supervise Detectives until the arrival of Chief of Detectives.

4. Assign Detectives in the area of disorder.

M. Detectives Assigned to the Incident Actions:

1. Take direction from the Chief of Detectives or Incident Commander, as required. Display Shield on an outer garment.

N. Police Officers Assigned to the Incident Actions:

1. Perform duty impartially, protect life and property, enforce the law, prevent crime and arrest violators.

2. Be discreet in language and actions. Act firmly but courteously.

3. Ask a Supervisor for clarification of orders if necessary.
4. Utilize crowd control techniques as necessary to disperse unruly groups.
5. Give special attention to critical infrastructure sites and sensitive or vulnerable locations.
6. If it is necessary to enter a building, obtain the assistance of another Officer, if possible.
7. Remove to safety all portable stanchions or other objects which could be used to cause damage.
8. If required to leave a post for any reason, immediately report to Supervisor the necessity for leaving. If it is impractical to make notification before leaving a post, notify the Supervisor as soon as possible.
9. If assigned to cover a control point, report as directed by a Supervisor.
10. Do not leave Department vehicles unattended, except when necessary for police duty. Safeguard police equipment assigned to vehicles.
11. Do not engage in unnecessary conversation.
12. Do not comment or give opinions concerning the incident.

0. Police Officer(s) making an arrest or mass arrests:

1. A person is not arrested nor detained except as provided by law. The definition of criminal acts and omissions and the rules governing arrest procedure authority and jurisdiction are set forth in the various statutes. It is the duty of all members of the Service to frequently review such laws and to keep informed as to all revisions.
2. When a person is arrested without a warrant, such person must be informed of the authority of the officer and the cause of the arrest, except when the person arrested is actually committing an offense or is pursued after an escape from being legally detained.
3. The Incident Commander shall designate an area to be utilized for initial prisoner processing. Arrest logs shall be maintained.
4. Arresting officers shall carefully note descriptions of persons arrested so as to be able to identify those defendants in court. Any evidence seized shall be invoiced by the arresting officer. Photographs will be taken of the arrestee and affixed to the Prisoner Activity Log. The arresting officer shall annotate the following on the rear of the photograph:
 - a. Name, sex, and race of the prisoner.
 - b. Location of arrest; time of arrest.

- c. Charge.
- d. Rank, name and shield number of the arresting officer.

5. As soon as practical, arresting officers shall record in their Memorandum Books all details required by Chapter 2, Section 14 of these Rules and Procedures, "Memorandum Books".

6. The prisoners will be delivered to the officers assigned to vehicles designated for transporting prisoners.

7. The officer(s) assigned to transport the prisoners shall be documented on the Prisoner Activity Log.

8. Evidence shall be secured as per Department guidelines.

P. Police Officer(s) transporting prisoners:

1. As soon as practical, officers shall enter in their Memorandum Book all details concerning the arrest, escort and transport of said prisoner as required by Chapter 2, Section 14 of these Rules.

2. Prisoners shall be transported to an area assigned by the Incident Commander, or as otherwise directed, for further processing and transportation to place of detention.

3. The Prisoner Activity Log shall be utilized to record the subsequent events while the prisoner is in Police custody.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 11: TITLE: BASIC SQUAD FORMATIONS

I. PURPOSE

To delineate the elements of three basic squad formations.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Line:

1. PREPARATORY COMMAND - "SQUAD LINE"
2. COMMAND EXECUTION - "MOVE"

At the command of execution, the BASE MAN advances to the position indicated by the Squad Leader. EVEN NUMBERED MEN align themselves in sequence on line with the BASE MAN, ONE pace to the RIGHT of the preceding man. ODD NUMBERED MEN align themselves similarly to the LEFT of the BASE MAN. If desired, a specified number of spaces between men in the formation

may be indicated in the preparatory command. The Squad Leader takes his position of observation behind the line.

3. HAND SIGNAL PREPARATORY - Fully extend both arms on a horizontal line with the shoulders.

4. HAND SIGNAL EXECUTION - Bring the arms down sharply to the side.

B. Wedge:

1. PREPARATORY COMMAND - "SQUAD WEDGE"

2. COMMAND OF EXECUTION - "MOVE"

At the command of execution, the BASE MAN (No. 2 man) advances to spot indicated by the Squad Leader. EVEN NUMBERED MEN align themselves in sequence on the BASE MAN, ONE pace to the RIGHT and one pace to the REAR of each preceding man. ODD NUMBERED MEN align themselves in sequence on the BASE MAN, ONE pace to the LEFT and ONE pace to the REAR of each preceding man. The SQUAD LEADER takes a position behind the men in formation from which he will have the best observation of the scene.

3. HAND SIGNAL PREPARATORY - Extend both hands over the head with fingers joined together at a peak.

4. HAND SIGNAL EXECUTION - Bring arms down sharply to the side.

C. Diagonal (Echelon):

1. PREPARATORY COMMAND - "SQUAD DIAGONAL (ECHELON) RIGHT (LEFT)".

2. COMMAND OF EXECUTION - "MOVE".

At the command of execution, the BASE MAN

advances to the position indicated by the Squad Leader. The men align themselves in sequence on the BASE MAN, ONE pace to the RIGHT (LEFT) and ONE pace to the REAR of each preceding man. The Squad Leader takes his position of observation behind the diagonal.

3. HAND SIGNAL PREPARATORY - Lift the right (left) arm until it is 45 degrees above the plane formed by the shoulders; drop the other arm until it is 45 degrees below this shoulder line.

4. A hand signal execution - Bring the arms down sharply to the side.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 12: TITLE: FIELD ORDER

I. PURPOSE

To establish guidelines for the formulation of plans to be used for conducting raids, special details and activities.

II. POLICY

In addition to developing standard operational procedures, the Department periodically develops plans to effectively accomplish raids, special details and activities. Each plan will differ according to the purpose for which it is developed and should define its need, objective, scope and purpose, intended method of implementation, and assessment of effectiveness..

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

Any supervisor designated as the "officer-in-charge" of a raid, special detail or other special activity shall prepare a written plan prior to such activity with sufficient copies to properly orient all assigned personnel. An exception to this rule is recognized when immediate emergency action is required with insufficient time available to comply. In such instance an internal report justifying non-compliance and briefly outlining the details is forwarded as soon as possible to the Police Commissioner, through the Chief of the division involved.

VI. PROCEDURES

A. Special Operational Plan Description

1. Plans for conducting raids, special details and activities shall include at a minimum, provisions for the following:

a. Hostile - Describe the illegal action or incident or persons which are the object of the raid or special action.

b. Friendly - Include all friendly agencies or persons not under control of the commanding officer of the raiding party or patrol whose presence or cooperation may affect the operation. (Example: uniformed private officers in the vicinity of scene or F.B.I. agents, who can assist or back up the operation.)

2. Mission Statement (who, what, when, where, why and how).

a. Include composition of raid party or patrol date and time.

b. Include specific granting authorization for the raid.

3. Command and Control: Designate single person as supervisor/coordinator, "officer-in-charge". Include the following:

a. Communications, message center

b. Special signs

c. Command post

d. Liaisons with District Attorney, other support units

- e. Provisions for requesting medical assistance
- f. Selection and communication with specialized support units

4. Tactical Orders: Include detailing orders to individuals, units and assembly points reference tactics for;

- a. Approaching/entering target area
- b. Securing activity area
- c. Conducting search and seizing evidence and/or contraband
- d. Arresting suspects
- e. Exiting target area

5. Special Equipment: Select type and amount of required equipment which may include but not be limited to:

- a. Special weapons and equipment
- b. Clothing or uniform articles
- c. Vehicles or boats
- d. Appropriate forms

6. Pre-Operation Briefing: In addition to detailing the preceding elements of the operation, assigned personnel should be apprised of the following:

- a. Authorized use of force as necessary
- b. Applicable sections of New York State Penal Law/Criminal Procedure Law
- c. Appropriate local ordinances

d. Elements of any unusual crime or offense involved

7. Post-Operation De-Briefing

a. At the conclusion of a raid or special detail or activity, a critique shall be conducted and should include as many assigned personnel as possible as well as preparation of required documentation.

VII. ACCREDITATION STANDARDS

A. CALEA 43.2.17

B. NYSLEAP - N/A

VIII. INDEX

Raid Planning 15/12

Special Detail/Activities, Planning 15/12

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-38

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE EMERGENCY MOBILIZATION PLANS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 05/04/07	DATE EFFECTIVE 05/04/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 13: TITLE: EMERGENCY MOBILIZATION PLANS

I. PURPOSE

To enumerate the requirements of mobilization plans both within and outside of the Police District.

II. POLICY

In the event of an unusual occurrence, disorder, or similar incident requiring an inordinate number of police personnel, the various mobilization plans provide for specific assignments to enable the appropriate level of response.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

Mobilization plans as required, are placed in operation by the Communications and Records Bureau. Authorization for the activation of a mobilization plan is made by one of the following: Police Commissioner, Deputy Commissioner, Chief of Department, Chief of Patrol, Chief of Detectives, or Chief of Support Services. If personnel, equipment or specialized services in addition to those provided for in a mobilization plan are required, the superior officer in command at the scene makes this request to the superior officer on duty in the Communications Section. All personnel and equipment are dispatched to the determined mobilization point. It is the responsibility of the precinct of occurrence to have a superior officer assigned to the scene of the emergency.

VI. PROCEDURES

A. Mobilization Plans - Police District:

1. Plan No. 1 (Number of members reporting - all on duty members from the Highway Patrol Bureau).

a. Highway Patrol Bureau - Communications Bureau dispatches by radio all on duty units except those assigned to Expressway and Sunrise Highway duties and notifies the Highway Patrol Bureau office by telephone.

2. Plan No. 2 (Number of members reporting - Seven (7) sergeants, twenty-eight (28) police officers, seven (7) detectives, and all on duty members from the Highway Patrol Bureau).

a. All procedures and assignments Plan No. 1 plus:

b. All Precincts - Communications Section notifies each precinct by Teletype. Upon receipt of the Teletype message, the precinct calls the Communications Section verifying receipt of the Teletype message. Each precinct causes to be dispatched one (1) sergeant, four (4) police officers, one (1) radio patrol car, and immediately notifies sufficient off duty members to report to their respective precinct to compensate for these assignments.

c. Detective Division - Communications Section notifies the Office of the Chief of Detectives, which then dispatches seven (7) detectives.

3. Plan No. 3 (Number of members reporting - Fourteen (14) sergeants, fifty-six (56) police officers, fourteen (14) detectives and all on and off duty members from the Highway Patrol Bureau).

a. All procedures and assignments in Plans No. 1 & 2 plus:

b. Highway Patrol Bureau causes to be dispatched all off duty units except those normally assigned to Expressway duties.

c. All Precincts - Each precinct causes to be dispatched one (1) sergeant, four (4) police officers, one (1) radio patrol car, and immediately notifies sufficient off duty members to report to their respective precinct to compensate for these assignments.

d. Detective Division - Communications Section notifies the Office of the Chief of Detectives, which then dispatches seven (7) detectives.

4. Plan No. 4 (Number of members reporting - Fourteen (14) sergeants, seventy-one (71) police officers, twenty-one (21) detectives and all on and off duty members from the Highway Patrol Bureau).

a. All procedures and assignments in Plans No. 1, 2 and 3 plus:

b. 1st, 2nd, and 3rd Precincts each causes to be dispatched five (5) police officers, one (1) radio patrol car and immediately notifies sufficient off duty members to report to their respective precinct to compensate for these assignments.

c. Detective Division - Communications Section notifies the Office of the Chief of Detectives, which then dispatches an additional seven (7) detectives.

5. Plan No. 5 (Number of members reporting - as required).

a. All procedures and assignments in Plans 1, 2, 3 and 4 plus:

b. Any other on duty members required, as determined by existing conditions.

c. All other off duty members of the Service report as directed. Communications Section notifies, by telephone, all commands who will in turn notify all of their off duty members.

B. Mobilizations Plans - Eastern Suffolk

1. Plan No. 1 Number of members reporting - Three (3) sergeants, twelve (12) police officers, two (2) detectives and Chief of Patrol, his/her designee and the on duty District Commander.

a. Communications Section notifies the 5th, 6th, and 7th Precincts, each dispatches one (1) sergeant, four (4) police officers and one (1) radio patrol car, and notifies sufficient off duty members to report to their respective precincts to compensate for these assignments.

b. Communications Section notifies one (1) detective and Special Services Bureau to assign a detective from the Identification Section for photographs.

c. Communications Section notifies the on duty District Commander

2. Plan No. 2 Number of members reporting - Five (5) sergeants, twenty (20) police officers, two (2) detectives, Chief of Patrol or his/her designee, the on duty District Commander and on duty members from the Highway Patrol Bureau.

a. All procedures and assignments in Plan No. 1 plus:

b. Communications Section notifies 3rd and 4th Precincts; each dispatches one (1) sergeant, four (4) police officers, and one (1) radio patrol car and notifies sufficient off duty members to report to their respective precincts to compensate for these assignments.

c. Communications Section notifies Highway Patrol Bureau to dispatch all on duty patrol units except I.D.T.U. and Expressway Units.

3. Plan No. 3 - Number of members reporting - Seven (7) sergeants, twenty-eight (28) police officers, two (2) detectives and Chief of Patrol or his/her designee and the on duty District Commander.

a. All procedures and assignments in Plans No. 1 and 2 plus:

b. Communications Section notifies 1st and 2nd Precincts; each dispatches one (1) sergeant, four (4) police officers, one (1) radio patrol car and notifies sufficient off duty members to report to their respective precincts to compensate for these assignments.

c. All other off-duty members of the Service report as directed. Communications Section notifies all commands who will in turn notify all of their off-duty members.

4. Plan No. 4:

a. Same as Plan No. 3 plus:

b. Communications Section notifies Highway Patrol Bureau which assigns all on and off duty patrol personnel except I.D.T.U. and Expressway units.

c. Communications Section notifies Special Services Bureau to dispatch five (5) detectives.

5. Plan No. 5

a. same as Plan No. 4 plus:

b. Any other on duty members required as determined by existing conditions and provided sufficient security is maintained in the Police District.

c. All other off duty members of the Service report as directed. Communications Section notifies all commands who will in turn notify all of their off duty members.

C. Off Duty Availability - In the event the office of a command is not manned, the Communications Section will notify the commanding officer by telephone who will in turn cause notification to be made to all of the off duty members of his command. Each command not manned twenty-four hours a day submits to the Communications Section the name and telephone number of the commanding officer and the necessary alternative officers to be called after normal working hours.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 15: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 14: EMERGENCY EVACUATION PLAN - JOHN L. BARRY POLICE HEADQUARTERS BUILDING

I. PURPOSE

The John L. Barry Police Headquarters Building Emergency Evacuation Plan is designed to provide guidance to all Department employees and visitors who are present in the building when an evacuation is ordered.

II. POLICY

The Suffolk County Police Department recognizes its responsibility to establish, maintain and update Emergency Evacuation Plans for Department facilities. The express purpose of a plan is to provide for the safety of our personnel and guests in a Department facility in time of emergency.

III. DEFINITIONS

All Plan-specific terms are defined in the plan.

IV. REFERENCES

- A. Emergency Evacuation Plan PDCS-7137
- B. NYCRR, Title 9, Sec. 1195 & 1196
- C. Suffolk Count SOP E-05

V. RULES AND REGULATIONS

The Emergency Evacuation Plan for the John L. Barry Police Headquarters Building is to be construed by all members of the Department as the equivalent of a direct order in the event the fire alarm sounds or a verbal command to evacuate is given. Members assigned to those commands specifically referred to in the Emergency Evacuation Plan will be responsible for knowing

their duties as outlined in the Emergency Evacuation Plan and complying with them during an emergency evacuation.

VI. PROCEDURE

A. COMMANDING OFFICER RESPONSIBILITIES

Each Unit, Section, Bureau and Division commanding officer assigned to the John L. Barry Headquarters building is to review the plan for specific actions he or she and assigned members of the command are to take in time of evacuation. Upon completion of the review the commanding officer shall educate each member of his or her command about the proper actions to take in the event the plan is activated.

B. MEMBER RESPONSIBILITY

Each member of the Department assigned to the John L. Barry Headquarters building is to become familiar with the plan, their role in the plan, the primary and secondary evacuation route designated by their commanding officer and the assembly area for their command. Members must understand that when the fire alarm sounds, it is the equivalent of being verbally ordered to evacuate their duty station.

C. PRECINCT RESPONSIBILITIES

The Fourth, Fifth, Sixth, and Seventh Precincts have specific roles assigned to them if an evacuation takes place. The commanding officers of these commands will be responsible for insuring that their personnel are informed and trained to perform these assigned roles as outlined in the plan, in time of plan activation.

VII. ACCREDITATION REFERENCE STANDARDS

N/A

VIII. INDEX

Emergency Evacuation Plan 15/14

Police Headquarters Emergency Evacuation 15/14

END



ORDER NUMBER 07-38
 07-73

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE WEAPONS OF MASS DESTRUCTION, BIOTERRORIST INCIDENTS AND EXPOSURE TO KNOWN OR SUSPECTED CHEMICAL OR BIOLOGICAL AGENTS			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 05/04/07 09/06/07	DATE EFFECTIVE 05/04/07 09/06/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 15: TITLE: WEAPONS OF MASS DESTRUCTION, BIOTERRORIST INCIDENTS AND EXPOSURE TO KNOWN OR SUSPECTED CHEMICAL OR BIOLOGICAL AGENTS

I. PURPOSE

To establish procedures for the response to incidents involving the use or threatened use of weapons of mass destruction, bioterrorist incidents and exposure to known or suspected chemical or biological agents.

II. POLICY

Weapons of mass destruction pose a significant threat to public safety as well as the safety of those responding to, mitigating, and investigating such incidents. The direct impact of, or even possible exposure to, such incidents can be minimized by strict adherence to established procedures that are intended to minimize the danger to the public and to emergency response and investigative personnel.

III. DEFINITIONS

A. Weapon of Mass Destruction (WMD):

1. A weapon capable of causing mass casualties including explosives, biological, chemical, radiological and nuclear devices, as well as;

a. any weapon that is designed or intended to cause death or serious bodily injury through the release, dissemination, or impact of toxic or poisonous chemicals, or their precursors; or

b. any weapon involving a disease-causing organism and/or biological agent; or

c. any weapon that is designed to release radiation or radioactivity at a level dangerous to human life; or

d. any other "destructive device", including certain explosives as defined in Title 18 USC 921.

- B. Hot Zone: The area immediately surrounding a WMD incident, which extends far enough to prevent adverse effects from the material to personnel outside the zone. Only properly trained and equipped personnel will be permitted to enter this area.
- C. Warm Zone: The area where personnel and equipment decontamination takes place and support operations of the "hot zone" takes place. Only personnel authorized by the incident commander may enter a warm zone.
- D. Decontamination: The removal of hazardous materials from personnel and equipment to the extent necessary to prevent adverse health effects and to contain the materials.
- E. Cold Zone: The area where the command post and support functions that are necessary to control the incident are located.
- F. National Incident Management System (NIMS): An organized approach to control and manage operations at an emergency incident.
- G. Critical Incident Police Surgeon: Physicians designated by the Police Commissioner to assist in dispensing medications and providing treatment utilizing the COBRA Medical Kits.
- H. Personal Protective Equipment (PPE): Physical and respiratory protection utilized to protect a person from exposure to a hazardous material or substance.
- I. COBRA Medical Kit: The COBRA acronym stands for chemical, ordnance, biological or radiological agents. It is a dedicated medical kit containing medical equipment and pharmaceuticals specially designed to assist the Critical Incident Police Surgeon and other qualified medical personnel designated by the Chief Surgeon in the treatment of persons who are or may have been exposed to an actual or suspected chemical, biological, or radiological agent.
- J. Chemical or Biological Exposure Incident: Any contact or inhalation of a known or suspected chemical or biological agent by a member of the Service resulting from his or her performance of official duties. An exposure incident can be accidental, unintentional or intentional. (A known or suspected chemical or biological exposure incident is different, by definition, than an "exposure incident" referenced in Chapter 3, Section 3 of these Rules and Procedures.)
- K. Chemical or Bioterrorist Incident: Any activity involving the use or attempted use of chemical or biological agents to coerce or intimidate the civilian population or to affect the conduct of government by intimidation or coercion.

IV. REFERENCES

- A. Title 18 USC 921, Definitions
- B. Title 18 USC 2332(a), Use of Weapons of Mass Destruction
- C. 29 CFR 1910.120

D. 2004 North American Emergency Response Guidebook

E. Suffolk County Police Department Rules and Procedures;

1. Chapter 3, Section 2
2. Chapter 3, Section 3
3. Chapter 14, Section 3
4. Chapter 15, Section 4
5. Chapter 15, Section 5
6. Chapter 15, Section 10

F. Homeland Security Presidential Directives

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Communications Section Notifications: The Communications Section Duty Officer, when notified of an incident involving a possible weapon of mass destruction or chemical or bioterrorist incident, obtains available facts and notifies or causes to be notified the following:

1. Sector car and adjacent sector cars.
2. Patrol supervisor.
3. The Emergency Service Section and the Commanding Officer of the Special Patrol Bureau.
4. Commander of the Precinct of occurrence, or if unable to be contacted, the Precinct Executive Officer and the on duty District Commander.
5. If the Precinct Commander or Executive Officer can not be contacted, the Chief of Patrol will be notified, or if unable to be contacted, the Assistant Chief or Deputy Chief of Patrol.
6. The Deputy Chief of Homeland Security and Anti-Terrorism.
7. Suffolk County Department of Fire, Rescue, and Emergency Services (F. R.E.S.) for notification and coordination of local fire and E.M.S. response.
8. The Chief Police Surgeon for preliminary assessment and potential coordination of physicians.

B. When verification that a WMD incident or chemical or bioterrorist incident does exist, the following additional notifications will be made by the Duty Officer:

1. Chief Police Surgeon and Commanding Officer of the Medical Evaluation Bureau or designee for potential emergent response.
2. Appropriate Precinct Detective Squad.
3. Criminal Intelligence Section.
4. F.B.I. - Joint Terrorism Task Force
5. Arson Section.
6. District Attorney's Office - Environmental Crime Unit.
7. All Division Chiefs.
8. Chief of the Department or his designee, and at his discretion:
 - a. Police Commissioner and Deputy Police Commissioner.
 - b. County Executive's Office.
 - c. District Attorney.
9. Public Information Section.
10. Suffolk County Department of Health Services.

C. First Responder Actions - Police Officer: Procedures established in Chapter 15, Section 4, "Explosions, Bomb Scares and Suspicious Substances", Chapter 15, Section 5, "Radioactive Materials", Chapter 15, Section 10, "Unusual Disorder and Disaster Plan", should be followed with emphasis placed on the following actions:

1. If feasible, approach the reported location from an upwind and uphill direction.
2. Choose the use of appropriate personal protective equipment.
3. Be alert for the possibility of additional devices intended to injure emergency personnel.
4. Do not touch, inhale, walk through, or otherwise come into contact with suspected materials.
5. Isolate the material from a safe distance. Establish a hot zone and deny entry.
 - a. The recommended initial isolation area for a poison with an inhalation hazard is 1,000 feet in all directions as per the North American Emergency Response Guidebook.
 - b. Common sense should be used in establishing an initial isolation area. If a strange odor or taste can be detected or other symptoms are noted, the initial isolation should be immediately expanded. Among other factors to consider are the size of the spill, the

prevailing winds and whether the material is on fire.

c. The recommended initial isolation area for suspected explosives or radioactive materials is at least 300 feet in all directions.

6. Isolate and contain victims and those who have been exposed to the material.
7. Wherever possible, avoid contact with victims who may be contaminated.
8. Advise Communications of the following:
 - a. Material involved (name, amount, and physical state).
 - b. Number of victims/people exposed.
 - c. Number of any injuries. Signs and symptoms?
 - d. Is a fire involved?
 - e. Any other relevant information.

D. First Responder Actions - Supervisor: Procedures established in Chapter 15, Section 10, "Unusual Disorder and Disaster Plan", should be followed with emphasis placed on the following actions:

1. Establish a unified command post with supervisory personnel from fire and EMS agencies, in accordance with NIMS guidelines.
2. Establish and maintain a secure inner and outer perimeter including vehicle and pedestrian control.
3. Notify the Emergency Service Section and the appropriate investigative command(s).
4. Request additional resources and supervisors as necessary.
5. Request the response of the Police Academy EMT Response Vehicle.

E. Emergency Service Section - Supervisor Actions: Procedures established in Chapter 15, Section 10, "Unusual Disorder and Disaster Plan", should be followed with emphasis placed on the following actions:

1. Establish the Hot Zone, Warm Zone and Cold Zone perimeters.
2. Ensure that the unified command post has been established in an uncontaminated area.
3. Attend to injured.
4. Assess material utilizing specialized equipment.
5. Mitigate/render device safe.
6. Establish a Decontamination Zone and ensure that fire and EMS

agencies have been notified and requested to provide any equipment deemed necessary for decontamination.

7. Request additional resources and personnel as necessary.

F. Calls for Service - Eastern Suffolk: The Communications Section Duty Officer, upon receipt of a call for service in Eastern Suffolk involving a possible weapon of mass destruction, chemical or bioterrorist incident, shall notify the Emergency Service Section and Commanding Officer of the Special Patrol Bureau. The Emergency Service Section shall respond and take appropriate action, following first responder protocol contained above in paragraphs VI. C. through E. The Commanding Officer of the Special Patrol Bureau shall notify the Duty Officer if the activation of existing mobilization plans for Eastern Suffolk is recommended. (These plans are contained within Chapter 15, Section 13, Subdivision VI. B., of these Rules and Procedures, "Emergency Mobilization Plans".)

1. For a possible weapon of mass destruction, chemical or bioterrorist incident, the Duty Officer shall make additional notifications contained above in paragraphs VI. A. 5. through 8. above.

2. When verification that a WMD incident or chemical or bioterrorist incident does exist, the Duty Officer shall make the additional notifications contained in paragraphs VI. B. 1. through 10. above.

G. Storage, Activation and Transport of COBRA Kits:

1. COBRA Kits are stored in a locked cabinet at the following locations:

- a. First Precinct
- b. Second Precinct
- c. Third Precinct
- d. Fourth Precinct
- e. Fifth Precinct
- f. Sixth Precinct
- g. Seventh Precinct
- h. Police Academy
- i. Marine Bureau
- j. Special Patrol Bureau
- k. Headquarters (Duty Officer)

1. The Chief Police Surgeon will maintain an additional COBRA kit.

2. The combinations to the locks will be kept by the Duty Officer, Chief of Department and staff, all sworn members above the rank of Deputy Inspector, designated sworn members of the staff of the Office of the Chief of Patrol and sworn members of the staff of the Office of Homeland Security and Anti-Terrorism.

3. Deputy Chiefs or above, Chief Police Surgeon or the C.O. of the Medical Evaluation Bureau may authorize activation of one or more COBRA kits and designate sworn personnel to transport the kits. Any transport of a COBRA kit will require two (2) sworn members with an additional escort vehicle. A sworn member will be assigned to provide security for any COBRA kit that is deployed.

4. At the direction of the authorized personnel designated above, COBRA Kits may be transported to the scene, staging area, command post, or as otherwise directed for use by the Chief Police Surgeon, or other designated physicians chosen by the Chief Surgeon, or other qualified medical personnel under the direction of the Chief Surgeon.

H. Chemical or Biological Exposure Incident: When notified of a chemical or biological exposure incident to a member of the Service or the public, the Duty Officer will obtain any available facts and immediately notify the following:

1. The Chief Police Surgeon, or designee, who will be apprised of the known facts and circumstances, and escorted to the scene, command post or staging area by a sworn member.

2. A Deputy Chief, or above, who may authorize the release of the lock combinations and appropriate number of COBRA kits deemed necessary by the Chief Police Surgeon or designee.

I. Deployment of COBRA Kits:

1. Deputy Chiefs or above, or the Chief Police Surgeon, or designee, or the C.O. of the Medical Evaluation Bureau can call for a COBRA Kit (or Kits) to be brought to a designated point. The COBRA transport and security procedures referenced in subdivision VI. G. shall be utilized.

2. The Chief Police Surgeon or other qualified medical professional authorized to dispense pharmaceuticals, or designee, will decide whether drugs should be administered to the injured victim.

3. The Chief Police Surgeon may request additional Police Surgeons to respond if needed. Precinct and/or Highway Patrol personnel assist in the transportation to designated locations.

4. Procedures for the investigating and reporting of an injured employee and communicable diseases are contained, respectively, within Chapter 3, Section 2 and Chapter 3, Section 3 of these Rules and Procedures.

J. Reporting Procedures for COBRA Kit Transports: Whenever a COBRA Kit is transported, a central complaint number shall be drawn by the transporting officer and a field report shall be prepared. The field report shall include such information as the name of the person whom the officer received the COBRA Kit from and where it was received and the name of the person whom the COBRA Kit was turned over to and where.

K. COBRA Kit Inventory Procedure:

1. As each COBRA Kit is placed into service, an initial inventory shall

be conducted and appropriate data will be entered on form PDCS-7170, COBRA Kit Inventory and Supply List. Thereafter, form 7170 will be used to properly track inventory and expiration dates. A copy of the initial form 7170 will be secured in each respective COBRA Kit. The seal number shall be noted for use below.

2. The Inventory and Supply Lists for each COBRA Kit shall be confidentially maintained by the Chief Police Surgeon, the Deputy Chief of Homeland Security and the In-Service Training Section EMT Staff.

3. To assure effective operation and standards, the In-Service Training Section EMT Staff shall monitor the quantities and expiration dates of any medical supplies or pharmaceuticals in the COBRA Kit which would require replacement. The EMT Staff shall describe on a PDCS-2042, Internal Correspondence, any medical supplies or pharmaceuticals which need to be replaced and forward the 2042 to the Chief Police Surgeon and the Deputy Chief of Homeland Security.

4. Quarterly, a sworn member of the Police Academy In-Service Training Section EMT Staff shall assure the integrity of the combination lock on each cabinet containing a COBRA Kit, then open the cabinet and check the seal on each COBRA Kit. The results of these checks shall be recorded on form PDCS-7171, COBRA Kit Quarterly Inspection Report. (As each COBRA Kit is placed into service, the designated sworn member will utilize a form PDCS-7171 to maintain a "master list" of the initial seal numbers.) Subsequent inspections can be compared to the previous report.

5. The Quarterly Inspection Reports shall be confidentially maintained by the Chief Police Surgeon, the Deputy Chief of Homeland Security and the In-Service Training Section EMT Staff.

6. Quarterly, the Chief Police Surgeon will randomly select three COBRA Kits to be inventoried by a designated sworn member of the Police Academy EMT Staff. This member will remove the seal, count all medications and other supplies, and reconcile such count with the Inventory and Supply List within those kits. The results of this inventory will be entered on a new form PDCS-7170 and a copy will be secured within the kit. (Form 7170 will be forwarded accordingly.) Any known or suspected breach of the cabinet, COBRA Kit security, sign of tampering or discrepancy in inventory supply shall be immediately reported to the Chief Police Surgeon and to the Deputy Chief of Homeland Security and documented on a PDCS-2042. The Deputy Chief of Homeland Security shall refer the incident for investigation to the appropriate command.

VII. ACCREDITATION STANDARD REFERENCE

N/A

VIII. INDEX

Biological Exposure Incident / WMD 15/15

Bioterrorist Incident / WMD 15/15

Chemical Exposure Incident 15/15

Chemical Incident 15/15

COBRA Medical Kits / WMD 15/15

Cold Zone / WMD 15/15

Decontamination / WMD 15/15

Hot Zone / WMD 15/15

National Incident Management System (NIMS) 15/15

Personal Protective Equipment (PPE) 15/15

Warm Zone / WMD 15/15

Weapons of Mass Destruction / WMD 15/15

END

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 16: TITLE: EMERGENCY EVACUATION PROCEDURE

I. PURPOSE

To provide a procedure to be followed to initiate the efficient evacuation of a site when circumstances dictate that all personnel be evacuated immediately and to warn personnel not to enter a site.

II. POLICY

Any sworn member at an incident site or in the chain of command, may issue the communications code "Omega", if in his or her judgement, a situation exists that poses serious imminent danger of loss of life and warrants the immediate evacuation of all personnel from the site. The Communication Bureau, when authorized by the duty officer or other superior officer will dispatch a call as a potential "Omega" situation in any instance when information is received indicating the presence of a weapon or agent with mass casualty capability.

III. DEFINITIONS

Omega - Communication code to direct the immediate evacuation of all personnel at a site or prevent personnel from entering a site.

IV. REFERENCES

Rules and Procedures Chapter 23, Section 2.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES At any incident site, where, in the judgement of a sworn member at the location or in the chain of command, circumstances exist which pose the serious risk

of imminent danger or loss of life, said member will issue the communication code "Omega". This code will initiate the immediate evacuation of all personnel from the site to a safe distance and preclude unauthorized or unprotected personnel from entering.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

Omega 15/16, 23/2

END



ORDER NUMBER 08-70

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE CRISIS ACTION TEAM MOBILIZATION				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 11/18/08	DATE EFFECTIVE 11/18/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 17: TITLE: CRISIS ACTION TEAM MOBILIZATION

I. PURPOSE

The Crisis Action Team (CAT) concept is designed to provide commanders with a structure necessary to deploy police personnel and resources in a disciplined and orderly manner to address situations that are beyond the capability of the local precinct or police jurisdiction.

II. POLICY

In the event of an unusual occurrence, disorder, or similar incident requiring a large number of police personnel, the Crisis Action Team procedure will enable the appropriate level of response.

III. DEFINITIONS

A. Crisis Action Team - This term refers to a platoon of police officers and sergeants to be directed by a lieutenant. The Team consists of six eight-person squads consisting of one sergeant and seven police officers, to be commanded by a lieutenant - however, the Team can be larger or smaller depending on the mission. The Crisis Action Team is designed to provide an organized response to an incident. It may be deployed to restore order, secure or contain an area, move crowds, rescue victims, isolate problem areas, or in other capacities as needed or directed. The keys to a successful use of a Crisis Action Team are pre-planning, training, discipline, and most of all, leadership.

IV. REFERENCE

S.C.P.D. Crisis Action Team Manual

V. RULES AND REGULATIONS

Upon consultation with a member of the rank of Deputy Chief or higher, a Precinct Commander, Precinct Executive Officer or the District Commander

is authorized to order the mobilization of a Crisis Action Team. This consultation should, if circumstances allow, take place before an incident or event occurs requiring mobilization.

VI. PROCEDURES

A. The Duty Officer will be notified of the request to activate the Crisis Action Team, and will then make the necessary notifications as per the Crisis Action Team Manual.

B. The Duty Officer will notify all precincts, Highway Patrol Bureau and Marine Bureau, and advise them to activate their Crisis Action Team personnel. The Duty Officer will be supplied with a list of all Crisis Action Team personnel and their respective commands, as well as their Crisis Action Team designation (Team A, B or C). The personnel will be directed to respond to the designated staging area.

C. The Crisis Action Team trailer will be stored at the Canine Section in Yaphank. The CAT trailer will contain equipment as specified in the Crisis Action Team Manual.

D. Upon activation of the Crisis Action Team, at least one COBRA-trained member of the Crisis Action Team, if available, designated by the Office of Homeland Security and Anti-Terrorism will respond to the CAT Trailer and then assist Motor Carrier Safety Section personnel in transporting the CAT trailer to the staging area. (COBRA represents Chemical, Ordnance, Biological and Radiological Agents.)

E. Upon notification of mobilization, responding Crisis Action team members should respond immediately to the Crisis Action Team staging area with all required Crisis Action Team equipment (helmet with face shield, gas mask, baton/asp, and body armor).

F. The Commanding Officer of the Office of Homeland Security and Anti-Terrorism, or designee, will be responsible for the maintenance of the CAT trailer and equipment, as well as maintaining a list of trained personnel.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Crisis Action Team 15/17

END



ORDER NUMBER 08-13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE COORDINATED RESPONSE GROUP (CRG) ACTIVATION					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/18/08	DATE EFFECTIVE 01/18/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 18: TITLE: COORDINATED RESPONSE GROUP (CRG) ACTIVATION

I. PURPOSE

To assist associated agencies with the rapid deployment of personnel and resources in a disciplined and orderly manner to address situations that are beyond the capability of said agencies.

II. POLICY

In the event of an unusual occurrence, disorder or similar incident requiring a large number of police personnel to respond outside the Police District, the radio code 10-100 will be utilized. This code will activate the Suffolk County Law Enforcement Coordinated Response Group, for which the Suffolk County Police Department is the coordinating agency.

III. DEFINITIONS

The Suffolk County Law Enforcement Coordinated Response Group is a coalition of law enforcement agencies within the county which have mutually agreed to assist each other in the event supplemental resources are needed to handle a given situation. The purpose of this group is to provide a coordinated and organized response to these events. The radio code 10-100 will be utilized by the requesting agency to activate the Suffolk County Law Enforcement Coordinated Response Group. The Suffolk County Police Department will coordinate and notify the member agencies.

IV. REFERENCE

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Communications Section

1. Upon receiving a 10-100 call, the Communications Duty Officer will immediately carry out the following activities:
 - a. Notify all member agencies of the Suffolk County Law Enforcement Coordinated Response Group to respond to the Staging Area designated by the originating agency. A list of member agencies will be maintained by the Communications Section.
 - b. The Duty Officer will ensure that all precincts are contacted and directed to send one Sergeant and seven police officers to the staging area. The Duty Officer shall cause a 10-100 alarm to be broadcast on Command Band to enable response by all available Special Patrol and Highway Patrol Bureau personnel.
 - c. Notify the District Commander and a member of the Patrol Division of the rank of Deputy Chief or higher.
 - d. The Duty Officer will continually monitor the situation and provide updates as outlined in Communication Section procedures.

B. Patrol Division Supervisors

1. Shall respond to his/her precinct/command and shall ensure that the officers directed to respond to the 10-100 call possess their helmet, 36-inch baton (if issued), and ASP tactical baton. The supervisor shall then direct that the trunks of two of the police vehicles be emptied of all contents. The supervisor shall then direct and coordinate the response of said units to the Staging Area.
2. Upon arrival at the Staging Area, the supervisor shall report to the Staging Area Officer in Charge (OIC) and await briefing. The first Suffolk County Police Department supervisor to arrive at the Staging Area will determine if additional personnel are needed. If necessary, he/she will request activation of the Field Force through the proper chain of command in accordance with Rules and Procedures Chapter 15, Section 17. Notification of the circumstances will be made to the Duty Officer, District Commander, and a Deputy Chief or higher of the Patrol Division.
3. While at the Staging Area, each supervisor will brief all assigned subordinates before responding to the incident location. Each supervisor shall record the names, ranks, shields, precinct designations, event radio call sign, and all assignments delegated to his/her detail.
4. Provide supervision to assigned personnel until properly relieved.
5. Upon completion of the assignment and release from the incident location, he/she will direct his/her subordinates to return to the

Staging Area and will ensure the proper debriefing of the subordinates.

C. Patrol Division Police Officers

1. All Patrol Division motor vehicle operators will carry their helmet, 36-inch baton (if issued), and ASP tactical baton within their assigned police vehicles to facilitate their rapid response to 10-100 assignments.

2. All Patrol Division foot officers will have their helmet, 36-inch baton (if issued), and ASP tactical baton readily available to facilitate their rapid response to 10-100 assignments.

3. Officers will respond to their precincts/commands and shall report to their supervisor. The trunks of two units shall be emptied of all contents at their precincts/commands. The supervisor shall then direct and coordinate the response of said units to the Staging Area.

4. Upon completion of the event, all officers will return to the Staging Area for debriefing.

5. Upon their return to their original areas of assignment, officers will advise Communications of their availability for assignment (10-27).

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Law Enforcement Coordinated Response Group 15/18, 23/2

END



ORDER NUMBER 08-51

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE ACTIVE SHOOTER INCIDENTS

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 07/17/08	DATE EFFECTIVE 07/17/08	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 19: TITLE: ACTIVE SHOOTER INCIDENTS

I. PURPOSE

To establish procedures to properly respond to an in progress active shooter situation in such a way as to minimize the number of casualties and stop the use of deadly physical force as quickly as possible.

II. POLICY

Generally, an active shooter is an individual who is intent upon killing as many people as possible by utilizing a firearm or firearms, and it reasonably appears that he/she will continue to do so until apprehended. Unlike a more traditional barricaded subject, time may not work to the benefit of law enforcement. Generally, immediate action must be taken to cease the use of deadly physical force and thereby minimize the number of casualties.

The Rapid Deployment concept has been developed as a counter-measure for the active shooter. Members of the Service have been trained in the proper use of the Rapid Deployment concept.

III. DEFINITIONS

A. In Progress Active Shooter - An armed individual who has used deadly physical force against others and continues to do so; and it is reasonably believed that the shooter has unrestricted access to additional victims.

B. Rapid Deployment - A tactical concept developed to respond to an active shooter, wherein police officer(s) move rapidly toward the active shooter to terminate the use of deadly physical force as quickly as possible and thereby saving lives.

C. Barricaded Subject - An incident in which a subject (armed or possibly armed) isolates himself or herself and is inaccessible to police, or attempting immediate access is deemed too risky to the safety of police personnel or civilians and eventual police access is necessary due to the fact that either:

1. Reasonable cause to believe exists to affect an arrest of the subject and a timely arrest is necessary.
2. The subject is a person with mental illness and is deemed a threat to self or others.

D. Hostage Incident - An incident in which a subject holds another person against their will in a premise or area, as security for the fulfillment of terms or demands.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. ACTIVE SHOOTER INCIDENT

1. A member of the Service first on the scene of an incident involving, or suspected of involving, an active shooter, immediately notifies the appropriate Public Safety Dispatcher by radio, giving a brief description of the incident and the location; notifies a patrol supervisor; and establishes a command post location with other emergency response agencies.

2. The Public Safety Dispatcher immediately notifies the Communication Section Duty Officer.

3. Notification and Instructions - The Communications Section Duty Officer requests that the Emergency Service Section and a patrol supervisor immediately respond to the incident. The Communications Section Duty Officer will also notify:

- a. The Police Commissioner
- b. The Chief of Department
- c. The Chief of Patrol
- d. The Chief of Homeland Security
- e. The Commanding Officer of Special Patrol Bureau
- f. The Commanding Officer of the Hostage Negotiations Team
- g. Suffolk County Fire Rescue and Emergency Services

4. A patrol supervisor will respond to the scene and assume command until relieved by a higher ranking member of the Department. The patrol supervisor will ensure that the following actions have been taken:

- a. A Rapid Deployment has been initiated, if appropriate.
- b. An inner perimeter has been established to contain the incident.
- c. An outer perimeter and appropriate

staging areas have been established.

d. Ensure that adequate resources have been requested through the Communications Section.

5. If an in progress active shooter incident is reasonably suspected, a Rapid Deployment will be initiated in an effort to terminate the use of deadly physical force by the active shooter. Generally, a Rapid Deployment should be undertaken with four members of the Service who have been trained in this concept. If necessary, personnel from another agency who have been trained in this concept could also be utilized, for example, properly trained State University of New York Police Officers.

6. Members of Service undertaking a Rapid Deployment will attempt to utilize the specialized equipment provided by the Department for this purpose, if possible. This includes ballistic shields and appropriate long guns. The use of this equipment will minimize the risks taken during a Rapid Deployment, while maximizing the potential to successfully terminate the unlawful activity. The rapid availability of this equipment is of critical importance, patrol supervisors should ensure that the shotguns assigned to their patrol zones are readily available and that ballistic shields are properly stored for ease of access in units so equipped. Rapid Deployment entry should not be delayed to await specialized equipment if it is not readily available.

7. Rapid Deployment entry will be performed by the members of the Service already at the scene with the highest level of appropriate training. If immediately available for deployment, Emergency Service Section personnel will make this entry or a combination of Emergency Service Section and patrol personnel; however the Rapid Deployment will not be unnecessarily delayed to await the arrival of specialized resources.

8. While the Rapid Deployment concept is generally thought of as involving a team of four officers, individual circumstances must dictate what actions need to be taken to preserve life and how many officers are utilized. Officers at the scene of an in progress active shooter should utilize the training that has been provided to them to rapidly formulate a plan that they believe will be successful in terminating the event. Nothing in the section is meant to preclude a single officer from taking necessary action to terminate the use of deadly physical force by an active shooter.

9. An active shooter incident is distinctly different from a barricaded subject incident. Barricaded subject incidents will be handled as detailed in the Department's Hostage / Barricade Manual. Rapid Deployment is not authorized for a barricaded subject or hostage incident and will only be utilized when it is reasonably believed that there is an in progress active shooter incident and that a failure to immediately act will result in continued use of deadly physical force by an active shooter.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Active Shooter Incidents 15/19
Barricaded Subject 15/19
Hostage Incident 15/19
Rapid Deployment 15/19

END



ORDER NUMBER 08-78

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE EMERGENCY PREPAREDNESS – CORPORATE EMERGENCY ACCESS SYSTEM			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 12/17/08	DATE EFFECTIVE 12/17/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 15: TITLE: TACTICAL OPERATIONS AND SPECIAL EVENTS

SECTION 21: TITLE: EMERGENCY PREPAREDNESS – CORPORATE EMERGENCY ACCESS SYSTEM

I. PURPOSE

To establish procedures for the implementation of the Corporate Emergency Access System (CEAS) when activated by the County Executive.

II. POLICY

A. It shall be the policy of the Suffolk County Police Department to protect life and property by enforcing the law and maintaining order. During an emergency or special event, it may be necessary to implement pre-existing tactical plans or contingency plans as contained within Chapter 15 of these Rules and Procedures, "Tactical Operations and Special Events". In conjunction with these plans, the County Executive may activate the implementation of the Corporate Emergency Access System.

B. The use of the Corporate Emergency Access System may assist the Department in sustaining business functions during a critical time of need, help speed the recovery of local companies or organizations and provide for the orderly reoccupation of restricted areas.

III. DEFINITIONS

A. Corporate Emergency Access System (CEAS) and The Business Network of Emergency Resources (BNet): CEAS is a program that assists employees of organizations and businesses in gaining limited entry into areas restricted to public access due to emergency conditions. Companies will be able to enter and maintain the viability of their businesses when the restricted area is deemed safe and access is authorized. CEAS was developed and is administered by The Business Network of Emergency Resources (BNet), a not-for-profit corporation. BNet's mission is to promote cooperative efforts between the public and private sectors to reduce losses to the community due to emergency situations.

B. Critical Employee: Employees of companies within Suffolk County who are deemed by their employer as essential or critical to the companies' recovery effort. Health Care and Hospital workers are not part

of the program as most of them would be classified as "critical employees." They will be afforded access using their official identification and no CEAS card is required.

C. Critical Industries: Those sectors of business that are presumed vital to the continuing National Critical Infrastructure or the continuing public safety or economic viability of Suffolk County, state, national or global economies. Critical Industries may include: Agriculture, Banking and Finance, Chemical and Hazardous Materials, Defense Industry Base, Emergency Services (not credentialed through CEAS), Energy, Food, Healthcare, Information Technology, Telecommunications, Postal and Shipping, Transportation and Water and Water Treatment Systems.

1. In addition to the above-described critical infrastructure industries, the following industries will be afforded access due to their specific importance: Commercial Building/Property Management, Insurance, Critical Research Facilities and News Media.

D. Essential Service Providers: Contractors or vendors who provide goods or services that are essential to emergency or recovery operations within the County of Suffolk. These providers need not maintain permanent on-site operations in the County of Suffolk but must provide goods or services deemed essential to the ongoing emergency and recovery operations of local businesses on a scheduled or as-needed basis.

E. Identification Cards: A credential allowing the cardholder access to a restricted area. There are two types of cards:

1. Bulk Credential: Sequentially numbered color-coded cards which are issued at the request of the Suffolk County Department of Fire, Rescue and Emergency Services. These cards are issued in bulk to authorized private contractors involved in the disaster recovery operation on an as-needed basis.

2. CEAS Card: A credential issued to critical employees selected by an employer and essential service providers. There are three (3) card types used in the Suffolk County CEAS Program:

a. Standard Card: Is a photo identification card that is issued to a specific individual for access to a single primary work location.

b. Multi-Facility Access Card: Is a photo identification card that is issued to a specific individual for access to ALL company facilities within Suffolk County. The Multi-Facility Access Card is made available to companies with multiple worksites within the sponsoring jurisdiction. Cards are granted on a limited basis.

c. All Area Access Card: Is a photo identification card issued to a specific individual within a specially defined group of businesses that provides access anywhere within the sponsoring jurisdiction. Cards are granted on a limited basis.

F. Access Entry Point: The location at which cardholders or

permitted employees will gain access to a restricted area.

G. Activation Level: A level of CEAS activation based upon the severity of the particular emergency or event which would allow certain predetermined levels of accessibility by a CEAS cardholder.

There are multiple defined levels:

1. ENTRY X: ALL ACCESS PROHIBITED, CEAS NOT IN USE. Access to restricted areas will not be dependent upon having Cards but rather on criteria specified by local public safety officials. Presumably only emergency management and public safety personnel will have authorized access.

2. ENTRY D: DIRECT MITIGATION INVOLVEMENT ONLY. Only those Essential Service Providers and employees of organizations that, in conjunction with government authorities, are directly involved in alleviating the effects of the emergency or event may be allowed access under this level. Since it is anticipated that these individuals will be essential to the mitigation effort, they will not be required to possess CEAS Cards under this program, but they will be allowed to perform emergency work based upon existing organization identification.

a. During Entry D, employees of the following organizations may be permitted access to **perform emergency work** or access their facilities using their official identification and no CEAS Card is required:

- (1) American Red Cross
- (2) AT&T / Cingular
- (3) Cablevision Corporation
- (4) KeySpan
- (5) LIPA
- (6) Salvation Army
- (7) Sprint / Nextel
- (8) Verizon / Verizon Wireless

b. Additional organizations and types of employees may be specifically defined at the time of occurrence by local public safety officials.

3. ENTRY C: CRITICAL EMPLOYEES, CRITICAL INDUSTRIES. Only critical employees of critical industries may be granted access under this level. The County of Suffolk has the authority to decide whether to allow a participant to apply as a critical industry and a participant may apply to BNet for a special exception. (Refer to definitions for Critical Industries.)

4. ENTRY B: BASIC FUNCTIONS, ALL ORGANIZATIONS. Critical employees of all organizations with Cards may be permitted entry to enable basic functioning of business operations until the end of the emergency condition.

5. ENTRY A: ALL PERMITTED, VEHICULAR LIMITATIONS. All employees are permitted entry into the affected area, but limitations on motor vehicles may apply. Access by vehicle will be permitted only for

cardholders, and at the discretion of public safety officials. Non cardholders will be permitted entry if they are traveling by public transportation, in a car pool with a cardholder, or are using other non-vehicular means. Access under Level A may include CEAS Cardholders from Nassau County or New York City if so directed.

IV. REFERENCES

Suffolk County Police Department Rules and Procedures: Chapter 15, Sections 6, 7, 10, 13, 15, 17 and 18

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Communications Section Notifications - The Communications Section Duty Officer, when notified usually from F.R.E.S. or the Suffolk County Police Department that the County Executive has activated the CEAS, will obtain all available facts, including the authorized access level, and notify all commands by teletype, and telephone the Police Commissioner, Chief of Department, Chief of Patrol, Chief of Support Services, Chief of Detectives, and D/Chief of Homeland Security and Anti-Terrorism, giving full details and supplementary information as received.

1. Unless previously initiated, the Police Commissioner or Chief of Department shall determine the proper tactical or contingency plan to be implemented to address the current emergency or special event prompting the activation of CEAS. The Duty Officer shall implement such plan, make the required notifications and note the starting time.

2. The Duty Officer shall maintain liaison with the Offices of the County Executive, Emergency Management Section, Chief of Patrol, Departments of Civil Defense and Fire, Rescue and Emergency Services (F.R.E.S.), Suffolk County Sheriff, and associated agencies as necessary.

3. The Duty Officer shall perform the following functions:

a. Order the emergency mobilization of personnel and equipment, as required and directed.

b. Assign Departmental vehicles as command posts at the scene or scenes, as required.

c. Assign adequate personnel to the switchboard, dispatch and emergency call center.

d. Maintain a separate log of all action taken using PDCS-1084, Supplementary Report.

B. Departmental Notifications and Response - Notifications and the Police response to this emergency shall be guided by the pre-existing tactical plans contained in Chapter 15 of the Rules and Procedures,

"Tactical Operations and Special Events".

1. Precinct Commanders shall maintain liaison with local government agencies, fire departments, hospitals, and public utilities.

2. Incident Commanders or Officers-in-Charge (OIC) at the scene(s) shall notify the Emergency Operations Center, Police Operations Center and Office of the Chief of Patrol of all developments, including their assessment of the access level declared by the County Executive. During activation, OIC's may limit or deny access due to changing conditions.

3. In conjunction with the Duty Officer, Incident Commanders or OIC's at the scene shall assess the time period required for authorized access/entry and attempt to determine which areas should have access denied.

C. Responsibilities of the Office of Homeland Security and Emergency Management Section - Designated personnel at these commands shall maintain liaison with BNet and be the point of contact for communication between BNet and the Department and to establish on-line access to the CEAS database for the purpose of verifying the authenticity of any CEAS Card that may come into question. These commands shall obtain copies of the types of CEAS cards authorized to be used within Suffolk County and ensure that these copies are disseminated to the Duty Officer and respective Precinct Commanders for use by responding officers when they need to authenticate CEAS cards that are presented to them. Designated personnel within these commands shall coordinate any decisions to modify or cancel the CEAS with BNet and the Office of the County Executive.

D. Incident Commander or Officer-in-Charge at the Scene(s) - After responding to a restricted area, Incident Commanders or OIC's shall assess the conditions at the site and identify an outer perimeter, inner perimeter, authorized parking areas and access entry point for the company or firm. Responding Police Officers and Supervisors will be briefed on the following: conditions within the restricted area; boundaries of the inner and outer perimeters; the authorized entry level of the CEAS, and the designated parking areas and access entry point. The authorized hours of operation shall be determined. Based upon current conditions, nothing shall prevent an OIC or Incident Commander from limiting or denying the level of access to properly credentialed business employees. Cardholders may be referred to BNet at 888-353-2369, extension 1001, for further guidance.

E. Responding Police Officers and Supervisors - Supervisors will assign Police Officers to the access entry point for inspection of the cards and identification presented by the cardholders. Additional Officers may be assigned, as required, to the outer perimeter for security or inner perimeter as an escort for the cardholders. Depending upon the type of the emergency/event or size of the business, it may be necessary for Police Officers to escort the cardholders to points within the incident site. Officers assigned to the access entry point shall:

1. Inspect and verify that: the holder of any required CEAS Card matches the photo image on the card; there is a CEAS hologram imbedded within and CEAS ID number affixed; the access level matches that declared

by the County, and the cardholder has duplicate matching identification.

2. If the validity of a CEAS card is questioned, the investigating Officer shall contact the Emergency Management Section who will make the appropriate inquiries with BNet or the County. Invalid cards shall be confiscated and the cardholder will be advised that they may not gain entry to the site. Confiscated cards shall be forwarded to the issuing authority. Investigating officers may request a second form of identification at any time to help confirm the identity of a CEAS cardholder.

3. Inspect any Bulk Credentials for the proper designated color, Suffolk County Seal, and authorized number. Valid photo identification must be presented with a bulk credential.

4. If the Officer assigned to the entry point is unable to determine whether to grant access, he or she can request guidance from a supervisor at the control point or command post.

5. The Incident Commander or OIC shall maintain a daily log of all cardholder activity on PDCS-1084, Supplementary Report.

F. Demobilization and Reoccupation Procedures - The Communications Section, in conjunction with the Emergency Operations Center, shall notify all commands when the CEAS Program is demobilized by the County Executive, and when restricted areas can be reoccupied. Changes will be noted in the Supplementary Reports that are maintained by the affected commands. At the conclusion of the emergency or event which prompted the activation of the CEAS, copies of all appropriate reports shall be submitted to the Office of Homeland Security and Anti-Terrorism for review and preparation of a detailed "after-action" report. This report shall comment upon the appropriateness of the CEAS level(s) declared and the appropriateness of the Police response to the incident. The original after-action report shall be submitted to the Chief of Department, with copies provided to the Office of the Police Commissioner, all Division Chiefs and the Commanding Officer of the Internal Affairs Bureau.

VII. ACCREDITATION STANDARD REFERENCE

N/A

VIII. INDEX

BNet - 15/21
CEAS - 15/21
Corporate Emergency Access System (CEAS) - 15/21
Critical Employee - 15/21
Critical Industries - 15/21
Entry Level - 15/21
Essential Service Providers - 15/21
The Business Network of Emergency Resources (BNet) - 15/21

END



ORDER NUMBER 09-09

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE ARREST PROCEDURES				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 03/27/09	DATE EFFECTIVE 04/24/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 1: TITLE: ARREST PROCEDURES

I. PURPOSE

To provide general guidelines for all arrests and procedures for special arrest situations.

II. POLICY

A person is not arrested nor detained except as provided by law. The definition of criminal acts and omissions and the rules governing arrest procedure authority and jurisdiction are set forth in the various statutes. It is the duty of all members of the Service to frequently review such laws and to keep informed as to all revisions.

III. DEFINITIONS

N/A

IV. REFERENCES

Criminal Procedure Law 160.10, 160.50

V. RULES AND REGULATIONS

A. When a person is arrested without a warrant, such person must be informed of the authority of the officer and the cause of the arrest, except when the person arrested is actually committing an offense or is pursued after an escape from being legally detained.

B. All persons arrested, with or without a warrant, by members of the Service shall be assigned a Personal Identification Number. The Personal Identification Number is assigned by Central Records Section.

C. When a person is arrested the arresting officer shall contact the Arrest Records Unit to determine if the prisoner has been arrested previously within the police district. Since maiden names, nicknames, and aliases are sometimes tendered, an arrestee with a

previous arrest may have a name on file that is different. The name on file with the Arrest Records Unit will be the name of record and is to be used on all arrest paperwork. However, if the arrestee provides credible photo identification (driver's license, passport) for a name different than the name on file with the Arrest Records Unit, then the provided name will be the name of record and the arrest paperwork shall utilize the name supported with photo identification. The arresting officer shall Fax a copy of said identification to the Arrest Records Unit so that the file can be updated. Any name either on file or provided that is different than the name of record shall be recorded as an alias.

D. Arrestees shall be fingerprinted, photographed and palm printed as outlined in this section.

E. The arresting officer is responsible to ensure that an inquiry for NYSPIN File 5 and File 6 (NCIC and DCJS wants/warrants/missing) and local warrants is made for all persons arrested.

F. Executive Law §995-c(3) requires designated offenders who have been convicted and sentenced to provide a DNA sample for inclusion into the State DCJS DNA Databank. DCJS File 15's (Criminal History) and DCJS Fingerprint Responses have begun to include a banner advising that the subject was "Required to provide a DNA sample for inclusion in the State DNA Database."

G. Required Inquiries - All arrests except Field Appearance Ticket (F.A.T.) Defendants - Inquiries for local warrants and NYSPIN File 5, File 6 and DCJS Fingerprint Inquiries are required for all persons arrested for a printable offense and received at the Precinct, including persons under consideration for issuance of a Desk Appearance Ticket. This shall include arrests which are for a voluntary surrender or to assist an associated agency.

1. If the criminal history or fingerprint inquiry reveals that the defendant owes a DNA sample for inclusion into the State DNA database, the procedures set forth below for obtaining buccal swabs shall be followed. Processing officers or detectives shall prepare a Supplementary Report to document whether the required DNA sample was or was not provided by the arrestee.

2. For Desk Appearance Ticket defendants, please refer to Chapter 16, Section 16 for additional processing procedures.

3. For Field Appearance Ticket defendants, please refer to Chapter 9, Section 4 for additional processing procedures.

4. Procedures for non-printable offense defendants are contained below.

VI. PROCEDURES

A. Arrests Without a Warrant -

1. Prisoner Committal Prior to Arraignment (non-warrant)- If a person arrested and booked, under this section (arrest without warrant) is

committed to a mental health hospital by a public health officer:

a. The reporting command will prepare an Internal Correspondence (to Court Liaison Section) advising of committal and requesting a warrant be issued.

In order for the Court Liaison Section to process the warrant request it is necessary for the requesting command to provide a completed Warrant Application (DC-112-77R Arrest Warrant). This form, along with the arrest paperwork, must be attached to the Internal Correspondence and be forwarded to the Court Liaison Section, First District Court, Central Islip.

b. When the Central Records Section receives a warrant (s) for a subject who is committed to a mental health hospital, the warrant(s) will be forwarded to the Fugitive/Missing Persons Section.

c. Fugitive/Missing Persons Section, upon receiving warrant(s) will notify the mental health hospital, that the Fugitive/Missing Persons Section is in possession of warrant(s) with a request that the hospital notifies the Fugitive/Missing Persons Section prior to the subject's release.

B. Arrest with Warrant - The execution of warrants, including warrants for failure to appear, will be considered an operational priority. The timely processing of Arrest Warrants significantly increases the likelihood of apprehension. Officers do have some discretion as to when they might execute an arrest warrant, and this discretion may be exercised in cases of arrest warrants based on minor offenses and non-Penal Law misdemeanors when the officer is relatively certain that the defendant will respond to court. In these instances, practical considerations (such as the health of the potential arrestee) may influence the officer's discretion. If there is any doubt, or in cases where the individual has had prior advisement of the existence of the warrant and has not responded to court, the officer will execute the warrant immediately and in accordance with the CPL and the Rules & Procedures.

Arrest warrants for criminal acts will be given the same priority as the act itself. Felony warrants will be given priority over misdemeanors, which will be given priority over lesser offenses.

When a person is arrested under authority of a warrant, he must be informed as to the authority of the warrant and shown the warrant, provided however, that when a warrant has been issued within this state for the arrest of a person for any offense, an officer having received any communication in the official course of business of the existence of such warrant may arrest such person although the officer does not have the warrant in his possession at the time of the arrest and exigent circumstances exist which do not afford an opportunity to obtain said warrant at such time; provided further, however, that the arrest would have otherwise been proper if the officer had the warrant in his possession. In such event the officer shall advise the person arrested of the offense charged and the fact that a warrant has been issued.

NOTE: Some examples of exigent circumstances are: peril to the safety of

the arresting officer; likelihood that the accused might flee, or the need to prevent destruction of evidence.

1. Prisoner Committal Prior to Arraignment (warrant) - If a person arrested and booked under this section (arrest with warrant) is committed to a mental health hospital, by a public health officer:

a. The reporting command will prepare an Internal Correspondence (to Court Liaison Section) advising of the arrest and committal. It will be forwarded to Court Liaison Section, First District Court, Central Islip.

b. Reporting command will attach to committal papers, a written request that the hospital notify reporting command prior to subject's release along with a copy of warrant, warrant/criminal summons control sheet, or copy of teletype verifying existence of warrant.

c. It will be the responsibility of the reporting command to hold arrest paperwork for five (5) days.

d. If hospital notifies command of pending discharge of prisoner, the prisoner will be picked up and transported to court for arraignment.

e. If not notified within five (5) days the reporting command will contact the hospital, if prisoner is not to be discharged in the near future, they will proceed as follows:

(1) The reporting command will prepare another Internal Correspondence (to Court Liaison Section) advising of committal and execution of the original warrant, and request that a new warrant be issued. It will be attached to arrest paperwork and forwarded to Court Liaison Section, First District Court, Central Islip.

(2) When Central Records receives a warrant(s) for a subject who is committed to a mental health hospital, the warrant (s) will be forwarded to Fugitive/Missing Persons Section.

(3) Fugitive/Missing Persons Section, upon receiving warrant(s) will notify the mental health hospital, that Fugitive/Missing Persons Section is in possession of warrant(s), with a request that the hospital notify Fugitive/Missing Persons Section prior to subject's release.

2. Warrant Fingerprinting - When a person is arrested under the authority of a bench warrant, parole violation warrant, violation of probation warrant, 420.10 CPL warrant (failure to pay), or an F.O.A. warrant, an arrest warrant, county warrant, indictment warrant, or any other warrant not listed here, Livescan fingerprint procedures as outlined in the paragraph of this subsection entitled "Fingerprinting, Palm-printing, Photographing Arrestees" are to be followed. Note: Subjects arrested pursuant to a warrant may or may not have been fingerprinted for the underlying charge. Central Records Arrest Processing Unit can

determine if prints have already been taken. Regardless, a new set of Livescan prints should be taken to ascertain the identity of the individual now under arrest.

3. Identity Disputes - If the arrestee claims that he is not the subject named in a warrant, Livescan fingerprint procedures as outlined in the paragraph of this subsection entitled "Fingerprinting, Palm-printing, Photographing Arrestees" are to be followed to determine identity through fingerprints.

C. Petit Larceny Arrests - All suspects charged with petit larceny shall be arrested by an Officer based upon information and belief. To support the arrest, individuals (the owner or the actual agent of the owner) who witnessed every element of a petit larceny, shall be directed by the arresting Officer to complete and endorse the Deposition in Support of a Charge of Petit Larceny (PDCS-1082-5) while at the incident location. This supporting deposition must be attached to the information. In addition, Officers will request the complainant provide a photograph of the evidence, instead of the Officer physically removing the evidence from the incident scene. If obtaining a photograph is not possible, regular evidence procedures will be followed.

D. Civilian Arrests - A civilian may make an arrest when in conformance with Section 140.30 of the Criminal Procedure Law. When these circumstances exist, the member of the Service informs the complainant of the complainant's right to arrest the person charged and that the complainant will be making the arrest. The complainant must sign a Civilian Arrest Form before the person charged is taken into custody and, as stated in Section 140.35 of the Criminal Procedure Law, must inform the person he is arresting of the reason for such arrest unless he encounters physical resistance, flight, or other factors rendering such procedure impractical. After the notice and in the complainant's presence, the member of the Service assigned will take the subject into custody. The subject must be present or in the immediate vicinity. The complainant will then be advised that he/she must respond to the designated precinct or command within 2 hours to sign the information(s). If it is later determined that the defendant is to be bailed, the civilian will be informed to respond to the command within 3-5 days.

As per Section 140.40 of the Criminal Procedure Law, a member of the Service is not required to and therefore shall not take a person arrested by a civilian into custody if he has reasonable cause to believe that the arrested person did not commit the alleged offense or that the arrest was otherwise unauthorized.

1. Summary Arrest - The Civilian Arrest Form will be used when reporting and/or recording a civilian arrest in any manner. The reporting officer must indicate the following on this form: Subject (full name and date of birth), was taken into custody by (your name and rank), after having been placed under arrest by (name and date of birth of civilian). In those instances when the defendant is not to be released on bail, the desk supervisor will ensure the completed arrest worksheet is immediately faxed to Central Records. If the defendant is given a future appearance date, the arrest worksheet must be completed and faxed to Central Records within 48 hours of

the arrest. (Copies of fax receipts and arrest worksheets will be maintained in command case folders). Once the appropriate arrest paperwork is completed and the Information is produced for signature, the desk supervisor will be responsible to see that the complainant signs the Information. Based on the circumstances, this may include having the complainant transported to the precinct or command to sign the Information or arranging to have the Information brought to the individual to be signed in an officer's presence. When the Information is not signed at the precinct in the presence of a desk supervisor, the Penal Law Warning, False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law, State of New York, must be stamped on each page directly over where the complainant's signature is indicated. The complainant, along with the witnessing officer, shall sign each page.

2. Fingerprinting - When processing a Civilian Arrest, an arrestee will be fingerprinted and photographed in accordance with the procedures as outlined in the paragraph of this subsection entitled "Fingerprinting, Palm-printing, Photographing Arrestees".

3. Unsigned Information

a. In situations where a defendant has been issued a Field Appearance Ticket or a Desk Appearance Ticket after posting bail and the complainant does not come to the precinct or command within 3-5 days to sign the Information the command shall send the complainant a letter via certified mail stating that he/she must now appear at First District Court, Court Liaison Section, between 9:30 a.m. and 4:00 p.m. on any business day prior to the time and day the defendant is scheduled to appear. A copy of the letter (and the return receipt) will be kept in the issuing command's case folder. A second copy shall be forwarded to the Court Liaison Section along with the appropriate arrest paperwork and unsigned Information(s) where all will be held until the appearance date.

b. In situations where a civilian arrest has been made and the Information is not signed by the time the defendant is to be transported to court, the defendant shall be issued a Desk Appearance Ticket without collecting bail (except in Domestic Violence situations - R&P chapter 16, section 6.) and the command shall send the complainant a letter via certified mail stating that he/she must now appear at First District Court, Court Liaison Section, between 9:30 a. m. and 4:00 p.m. on any business day prior to the time and day the defendant is scheduled to appear. A copy of the letter (and the return receipt) will be kept in the issuing command's case folder. A second copy shall be forwarded to the Court Liaison Section along with the appropriate arrest paperwork and unsigned Information(s) where all will be held until the appearance date.

(1) If the complainant appears at the Court Liaison Section prior to the scheduled appearance date, the information shall be signed, witnessed by an officer assigned to the Court Liaison Section or a notary public.

(2) If the complainant fails to appear at the First District Court and sign the Information by the prescribed

date, the Court Liaison Section shall submit, once a month, all unsigned Information that are past their appearance dates to a designated A.D.A. for review and possible dismissal. If dismissed:

(a) the Court Liaison Section shall:

1. Notify the Suffolk County Treasurer's Office that bail, if any, must be returned.
2. Notify the appropriate precinct to forward the arrest paperwork to Central Records.
3. Forward the court paperwork to Central Records where it will be consolidated with other pertinent paperwork collected from the precincts.
4. Notify the defendant that the complainant failed to prosecute.

(b) Command

Administration - the arrest paperwork on file at the precinct will be forwarded to Central Records Section.

(c) Upon receiving the

paperwork in a3 and b above, Central Records Section shall:

1. Perform a Criminal History Check with D.C.J.S. and if D.C.J.S. has already been notified of the arrest, they will be informed to delete the arrest.
2. Seal the defendant's record of this arrest, in accordance with 160.50 CPL.

E. Arrest made by Department of Social Services - When a civilian arrest is made by an employee of the Social Services Offices, acting in an official capacity within Social Services facilities, members of this Department will proceed as follows:

1. On arrival of the police officer, the subject will be placed under civilian arrest and taken into custody. A Social Services Department supervisor and the employee making the arrest will immediately respond to the precinct.

2. At the precinct the Social Services Department employee will sign a sworn affidavit outlining the offense. The Social Services Department supervisor will then sign the proper violation or criminal information form based on information and belief.

3. The information and the affidavit will be attached to other arrest paperwork and processing will continue in the usual manner except that a Civilian Arrest Form will not be prepared or submitted.

F. Suffolk County Court Officer (SCCO) Arrests - When a SCCO makes

a summary arrest in performance of their duties and acting within their jurisdiction, prisoner booking and records distribution will proceed in the same manner as outlined for arrest made by members of this Department except as outlined below.

1. If the offense charged is a violation or misdemeanor, the court officer will process the arrest. The court officer will obtain a PIN from Central Records Section, but will not obtain a Police Department cc number. Instead, court officers have been instructed to obtain a cc number from the District Attorney's Office.

a. When a SCCO calls to obtain a PIN for an arrest, Central Records personnel will perform a warrant check. If found active, bench warrants will be executed by the SCCO. Other warrants (i. e., arrest warrants, town or village court warrants) which court officers are not authorized by law to execute, will be processed by members of the Service assigned to the Court Liaison Section. The officer from the Court Liaison Section shall submit an Arrest Worksheet for the arrest, along with any other required paperwork (e.g., Field Report if a cc number is drawn).

2. If the offense charged is a felony, the court officer will remand the defendant to the nearest precinct where a member of the detective squad will process the arrest. In such cases the detective will draw a cc number for the arrest and complete the appropriate arrest paperwork.

G. When Suffolk County Probation Officers make summary arrests in performance of their duties and acting within their jurisdiction, the arrests will be handled in the same manner that arrests made by Suffolk County Police Officers are handled, per this section. Probation Officers have been issued P.I.D. numbers, and they have been instructed on how to complete the required paperwork, including drawing Central Complaint Numbers and filling out Field Reports (PDCS 1053). As a result, it is not necessary to have the name of a Suffolk County Police Officer listed as reporting officer on arrest made by Probation Officers. Most of the summary arrests made by Probation Officers will be for Sections 1192 and 511 of the Vehicle and Traffic Law. NOTE: When the subject arrested also has an active PROBATION WARRANT, the Probation Officer will advise the Department that he is executing or recalling the warrant. In such cases, the Probation Officer is not required to submit an Arrest Worksheet for the probation warrant. If there are other active arrest warrants on the subject arrested by the Probation Officer (other than probation warrants), these warrants must be executed by a Suffolk County Police Officer in the normal warrant arrest manner dictated by this chapter.

H. Suffolk County Park Police Arrest - When a Suffolk County Park Police Officer transports an arrestee to a Police Department facility for processing, the Park Police Officer will handle the arrest utilizing the same procedures and paperwork as a Suffolk County Police Department officer (e.g., Park officer is responsible for the completion of appropriate Police Department paperwork, prisoner needs, etc.). Members of this Department shall render assistance as necessary (e.g., fingerprinting, lodging, Intoxilizer testing, etc.).

I. F.O.A. Arrests (For Other Authority) - A member of the Service who is notified personally, or by mail, telephone, radio, telegraph, teletype (telecommunications) or by any other means to effect a legal arrest for members of another law enforcement agency not actually present, will make such an arrest utilizing this Department's prescribed techniques for effecting a warrant arrest or a summary arrest, except that all paperwork will be titled "F.O.A. Arrest" and the "Details" section of all reports will indicate for whom the arrest is being made. When processing an F.O.A. arrest, an arrestee will be fingerprinted, palmprinted, and photographed in accordance with the procedure established in subsection VI. L., of this section of the Rules and Procedures Manual titled "Fingerprinting, Photographing, and Palmprinting Arrestees." Members of the Service will not make an arrest for a member of another law enforcement agency who is actually present, unless such officer is physically or jurisdictionally unable to make such lawful arrest. However, members of the Service will assist members of other law enforcement agencies actually present and able to perform a legal arrest as outlined in the section titled "Assisting Another Authority."

1. NOTE: If the arrest involves an out-of-state arrest warrant or a Fugitive from Justice from outside of New York State, the Fugitive/Missing Persons Section shall be contacted. If the arrest is made between 0100 and 0900 hours and the Fugitive/Missing Persons Section is not available, the arresting officer is required to notify the Teletype Section. At 0900, the Teletype Section shall notify the Fugitive/Missing Persons Section, who will then coordinate the investigation, arrest, and all necessary follow-up with the District Attorney's office and the out-of-state agency.

J. Assisting Another Authority - A member of the Department will notify his or her supervisor when a request is received to assist another authority with an arrest. When assisting officers of another authority (except Suffolk County Court Officers, see sub-section F.) who are on duty and making a legal arrest in the performance of their duties, members of the Service shall prepare a Field Report titled "Assist to Other Authority," listing in the body of the report the full name of the arrestee; full name, rank, shield number and agency of the arresting officer; the crime charged; and the location where the arrestee was transported. In any instance where a Suffolk County Police Department Central Complaint Number has previously been assigned to the incident under review by the associated agency, the assisting member of this Department shall prepare a Supplementary Report (PDCS-1084) concerning the assistance rendered and shall utilize the existing Suffolk County Police Department Central Complaint Number. Upon arrival at a Suffolk County Police Precinct, a proper entry will be made to the electronic blotter. Members of the Service will further assist officers of another authority with the following:

1. Record and warrant inquiries. NOTE: If the arrestee is wanted on an active Suffolk warrant unrelated to the original arrest charge, the original arrest processing shall be completed. The subject shall then be arrested for the warrant by a sworn member of this Department, who will execute the warrant in accordance with current established procedures.

2. Preparation of all required arrest paperwork - An arrest worksheet will be completed and submitted to the Desk Supervisor for review and approval. The paperwork will list the officer of the other authority as the arresting officer. Upon approval by the Desk Supervisor, the arrest worksheet will be faxed to the Arrest Processing Unit. The completed arrest package will be sent back to the arresting officer and printed. The accusatory instrument, if applicable, will be signed by the arresting officer and properly verified before the Desk Supervisor. If the arresting officer requests that his prisoner be lodged at the precinct, members of the Service will follow the procedures outlined in the section titled, "FOA Lodging." (Chapter 16, Section 12)

3. Fingerprinting and photographing the arrestee - Members of the Service will follow the procedures outlined in the section titled "FOA Lodging." (Chapter 16, Section 12)

K. Off Duty Arrests by an Officer of Other Authority - When a legal arrest is made by an off-duty officer of another authority, a sworn member of this Department will take the arrestee into custody and assist with the processing of the arrest. Arrest paperwork will list the officer of the other authority as the arresting officer and the sworn member of this Department as the reporting officer. The fact that the arrest was made by an off-duty officer of another authority shall be documented. The accusatory instrument, if applicable, will be signed by the officer of the other authority and properly verified before the Desk Supervisor. Arrest processing will proceed in accordance with procedures regarding arrests made by sworn members of this Department.

L. Fingerprinting, Palm-printing and Photographing Arrestees - All fingerprinting, palm-printing and photographing shall be performed prior to the arrestee's release from custody as set forth below. This includes arrestees taken into custody as the result of a civilian arrest. The only exceptions are for those arrestees issued Field Appearance Tickets who will be printed and photographed by Court Liaison Section, as required upon the arrestee's appearance at court, as outlined in Chapter 9, Section 4, titled, "Appearance Ticket Procedures."

1. Fingerprints: The responsibility for taking arrestee fingerprints, palm prints, and photographs lies with the division responsible for the follow-up investigation, either detective or patrol, except as stated below. The involved members of both divisions will render assistance and cooperation as warranted, to accomplish this responsibility.

a. Patrol Division Arrest Processing - The Precinct Desk Supervisor will be responsible for fingerprints, palm prints, and/or mug shots that are taken when necessary using the Livescan system. If Livescan equipment is unavailable, one set of inked fingerprints will be taken utilizing a New York State Adult Fingerprint Card (DCJS-2) and one set of inked palm prints utilizing the Suffolk County Palm Print Card (PDCS 3233). The related arrest/personal data will be manually filled out on the cards. The cards are to be forwarded with the arrest paperwork to the Court Liaison Section. Members of the Court Liaison Section will fax the fingerprint card to DCJS and then forward the fingerprint and palm print cards to the Identification Section.

b. Detective Division Arrest Processing - For those arrests processed by members of the Detective Division, the Detective Supervisor shall assume the responsibilities of the Desk Supervisor as specified above. At those times when a Detective Supervisor is not available, these responsibilities will remain with the arresting/investigating detective. In addition, the processing detective will ensure that the Booking Data Sheet contains all charges, including those processed by the Patrol Division. If there are any errors, contact the Central Records Section, Arrest Processing Unit for corrections.

c. Court Liaison - The Court Liaison Section is responsible for fingerprinting, palm-printing, and photographing recipients of Field Appearance Tickets upon the defendant's arrival at court on the designated date (see Rules and Procedures Chapter 9, Section 4). Upon conviction of a printable offense, defendants not previously photographed, palm-printed, and fingerprinted shall be photographed, palm-printed, and fingerprinted at First District Court by personnel of the Court Liaison Section.

(1) Mandatory Fingerprinting - Following an arrest, a person accused of the following must be fingerprinted:

- (a) Felony
- (b) Misdemeanor defined in the Penal Law
- (c) Misdemeanor defined outside the Penal Law, such as D.W.I., which would constitute a felony if such person had a previous judgment of conviction for a crime.
- (d) Loitering, as defined in subdivision three of section 240.35 of the Penal Law.
- (e) Loitering for the purpose of engaging in a prostitution offense as defined in subdivision two of section 240.37 of the Penal Law.

(2) Optional Fingerprinting - A police officer who makes an arrest for any offense, either with or without a warrant, may take or cause to be taken the fingerprints, palm prints, and photograph of the arrested person if such police officer:

- (a) Is unable to ascertain such person's identity.
- (b) Reasonably suspects that the identification given by such person is not accurate.
- (c) Reasonably suspects that such person is being sought by law enforcement officials for the commission of some other offense.

d. Suffolk County Sheriff's Department Police I.D. Thumb Print Cards - To be completed by a member of the appropriate command. Only one card is used and right thumb impression is taken. This card is used only when a prisoner will be transported to court, and the completed card is attached to the arrest paperwork. The thumb print card will be remanded to the Sheriff's Department when the prisoner and property are taken into custody by the court personnel.

2. Photographs and Palm prints - Photographs and palm

prints of an arrestee are permitted in all cases where fingerprints are permitted to be taken in accordance with CPL 160.10 and as such will normally be taken. In addition, such photographs and palm prints will be taken if the arrestee threatens retaliation against anyone including, but not limited to, a member of the Department, a complainant, a witness or a victim. Photographs will also be required in the following situations.

a. Photographs will be taken if an arrestee sustains an injury or alleges an injury. Photographs will be taken if an arrestee is subjected to any force, including restraining force, or is charged with Resisting Arrest, whether or not the arrestee is injured or alleges injury. The required photographs are taken in addition to mug shots. The photographs will clearly depict the following body areas of the arrestee:

- (1) Overall front and back areas.
- (2) Close-ups of all exposed areas.
- (3) Close-ups of all injured areas.
- (4) Close-ups of all areas alleged by the arrestee to be injured.
- (5) Upon consent of the arrestee, close-up photographs of the following body areas: front and rear torso (male), rear of torso (female), legs and feet. No efforts shall be made to compel or force an arrestee to submit to any photographs of the foregoing body areas.

b. Photographs will be taken of the scene and any evidence pertaining to the arrestee's injury / alleged injury, if applicable.

c. The Precinct Crime Section or Crime Scene Section will take the photographs, whenever possible. Digital cameras or 35mm. film cameras will be used. If the Precinct Crime Section or Crime Scene Section is not available, any personnel and/or equipment may be used.

d. The injury / alleged injury photographs will be documented on a *Supplementary Report* (PDCS-1084) by the Officer taking the photographs. The Officer will also make the proper notations on the *Prisoner Activity Log* (PDCS-2032).

f. The Supervisor conducting an interview of the arrestee will ensure the photographs are taken and will make notation on the *Prisoner Activity Log*. The processing command will ensure the photographs are taken.

M. Buccal Swabs - New York State DCJS has provided Buccal Swab kits to be utilized by law enforcement when they become aware that an offender owes a DNA sample. The Court Liaison Section and each Precinct shall obtain a sufficient supply of these kits from the Supply Stockroom and keep them accessible for arrestee processing.

1. The Information Technologies Section has obtained a training video entitled "Offender DNA Specimen Collection Procedure for the NYS

DNA Databank". All sworn members will watch the video, and refer to it as necessary when taking a sample. The video is available on the Department Intranet Training page.

2. Inquiries for local warrants and NYSPIN File 5, File 6 and DCJS Fingerprint Inquiries are required for all persons arrested for a printable offense and received at the Precinct, including persons under consideration for issuance of a Desk Appearance Ticket. This shall include arrests which are for a voluntary surrender or to assist an associated agency.

3. For non-printable offense defendants, processing officers shall obtain and verify as much pedigree as possible and telephonically request that the Arrest Records Unit run a File 15 through *E-Justice* for the defendant.

4. For printable offenses, processing officers shall transmit copies of the arrestee's Livescan fingerprints to the Arrest Processing Unit for further transmission to DCJS.

5. Upon receipt of the DCJS File 15 Response or DCJS Fingerprint Response, Arrest Records Unit personnel shall promptly review the response and telephonically advise the arresting officer if a DNA sample is required.

6. If a DNA sample is required, Arrest Records Unit personnel shall forward electronically or by FAX a complete copy of the File 15 or DCJS Fingerprint Response to the processing Precinct. A copy of the appropriate response shall be affixed to the arrest paperwork.

7. If the DCJS Fingerprint Response or File 15 on a non-printable offense defendant is not received prior to when the prisoner will be transported to the Court, the Precinct Desk Supervisor or processing officer shall annotate both the Prisoner Activity Log and Prisoner Transmittal Sheet that the "DCJS print response was not received." This will alert Court Liaison Section personnel that either a response is forthcoming or another inquiry will be required.

8. When a DNA sample is required, authorized personnel shall obtain a buccal swab from the subject or assist the individual in providing a buccal swab following the procedures outlined in training and the collection kits. Samples shall be returned to DCJS according to the kit instructions. (The green copy of the Specimen Submission Form, "Submitting Agency Copy", shall be retained at the Precinct.) Processing officers shall make every effort to obtain this sample voluntarily from the prisoner.

a. Supplementary Reports are required to document whether the required DNA sample was, or was not, provided by the arrestee. A pre-printed, fillable Supplementary Report for DNA reporting, (PDCS-1084-11), is now available on the SCPD Intranet under the Online Forms category.

b. A General Receipt will be provided to the arrestee, stating the time and date the DNA sample was taken and the Prisoner Activity Log shall be annotated with the

same information.

9. Refusals to Provide DNA - Any defendant who owes a DNA sample and refuses to provide said sample, shall not be released and shall instead be transported to Court. Refusals to provide the required DNA sample shall be documented as above and "DNA REFUSAL" shall be stamped in red ink on the Prisoner Activity Log and near the prisoner's name on the Prisoner Transmittal Sheet. This procedure will alert the Court Liaison Section, Sheriff, Assistant District Attorney and the Court that the subject owes a DNA sample before being released. A copy of the Supplementary Report documenting such refusal shall be affixed to the Prisoner Transmittal Sheet and processing officers shall further indicate on the Prisoner Transmittal Sheet that there is a "hold" on the prisoner.

10. Court Liaison personnel - shall continue to review all submitted arrest paperwork when received and determine if the appropriate Fingerprint or File 15 inquiries have been run on each arrestee. If there is no indication that they were conducted, the Court Liaison officer shall make the appropriate inquiry. If a DNA sample is due, the Court Liaison officer shall obtain the buccal swab from the prisoner following the procedures outlined above. The processing Court Liaison officer shall then submit the required Supplementary Report. Refusals will also be handled as above.

N. Reporting Procedures - Members of the Service who prepare cases for court actions are responsible for completing and forwarding the following paperwork to the Court Liaison Section for each defendant prior to arraignment. The required forms and paperwork are, but not limited to:

1. Arrest Report

2. Prosecution Worksheet

3. Information - Of the type required. For vehicle and Traffic Law violation - summary arrest non-felony, the summons court copy suffices as the information.

4. Arrest Record - Prepared when the defendant is arraigned at court after his or her arrest. When a defendant is released on a Field or Desk Appearance Ticket, except if the arrest is for Driving While Intoxicated or Driving While Ability is Impaired by Drugs or Alcohol in violation of the New York State Vehicle and Traffic Law, Section 1192.1, 2, 3, or 4, this report need not be prepared.

5. Appearance Ticket (when issued) - If defendant is bailed include cash bail and Cash Bail Receipt.

6. Warrant or Computer Printout (photocopy) - If defendant is arrested on a warrant.

7. Cancellation of Warrant Request - When appropriate: When a member effects a summary arrest of an individual for an incident, and the incident has been assigned to an investigative command for investigation, the Arresting Officer shall complete PDCS 3250, Cancellation of Warrant Request. The Cancellation of Warrant Request shall be completed whether or not verification is obtained from the investigative command that a warrant

request has, in fact, been made. The Arresting Officer will fax the completed Cancellation of Warrant Request to the Court Liaison Section at 853-4519, and will attach a copy of the form to the arrest paperwork forwarded regarding the incident and the arrestee shall be withdrawn. The original Cancellation of Warrant Request, along with the fax transmission receipt verifying transmission of the form to Court Liaison Section, shall be forwarded to the investigative command assigned to investigate the incident. Said form and fax receipt shall be retained in the case folder. If a warrant request has been forwarded, the assigned investigative command shall verify with Court Liaison Section that the warrant request has been recalled.

8. Police Accident Report (photocopy) - As required, when auto crashes are coupled with criminal actions.

9. Supporting Deposition - Verified in all Vehicle and Traffic Law misdemeanor cases only where a summary arrest is made and in such other cases as may be directed by the court. NOTE: A supporting deposition is not required whenever an information is used.

10. Deposition - Whenever a member of the Service makes a felony arrest based on his/her personal knowledge, but the felony complaint will be signed by another member of the Service based on information and belief, the arresting officer shall complete a Deposition, PDCS 1016, and have it verified by swearing to such instrument before the desk supervisor. The supervisor shall sign in the appropriate space and attach the Deposition to the paperwork being forwarded to the detective/officer that will prepare and sign the felony complaint. Additionally, a Deposition shall be used when required to support a court information and in such other cases as may be required by the court or the Office of the District Attorney.

11. Alcohol Influence Report - When appropriate ref. 16/2

12. Report of Refusal to Submit to Chemical Test - When appropriate ref. 16/2

The supervisor reviewing the paperwork at the command where the arrest is processed shall ensure the completeness and accuracy of all reports submitted prior to forwarding to the Court Liaison Section.

The commanding officer of the Court Liaison Section is responsible for ensuring that all paperwork required has been submitted and is complete.

13. Memo Book Page (photocopy) - On all arrests (including F.A.T. and civilian arrests), a copy of the arresting officer's Memo Book Page, valid for the tour on which the arrest is made, shall be forwarded to the Court Liaison Section with the arrest paperwork for subsequent submission to the District Attorney's Office.

14. Prisoner Activity Log - Include a copy in all prisoner packets sent to the Court Liaison Section. The original is forwarded to Central Records.

15. Supplementary Reports - As required or necessitated.

O. Un-Arrest Procedures - According to the Criminal Procedures Law, if after arresting a person, for any offense, a police officer upon further investigation or inquiry determines or is satisfied that there is not reasonable cause to believe that the arrested person committed such offense or any other offense based upon the conduct in question, he need not follow any of the procedures prescribed in subdivisions one, two and three, but must immediately release such person from custody. Therefore, whenever Un-Arresting a person in custody, the following procedures will be utilized:

1. Obtain the defendant's name, address and date of birth, then release the defendant from custody.

2. Prepare a Supplementary Report, using the original Central Complaint Number, and include the following information within the body of the report.

a. Incident: Enter the type of arrest and then (Un-Arrest) afterwards.

b. Include the defendant's name, address and date of birth.

c. Details

(1) The circumstances under which the defendant was arrested.

(2) The charge(s) defendant was arrested for.

(3) Outline the Reasonable Grounds to Believe for making the arrest.

(4) Include the circumstances which resulted in the defendant's release.

(5) The name and rank of the supervising officer notified of the defendant's release.

(6) The time of the defendant's release.

NOTE: The status of the case should remain Active or Pending unless the case is cleared or closed for other reasons.

3. Distribution

a. The Supplementary Report and all other original documents, will be forwarded to Central Records Section as soon as possible.

b. Photocopies of the above paperwork will be forwarded to the commanding officer of the command involved in the Un-Arrest.

P. Dangerous Apparatus Operator - An officer does not take into custody

a person who is operating a mechanical apparatus, which may be dangerous to life or property, until the apparatus has been safeguarded and/or secured.

Q. Welfare of Passengers - A member effecting an arrest of an operator of a motor vehicle shall ensure that all reasonable measures are taken to ensure the safety and welfare of any passengers in the vehicle. Members shall not transport passengers or any other person while transporting an arrested subject. Any intoxicated passengers shall be handled in accordance with procedures specified in Chapter 9, Section 2.

1. Securing Arrestee's Vehicle - When a member of the Service arrests the operator of a motor vehicle, the officer will ensure that reasonable measures are taken to secure the defendant's vehicle.

a. When a member of the Service arrests the operator of a motor vehicle classified as a motorcycle, the officer will ensure that an authorized person takes possession of the motorcycle. If no authorized person is available, the member of the Service effecting the arrest shall ensure that the defendant's motorcycle is impounded for the purpose of safe keeping. An impound shall be handled in accordance with procedures specified in Chapter 20, Section 4.

R. Welfare of Persons in Care/Custody of Arrestee - A member effecting an arrest of a subject who has care or custody of any person(s) - and such person (s) is/are dependent on the care or custody of the subject - shall ensure that all reasonable measures are taken to ensure the safety and welfare of such person(s).

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Warrant/Criminal Summons Control Sheet

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 09-06
 09-25

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE
 D.W.I. ARRESTS

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 02/06/09 06/11/09	DATE EFFECTIVE 12/30/08 06/11/09	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 16: TITLE: ARRESTS AND PRISONERS

SECTION 2: TITLE: D.W.I. ARRESTS

I. PURPOSE

To provide a procedure to be followed when executing an arrest for D.W.I.

II. POLICY

When a member of the Service has reasonable grounds to believe that the operator of a motor vehicle or motorcycle is intoxicated by virtue of alcohol or that the person's ability to operate is impaired by virtue of alcohol or drug, he/she shall arrest the said operator in conformity with the Vehicle and Traffic Law.

III. DEFINITIONS

A. Drug - Marijuana or any substance described in Section 3306 of the New York State Public Health Law; or any substance, which, when taken into the human body, can impair the ability of the person to operate a vehicle safely.

B. Drug Recognition Expert (DRE) - is a member of the Service trained and certified in the observation, evaluation and recognition of impairment caused by the use of legitimate or illicit drugs. A DRE officer is certified by the National Highway Traffic Safety Administration (NHTSA) and the International Association of the Chiefs of Police (IACP).

IV. REFERENCES

New York State Public Health Law
 New York State Vehicle and Traffic Law

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Arrest Authority Vehicle and Traffic Law - The New York State Vehicle and Traffic Law contains only two instances in which a police officer can arrest for an offense other than a misdemeanor or felony not committed in his presence. One instance is found in Section 1194 1 (a), which authorizes an arrest by a police officer without a warrant for Driving While Ability Impaired by the Consumption of Alcohol, coupled with a vehicle crash, even though the officer did not witness the operation of the vehicle by the accused. The other is found in Section 602, which permits the arrest without a warrant in cases involving leaving the scene of an incident, (addressed in Chapter 8, Section 2 of these Rules and Procedures).

1. Driving While Ability Impaired by Consumption of Alcohol (DWAI) - Although the issuance of a summons/Simplified Traffic Information for such offense may be legally permissible, Members shall not issue a summons to a defendant for the violation of DWAI under any circumstances. The charge of DWAI shall only be processed via a summary arrest of the defendant.

B. Lack of Reasonable Grounds - When a member of the Service does not have reasonable grounds to believe that the operator of a motor vehicle or motorcycle involved in a crash or other incident was operating said motor vehicle or motorcycle in an intoxicated condition or while his ability to operate said motor vehicle or motorcycle was impaired, and another operator or any person demands that an arrest be made, the member of the Service will advise such person that an arrest will not be made because of the lack of probable cause to justify such arrest.

C. Civilian Arrest - If, after a civilian arrest has been legally effected for an alleged offense of operating a motor vehicle or motorcycle while in an intoxicated condition or while ability to operate is impaired, and the prisoner has been turned over to a member of the Service who has reasonable grounds to believe that the prisoner did operate such motor vehicle or motorcycle while intoxicated or his or her ability to operate was impaired as alleged, the member of the Service shall effect the citizen's arrest as contained in Chapter 16, Section 1 of these Rules and Procedures. However, it shall be the Member's responsibility to ensure that any required testing of the defendant is performed.

D. Welfare of Passengers, Welfare of Persons in the Care/Custody of the Arrestee and Securing Arrestee's Vehicle - Procedures are contained within Chapter 16, Section 1.

E. Standard Field Sobriety Tests - Whenever practical or as circumstances permit, members of the Service shall administer standard field sobriety tests. All field sobriety tests shall be properly administered in accordance with Department approved training. The arresting officer shall document the results of the field sobriety tests, any other notable actions of the suspect, or reasons where conditions prevented the administration of field sobriety tests on form PDCS-3225, Field Sobriety Test Notes. The original and one copy of the Field Sobriety Test Notes shall be made part of the command case folder and four copies

will be made for the court paperwork.

F. Advanced Roadside Impaired Driving Enforcement (A.R.I.D.E.)

Field Sobriety Tests - If drug impairment or a combination of alcohol and drug impairment is suspected, members of the Service shall administer, whenever practical or as circumstances permit, A.R.I.D.E. field sobriety tests. All A.R.I.D.E. field sobriety tests shall be properly administered in accordance with Department approved training. As further contained in the below-listed procedures, an arresting officer may also request the assistance of a Drug Recognition Expert to conduct an evaluation of the arrestee.

1. If the original arresting officer is not A.R.I.D.E. trained, he or she can obtain the assistance of an A.R.I.D.E. trained officer through dispatch.

2. The investigating officer shall document the results of these field sobriety tests or other notable actions of the suspect on form PDCS-3228, A.R.I.D.E. Field Sobriety Test Notes. The original and one copy of the A.R.I.D.E. Field Sobriety Test Notes shall be made part of the command case folder and four copies will be made for the court paperwork.

G. Pre-Screening Breath Device - A pre-screening breath device will be used by members of the Service as follows:

1. The pre-screening breath device will be utilized in accordance with Section 1194 1 (b) of the Vehicle and Traffic Law. All personnel will familiarize themselves with this section of the law.

2. The pre-screening breath device will be operated only by personnel who have successfully completed the required training session.

3. Whenever a pre-screening breath test is requested or administered, a memo book entry must be made specifying the time and location of the test, the serial number of the device, the result, and the reason why the pre-screening test was administered. If the subject is arrested, the pre-screening breath test results will also be recorded in the Field Sobriety Test Notes.

4. Subsequent to a pre-screening breath test being administered, a summons will be issued for the violation, if one occurred, that was the basis for the pre-screening breath test, but only if the violation was witnessed by the officer.

5. If the pre-screening breath test is refused, a summons shall be issued for the appropriate section of the Vehicle and Traffic Law.

H. Chemical Test Refusal - If the prisoner refuses to submit to a chemical test or to any portion thereof, the arresting officer must then submit a sworn statement on a "Report of Refusal to Submit to Chemical Test" DMV form AA-134, which is submitted to the court of arraignment with

the arrest paperwork. An additional photocopy of this form will be made by the arresting officer and submitted to the Court Liaison Section with the arrest paperwork. This copy will be forwarded to the District Attorney's Office. The arresting officer must state that he/she had reasonable grounds to believe the arrestee was operating a motor vehicle in an intoxicated condition or the person's ability to operate was impaired by alcohol or drugs and that the arrestee refused to submit to a chemical test.

1. Court Liaison Section - After a defendant refuses to submit to a chemical test, that person's license is suspended by the court and a Notice of Temporary Suspension and/or Notice of Hearing is completed. The Court Liaison Section must then immediately forward all such notices issued by the court to the command of the arresting officer.

2. Command Responsibility - The command receiving the notice will immediately notify the arresting officer of the scheduled hearing date and retain the notice with the command copy of the arrest paperwork.

3. Arresting Officer's Responsibility - Arresting officers will respond to the New York State Office Building, Department of Motor Vehicles, 3rd floor, Veterans Memorial Highway, Hauppauge, New York on the date and time prescribed in the aforementioned notice. Officers responding must have in their possession copies of the Report of Refusal to Submit to Chemical Test and Notice of Temporary Suspension and/or Notice of Hearing and any supporting depositions/witness statements. In addition, Officers should review the command copies of the arrest paperwork prior to the hearing.

I. Chemical Test Submission - When a prisoner consents to submit to a chemical test for intoxication or impairment due to alcohol or drugs, a breath, blood or urine test is to be administered. These tests ordinarily must be administered within two (2) hours of the defendant's arrest or prescreening breath test, whichever occurs first. All efforts must be made to effect the administration of a chemical test within the prescribed two-hour period. However, when a defendant has voluntarily consented to submit to the administration of a chemical test, the two (2) hour time limitation for the administration of the test may be extended. Any such time delay must be reasonable and there must be articulable circumstances that prevent the administration of the chemical test within the two (2) hour time limitation. The blood kits and the Intoxilyzer instruments required for administering the prescribed tests are available at the precincts. Urine kits are available at the Highway Patrol Office.

1. A person in custody, who has been arrested for any offense that requires the taking of a chemical test as per this Section, is permitted to have a lawyer present when the test is given, if so requested. However, the fact that the lawyer is not present will not be used to delay the administering of the chemical test beyond the two (2) hour time limit. A lawyer present at any test may be subpoenaed as a witness for the prosecution.

2. In cases where the defendant's attorney is present for the

administering of a chemical test, enter the following information on a Supplementary Report (copies as required) and submit with the accompanying Arrest Report.

a. Lawyer's name, address and telephone number; date and time he was notified and by whom; the time defendant's lawyer arrived and was present at test.

J. Official Chemical Test - The official instrument utilized by the Department to determine alcohol content of blood of a person arrested for driving while under the influence of alcohol is the Intoxilyzer. The person tested shall be permitted to have a physician of their own choice administer a chemical test in addition to and following the one administered at the direction of the police officer. Refusal by the arrested person to submit to a particular test directed by the police officer, even though the arrestee consents to submit to an alternative test, shall be considered a refusal to submit to a chemical test. The alternate chemical test for determining alcohol content (blood) is to be utilized only upon any of the following circumstances:

1. The arrestee is involved in a motor vehicle crash involving a death or serious physical injury.

a. Blood Test - Death/Serious Physical Injury Crash - As contained in these Rules and Procedures at Chapter 8, Section 2, "Auto Crashes", immediately upon a determination that a fatal or serious physical injury crash has occurred where probable cause exists that one or more operators is in violation of any subdivision of section 1192 of the New York State Vehicle and Traffic Law, the assigned officer notifies the Communications Section via radio. He requests a patrol supervisor, a detective from the appropriate Precinct Detective Squad, and a member of the Crime Scene Section. In all motor vehicle crashes involving serious physical injury or fatality (sustained by someone other than the arrestee), where an arrest for DWI or DWAI is made, the Intoxilyzer will not be used for testing of the arrestee. In such cases, the authorized test will be a blood test. If the arrestee refuses consent for the blood test or is unable to give consent for such test, the assigned detective shall ensure that an application for a warrant to obtain a blood sample from the arrestee shall be made. The courts have held that the two hour statutory period for the administration of a chemical blood alcohol test does not apply to a court ordered test. The arresting officer and/or the assigned detective shall ensure that any blood samples obtained from the arrestee shall be obtained in accordance with "Blood Test" procedures contained below within this Section, and also with the applicable provisions contained in the Vehicle and Traffic Law. The arresting officer and/or assigned detective may request the assistance of a DRE to conduct a Drug Recognition Evaluation.

2. The arrestee sustained an injury that prevents administration of a breath test.

3. Circumstances prevent timely administration of a breath test.

4. The arrestee is charged with Driving While Ability Impaired by Drugs. (See Drug Recognition Evaluation procedures below.)

5. The arrestee is charged with Driving While Ability Impaired by the Combined Influence of Drugs or of Alcohol and any Drug or Drugs, (VTL Section 1192-4a). In such cases, the authorized test will be a blood test.

K. Fingerprint - The arresting officer will ensure that the prisoner's fingerprints are taken as prescribed by law and Department procedures.

L. Record Checks - Arrest record, driving record, license check:

1. Request a File 15 Inquiry (criminal history) via the dispatcher. The dispatcher will then contact the Teletype Unit to perform the inquiry.

2. Make a DMV inquiry of the license and driving record of the arrestee.

3. Members should be aware that numerous provisions exist within the Vehicle and Traffic Law that provide for an upgrading of the classification of charge(s) depending upon circumstances present at the time of arrest and/or prior convictions of arrestee. The charges will be upgraded as appropriate. When a felony is to be charged, the arresting officer shall complete a Felony Complaint (SSCS-1000) as follows:

a. When there is reasonable cause to believe the arrestee is under the influence of alcohol, charge Section 1192 subd. 3 of the VTL in instances where chemical tests are not administered or the results of administered chemical tests have not yet been received. If arrestee submits to an Intoxilyzer test, also charge Section 1192 subd. 2 of the VTL when the results support the charge.

- or -

b. Charge Section 1192 subd. 4 of the VTL when the arrestee is suspected of operating a motor vehicle while the person's ability to operate such a motor vehicle is impaired by the use of a drug.

c. In addition to the information which is normally included in the "to wit" section of a misdemeanor information, the following information shall be added: The defendant was previously convicted, within (state appropriate time frame), of operating a motor vehicle while under the influence of alcohol or drugs in violation of Section 1192, (insert applicable subsection) of the New York State Vehicle and Traffic Law.

-or-

The defendant was previously convicted within (state appropriate time frame), of a violation of (state the appropriate Penal Law section as it relates to Vehicular Manslaughter or Vehicular Homicide) of the New York State Penal Law.

d. It shall be stated that the Felony Complaint is based on personal knowledge and information and belief, the source being the:

(1) Attached local record check from Central Records, obtained via facsimile machine; and/or

(2) The DMV abstract (computer printout) obtained from the New York State Department of Motor Vehicles.

M. Death or Serious Physical Injury - Required Notations on Court Paperwork - When an arrestee is charged with a violation of Section 1192, subdivision 2, 2a, 3, 4, or 4a of the Vehicle and Traffic Law and someone other than the arrestee dies or suffers a serious physical injury arising out of the incident, such information shall be indicated by use of the designated codes on the court information. The letter "D" shall be used when a death has occurred or the letters "SPI" shall be used when a serious physical injury has occurred. These codes shall be printed prominently [in capital letters and set off by quotation marks], in order to differentiate from the numerical section of law charged. On the court information the letter(s) shall be printed in the space following the section of law charged.

N. Bail Ineligibility - An arrestee charged with a violation of subdivision 1, 5, or 6 of Section 1192 may be bailed in accordance with these Rules and Procedures, (see Chapter 16, Section 16, "Desk Appearance Tickets and Bail"). An arrestee charged with a violation of subdivision 2, 2a, 3, 4, or 4a of Section 1192 of the Vehicle and Traffic Law shall not be bailed by police personnel, but shall be brought before the proper court of arraignment. If the defendant is hospitalized as a result of a motor vehicle crash, a Field Appearance Ticket may be issued for violation of Section 1192, (see Chapter 9, Section 4, "Field Appearance Ticket Procedures").

O. Drivers License - The drivers license of an arrestee charged with a violation of subdivision 1, 2, 2a, 3, 4, 4a, 5, or 6 of Section 1192 of the Vehicle and Traffic Law shall be photocopied with one copy placed in the case folder and one copy forwarded to the District Attorney along with the arrest package. The drivers license will then be processed as follows:

1. Consent to Chemical Test - If the arrestee consents to a chemical test and the result is less than 0.08 B.A.C., the license will be invoiced with the prisoner's property.

2. Consent to Chemical Test, B.A.C. .08 or Greater - If the arrestee consents to a chemical test and the result is .08 B.A.C. or greater, the license will be stapled to the Court Information and forwarded with the arrest package. The license will not be invoiced with the prisoner's property.

3. Chemical Test Refusal - If the arrestee refuses a chemical test, the license will be stapled to the Court Information and forwarded with the arrest package. The license will not be invoiced with the prisoner's property.

4. No License - In cases where the arrestee is not in possession of a license and he/she either refused to take a chemical test or took a chemical test and the result is .08 B.A.C. or greater, a 3 x 5 card stating "no license produced" will be stapled to the Court Information.

P. Blood Test Procedure - Blood test for determining alcohol or drug content of the blood.

1. If a blood test is needed, the officer having a prisoner in custody must personally notify the Communications Section Duty Officer and request the response of a physician's assistant from the Office of the Medical Examiner. If the Office of the Medical Examiner does not have personnel available, the officer shall request a physician, or a registered physician's assistant, or a registered professional nurse to take a specimen of the prisoner's blood as specified below, with the officer acting as a witness.

2. The following precautions shall be taken: The skin from which the blood sample is to be taken must not be sterilized with any solution which contains alcohol, nor can the instrument or instruments used for the purpose of withdrawing the blood specimen, nor the container in which said blood specimen is to be placed, be sterilized in any such solution. The kit supplied by the Toxicology Laboratory contains a sterile syringe, needle, gauze pads, vacutainer tubes and an antiseptic swab.

3. The blood test must be given as soon as possible after the discovery of the facts which indicate that a determination as to alcohol or drug content of the blood should be made. This test must be given within two (2) hours of the time of arrest or the time of the prescreening breath test, whichever occurred first, or as otherwise directed by these Rules and Procedures.

4. In addition to any required Police Department paperwork (e. g., Evidence Analysis Request, etc.), the Toxicology Laboratory's DWI/ DUID LABORATORY REQUEST FORM (form TOX/DWI-001A) that is supplied with each blood kit must be completed by the arresting/investigating officer when forwarding the blood specimen to the Crime Laboratory. The "comments" section of the form may be used to describe any unusual characteristics of the incident or blood sample that may assist the Toxicology Laboratory.

5. The officer who witnesses the taking of the blood specimen ensures delivery of the kit containing said blood specimen to the Crime Laboratory as soon as practicable.

6. The officer delivering the kit containing said blood

specimen notes the serial number, time and date the kit containing said blood specimen was picked up and the time, date and name of the person (or locker number) to whom the kit containing said blood specimen was delivered at the Crime Laboratory.

7. A written record shall be kept of all persons through whose hands - the "chain-of-custody" - the kit containing said blood specimen passes before it reaches the Toxicology Laboratory and shall be made a permanent part of the arrest record.

8. The representative of the Crime Laboratory shall note the name and shield number of the officer delivering the kit containing the blood specimen, kit number, name of prisoner, and the time and date the kit was received.

9. The requested laboratory testing shall be performed, and the findings reported on the appropriate forms.

Q. Breath Test Procedures - When an "Intoxilyzer" is used to determine alcohol content of the blood, the following procedure is to be used:

1. The arresting officer will transport the prisoner to the appropriate precinct, and the warnings contained on the Alcohol Influence Report shall be administered to the prisoner as soon as is practicable. Upon obtaining consent from the arrestee to the administration of a breath test, the arresting officer shall request from the Communications Section Duty Officer that a Certified Breath Analysis Operator be dispatched to the precinct wherein the Breath Test is to be administered.

2. The Breath Test shall be administered by the Certified Breath Analysis Operator at the designated location using the Intoxilyzer and in the presence of the arresting officer. The Breath Test shall be given within two (2) hours of the time of the arrest or the time of the pre-screening breath test, whichever occurred first, or as directed by these Rules and Procedures.

a. The Breath Test for determining the alcohol content of the blood is administered via an Intoxilyzer, or such other instrument as the Police Commissioner may approve.

b. The Breath Test is administered only by a Certified Breath Analysis Operator who has been approved and certified by the State of New York Department of Health and/or the Suffolk County Police Department.

c. The Certified Breath Analysis Operator who administers the test shall perform the following in the testing procedure:

(1) The Certified Breath Analysis Operator shall ensure that nothing is placed or introduced into the prisoner's mouth for a minimum of fifteen minutes prior to the actual Breath Test.

(2) The Certified Breath Analysis Operator shall perform the Intoxilyzer Test in accordance with guidelines promulgated by the New York State Department of Health and/or the Suffolk County Police Department.

(3) The result of the Breath Test appears on a form known as the "Intoxilyzer Evidence Card". Upon removal of the Evidence Card from the instrument, the card is initialed by the Certified Breath Analysis Operator and the arresting officer.

(4) The original copy of the Intoxilyzer Evidence Card is retained by the arresting officer for attachment to the case record in a sealed envelope and is not to be stapled or mutilated in any manner.

(5) Whenever a Certified Breath Analysis Operator conducts an Intoxilyzer Test, he or she shall submit form PDCS-3115, Supporting Deposition - Breath Analysis Operator. The original will be submitted to the arresting Officer and copies will be distributed to the District Attorney, Court and Breath Analysis Operator.

R. Drug Recognition Evaluations - are normally held at the precinct of arrest unless otherwise directed by a Highway Patrol Bureau Supervisor.

1. After the operator of a motor vehicle has been placed under arrest for an alcohol or drug related offense, the arresting officer may request the assistance of a Drug Recognition Expert to conduct an evaluation of the arrestee. Drug Recognition Evaluations will be conducted at the discretion of a Highway Patrol Bureau supervisor after he/she evaluates the charges and circumstances of the arrest as well as availability of a DRE, **AND** one of the following conditions exists:

a. The arrestee's physical impairment is inconsistent with a B. A.C. of .05% or less.

b. The arrestee admits to recently using a drug other than alcohol which, when taken into the body, can impair a person's ability to operate a motor vehicle safely.

c. The arrestee is in possession of marijuana or a drug as described in Section 3306 of the Public Health Law. *The drug that may be causing the observed impairment could be a legitimate prescription drug or illicit drug.* In either case, a certified DRE will conduct an evaluation.

2. All DRE evaluations and findings shall be reported on a New York State form "DRUG INFLUENCE EVALUATION". This form is utilized by all officers in New York State. The form should contain the heading **Suffolk County Police Department**. A copy of this DRE evaluation will be forwarded to the District Attorney's Office. The original remains with the case

folder.

3. Whenever a DRE makes observations that support an arrest, he or she shall submit form PDCS-3110, Supporting Deposition - Drug Recognition Expert, and form PDCS-3310-1, Continuation Sheet, if required. The deposition will include the DRE's observations of the subject that show signs of drug use or impairment, and a copy will be forwarded to the District Attorney's Office. (If a urine sample is obtained by the DRE and transferred to the arresting officer for delivery to the Crime Laboratory, an entry noting the transfer of evidence shall be noted on the deposition.) The arresting officer shall then indicate in the Related Factors Section of the Arrest Worksheet, (PDCS-1086), that evidence was collected, and further check off in the Evidence Section of the Arrest Worksheet that "records/documentary" exist.

4. In incidents where a pre-arrest video has been made, such video evidence shall be handled and documented as required by Department procedures.

5. A DRE Evaluation Log Book is maintained in the locked DRE cabinet located at the Highway Patrol Office. All DRE evaluations shall be logged in this book as well as any other pertinent information. Each DRE shall be required to maintain a "DRE Rolling Log Book." In this "Rolling Log", the DRE will log-in all evaluations conducted by the DRE, assisted by the DRE or witnessed by the DRE.

6. In addition to the arrestee's admissions of his/her impairment, Court Informations will also include admissions to recent use and/or possession of a drug. The DRE will assist the arresting officer in preparing the Court Information.

7. If the DRE officer determines that the subject is not impaired and subsequently rules out the subject, the DRE shall prepare a PDCS-1084, Supplementary Report, and provide a copy to the arresting officer. The "rule out" shall be logged accordingly in both the Evaluation and "Rolling" log books.

8. Toxicological (Urine) Test Procedure - Urine test kits are available at the Highway Patrol Office and must be signed out in the Urine Test Control Log located in the DRE cabinet. Only a new, sealed Urine Kit will be utilized and will be inspected by the DRE for any imperfections before being used. If the seal is found to be broken, "VOID" shall be marked on the kit, and the defective kit will be returned to the Highway Patrol Office. The Urine Kit must have a number assigned and the kit should contain the cautionary warning "use only pre-marked kits".

a. The DRE is required to wear latex gloves during the DRE Evaluation and during the urinalysis procedures. The urine testing will be witnessed by a Police Officer, Deputy Sheriff or Corrections Officer. In the case of a female arrestee, a female officer will witness the urine test.

b. A minimum sample of 30 milliliters will be collected (at least one-third of the urine container). Latex gloves will **not**

be placed in the sealed bag with the urine sample.

c. The DRE will secure a temperature strip (included within the urine kit) horizontally across the lower section of the container. The container will be marked with the required information. The DRE will affix the tamper-evident seal (red colored seal) across the lid and down the sides of the urine container. The ID label shall be affixed to the urine container and contain the collector's initials, defendant's name, CC Number and number of the urine kit.

d. The sealed urine container shall then be placed into a plastic evidence bag and the following forms shall be attached: Evidence Analysis Request, Property Section Invoice Receipt and DWI/DUID LABORATORY REQUEST FORM. The Evidence Analysis Request form shall be annotated by the DRE - "DRE Performed" - and contain the DRE Number along with any other information that may be needed by the Crime Laboratory.

e. The urine sample may be given to the arresting officer for delivery to the Crime Laboratory. The arresting officer ensures delivery of the kit containing said urine sample to the Crime Laboratory as soon as practical. The urine sample will be secured in a refrigerated locker; all other evidence will be secured in a separate locker.

f. The officer delivering the kit containing said urine sample notes the serial number, time and date the kit containing said specimen was picked up and the time, date and name of the person (or locker number) to whom the kit containing said urine sample was delivered at the Crime Laboratory.

g. A written record shall be kept of all persons through whose hands - the "chain-of-custody" - the kit containing said urine specimen passes before it reaches the Toxicology Laboratory and shall be made a permanent part of the arrest record.

h. The representative of the Crime Laboratory shall note the name and shield number of the officer delivering the kit containing the urine specimen, kit number, name of prisoner, and the time and date the kit was received.

i. The requested laboratory testing shall be performed, and the findings reported on the appropriate forms.

9. Re-Certifications - IACP standards require that a DRE officer be re-certified every two years. The Commanding Officer of the Highway Patrol Bureau shall designate a DRE coordinator to conduct the required re-certifications of Department personnel.

S. Seizure of Conveyances (DWI/BWI/Reckless Driving) - Officers shall, by authority of Suffolk County Code 270, seize the motor vehicle or vessel operated by a person arrested for: a violation of NYS VTL §§ 1192.2, 1192.2a, 1192.3, 1192.4, 1192.4a or NYS Navigation Law § 49-a, when

the person has a prior misdemeanor conviction within New York State for VTL §§ 1192.2, 1192.2a, 1192.3, 1192.4, or 1192.4a or NYS Navigation Law § 49-a, or who has been found guilty of violating §1192-a of the New York State Vehicle and Traffic Law; or a violation of NYS VTL §1212, when the person has a prior misdemeanor conviction within New York State for VTL §1212. Officers will also seize the motor vehicle or vessel of an individual detained under §1192-a who has been found guilty of violating §1192-a on a prior occasion or who has a prior conviction for VTL §§1192.2, 1192.2a, 1192.3, 1192.4, 1192.4a or NYS Navigation Law §49-a. If an individual arrested for DWI or BWI or detained under 1192-a submits to a chemical test and the results will only support a charge of Driving While Impaired or Boating While Impaired, the impounded conveyance will be released.

1. Arresting officers should follow the procedures set out below to evaluate and/or process a seizure:

a. Request a File 15 Inquiry (criminal history) via the dispatcher. The dispatcher will then contact the Teletype Unit to perform the inquiry. If the inquiry indicates that the arrestee has a prior conviction for VTL §§1192.2, 1192.2a, 1192.3, 1192.4, 1192.4a or Navigation Law 49-a, the motor vehicle or vessel will be seized. If the inquiry indicates that the Reckless Driving arrestee has a prior conviction for VTL §1212 (Reckless Driving), the motor vehicle or vessel will be seized.

b. Conduct a DMV check. If the DMV check confirms the arrestee has been convicted of other 1192 misdemeanors, or found guilty of a violation of 1192-a, the motor vehicle or vessel will be seized. The violation will appear in the SUSPENSIONS/REVOCATIONS section as OP CON ALC UNDER 21. If the DMV check confirms the Reckless Driving arrestee has been convicted of VTL §1212 (Reckless Driving), the motor vehicle or vessel will be seized.

c. Once a motor vehicle is seized it will be impounded to the precinct of arrest by police wrecker. The Officer in Charge at the precinct will designate a space for the vehicle and will be responsible for its physical security. A seized vessel will be, at the discretion of the Marine Bureau Supervisor, transported to either the Marine Bureau facility, or the Property Section. The disposition and method of transport of the vessel will depend on the size of the vessel, where it was seized and any other factors relevant to the efficient transport of the vessel. Any property found in a motor vehicle or vessel that is not removed by the owner or released to a second party with the owner's permission will be inventoried by the arresting officer or caused to be inventoried by the arresting officer in accordance with Rules and Procedures Chapter 20, Section 4, (Impound Procedures).

d. At the supervisor's discretion, a motor vehicle or vessel may be sent to the Property Section to have its contents inventoried if there is an inordinate amount of property contained within it that can not be inventoried in a reasonable amount of time by one officer (i.e. plumber's or electrician's van stocked with tools).

2. Precinct Crime Section - Following a seizure of a vehicle or vessel, an investigation shall be initiated by the appropriate Precinct Crime Section (PCS). The PCS investigator shall:

a. Confirm that the arrestee meets the requirements of the law. If it is discovered that the arrestee does not have a qualifying prior predicate as set forth above, the motor vehicle or vessel shall be released to the owner as expeditiously as possible. Should the owner fail to remove said vehicle or vessel within three (3) business days of notice, the PCS Investigator shall arrange to have said vehicle, or vessel, transported to the Impound Unit;

b. By the appropriate DMV checks, identify the titled owner and registrant and determine if there are any liens on the seized motor vehicle or vessel;

c. Determine the value of the vehicle or vessel, if possible, by utilizing the Kelly Blue Book or other appropriate industry standard;

d. Determine if there are any victims who have been physically injured as a result of the actions of the operator of the vehicle or vessel being seized. The investigator shall provide the full name, address and telephone numbers of any victim(s) to the Office of Commissioner/Legal via Supplementary Report.

e. Within five calendar days of the seizure, forward a copy of the Supplementary Report documenting the investigation, together with copies of all related documents, to the Office of the Commissioner / Legal. All documents will be stamped with the certification "This is a true and accurate copy," and contain the certifying officer's signature, shield number and command. Copies of unsigned police reports are not acceptable. All copies of police reports forwarded, including the Court Information, must bear the signature of the reporting officer, as well as the signature of the reviewing supervisor.

f. Arrange for all properly seized vehicles to be towed, by police wrecker, from the Precinct to the Impound Unit, pending the forfeiture proceedings.

3. Office of the Commissioner/Legal - Personnel from the Office of the Commissioner/Legal shall:

a. Within five business days of the seizure, serve a "Notice of Seizure and Hearing," PDCS-4230-1, upon the titled owners(s) and registrant(s) of the vehicle or vessel and lienholder (if any). Such notice shall inform the recipients that the vehicle or vessel was seized and that a hearing has been scheduled before a neutral Magistrate to determine: Whether probable cause existed for the defendant's arrest; whether the County is likely to succeed on the merits of the forfeiture action; and whether the County's retention of the vehicle or vessel is necessary, or if

other measures would better protect the County's interest during the proceedings. Such notice shall be served by certified mail, return receipt requested, returnable directly to the Office of the Commissioner/Legal.

b. Prepare and assemble a seizure case file containing the following:

(1) Original Court certificate of conviction for the prior or predicate DWI/BWI offense;

(2) Certified copies of the vehicle's (or vessel's) title and registration, as well as the operator's driving abstract from the Department of Motor Vehicles;

(3) Any other required documentation, on a case specific basis;

c. Forward the completed original seizure case file to the Office of the County Attorney and retain a copy of the file at the Office of the Commissioner/Legal.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Drug Recognition Evaluation 16/2
Drug Recognition Expert (DRE) 16/2
Seizure/Forfeiture of Vehicles - Reckless Driving - 16/2
Seizure of Conveyances - (DWI/BWI/Reckless Driving) - 16/2
A.R.I.D.E. Field Sobriety Tests 16/2

END

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARRESTS AND PRISONERS

SECTION 3: TITLE: WARRANT ARREST PROCEDURES

I. PURPOSE

To provide a procedure for the processing of warrant arrests and directing the transportation of arrestees to the proper court facility.

II. POLICY

The purpose of an arrest warrant is to achieve a defendant's appearance in court. It is therefore the policy of the Suffolk County Police Department to deny bail to any subject arrested upon the authority of a warrant, other than a Family Court warrant.

III. DEFINITIONS

Superior Court Warrant - Includes both County Court and Supreme Court.

IV. REFERENCES

New York State Criminal Procedure Law
Family Court Act Section 155-a

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Arrest Within District - When a person has been arrested on the basis of a court issued warrant within the Police District the arresting officer will:

1. Ensure that all outstanding warrants,

returnable within the Police District, including County Court warrants, are executed.

2. Obtain a Central Complaint number from the Central Records Section, if none is indicated on the warrant or Warrant/Criminal Summons Control Sheet.

3. Submit required data for mandated teletype message on arrest and obtain message number.

4. Instruct teletype to check for active warrants on the NYSPIN and NCIC if the command where the arrest is being processed is unable to perform check. Instruct Teletype Unit to cancel the wanted message, File 5, on all executed warrants listed on NYSPIN or NCIC.

B. Central Records Information - Advise Central Records Section of the warrant arrest and obtain the following information:

1. Arrest number (if automated system is down) and I.B. number, when required.

2. Any additional local active warrants or wanted notices.

3. Prior arrest record (when required).

4. Ascertain if warrant is from outside Police District. If so, arresting officer must notify appropriate agency. If warrant is from out of state, notify the Fugitive/Missing Persons Section.

5. Ascertain if warrant is from Family court. If so Arresting officer must notify Suffolk County Sheriff's Warrant Section of the warrant's execution.

6. Request check of parole file. If defendant is on parole, arresting officer must immediately notify New York State Division of Parole.

C. Reporting Procedures - Reporting procedure is as follows:

1. Complete a Field Report, relating only to the warrant arrest if a prior report was not submitted on the original incident for which the warrant was issued.

2. Complete and submit an Arrest Report. Notify investigating command and forward a copy of the Arrest Report.

3. Warrant/Criminal Summons Control Sheet: All actions taken will be recorded on the Warrant/Criminal Summons Control Sheet. When a warrant is executed or recalled, such action will be recorded on the Warrant/Criminal Summons Control Sheet and is then forwarded to the Central Records Section via the command warrant control officer.

4. Complete and submit the Warrant Execution Receipt.

5. If the subject is arrested on a bench warrant for Failure to Pay Fine, in violation of Section 420.10 of the Criminal Procedure Law, and is to be transported to court for arraignment, a copy of the computer printout of the warrant information shall be attached to the court paperwork. The copy of the computer printout must be obtained before the Central Records Section is notified of the arrest and the warrant is then removed from the computer system. If the computer terminal at the command of arrest is inoperable, the arresting officer shall request that the Central Records Section transmit a copy of the computer printout of the warrant information, via the facsimile network.

D. Bail Procedures for Misdemeanor and Violation Warrants - Generally, subjects arrested on the authority of a warrant are not eligible for bail. However, mitigating

circumstances may exist which make the acceptance of bail and issuance of an Appearance Ticket an overwhelmingly practical choice, i.e. the arrestee's physical condition is such that he/she would become a burden to the Department if kept in custody. In these cases, the Desk Supervisor may justify the issuance of a Desk Appearance Ticket after considering the severity of the charge and the chances of the individual becoming a fugitive. Likewise, discretion may be used at the arrest stage if the charge for which the warrant is issued is so minor as to make an over night stay in custody seem extreme and there is reasonable certainty that the subject will report to court when mandated.

1. A subject arrested on a warrant issued by a Supreme, County, District, City, Town or Village Court will not be released on bail even if the issuing judge has indicated a bail amount on the warrant.

2. When Family Court is not available for arraignment, a desk supervisor may authorize the release of a subject conditioned upon the posting of cash bail when such subject has been arrested pursuant to a Family Court warrant and a bail amount has been indicated in the warrant by the issuing judge. The amount of bail shall be the amount fixed in the warrant. The appearance date will be set for the next morning that Family Court is in session.

E. Detention and Prisoner Transport for Arraignment - non-bailable prisoners will be detained as follows:

1. Arrest on a First district/Outlying District Court Warrant: Subject to be detained at precinct of arrest, or in the case of a youth charged as a "Juvenile Offender" the command of arrest will notify the appropriate Detective Squad who will respond; pick up said prisoner and assume responsibility for detention of the youth (at a facility designated by the State Division of Youth, as

a facility for the reception of children) and transportation to First District Court for arraignment.

2. Arrest on Town/Village/Family Court Warrant. If the Town/Village/Family Court is available for arraignment, the prisoner is transported to said court by command of

arrest. If the Town/Village/Family Court is unavailable for arraignment: Prisoner is transported to First District Court by command of arrest. If the warrant is issued for a youth charged as a "Juvenile Offender", the command of arrest will notify the appropriate Detective Squad who will respond; pick up said prisoner and assume responsibility for detention of the youth (at a facility designated by the State Division of Youth, as a facility for the reception of children) and transportation to court for arraignment.

3. Commands with a prisoner in custody for another authority or any other warrant returnable to First District Court will assign a member of the Force to transport the prisoner to the First District Court detention area. The delivering officer will record prisoner custody transfer on the prisoner transmittal sheet and return copy of same to the precinct.

F. Superior Court Warrants: When a person has been arrested solely on a Superior Court Warrant (County Court of Supreme Court) the command of arrest transports the prisoner, arrest paperwork and the actual warrant (Warrant Execution form, PDCS 1046, is not sufficient on its own) as follows:

1. In cases of a County Court warrant, directly to County Court, Riverhead, if in session.

a. On weekends and holidays when County Court is not in session, to First District Court, but only if a District Court judge authorized to arraign on the County Court warrant is available.

or

2. In cases of a Supreme Court warrant, directly to Supreme Court, Riverhead, if in session.

a. (NOTE) First District Court will not arraign Supreme Court warrants.

or

3. If the appropriate Superior Court is not in session or is otherwise unable to arraign, directly to County Jail in Riverhead.

a. The Suffolk County Sheriff's Department shall then be responsible for the arraignment of the defendant, including transportation to and from Superior Court.

G. Additional Warrants - When a person has been arrested and has lodged against him a combination of a Superior Court warrant and a warrant returnable to another court within the Police District, the prisoner, arrest paperwork, and the actual Superior Court Warrant (Warrant Execution form, PDCS 1046, is not sufficient on its own) shall be transported to First District Court where he will be arraigned on the District/Village Court warrant (unless the additional warrant is from Family Court and that court is in session, prisoner is transported directly to Family Court for arraignment).

1. When the additional Superior Court warrant is from County Court, providing the availability of an authorized judge, the prisoner will also be arraigned on the County Court warrant at this time. In the absence of a judge authorized to arraign County Court warrants at First District Court or the additional warrant is from Supreme Court:

a. If the Superior Court is in session, prisoners shall be transported to the appropriate Superior Court, either County or Supreme.

b. If prisoner has been remanded to custody as the disposition of another matter, the prisoner shall be transported to the Superior Court or County Jail by the Suffolk County Sheriff's Department.

c. If the prisoner is released on the warrant returnable to the First District Court and/or Family Court and both County Court and First District Court are unavailable to arraign on the County Court warrant, or the additional warrant is from Supreme Court, the Suffolk County Sheriff's Department shall transport the prisoner to the county Jail in Riverhead.

2. Additionally, when a prisoner is remanded to jail, notice of any warrants returnable outside the County shall be lodged with the Warden or custodian of the place of detention, and the appropriate agency notified of said custody.

H. Arrest of subject Being Held on Parole Warrants - When a member of the Force, for the purpose of executing an active local warrant(s), removes from the Suffolk County correctional Facility a person being detained there on a parole warrant, the member is responsible to ensure that the subject is returned to the Correctional Facility. This will be accomplished by:

1. Obtaining a copy of the parole warrant/ teletype message from the Correctional Facility.

2. Noting on the Prisoner Transmittal Sheet or General Receipt that an active parole warrant exists and attaching a copy of the parole warrant and/or a teletype message verifying the fact.

I. Forwarding Warrants, Definition - Upon execution of a warrant, the Warrant/Criminal Summons Control Sheet is completed in detail and submitted to Central Records Section. Status of defendant should be clearly indicated on the Warrant Control Sheet before submission to the Central Records Section. For purposes of this section "Execution" means that

the person named thereon has been taken into custody, and

1. Released on bail by Police Department personnel, or

2. Arraigned in Court.

J. Incapacity of Arresting Officer - In the event an arresting officer is unable to function, as such, for any reason, the arresting office's supervisor or a supervising desk officer assigns another officer to act in this capacity.

K. Warrants via Central Records Section - All warrants issued and directed to the Department for execution are to be forwarded to the Central Records Section and recorded in the Warrant Control Log Book. Local warrant information will be available from the Central Records Section and recorded in the Warrant Control Log Book, Local warrant information will be available from the Central Records Section, twenty-four hours a day, seven days a week.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

Warrant/Criminal Summons Control Sheet

END



ORDER NUMBER 08-26

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE ARREST OR DETENTION OF NON-U.S. CITIZENS OR PERSONS WITH DUAL CITIZENSHIP				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/11/08	DATE EFFECTIVE 03/11/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 4: TITLE: ARREST OR DETENTION OF NON-U.S. CITIZENS OR PERSONS WITH DUAL CITIZENSHIP

I. PURPOSE

To provide procedures to be followed when executing an arrest or detaining a non-U.S. citizen or person with dual citizenship.

II. POLICY

A. Federal law requires that all legal aliens have in their possession an alien registration card. An officer may presume that an alien is an undocumented alien if he does not have such a card. However, the Attorney General of the United States has stated that the officers and employees of Immigration and Customs Enforcement (ICE) are the **ONLY** officers who may arrest persons for being in this country illegally. The following procedures concern arrests or detention of persons for law offenses who are reasonably suspected of being non-citizens of this country, or persons with dual citizenship, **and who possess no diplomatic immunity.**

B. Whenever a non-U.S. citizen or person with dual citizenship is arrested or detained within the United States, International Treaty obligations provide legal requirements to ensure that the foreign national's government can offer the arrestee or detainee appropriate consular assistance. In all cases, regardless of visa or immigration status, the foreign national must be told of the right of consular notification and access. The person then has the option to decide whether to have consular representatives notified of the arrest or detention. In other cases, regardless of visa or immigration status, consular notification is mandatory. Whenever a foreign national is taken into custody, members of the Service shall determine whether consular notification is optional or mandatory.

III. DEFINITIONS

A. Non-U.S. Citizen - Includes all persons who are not U.S. citizens. According to the United States Department of State, the terms "foreign national" and "alien" are used interchangeably to describe a person who is not a U.S. citizen.

B. Dual Citizenship - The United States Department of State advises that a person who is a national/citizen of two or more countries other than the United States should be treated in accordance with the rules applicable to each of those countries. They further advise that a person who is a citizen of the United States and another country may be treated exclusively as a U.S. citizen when in the United States. Consular notification is not required even if the other country of citizenship is a mandatory notification country.

C. LESC - Law Enforcement Support Center - Williston, Vermont.

D. INSQ - Inquiry search through Immigration database.

E. INSQ Search Responses:

Response	Definition	Action to be Taken by Probation
1. In Status	In the country legally (Visa, etc.)	ICE notification
2. Out of Status	Visa, etc. expired	ICE notification
3. No Hit	Subject not in ICE computer	ICE notification
4. Previously Deported Illegal	Already deported previously	ICE notification, however, they should commence investigation without notification
5. Naturalized Citizen	Citizen of the United States	No ICE notification

IV. REFERENCES

United States Department of State publication entitled "Consular Notification and Access."

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Arrests of Non-U.S. Citizens Processed by Detective Personnel - When processing a felony arrest and the processing Detective knows or reasonably suspects the defendant is not a U.S. citizen, the following procedure will be followed:

1. Complete an Immigration/Customs Enforcement Inquiry Request, (form PDCS-6100-44, available online), and fax the inquiry request form to Teletype in the Receiving, Dispatching and Teletype Unit. This will generate an ICE search through their Immigration and Customs Law Enforcement Support Center (LESC). (Place of birth is a critical field.)

2. ICE will send the search results back to the Teletype Unit who will in turn forward same to the requesting Officer, the Criminal Intelligence Section, the Chief of the Suffolk County District Attorney's Office Case Advisory Bureau, and to Probation ROR for arraignment.

3. Upon receipt of the search results, the requesting Officer or a member of that command shall sign the original PDCS-6100-44 in the "Receiver Signature" line and fax the form back to Teletype.

NOTE: It may take up to 24 hours to receive the response.

4. Indicate in the Personal Information section of the Arrest Worksheet, (PDCS-1086), the applicable entries for "residency status, citizenship, immigration status and INS number", if available. Submit a copy of the INSQ inquiry results, if available, with the arrest paperwork and forward to First District Court.

5. Probation will contact ICE if the INSQ inquiry reveals further investigation of the defendant's residency status is required, (Responses 1 through 4 above), and will request a duty agent from the Criminal Aliens Section.

B. Arrests of Non-U.S. Citizens Processed by Non-Detective Personnel -

When processing an arrest and the processing Officer knows or reasonably suspects the defendant is not a U.S. citizen, the following procedure will be followed:

1. Follow procedures A. 1. through A. 4. as set forth above.
2. Except for INSQ response #4, (Previously Deported Illegal), or unless otherwise requested by ICE, a defendant may be released on bail if he or she is subsequently able to produce valid identification or can be identified through a Department database (i.e. fingerprints, mug shot, arrest record).
3. If the response to the INSQ inquiry is not received in a reasonable amount of time, a defendant may be released on bail if he or she is subsequently able to produce valid identification or can be identified through a Department database (i.e. fingerprints, mug shot, arrest record).
4. Any defendant who is unable to be identified or unable to produce valid identification after he or she has been arrested shall be transported to First District Court. In addition, prints and photos shall be taken.

C. Personal Inquiries to LESC - None of the above shall preclude the investigating Detective or Officer from making a personal inquiry to the LESC should he or she deem necessary.

1. Contact Numbers:

- a. Law Enforcement Support Center (LESC): 802-872-6020 (24 hrs/7 days)

b. ICE Communications Desk: (646) 230-3200

c. Probation ROR: 853-5115; Probation Supervisor 853-5007, Fax - 853-4032

d. Suffolk County District Attorney's Office Case Advisory Bureau:
Fax 853-5892

D. Responsibilities of the Criminal Intelligence Section (CIS) -
The Criminal Intelligence Section shall evaluate all INSQ responses received and perform any necessary follow-up investigation in conjunction with ICE personnel. CIS shall prepare and maintain a database to catalog all INSQ responses that they receive from Teletype.

E. Consular Notification - In addition to the above, the following procedures shall be adhered to when a member of the Service knows or reasonably suspects that the defendant is not a U.S. citizen:

1. Determine the person's country of origin and if an interpreter will be required.

2. Contact the Duty Officer to determine if the foreign national's country is on the mandatory notification countries list. (A list is provided as an exhibit to this Order.) The Duty Officer may be requested to provide an interpreter.

3. If the foreign national's country **IS** on the mandatory notification countries list, the Duty Officer shall:

a. Notify the country's nearest consular officials, without delay, of the arrest/detention.

b. Advise the arresting officer or detective of the date, time and name/title of the consular official receiving such notification and any instructions given.

4. The Duty Officer shall make note of the matter in the Duty Officer's Confidential Log.

5. If the foreign national's country **IS** on the mandatory notification countries list, the arresting officer or detective shall advise the person that he or she is making this notification, using the U.S. State Department's recommended statement: "Because of your nationality, we are required to notify your country's consular officers here in the United States that you have been arrested or detained. We will do this as soon as possible. In addition, you are entitled to communicate with your consular officers. You are not required to accept their assistance, but your consular officers may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things."

6. If the foreign national's country **IS NOT** on the mandatory notification countries list, the arresting officer or detective shall:

a. Offer, without delay, to notify the person's consular officials of the arrest/detention, using the U.S. State Department's recommended statement: "As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country's consular officers here in the United States of your situation. You are also entitled to communicate with your consular officers. A consular officer may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. If you want us to notify your consular officers, you can request this notification now, or at any time in the future. Do you want us to notify your consular officers at this time?"

b. If the foreign national asks that consular notification be given, the arresting officer or detective shall contact the Duty Officer. The Duty Officer shall:

(1) Notify the country's nearest consular officials, without delay, of the arrest/detention.

(2) Advise the arresting officer or detective of the date, time and name/title of the consular official receiving such notification and any instructions given.

(3) Make note of the matter in the Duty Officer's Confidential Log.

7. Members of the Service shall maintain a written record of these notifications and actions taken. Memorandum Book entries shall be made by those members required to maintain a memo book. Case notes shall be made by members who are not required to maintain a memo book.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Alien, Arrest or Detention of - 16/4
Dual Citizenship, Arrest or Detention of Persons With - 16/4
Foreign National, Arrest or Detention of - 16/4
Immigration/Customs Enforcement Inquiry Request - 16/4
INSQ - 16/4
LESC - 16/4
Non-U.S. Citizen, Arrest or Detention of - 16/4

END



ORDER NUMBER	09-18
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE FAMILY COMPLAINTS/DOMESTIC INCIDENTS OCCURRING WITHIN THE FAMILY UNIT			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 04/14/09	DATE EFFECTIVE 04/14/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARRESTS AND PRISONERS

**SECTION 6: TITLE: FAMILY COMPLAINTS/DOMESTIC INCIDENTS
 OCCURRING WITHIN THE FAMILY UNIT**

I. PURPOSE

To provide procedures for handling occurrences which fall within the categories of family complaints and domestic incidents.

II. POLICY

It is the policy of the Suffolk County Police Department to respond to every call involving a domestic dispute, and to consider domestic violence as criminal conduct which should be investigated as would any other crime. In cases of domestic violence, arrests shall be made in appropriate circumstances. Experience and research have demonstrated that in many cases, failure to make an arrest leaves one party in the altercation at the mercy of the other, and leaves the offender with the impression that he/she can continue to violate the law. Accordingly, it is the policy of this Department to prevent future abuse.

III. DEFINITIONS

A. Domestic Incident - Any offense, altercation, disturbance, conflict or disagreement between any persons who are from the same family or household, as defined by the New York State Division of Criminal Justice Services, that is brought to the attention of the Department.

B. Domestic Violence - Anytime an offense of a violent nature or a sex offense is attempted or committed against a family member (e.g., husband, wife, relative or common-law spouse) or persons who are not related by blood or marriage and who are or have been in an "intimate relationship" regardless of whether such persons have ever lived together at any time. Note: Though New York does not recognize common-law marriages arising from conduct within New York State, it does recognize as valid common-law marriages validly contracted in a sister state.

C. Family Offense - As defined in the Family Court Act and Criminal Procedure Law, is an act which would constitute disorderly conduct (including disorderly conduct not in a public place), harassment

first degree and second degree, menacing second degree and third degree, reckless endangerment, assault in the second degree, assault in the third degree, aggravated harassment in the second degree, stalking in the first degree, stalking in the second degree, stalking in the third degree, stalking in the fourth degree, or attempted assault between spouses or former spouses, or between parent and child or between members of the same family or household.

D. Members of the same family or household, as defined by the Family Court Act, are:

1. Persons related by blood relationship, or marital relationship.

2. Persons legally married to one another.

3. Persons formerly married to one another.

4. Persons having a child in common regardless of whether they have been married or lived together at any time.

5. Persons who are not related by blood or marriage and who are or have been in an "intimate relationship" regardless of whether such persons have lived together at any time.

a. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts shall be deemed to constitute an "intimate relationship."

b. Typical "intimate relationships" include dating relationships such as boyfriend/girlfriend, boyfriend/boyfriend or girlfriend/girlfriend.

c. The factors that may be considered in determining whether a relationship is an "intimate relationship" include but are not limited to the following:

(1) The nature or type of relationship, regardless of whether the relationship is sexual in nature.

(2) The frequency of interaction between the persons.

(3) The duration of the relationship.

NOTE: When the relationship is not clear, and probable cause exists that a crime involving violence or the threat of violence has occurred, a New York State Domestic Incident Report, (DCJS-3221), shall be completed and an arrest shall be made.

E. Other Law Enforcement Officers - sworn police officers or peace officers of any other local, state, or federal department or agency. These departments or agencies include, but are not limited to, the following: corrections, courts, parole, police, probation, and sheriffs.

IV. REFERENCES

V. RULES AND REGULATIONS

A. New York State Law requires that a member of the Service provide to the victim or complainant of a family offense, a written notice that offenses may be pursued in Family and/or Criminal Court (except that if the respondent would not be criminally responsible by reason of age pursuant to section 30.00 of the Penal Law, then the Family Court shall have exclusive jurisdiction over such proceeding); an explanation of these court procedures; legal rights and remedies available; and a list of agencies, shelters and services where the victim may secure help. The "Family Offense Assistance and Court Procedures" (PDCS-7109) notice complies with this mandate and is written in English and Spanish. This notice will be given to all victims of domestic incidents and documented by the reporting officer on the New York State Domestic Incident Report (DCJS-3221). Issuance of this notice does not relieve a member of the Service from the responsibility of verbally informing the victim or complainant of the court options and the purpose of each court. A proceeding brought in Family Court will be for the purpose of attempting to stop the violence, end family disruption and obtain protection, while an action commenced in Criminal Court will be for the purpose of prosecution of the offender. The choices, if any, are made by the victim, not the member of the Service. The choices made will not bar simultaneous or subsequent proceeding in the alternate forum.

VI. PROCEDURES

A. All members of the Service handling domestic incidents will be guided by the following mandates (for incidents involving Orders of Protection refer to Section 7 of Chapter 16):

1. Whenever facts which may constitute a domestic incident are brought to the attention of a member of the Service, the member shall promptly complete and file a Domestic Incident Report and provide the complainant with a copy of this form and the Family Offense Assistance and Court Procedures form. When a complainant wishes to document for court purposes that a visitation agreement, custody agreement, or support agreement was violated, and the nature of the complaint does not include any type of verbal or physical dispute or possible criminal conduct, and only one party is present, a Domestic Incident Report is not required to be completed. In addition, for cases where the Officer is called to witness a visitation exchange and both parties are present but there is no contact whatsoever between the parties and no domestic related complaints are made by either party, a Domestic Incident Report is not required. In instances as described above, a Field Report shall be completed to include the appropriate Central Complaint Number, and a copy of the completed Field Report shall be given to the complainant. The "Description" section of said Field Report shall be titled "Civil Documentation." The Domestic Incident Report or Field Report must be faxed to the Domestic Violence and Elder Abuse Bureau as soon as possible by the supervisor who reviews the report. This will be done before 1200 hours of the next business day at the latest.

a. A copy of the Domestic Incident Report or Field Report must also be faxed to the Internal Affairs Bureau any time a member of the Department (sworn or civilian) is involved, and any time a sworn member of another law enforcement agency is involved.

(1) If the incident is documented via completion of a Field Report, the narrative of the Field Report shall specify the involvement of such individual. The following information shall be indicated: 1) which individual is the member of the Department (sworn or civilian) or sworn member of any other law enforcement agency; 2) the occupational title of the individual; 3) the agency with which the individual is employed.

b. All incorrectly prepared Domestic Incident Reports and Field Reports as described above that come to the attention of the Domestic Violence and Elder Abuse Bureau shall be forwarded to the commanding officer of the responsible command.

c. Precinct commanding officers will be held accountable to ensure compliance with the complete and accurate preparation of these reports by their subordinates. Members of the Service who frequently fail to properly complete Domestic Incident Reports, as well as supervisors who sign off on such reports will be monitored and necessary corrective action, including discipline, initiated.

2. Complainant/Victim Interview - At the scene of a domestic incident, the complainant shall be interviewed privately, out of the presence of the suspect, when possible, to determine if there exists probable cause to believe that an offense or a Violation of an Order of Protection issued by any court has been committed.

a. If there is probable cause to believe that an Order of Protection has been violated, the suspect must be arrested even if the complainant requests otherwise.

b. If there is probable cause to believe that a felony has been committed, the suspect must be arrested even if the complainant requests otherwise. The investigating officer shall notify his/her supervisor of the circumstances surrounding the felony incident. The investigating officer, unless otherwise directed by his/her supervisor, then notifies the appropriate Precinct Squad Section within the Precinct Detective Bureau of the felony domestic incident. (Note: During the hours when the Precinct Squad Section is not staffed, the investigating officer's supervisor, when appropriate, will initiate the detective notification process explained under subsection VI. D. 2. of this section). If the detective receiving the call from the investigating officer determines that the incident does not constitute a felony, the investigating officer shall notify his/her supervisor of the detective's determination. The investigating officer's supervisor shall then contact the appropriate Precinct Squad Section supervisor to discuss the issue. If the Precinct Squad Section supervisor determines the incident constitutes a felony, the Precinct Squad Section will handle the case accordingly. If the Precinct Squad Section supervisor determines that the incident

does not constitute a felony, he/she shall inform the investigating officer's supervisor that detective involvement is inappropriate and the detective supervisor shall document his/her determination and the reasons thereof on a Supplementary Report. The Domestic Incident Report narrative shall also contain documentation of the above notifications.

c. Arrests for family offenses which are misdemeanor offenses involving physical violence or the threat of physical violence will be made regardless of whether or not the complainant seeks an arrest when probable cause exists that a misdemeanor involving physical violence or the threat of physical violence has occurred. Members of the Service are further advised that any choking/strangling incident shall be classified as a Menacing 3rd Degree, New York State Penal Law (NYSPL) Section 120.15, a Class 'B' Misdemeanor. As such, this would be a mandatory arrest situation based on the information stated above within this subdivision. However, this does not preclude the member of the Service from charging additional or other more serious crimes when appropriate. For example, if a documented "physical injury" exists, the appropriate charge would then be Assault 3rd Degree, NYSPL Section 120.00, a class 'A' Misdemeanor.

(1) Conditions resulting from choking/strangling incidents may include voice change/loss; difficult or painful swallowing; difficulty breathing; bruising in the area of contact; mental status changes; involuntary defecation/urination; and capillary rupture in the eye area. These conditions are not a necessity in determining probable cause, but extra care should be taken to document them when present.

(2) It should also be noted that some injuries consistent with choking/strangling incidents might not be evident until 24-48 hours after the incident. For this reason, Precinct Crime Section Officers shall devote special attention to those domestic incident follow-ups where a choking/strangling act was indicated on the Domestic Incident Report.

(3) Supervisors reviewing the Domestic Incident Reports shall ensure that choking/strangling incidents have been addressed appropriately.

d. Arrests for family offenses which are misdemeanor offenses not involving physical violence or the threat of physical violence shall be made unless the complainant/victim requests otherwise. The arresting officer shall not inquire as to whether the victim seeks an arrest.

e. Arrests for family offenses which are violations shall be made if the complainant wishes to pursue charges and signs a civilian arrest form, or the offense is committed in the officer's presence and the complainant does not request otherwise.

f. Nothing contained in this procedure shall be deemed to

require the arrest of any person when the officer reasonably believes the person's conduct is justifiable under article thirty-five of title C of the penal law.

NOTE: The decision for non-arrest based on article thirty-five of title C of the penal law must be based on demonstrable supporting evidence of such article 35 justification.

3. If an arrest is made or if a Court Information has been filed, the complainant shall be advised to appear at the appropriate court for arraignment (as requested by the Administrative Judges for the District and Family Courts). If the complainant is unable to appear at arraignment, the arresting officer shall ensure that the court is notified accordingly. If a Family Court Order of Protection is requested, the complainant shall be advised to contact the Suffolk County Probation Intake Unit for directions on how to obtain one (Information can be found on the Family Offense Assistance and Court Procedures form, PDCS-7109.) A Family Court Temporary Order of Protection may be obtained by a petitioner without initiating a criminal prosecution, provided that the complainant/petitioner and the respondent are "members of the same family or household", as defined in the New York State Family Court Act and in subdivision III. D of this section. If a Criminal Court Order of Protection is requested and an arrest has been made or a Court Information has been filed, the complainant shall be directed to Room 220 of First District Court to petition the court. Prior to responding to Room 220, complainants can receive additional assistance in the petition process from the Domestic Violence Unit of the District Attorney's Office, which is located in the First District Court complex. Complainants, however, will not be issued a Criminal Court Temporary Order of Protection by First District Court unless prosecution of a criminal incident has been initiated and an accusatory instrument has been filed with First District Court.

Complainants requesting a Criminal Court Order of Protection for domestic incidents involving an offense where a summary arrest has not occurred and no accusatory instrument has been filed, shall be advised to respond to the Precinct Crime Section to have a criminal charge drawn. Complainants should then be directed to respond to Room 220 of First District Court to petition the court. Prior to responding to Room 220, complainants can receive additional assistance in the petition process from the Domestic Violence Unit of the District Attorney's Office, which is located in the First District Court complex. Victims should bring their copy of the Domestic Incident Report to court.

4. If an arrest cannot be immediately effected, such protective actions as may be warranted shall be implemented including, but not limited to, aiding the victim with transportation to a safe place and/or a medical facility and the complainant/victim shall also be advised to recontact the Department immediately if the suspect returns or his/her location becomes known.

5. In those cases where a pistol licensee is involved in a domestic incident complaint, the officer at the scene shall attempt to obtain the license and handgun(s) by voluntary surrender for safekeeping

purposes under the following circumstances:

- The licensee is intoxicated and could be a threat to himself or another person, or
- The licensee caused or threatened bodily harm to the complainant or another person, or
- The licensee is behaving irrationally and in a manner that causes a reasonable person to be fearful or threatened by the licensee having access to handguns.

The above justifications for obtaining voluntary surrender of a pistol license and handgun(s) are not intended to limit the circumstances under which a member of the Service may deem it necessary, for public safety purposes, to obtain such voluntary surrender. In any Domestic Incident involving a licensee, which meets the criteria outlined above, a fax of the New York State Domestic Incident Report (DCJS-3221) must be sent to the Pistol Licensing Bureau, per subdivision VI.A.1..

In those cases where a licensee refuses to surrender the pistol license and handgun(s), the licensee will be advised that Department policy is to suspend or revoke the license under circumstances of non-cooperation, per Penal Law Section 400. If the licensee still refuses to surrender the pistol license and handgun(s), a copy of the New York State Domestic Incident Report (DCJS-3221) and a Supplementary Report (PDCS-1084) explaining the circumstances of the refusal must be promptly faxed to the Pistol Licensing Bureau. The refusal of a licensee to surrender the pistol license and handgun(s) will also result in the immediate suspension and may result in the revocation of the pistol license. If, after pistol license suspension or revocation, the licensee continues to refuse to surrender the license and handgun(s), the Department may contact the District Attorney's Office for a search and/or arrest warrant and the licensee may be subject to arrest.

When a pistol license and handgun(s) are voluntarily surrendered, the pistol license must be forwarded to the Pistol Licensing Bureau and the handgun(s) invoiced to the Property Section with the Property Section Invoice-Receipt box "Safeguard" checked off. A Supplementary Report, PDCS-1084, must be completed, indicating the reason for the surrender and a copy forwarded to the Pistol Licensing Bureau.

Nothing contained in this section should preclude an officer from securing the scene and obtaining a search warrant to retrieve weapons and/or the pistol license when the subject refuses to surrender them voluntarily and the officer deems surrender of the handgun(s) necessary.

6. In domestic incident complaint cases where the officer at the scene has reason to believe firearms other than those requiring a pistol license may be on site, the officer shall attempt to obtain the firearms by voluntary surrender for safekeeping purposes in the following cases:

- The subject is intoxicated and could be a threat to himself or another person, or

- The subject caused or threatened bodily harm to the complainant or another person, or

- The subject is behaving irrationally and in a manner that causes a reasonable person to be fearful or threatened by the subject having access to firearms.

The above justifications for obtaining a voluntary surrender of firearms are not intended to limit the circumstances under which a member of the Service may deem it necessary, for public safety purposes, to obtain such voluntary surrender.

When a firearm is voluntarily surrendered, the firearm shall be invoiced to the Property Section with the Property Section Invoice-Receipt box "Safeguard" checked off.

Nothing contained in this section should preclude an officer from securing the scene and obtaining a search warrant to retrieve weapons and/or the pistol license when the subject refuses to surrender them voluntarily and the officer deems surrender of the weapons necessary.

7. Arrest In Suspect's Residence - Absent exigent circumstances or consent to enter given by a person having the authority to allow access, or a warrant of arrest, no attempt to arrest the suspect shall be made that would require forcible entry into the suspect's residence if said residence is separate and apart from the complainant's (Payton v. New York).

8. Field Appearance Ticket - A member of the Service shall not issue a Field Appearance Ticket in lieu of an arrest when handling a domestic incident offense, unless no other alternative exists (i.e., defendant is admitted to hospital). In such instances, a Field Appearance Ticket can be issued only upon authorization of a supervisor who will then prepare a Supplementary Report describing the circumstances as to why the Field Appearance Ticket had to be issued. A copy of this report will be forwarded along with the Domestic Incident Report to the Domestic Violence and Elder Abuse Bureau while the original shall be sent to the Central Records Section. Rules and Procedures Chapter 9, Section 4, titled "Field Appearance Ticket Procedures," shall be adhered to when issuing a Field Appearance Ticket.

9. Precinct Bail - In these matters, precinct bail shall be permitted or denied in accordance with the Criminal Procedure Law and existing Rules and Procedures. Due to the volatile nature of domestic violence, the inherent opportunity for repeated and escalated violence and the overpowering need to protect the victim, bail shall be denied in all domestic incident cases which involve any act of violence or the threat thereof. Bail shall also be denied for all suspects who violated an Order of Protection. A copy of the Order of Protection shall be forwarded to the appropriate court.

10. Domestic Incidents Involving Allegations of Physical Contact Between the Complainant/Victim and the Offender - For all such incidents,

the investigating officer shall request that a supervisor respond to the scene. The reporting officer shall include the responding supervisor's rank and name on the Domestic Incident Report. Should no supervisor respond to the scene, the reporting officer will note such in the report, along with an explanation of the circumstances that precluded a supervisory response.

11. Utilization of Polaroid Cameras in Domestic Incidents - Precinct Patrol Sections, Precinct Crime Sections, Precinct C.O.P.E. Sections, and the Marine Patrol Section have been supplied with Polaroid cameras for the purpose of enhancing the ability to document conditions at the scene of a domestic incident. Polaroid photography should not be used in felony situations or where the supervisor at the scene believes that photographs by the Crime Scene

Section would be more appropriate. Procedures detailing the usage of the Polaroid cameras are contained below.

a. When an officer at the scene of a domestic incident determines that photographic evidence may be beneficial to case preparation, the officer shall request a supervisory response to the scene. If a supervisor agrees with the officer's assessment, the supervisor will take the appropriate photograph(s). The following are examples of conditions that may warrant photographs:

(1) visible signs of injury or abuse such as cuts, bruises, lacerations, abrasions, torn clothing, etc.

(2) damaged property or premises in disarray

(3) weapons or dangerous instruments

b. The supervisor taking the photograph(s) will ensure that the following information is placed on the front bottom border of the photograph(s):

(1) Central Complaint Number

(2) name of the supervisor taking photograph(s)

(3) date of photograph(s)

(4) photograph number (i.e., 1 of 2, 2 of 2)

c. The supervisor will complete the Supplementary Report-Domestic Incident Photographs (PDCS-1084-13) indicating the number of photographs taken and a brief description of each photograph.

d. If an arrest is made, the photograph(s) and a copy of the Supplementary Report will be attached to the arrest package and sent to court along with the arrest package.

e. If no arrest is made, the photograph(s) and a copy of the Supplementary Report will be attached to the Domestic

Incident Report and forwarded to the Precinct Crime Section where they will be stored with the related paperwork.

f. A copy of the Supplementary Report shall be forwarded to the Domestic Violence and Elder Abuse Bureau.

g. Due to the adverse effects of temperature extremes on the cameras and film, cameras should not be stored in the supervisor's vehicle.

h. The Polaroid cameras, while intended only for domestic incidents, may be used for other purposes under circumstances where evidence, if not photographed immediately, will be lost.

12. Precinct Crime Section's Follow-Up with Uncooperative Complainants/Victims in Misdemeanor Offenses - Precinct Crime Section Personnel will perform a follow-up visit for domestic incidents wherein probable cause to believe a misdemeanor involving physical violence or the threat of physical violence has occurred and the complainant/victim is uncooperative. The follow-up will be performed regardless of whether the offender has been arrested at the scene based on probable cause or the offender has left the scene and reasonable efforts to locate the offender have been exhausted.

As soon as possible after the Precinct Crime Section receives the Domestic Incident Report, a Precinct Crime Section officer will attempt to contact the complainant/victim to schedule a visit in an effort to obtain a supporting deposition. When deemed appropriate, this visit may be made with the precinct advocate and should be made at the convenience of the complainant. The visit or a description of attempts made to schedule a visit will be documented on a Supplementary Report. If the precinct advocate is unavailable, members are directed to contact the Suffolk County Coalition Against Domestic Violence (telephone # 666-7181) between 0830-1630 hours, Monday through Friday. In the event an arrest has been made, the District Attorney's Office is to be notified by the Precinct Crime Section officer of any additional statements or information obtained from the visit.

13. Safe Pets and Families Program - Suffolk County Local Law 550-13 establishes a "Safe Pets and Families" program to provide temporary shelter for pets of domestic violence victims in Suffolk County. The administration of the "Safe Pets and Families" program will be performed by the Suffolk County Society for the Prevention of Cruelty to Animals (SCSPCA). Members of the Department are advised that they may contact the SCSPCA 24 hours a day at 631-382-7722 when a domestic violence victim, who has been or will be transported to a domestic violence shelter, requests that pets be removed from the residence for safety concerns by the SCSPCA. The SCSPCA can arrange suitable temporary shelter within Suffolk County for a period of up to ninety (90) days for pets of those domestic violence victims transported to a domestic violence shelter.

Suffolk County Local Law 550-13 also directs the Suffolk County Police Department to forward a copy of all reports of domestic violence when there are pets in the home to Domestic Violence Service Providers (e.g., Suffolk County Coalition Against Domestic Violence) via U.S. mail or by fax transmission.

This provision will require officers to indicate on the Domestic Incident Report whether or not there are pets at the location that may be in contact with the offender. This information shall be written at the end of the narrative portion of the Domestic Incident Report. The Domestic Violence and Elder Abuse Bureau shall review Domestic Incident Reports and make appropriate notifications to the Domestic Violence Service Providers as required by Suffolk County Local Law 550-13.

14. Third Party Complaints Concerning Domestic Incidents - When a third party complainant requests assistance with a domestic incident that involves "physical violence or a threat of physical violence", the complainant shall not be told that the alleged victim must contact the police. An Officer will attempt to make contact with the alleged victim to determine the alleged victim's condition and to document the incident. When an allegation involves physical violence against an alleged victim, all reasonable efforts shall be undertaken by the Officer to locate and personally interview the alleged victim to assess the situation. If the alleged victim cannot be located, all efforts made to find the alleged victim shall be documented and faxed to the Domestic Violence & Elder Abuse Bureau, where it shall be determined whether or not to conduct a continuing investigation. This threshold of "physical violence or threat of physical violence" is not intended to prevent an Officer from responding to a domestic related third party complaint that does not meet this threshold. An Officer shall use discretion in those instances when this threshold is not met and respond as deemed reasonable and appropriate.

B. At the scene of a domestic incident where an offense has occurred, before proceeding with any action concerning a family offense, the complainant/victim must be advised of the court options available. In all cases where a physical arrest is made, the defendant will be taken to District Court.

C. Felony Offenses Mandatory Arrest, Suspect at Scene - A member of the Service who responds to a domestic incident and determines that there is probable cause to believe that a felony has occurred shall not attempt to reconcile the parties or mediate but shall arrest the offender, even if the victim requests otherwise. A supervisory notification shall be made concerning the felony offense.

D. Felony Offense, Suspect No Longer at Scene - The officer shall contact a supervisor without unnecessary delay and conduct a reasonable and appropriate search for the suspect. The responding supervisor shall assure that a timely notification is made to the appropriate Precinct Detective Squad.

1. If the suspect is located, the officer shall promptly effect a lawful arrest and notify the complainant/victim and the appropriate Precinct Squad Section detective.

2. The responsible supervisor shall verify that the investigating officer has taken all reasonable efforts to locate and arrest the suspect and shall then direct that appropriate and reasonable steps be taken to arrest the suspect if the suspect's exact location is known. If a detective is not on duty, the supervising officer shall notify the desk supervisor who shall be responsible for calling out the

standby detective.

3. The detective shall respond without unnecessary delay, take a statement from the complainant/victim, and undertake a search for the suspect and other evidence as may be appropriate for the investigation. If the suspect is not located, the detective shall ensure that an application for an arrest warrant is made, and that the complainant is notified regarding the warrant application.

E. Misdemeanor Offenses, Suspect at Scene

1. Misdemeanors Involving Physical Violence or Threats of Physical Violence - A member of the Service who responds to a domestic incident and determines that there is probable cause to believe that a misdemeanor family offense involving physical violence or the threat of physical violence has occurred, shall not attempt to reconcile the parties or mediate but will arrest the offender. The arrest will be made regardless of whether or not the complainant seeks an arrest.

a. The complainant/victim shall not be requested to make a civilian arrest if the responding officer can lawfully arrest as a police officer. The member shall take a supporting deposition from the complainant whenever possible.

2. Other Misdemeanors (Those Not Involving Physical Violence or Threats of Physical Violence) - A member of the Service who responds to a domestic incident and determines that there is probable cause to believe that a misdemeanor family offense has occurred, but did not involve physical violence or the threat of physical violence, shall not attempt to reconcile the parties or mediate but shall arrest the offender, unless the victim requests otherwise. The arresting officer shall not inquire as to whether the complainant/victim seeks an arrest.

a. The complainant/victim shall not be requested to make a civilian arrest if the responding officer can lawfully arrest as a police officer. The member shall take a supporting deposition from the complainant whenever possible.

b. The officer shall not be required to arrest the suspect if the complainant/victim states, without solicitation from the reporting officer, that he/she does not wish the suspect arrested. If an arrest is not made, the officer shall complete the non-arrest section of the Domestic Incident Report and ask the complainant/victim to sign in the appropriate space. If the complainant refuses to sign, the officer shall write, "refused", in the signature space. This section shall not prohibit the officer from making an arrest of the suspect when probable cause exists and the officer believes an arrest is necessary and prudent based on the circumstances of the incident.

F. Misdemeanor Offense, Suspect No Longer at Scene - When the suspect is wanted for arrest because probable cause exists to believe that the suspect committed a misdemeanor involving physical violence, a misdemeanor involving threats of physical violence, or the offense is for another misdemeanor (unless the victim, without solicitation, has

indicated that an arrest is not requested for this other misdemeanor), the officer shall take a supporting deposition from the complainant whenever possible. The officer will conduct a reasonable and appropriate search for the suspect. If the suspect is located, the officer shall effect the arrest. The civilian shall not be requested to make a civilian arrest if the responding officer can lawfully arrest as a police officer. Officers are reminded to refer to Procedures subdivision VI. A. 9. within this section, which directs an investigating officer to request a supervisory response to domestic incidents involving allegations of physical contact between the complainant/victim and the offender.

1. The investigating officer should keep his or her supervisor advised as to the status of any search.

2. The supervisor shall verify that the officer has taken all reasonable efforts to locate and arrest the suspect and shall then direct that appropriate and reasonable steps be taken to arrest the suspect within the precinct or within the Police District if the suspect's exact location is known. If all reasonable efforts to locate the suspect are exhausted, the supervising officer shall notify the desk supervisor. The desk supervisor shall notify the Precinct Crime Section (PCS) of the circumstances. If PCS personnel are not on duty, the desk supervisor or his/her designee shall be responsible for making the appropriate entry in the Precinct Crime Section Night Log.

3. After reviewing all available facts, the PCS officer(s) shall undertake an appropriate search for the suspect. If unable to locate the suspect after exhausting all investigative leads, the PCS officer shall ensure that an application for an arrest warrant is made, and that the complainant is advised of the application.

G. Violation Family Offense Pro Arrest (No Order of Protection Involved), Suspect at Scene - A member of the Service who responds to a domestic incident and determines that there is probable cause to believe that a violation family offense, (e.g., disorderly conduct, harassment), has been committed, shall not attempt to reconcile the parties or mediate but shall arrest the offender, unless the complainant requests otherwise.

1. If the violation is committed in the officer's presence and an arrest is requested, the member, not the complainant, shall make the arrest.

2. If the violation is committed in the officer's presence and the victim/complainant does not wish to have the defendant arrested, the officer shall complete the non-arrest portion of the Domestic Incident Report. This section shall not prohibit the officer from making an arrest of the suspect when, based upon the circumstances of the incident, he/she believes an arrest to be necessary and prudent.

3. If the violation has been committed not in the officer's presence, he/she shall inform the victim, out of the presence of the suspect whenever possible, of the victim's right to make a civilian arrest pursuant to section 140.30 of the Criminal Procedure Law. If the victim requests a civilian arrest, the officer shall effect and process the

arrest.

a. As soon as possible after the arrest, the complainant shall sign the Information before the precinct's desk supervisor. If the complainant does not have the means to respond to the precinct, the desk supervisor shall arrange to have the complainant transported to the precinct or have the Information brought to the complainant for signature. When the Information is not signed at the precinct in the presence of a desk supervisor, the Penal Law warning, "False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law, State of New York", must be stamped on each page directly over where the complainant's signature is indicated. The complainant must sign each page of the Information. The officer witnessing shall also sign each page.

In those cases where the complainant does not sign the Information, the reporting officer will prepare a brief Supplementary Report detailing the reason for the absence of a signature. A copy of the Supplementary Report will be attached to the arrest paperwork, including the unsigned complaint, and sent to court.

The individual arrested must be brought, on behalf of the arresting person, to court and the Court Liaison Section must be advised of the lack of a complainant's signature on the Information. The subject shall not be bailed or unarrested at the precinct.

b. If the complainant refuses to make a civilian arrest, the officer shall not take the suspect into custody. The officer will complete the non-arrest section of the Domestic Incident Report and ask the complainant to sign in the appropriate space. If the complainant refuses to sign, the officer shall write, "refused", in the signature space.

c. If there is probable cause to believe that a violation was committed involving an allegation of physical contact, and the complainant does not wish the offender arrested, the reporting officer will note such on the Domestic Incident Report and ask the complainant to sign in the appropriate space. The Precinct Crime Section will contact the complainant on the following day and determine whether she/he was in fact interviewed outside the presence of the offender, and whether she/he has changed her/his decision about non-arrest. If the complainant now wishes to prosecute, the Precinct Crime Section shall ensure the offender is prosecuted for the offense (i.e., arrest, criminal summons, or warrant).

H. Violation Offense, Suspect No Longer at Scene - If the complainant wishes to have the suspect arrested, the member of the Service shall aid in effecting a civilian arrest by accompanying the complainant in a reasonable search for the suspect and rendering

necessary assistance. A Civilian Arrest Form should not be signed by the complainant until the suspect is actually located. If the subject is located, in addition to signing the Civilian Arrest Form, the complainant must inform the defendant that he/she is under arrest.

1. If no arrest is made, the officer shall advise the complainant to contact the Precinct Crime Section (PCS) without unnecessary delay for the purpose of obtaining an arrest warrant or criminal summons, whichever is applicable. The officer shall also notify PCS of the incident by telephone or in person, and in a case where a PCS member is not available, notification will be made via Night Log.

I. In any case, after ascertaining the location of the suspect and determining that an immediate arrest is necessary and cannot be lawfully effectuated in the absence of an arrest warrant as required by the Supreme Court in Payton v. New York (i.e., the suspect is in his domicile which is separate and apart from complainant's), the PCS officer assigned shall promptly notify the Assistant District Attorney on call and request the issuance of an arrest and/or search warrant.

1. Before applying for a warrant, any one of the following factors must be established:

a. Reasonable belief that the defendant will not respond to a criminal summons (CPL Sec. 120.20(3)); or

b. Reasonable belief that the defendant poses a threat to the victim or the community; or

c. Reasonable belief that an Order of Protection has been violated.

2. If the suspect is to be arrested for a violation of an Order of Protection, the warrant application should be based upon the charge of Criminal Contempt (Penal Law Section 215.50 or 215.51 or 215.52), as well as any underlying offense(s). If the suspect is to be arrested for the commission of an offense, the warrant application should be based upon the appropriate Penal Law Offense.

J. Defendant Charged Criminally in Criminal Court on all Arrests - When an arrest is made, regardless of the forum chosen by the victim (Criminal and/or Family Court), the defendant will be charged criminally in Criminal Court.

K. Incidents Resulting in No Arrest - When an officer makes no arrest in response to a complaint of a family offense, the officer shall complete the non-arrest reason section of the Domestic Incident Report setting forth the reasons why no arrest was made, prior to completion of his or her tour of duty. This report shall be filed with and reviewed by the officer's supervisor. The officer may not use any of the following reasons for failing to make an arrest:

- That the suspect lives on the premises with the victim.

- That there may be a financial consequence caused by the arrest.
- That the suspect and victim are married or had a prior or existing co-habiting relationship.
- That the victim has made prior calls or is a chronic caller.
- That the suspect gives verbal assurance that no harm shall occur to the victim.
- That the alleged injury is minor or not visible.
- That the officer feels that the victim may not cooperate in subsequent proceedings.
- That prosecution or conviction may not occur even though there exists reasonable cause to arrest.

Incidents of noncompliance with this order shall be reported to the Police Commissioner by the member's commanding officer for any appropriate disciplinary action.

L. When the Precinct Crime Section Officer prepares a Criminal Court Information concerning a family offense at the request of a complainant, he or she will advise the complainant of the court options available.

1. District Attorney's Domestic Violence Unit - Any member of the Service preparing a criminal court information based on an offense occurring within the family unit or household, as specified in this section of the Rules and Procedures, shall inform the victim that when a Criminal Court Order of Protection is wanted they must respond to Room 220 of First District Court to petition the court. The Domestic Violence Unit of the District Attorney's Office, also located within First District Court, can provide additional assistance to victims regarding the petition process. Victims should bring their copy of the New York State Domestic Incident Report (DCJS-3221) to court.

The location and contact information for the District Attorney's Domestic Violence Unit can be found on the Family Offense Assistance and Court Procedures form, PDCS 7109.

M. The Chief Administrative Judge of the courts in this state has mandated that accusatory instruments filed for any domestic offense committed by a defendant against one of the below listed persons shall be marked as indicated in subdivision 1. of this section (see below), or under certain circumstances, notification can be made at the time the accusatory instrument is submitted, as dictated in subdivision 2 of this section. Such persons are:

- A person related to defendant by blood relationship or marital relationship whether or not such person resides with defendant;
- A person to whom defendant was or is married, whether or not such

person resides with defendant;

- A person with whom defendant has a child in common, whether or not such person was or is married to defendant or resides with defendant;

- A person with whom defendant resides;

- A person who is not related to the defendant by blood or marriage and who is or has been in an "intimate relationship" regardless of whether such persons have ever lived together at any time.

1. An accusatory instrument that charges a defendant in a criminal proceeding with any offense where the relationship between the defendant and victim is as listed above will have a description of the relationship between the defendant and the victim indicated on the upper right hand corner of the accusatory instrument in the following form (Note: "FO" signifies a Family Offense):

FO

Defendant: _____
relationship to alleged victim

Alleged victim: _____
relationship to defendant

2. Where protection of the identity of a victim of an offense is required by law or otherwise is deemed appropriate, and where placement of the designation or relationship on the accusatory instrument would tend to identify the victim, the criminal justice agency may file instead a separate statement annexed to the accusatory instrument, alerting the court of the defendant's relationship to the victim. Such statement shall not be made available to the public.

N. Domestic Incidents involving members of the Service or other law enforcement officers (as explained in Definitions section III. E.) shall be addressed in the following manner:

1. Any member of the Service who is involved in a domestic incident, as the "Complainant/Victim" or the "Suspect/Other Party", in which a Domestic Incident Report or Field Report is filed, must notify his or her commanding officer as soon as possible, via an Internal Correspondence (PDCS-2042). Commanding officers shall notify the Internal Affairs Bureau. A 'domestic incident' shall include those situations of a non-confrontational civil nature (i.e., visitation exchange, custody/support agreement violated) discussed in Procedures subdivision VI. A. 1. of Chapter 16, Section 6, that allow responding officers to document the domestic incident on a Field Report entitled "Civil Documentation." Additionally, members of the Service should also be familiar with the following chapters/sections of the Rules and Procedures:

a. Chapter 23, Section 5, subdivision VI. A. 11. of the Rules and Procedures provides administrative notification guidelines when

any member of the Department is arrested by any means or is involved in a serious incident.

b. Chapter 2, Section 2, Rules and Regulations subdivision V. EE. includes the following information: "A member of the Department shall immediately notify his/her Commanding Officer of the existence of any temporary or permanent order of protection in which they are the respondent/defendant via an Internal Correspondence (PDCS-2042). Members of the Department must make this notification regardless of whether or not this temporary or permanent order of protection is related to a domestic incident. A copy of the order must be attached to this initial notification. Members of the Department must also immediately notify their Commanding Officer via an Internal Correspondence whenever they become aware of any change to the order, (e.g., order vacated, order expired, order modified, etc.)."

(1) Additionally, Chapter 2, Section 2, Rules and Regulations subdivision V. EE. 1. includes the following information: "The Commanding Officer shall immediately cause a copy of the Internal Correspondence related to the existence or change to a temporary or permanent order of protection to be sent to the Internal Affairs Bureau via facsimile. Commanding Officers must make these notifications regardless of whether or not the order is related to a domestic incident."

c. Chapter 11, Section 4, Procedures subdivision VI. B. 2. states, "Whenever a member of the Department has been convicted of a misdemeanor crime of domestic violence, the member must immediately notify his/her Commanding Officer via an Internal Correspondence. A copy of the conviction must be attached to this initial notification and the affected member is required to provide the docket number and Court, date of conviction and statute or law violated."

d. Chapter 4, Section 3, Rules and Regulations subdivision V. E. contains information on how commands are to address those situations where a member of the Service, pursuant to a court order, is only permitted to possess firearms when on duty.

2. Any member of the Service who investigates a domestic incident involving a member of the Service or other law enforcement officer, whether as the "Complainant/Victim" or "Suspect/Other Party", shall make the following notifications:

a. The member of the Service shall notify his/her supervisor and advise the supervisor of the circumstances.

(1) As per Department policy on all domestic incidents, a supervisor shall be requested to respond to the scene if there are allegations of physical contact between the "Complainant/Victim" and the "Suspect/Other Party."

(2) A supervisor shall also respond to domestic incidents involving a member of the Service or other law enforcement officer when:

(a) there has been any alleged threat of physical violence attributed to the "Complainant/Victim" or the "Suspect/Other Party"; or

(b) an arrest of the member of the Service or other law enforcement officer, regardless of the offense committed, shall occur at the scene; or

(c) the removal of the member of the Service's or other law enforcement officer's firearm(s) shall occur for evidence or safekeeping purposes.

(3) The responding supervisor shall evaluate the circumstances of the domestic incident when considering firearm(s) removal.

(a) A firearm which has been used in connection with or as element of an offense shall be considered evidentiary material and shall be treated accordingly.

(b) The existing provisions utilized to substantiate the removal of a firearm(s) from a pistol license holder at a domestic incident (see Procedures subdivision VI. A. 5. of Chapter 16, Section 6) shall be applied to domestic incidents involving law enforcement officers. Therefore, the responding supervisor shall seek removal of the firearm(s) for safekeeping purposes in the following cases:

- The law enforcement officer is intoxicated and could be a threat to himself or another person, or

- The law enforcement officer caused or threatened bodily harm to the complainant or another person, or

- The law enforcement officer is behaving irrationally and in a manner that causes a reasonable person to be fearful or threatened by the law enforcement officer having access to handguns.

The above justifications for firearm(s) removal are not intended to limit such action for any other reason that a supervisor determines is necessary to protect the safety of those involved.

(4) If the domestic incident involves a member of the Service of the rank of captain or above and any

of the indicators described above in subdivisions (1), (2), or (3) are present, the precinct commander within the precinct of occurrence shall be notified. If the precinct commander is not available, the Chief of Patrol, or the designee of the Chief of Patrol shall be notified.

(5) The investigating officer shall include the name and rank of the supervisor who was notified and/or responded on the Domestic Incident Report or the Field Report ("Civil Documentation") prepared for the domestic incident. If a supervisor was not available to respond to the scene when requested, the investigating officer shall indicate such in the Domestic Incident Report or Field Report. An explanation of the circumstances precluding a supervisory response shall be contained in the Domestic Incident Report or Field Report.

b. The supervisor who has been notified and/or responded to the domestic incident involving a member of the Service or other law enforcement officer shall ensure that a copy of the Domestic Incident Report or Field Report is faxed forthwith to the Internal Affairs Bureau. The Domestic Incident Report or Field Report shall be faxed to the Internal Affairs Bureau even in the event that corrections may need to be subsequently made to the report and the report has not been signed by a supervisor. The following information shall be indicated in the narrative section of the Domestic Incident Report or Field Report: 1) which individual is the law enforcement officer (Complainant/Victim or Suspect/Other Party); 2) the occupational title of the individual; and 3) the agency with which the law enforcement officer is employed.

c. The supervisor who was notified and/or responded to the domestic incident involving a member of the Service or other law enforcement officer shall ensure that the incident is documented in the Tour Report. Actions taken and notifications made shall also be documented in the Tour Report.

(1) The supervisor shall also ensure that a copy of the Domestic Incident Report has been forwarded to his/her commanding officer. Commanding officers shall confirm that the Internal Affairs Bureau has been notified.

d. A member of the Service who is in doubt as to whether or not these notifications should be made, shall make the notifications. Additionally, any other applicable notifications as detailed in Rules and Procedures Chapter 23, Section 5, titled Administrative Notification Procedures, shall be made if the circumstances require notifications.

3. Copies of all Domestic Incident Reports and Field Reports for domestic incidents of a "Civil Documentation" nature, including ones that have been faxed to the Internal Affairs Bureau, as required by this

section, are still to be faxed to the Domestic Violence and Elder Abuse Bureau.

4. Procured Firearms Protocol

a. Evidence Procedure

(1) The responding supervisor shall adhere to procedures enumerated in Rules and Procedures Chapter 24, Section 8, concerning the invoicing of firearms used in the commission of an offense (Ch. 24, Sec. 8, Procedures subdivision VI. E.).

b. Safekeeping Procedures

(1) Member of the Service Involved- The responding supervisor who has removed for safekeeping purposes a firearm(s) from the member of the Service involved in a domestic incident shall proceed as directed under Rules and Procedures Chapter 4, Section 3, Rules and Regulations subdivisions V. D. ('Incapacity to Safeguard') and E. ('Return of Safeguarded Weapons/Property'). Rules and Procedures Chapter 2, Section 9, Procedures subsection VI. D. also contains information on notifications to the Pistol Licensing Bureau "when any command takes possession of a sworn member's Department weapon and/or personal handguns for any reason."

(2) Other Law Enforcement Officer Involved

(a) The Internal Affairs Bureau shall be the primary liaison with supervisory representatives from the associated agency employing the law enforcement officer who has had his/her firearm(s) removed for safekeeping due to a domestic incident.

(b) The firearm(s) shall be invoiced by the arresting officer for safekeeping purposes on the appropriate Property Section paperwork and forwarded through existing transport procedures to the Property Section. The assigned Internal Affairs Bureau representative shall advise the associated agency supervisory representative(s) that a signed letter on the associated agency's letterhead granting permission to release the firearm(s) to their member must be submitted via fax or mail to the Internal Affairs Bureau. Once this correspondence is received, the Internal Affairs Bureau shall forward a copy of the letter along with a PDCS-2042 to the Commanding Officer of the Property Section granting the Property Section permission to release the firearm(s) to the law enforcement officer involved in the domestic incident.

(c) Department members shall make

reasonable attempts to cooperate with any associated law enforcement agencies requesting permission for their supervisory representatives to respond to the Property Section in order to retain possession of a firearm (i.e., agency issued service weapon) removed for safekeeping. The Internal Affairs Bureau will coordinate the transaction through discussions with the associated agency representatives and the Property Section.

(d) In the event that supervisory representatives from the associated agency respond to the Department command addressing the incident (i.e., precinct of occurrence) prior to the invoicing of the weapon for safekeeping and at a time when Internal Affairs Bureau representatives are not available, the officer in charge (OIC) at the respective command shall meet with the representatives. If the associated agency supervisory representatives desire to retain possession of the firearm(s) (i.e., agency issued firearm) at this time, a General Receipt (PDCS-0094) shall be prepared describing the agency representative(s) taking possession of the firearm(s) (name, title, command, agency name, contact number). The firearm information (make, model, serial number) shall also be entered on the General Receipt. The associated agency supervisory representative shall be asked to sign his/her name on the General receipt and provide his/her agency credentials (i.e., shield and identification card) prior to the release of the firearm.

(e) The officer in charge who released the firearm(s) shall complete a Supplementary Report explaining the circumstances of the release. Copies of this report shall be forwarded to the commanding officer of the officer in charge, the Internal Affairs Bureau, and the Domestic Violence and Elder Abuse Bureau. A copy shall also be retained in the applicable Precinct Crime Section's domestic incident file folder.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 09-21

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE
 ORDERS OF PROTECTION

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 05/14/09	DATE EFFECTIVE 05/14/09	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 7: TITLE: ORDERS OF PROTECTION

I. PURPOSE

To provide procedures for handling incidents which involve Orders of Protection issued by Family, Criminal and Supreme Courts.

II. POLICY

The enforcement action taken in situations involving Orders of Protection shall be in compliance with both State law and County policy.

III. DEFINITIONS

N/A

IV. REFERENCES

- A. Family Protection and Domestic Violence Intervention Act of 1994.
- B. Family Court Act, Articles 4, 5, 6 and 8.
- C. NYS Penal Law Section 215.50 and 215.51.
- D. NYS Domestic Violence Act Section 240, paragraph 3.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

- A. Family Court, Criminal Court and Supreme Court Orders of Protection
 - The presentation of a Family, Criminal or Supreme Court Order of Protection, subject to verification to a member of the Service by the petitioner (identified as such in Family Court) or complainant (identified as such in Criminal Court), or knowledge that such an order exists as stated in the Suffolk County Order of Protection automated file

and/or the NYS Order of Protection Registry (NYSPIN), constitutes authority to take the person named therein (known as the respondent in Family Court or the defendant in Criminal Court) into custody for an alleged violation of the terms stipulated therein. Methods to verify the existence of an Order of Protection include a radio check via a Department dispatcher, a check via the precinct computer terminal and/or a telephone call to either the Suffolk County Sheriff's Warrant Squad (during regular court hours) or the Suffolk County Sheriff's Radio Room (after regular court hours). A computer check shall not override the physical presentation of an Order of Protection. If an Order is produced by the complainant/victim and the computer does not show the Order it must be verified through a phone call to the Sheriff's Office. If an Order produced, which is issued outside Suffolk County but within New York State, appears to be valid upon its face, however can not be verified by a computer check of the NYS Order of Protection Registry, it must be treated as being a valid Order until such time that evidence to the contrary is received.

Orders of Protection issued by another state or a Federally Recognized Indian tribe shall be given full faith and credit and enforced as if they were the orders of a New York State Court (consistent with 18 U.S. C. 110A, Subsection 2265).

Criminal Court Orders of Protection issued by a city court (outside of New York City), a town or village court, within New York State, are valid anywhere in the State.

It is possible to have more than one valid Order of Protection in effect at the same time. One court's order does not supersede another court's order, and both may be enforceable; however, in the case of conflicting conditions on the orders, it is necessary to enforce the order which provides the more restrictive requirements.

Orders of Protection are commands of the court. It is not within the officer's scope of authority to determine the appropriateness of the offending act (e.g., violation of order provisions were trivial or inconsequential, defendant was "invited" or "allowed" back into the house, threatening or offensive behavior was provoked or precipitated by the actions of the complainant, complainant gives "permission" for violating behavior, defendant needs to remove property from premises without a notation from court allowing for same, etc.). It is within the officer's scope of authority to establish if a specific violation has occurred and to take appropriate action.

Some Orders of Protection mandate that the respondent/defendant surrender any weapons, surrender any firearms, and/or surrender their pistol license. If this mandate is included within an Order of Protection that is being served by an officer, the officer shall ask the respondent/defendant if he/she possesses any of the prohibited item(s). Any such inquiry must be documented on the Domestic Incident Report. If the respondent/defendant possesses any of the prohibited item(s), the officer shall take the appropriate steps to confiscate the item(s).

NOTE: An Order of Protection containing a "STAY AWAY" provision commands that the defendant/respondent must stay away. Should the

defendant/respondent have a need to obtain items from the location, the court must stipulate permission to do so in the order. Under no circumstances can an officer escort the defendant/respondent to the location without this stipulation. To do so could be interpreted, ultimately, as having the officer in violation of the order and therefore subject to possible liability. Before providing such an escort, members must check with the Sheriff's registry to ensure that a "one time" visit has not already been effected.

B. Violation Order of Protection: Subject at Scene Mandatory Arrest

- When a member of the Service responds to a scene where probable cause exists that a subject violated the terms of a valid Order of Protection, an arrest shall be made. There will be no attempts to reconcile or mediate the situation. The responding officer shall prepare the Domestic Incident Report and shall give a copy of same to the complainant/victim together with the Family Assistance and Court Procedures form. When possible, the arresting officer shall take a supporting deposition from the victim (if victim refuses to sign, document such refusal on the Domestic Incident Report).

NOTE: Nothing precludes a member of the Service responding to the scene where probable cause exists that a subject violated the terms of a valid Order of Protection from determining if weapons are on the scene and from taking steps to remove said weapons, including, but not limited to, any weapon(s) that the subject is specifically prohibited from possessing by terms of the Order of Protection, in accordance with Chapter 16, Section 6 of the Rules and Procedures entitled "Family Complaints/Domestic Incidents Occurring within the Family Unit".

C. Charges - Any time a subject is taken into custody for a violation of ANY Order of Protection (includes Family Court, Criminal Court, Supreme Court, Temporary or Permanent) he/she shall be charged with the appropriate section of Penal Law Section 215. There will no longer be a charge "VOP" utilized.

1. In a case where the violation of the Order of Protection is caused or accompanied by the commission of a new crime, the responding officer shall charge the defendant with the new crime, in addition to the appropriate Criminal Contempt section.

2. In a case where the violation of the Order of Protection is caused or accompanied by the commission of a new violation offense committed in the officer's presence, the responding officer shall charge the defendant with the new violation offense, in addition to the appropriate Criminal Contempt section.

3. In a case where the violation of the Order of Protection is caused or accompanied by the commission of a new violation offense not committed in the officer's presence, the responding officer shall determine if the complainant wants to initiate a proceeding in Criminal Court.

a. If yes, the officer will have the complainant sign a civilian arrest form charging the new violation offense, in addition

to the appropriate Criminal Contempt section.

b. If no, the officer shall charge only the appropriate Criminal Contempt section and advise the complainant of the Family Court options available, if any.

4. The defendant/respondent will be brought to the Precinct Detective Squad for processing whenever it is determined that a Felony Level Criminal Contempt has been committed.

5. The required paperwork to be sent to the court shall include, but is not limited to:

a. Copy of Arrest Report

b. If taken, a copy of the Supporting Deposition.

c. Copy of the Order of Protection (if available) or a printout of the Order of Protection from the automated file or NYS Order of Protection Registry response. (The petitioner's copy shall be returned to the petitioner.)

d. Three (3) court informations.

e. Two (2) Arrest Records; include even though defendant has no record and indicate "No Record", if that is the case.

f. Civilian Arrest Report, if applicable.

g. Copy of Domestic Incident Report.

NOTE: When completing a court information for Criminal Contempt, it is necessary to include an allegation that the defendant/respondent had knowledge of the Order of Protection that was violated.

D. Violation Order of Protection, Subject Not at Scene - When a member of the Service responds to a scene where probable cause exists that a subject has violated an Order of Protection and the subject is no longer at the scene, the responding officer shall prepare the Domestic Incident Report and shall give a copy of same to the complainant, together with the Family Offense Assistance and Court Procedures Form. If a felony VOP is apparent the member's supervisor shall be notified and the supervisor shall assure a timely notification of detectives. When possible, in other than felony cases, the responding officer shall take a supporting deposition from the victim (if victim refuses to sign, document such refusal on the Domestic Incident Report). The responding officer shall attempt to locate the suspect within the sector and effect an arrest without regard to the complainant's willingness to prosecute.

1. If the suspect is not located within the sector, the officer shall contact a supervisor without unnecessary delay.

2. The supervisor shall verify that the responding officer has made all reasonable efforts within his or her sector to locate and arrest

the suspect, and shall then direct that such steps be taken as may be appropriate and reasonable to arrest the suspect within the precinct, or within the police district if the suspect's location is known. After all reasonable efforts to locate and arrest the suspect have been exhausted within the police district, the supervising officer shall assure that the desk supervisor is notified. The desk supervisor, or his/her designee, shall notify PCS or detectives, whichever is appropriate. If PCS is not on duty, the desk supervisor shall be responsible for making the appropriate entry in the Precinct Crime Section Night Log. If the detective squad is not on duty, the desk supervisor shall call out the standby detective and shall assure that he/she responds without unnecessary delay.

a. In order for the desk supervisor to determine if a detective is needed, he or she, or a designee, must determine if a Felony Level Criminal Contempt has been committed.

3. After reviewing all available facts and the charges have been established, the PCS officer(s) or detective(s) shall undertake an appropriate search for the suspect.

4. The PCS officer or detective, whichever is appropriate, if unable to locate the suspect after exhausting all investigative leads, shall make application for an arrest warrant. Upon receipt of the warrant, the PCS officer or detective will continue to pursue the investigation and attempt to execute the warrant as expeditiously as possible.

E. Expiration Time - The period of time in which Orders of Protection are in effect is calculated from the date of issuance of the Order of Protection and/or the time period as indicated on the order. This period is noted on the Order of Protection or in some instances the phrase "until further order of the Court" or "until final disposition of this case" or a similar phrase may be noted. When this type of quoted phrase is indicated on the order it is in effect until vacated by the court. As of January 1, 1995 all Orders of Protection must contain an expiration date.

F. Bail - A respondent taken into custody for a violation of an Order of Protection may be admitted to bail by the Family Court or any Criminal court but never bailed by police personnel.

G. Arraignment - When a respondent/defendant is taken into custody, he/she will be arraigned at 1st District Court. The petitioner/complainant is directed to appear in First District Court for the arraignment. If, for any reason, the petitioner/complainant is unable to appear at the arraignment the court must be notified. This can be accomplished by attaching a correspondence to the attention of the ADA on the court paperwork.

H. Automated File - All Department computer terminals have the capabilities of accessing the Order of Protection file data base maintained by the Suffolk County Sheriff's Office. The data base and printout will contain (but not necessarily be limited to) the following:

- Effective Date of Order

- Expiration Date of Order (Orders issued after 1/1/95)

- Court of Jurisdiction

- Issuing Judge

- Listing of Act(s) Prohibited

- Indication of personal service or presence in court of the defendant (only on those issued after January 1, 1995)

- Indication that a "one time" visit, as stipulated in an Order of Protection, has been effected.

Department computer terminals have access to the NYS Order of Protection Registry through the NYSPIN system.

Whenever a member of the Service is advised of the existence of an Order of Protection by a petitioner/complainant, an inquiry of the Suffolk County and NYSPIN Data Base will be performed. If an affirmative response is received and the subject has violated the terms of the order, an arrest shall be made. If a negative response is received a telephone inquiry must be made to the Sheriff's Department. If the Sheriff's Department verifies existence of an Order of Protection and the subject has violated terms of the Order of Protection, an arrest shall be made.

In the case of a Criminal Court Order of Protection: If a copy of the Order of Protection is unavailable, a copy of the Order of Protection Inquiry (Suffolk County Sheriff or NYSPIN) computer printout may be submitted to the courts as evidence of the Order of Protection.

In the case of a Family Court Order of Protection: If the Order of Protection is issued by the Family Court, it is necessary to provide a copy of the Family Court Order of Protection to support a charge of Criminal Contempt. Every attempt possible shall be made to provide this copy, including (but not necessarily limited to) utilizing the complainant/petitioner copy, or requesting a copy from the Sheriff's Department. This can be accomplished by contacting the Sheriff Department's Order of Protection Registry at 853-4354 between 0830 hours and 1700 hours and 852-2286 on off hours and weekends. If all attempts to obtain a copy of the order fail, forward the complaint to court with a copy of the computer printout of the Order of Protection from the Sheriff's data base or NYSPIN, whichever is appropriate.

I. Notification to the Sheriff's Department Order of Protection Registry:

1. If service of an Order of Protection has not been effected, the officer must make an attempt to arrange service of the Order of Protection on the respondent. Service of the Order on the respondent can be effected by serving petitioner's copy of the Order, if same is available and petitioner consents. If no copy of the Order is available, the officer shall contact the Sheriff's Department and attempt to arrange proper service of the Order. When no copy of the Order can be served, the officer must inform the defendant/respondent of the existence of an order of protection. Such notice must include: date of order, issuing court, and specific prohibited behavior.

Any time a defendant/respondent is served by an officer, the notification must be recorded on the Domestic Incident Report or Field Report and said report must be faxed to the Sheriff's Department. A copy of the fax receipt confirming transmission to the Sheriff's office must be attached to the Domestic Incident Report. The Sheriff's Department personnel will then update the Order of Protection file to denote that the respondent has been advised of the Order of Protection. Additionally, a memo book entry must be made at the time of notification.

2. When an order of protection stipulates that the defendant may return to the premises one time to remove belongings, the escorting officer must record the visit on the Domestic Incident Report and fax said report to the Sheriff's Department. The Sheriff's Department personnel will then update the Order of Protection file to denote that the one time return to the premises has occurred. A copy of the fax receipt confirming transmission to the Sheriff's office must be attached to the Domestic Incident Report. Additionally, a memo book entry must be made at the time of the escort.

3. Sheriff's Department Fax Numbers:

- a. 853-7509 Between 0800 and 1800 hours.
- b. 852-1897 Between 1800 and 0800 hours.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 8: TITLE: CERTIFICATE OF WARRANT

I. PURPOSE

To provide guidance in those instances where a certificate of warrant is encountered.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. The Family Court may issue a warrant for the arrest of the respondent. A Certificate of Warrant may also be issued at the same time and presented to the petitioner. The Certificate of Warrant carries the same authority, that is to take the respondent into custody, as the warrant itself and may be executed by any police officer, at any time and in any place within the State without further endorsement by a local judge.

B. The Certificate of Warrant is valid for a period not exceeding ninety (90) days but may be renewed from time to time by the clerk of the issuing court.

C. Upon the apprehension of the respondent, the member of the Force effecting the arrest proceeds with or causes the notifications to the petitioner to appear in court as specified in the proceedings under the Order of Protection. Subjects taken into custody are not bailed, unless a bail amount is specified on the Certificate of Warrant issued by the Family Court.

D. Reporting Procedure - The member of the Force apprehending and taking into custody a respondent by authority of an Order of Protection or a Certificate of Warrant reports such actions by submitting a Field Report and an Arrest Report in accordance with arrest procedures.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 09-26

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE BOATING WHILE INTOXICATED (B.W.I.)			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 06/11/09	DATE EFFECTIVE 06/11/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARRESTS AND PRISONERS

SECTION 9: TITLE: BOATING WHILE INTOXICATED (B.W.I.)

I. PURPOSE

To provide a procedure to be followed when executing an arrest for Boating While Intoxicated (B.W.I.).

II. POLICY

When a member of the Service has reasonable grounds to believe that the operator of a vessel is intoxicated by virtue of alcohol or that the person's ability to operate is impaired by virtue of alcohol or drug, he/she shall arrest the said operator in conformity with the New York State Navigation Law.

III. DEFINITIONS

A. Vessel - The term "vessel" shall be every description of watercraft or other artificial contrivance propelled in whole or in part by mechanical power, and which is used or capable of being used as a means of transportation over water, and which is underway and not at anchor or made fast to the shore ground. The term "vessel" shall include a "public vessel" as defined herein unless otherwise specified.

B. Public Vessel - The term "public vessel" shall mean and include every vessel which is propelled in whole or in part by mechanical power and is used or operated for commercial purposes on the navigable waters of the State; that is either carrying passengers, carrying freight, towing, or for any other use, for which a compensation is received, either directly or where provided as an accommodation, resort or amusement.

C. Waters of the State - The term "waters of the State" means all of the waterways or bodies of water located within New York State or that part of any body of water which is adjacent to New York State over which the State has territorial jurisdiction, on which a vessel or public vessel may be used or operated, including Nassau and Suffolk Counties.

D. Navigable Waters of the State - This term shall mean all lakes, rivers, streams and waters within the boundaries of the State and not

privately owned, which are navigable in fact or upon which vessels are operated, except all tidewaters bordering on and lying within the boundaries of Nassau and Suffolk Counties.

E. Operation of a Vessel - Under law governing operation of a vessel while in an intoxicated condition, it is not sufficient evidence of "operation" to merely establish that the defendant was in charge of the vessel that was underway; if there is no evidence that the vessel was capable of navigation by use of its engine, then there must be reasonable cause to believe that the vessel had been underway and had been propelled in whole or in part by some other mechanical power.

F. Drug - Marijuana or any substance described in Section 3306 of the New York State Public Health Law; or any substance, which, when taken into the human body, can impair the ability of the person to operate a vessel safely.

G. Drug Recognition Expert (DRE) - is a member of the Service trained and certified in the observation, evaluation and recognition of impairment caused by the use of legitimate or illicit drugs. A DRE officer is certified by the National Highway Traffic Safety Administration (NHTSA) and the International Association of the Chiefs of Police (IACP).

IV. REFERENCES

New York State Navigation Law, Article IV., Section 49-a
New York State Public Health Law

V. RULES AND REGULATIONS

A. Investigative Responsibility: Death or Serious Physical Injury Involved - In all vessel crashes involving a death or serious physical injury (as defined in Chapter 8, Section 2, 'Definitions' Subdivision III. D.), whether or not B.W.I. is suspected, the appropriate Precinct Detective Squad is responsible for the investigation. A member of the Service handling the incident shall request, via the dispatcher, that the appropriate Precinct Detective Squad respond.

VI. PROCEDURES

A. Notwithstanding the provisions of section 140.10 of the Criminal Procedure Law, a police officer may, without a warrant, arrest a person, in case of a violation of any paragraph of subdivision two of Article IV., Section 49-a of the New York State Navigation Law, if such violation is coupled with a crash or collision in which such person is involved, which in fact had been committed, though not in the police officer's presence, when he has reasonable cause to believe that the violation was committed by such person.

B. Lack of Reasonable Grounds - When a member of the Service does not have reasonable grounds to believe that the operator of a vessel involved in a crash or other incident was operating said vessel in an intoxicated condition or while his ability to operate said vessel was impaired and another operator or any person demands that an arrest be made, the member of the Service will advise such person that an arrest will not be made

because of the lack of probable cause to justify such arrest.

C. Civilian Arrest - If, after a civilian arrest has been legally effected for an alleged offense of operating a vessel while in an intoxicated condition or while ability to operate is impaired, and the prisoner has been turned over to a member of the Service who has reasonable grounds to believe that the prisoner did operate such vessel while intoxicated or his or her ability to operate was impaired as alleged, the member of the Service shall effect the citizen's arrest as contained in Chapter 16, Section 1 of these Rules and Procedures. However, it shall be the member's responsibility to ensure that any required testing of the defendant is performed.

D. When a member of the Service makes an arrest for B.W.I., he will arrange for the securing of the defendant's vessel. If no operator is available, the officer will secure the vessel in a safe manner unless said vessel is to be impounded as evidence or seized under authority of Suffolk County Code 270.

E. Standard Field Sobriety Tests - Whenever practical or as circumstances permit, members of the Service shall administer standard field sobriety tests. All field sobriety tests shall be properly administered in accordance with Department approved training. The arresting officer shall document the results of the field sobriety tests, any other notable actions of the suspect, or reasons where conditions prevented the administration of field sobriety tests on form PDCS-3225, Field Sobriety Test Notes. The original and one copy of the Field Sobriety Test Notes shall be made part of the case folder and four copies will be made for the court paperwork.

F. Advanced Roadside Impaired Driving Enforcement (A.R.I.D.E.)
Field Sobriety Tests - If drug impairment or a combination of alcohol and drug impairment is suspected, members of the Service shall administer, whenever practical or as circumstances permit, A.R.I.D.E. field sobriety tests. All A.R.I.D.E. field sobriety tests shall be properly administered in accordance with Department approved training. As further contained in the below-listed procedures, an arresting officer may also request the assistance of a Drug Recognition Expert to conduct an evaluation of the arrestee.

1. If the original arresting officer is not A.R.I.D.E. trained, he or she can obtain the assistance of an A.R.I.D.E. trained officer through dispatch.

2. The investigating officer shall document the results of these field sobriety tests or other notable actions of the suspect on form PDCS-3228, A.R.I.D.E. Field Sobriety Test Notes. The original and one copy of the A.R.I.D.E. Field Sobriety Test Notes shall be made part of the command case folder and four copies will be made for the court paperwork.

G. Pre-Screening Breath Device - A pre-screening breath device will be used by members of the Service as follows:

1. Every person operating a vessel on the waters of the state

which has been involved in a crash or which is operated in violation of any of the provisions of Navigation Law which regulate the manner in which a vessel is to be properly operated while underway shall, at the request of a police officer, submit to a breath test to be administered by the police officer. Officers shall note that the Navigation Law is generally unenforceable within Suffolk County except where there is specific statutory language making it applicable.

2. The pre-screening breath device will be operated only by personnel who have successfully completed the required training session.

3. Whenever a pre-screening breath test is requested or administered, a memo book entry or where appropriate, Police Vessel's Boat Log entry, must be made specifying the time and location of the test, the serial number of the device, the result, and the reason why the pre-screening test was administered. If the subject is arrested, the pre-screening breath test results will also be recorded in the Field Sobriety Test Notes.

4. Subsequent to a pre-screening breath test being administered, a summons will be issued for the violation, if one occurred, that was the basis for the pre-screening breath test, but only if the violation was witnessed by the officer.

5. If the pre-screening breath test is refused, a summons shall be issued for violation of Section 49-a, subdivision 6 (b) of the Navigation Law.

H. Chemical Test Refusal - If the prisoner refuses to submit to a chemical test or to any portion thereof, the arresting officer must then submit a sworn statement on a "Report of Refusal to Submit to Chemical Test - Vessel" form, which is submitted to the court of arraignment with the arrest paperwork. An additional photocopy of this form will be made by the arresting officer and submitted to the Court Liaison Section with the arrest paperwork. This copy will be forwarded to the District Attorney's Office. The arresting officer must state that he/she had reasonable grounds to believe the arrestee was operating a vessel in an intoxicated condition or the person's ability to operate was impaired by alcohol or drugs and that the arrestee refused to submit to a chemical test.

1. Court Liaison Section - After a defendant refuses to submit to a chemical test, that person's privilege to operate a vessel is suspended by the court and a Notice of Temporary Suspension and/or Notice of Hearing - Vessel/Waiver of Hearing - Vessel form is completed. The Court Liaison Section must then immediately forward all such notices issued by the court to the command of the arresting officer.

2. Command Responsibility - The command receiving the notice will immediately notify the arresting officer of the scheduled hearing date and retain the notice with the command copy of the arrest paperwork.

3. Arresting Officer's Responsibility - Arresting officers will respond to the New York State Office Building, Department of Motor

Vehicles, 3rd floor, Veterans Memorial Highway, Hauppauge, New York on the date and time prescribed in the aforementioned notice. Officers responding must have in their possession the yellow copy of the Report of Refusal to Submit to Chemical Test and Notice of Temporary Suspension and/or Notice of Hearing - Vessel/Waiver of Hearing - Vessel form (AA-137V), and any supporting depositions/witness statements. In addition, Officers should review the command copies of the arrest paperwork prior to the hearing.

I. Chemical Test Submission - When a prisoner consents to submit to a chemical test for intoxication or impairment due to alcohol or drugs, a breath, blood or urine test is to be administered. These tests ordinarily must be administered within two (2) hours of the defendant's arrest or prescreening breath test, whichever occurs first. All efforts must be made to effect the administration of a chemical test within the prescribed two-hour period. However, when a defendant has voluntarily consented to submit to the administration of a chemical test, the two (2) hour time limitation for the administration of the test may be extended. Any such time delay must be reasonable and there must be articulable circumstances that prevent the administration of the chemical test within the two (2) hour time limitation. The blood kits and the Intoxilyzer instruments required for the administering of the prescribed tests are available at the precincts. Urine kits are available at the Highway Patrol Office.

1. A person in custody, who has been arrested for any offense that requires the taking of a chemical test as per this Section, is permitted to have a lawyer present when the test is given, if so requested. However, the fact that the lawyer is not present will not be used to delay the administering of the chemical test beyond the two (2) hour time limit. A lawyer present at any test may be subpoenaed as a witness for the prosecution.

2. In cases where the defendant's attorney is present for the administering of a chemical test, enter the following information on a Supplementary Report (copies as required) and submit with the accompanying Arrest Report.

a. Lawyer's name, address and telephone number; date and time he was notified and by whom; the time defendant's lawyer arrived and was present at test.

J. Official Chemical Test - The official instrument utilized by the Department to determine alcohol content of blood of a person arrested for boating while intoxicated is the Intoxilyzer. The person tested shall be permitted to have a physician of their own choice administer a chemical test in addition to and following the one administered at the direction of the police officer. Refusal by the arrested person to submit to a particular test directed by the police officer, even though the arrestee consents to submit to an alternative test, shall be considered a refusal to submit to a chemical test. The alternate chemical test for determining alcohol content (blood) is to be utilized only upon any of the following circumstances:

1. The arrestee is involved in a vessel crash involving a death or

serious physical injury.

a. Blood Test Death/Serious Physical Injury Crash

- As per Subdivision V. A. above, in all vessel crashes involving a death or serious physical injury, the appropriate Precinct Detective Squad is responsible for the investigation. In all vessel crashes involving serious physical injury or fatality, (sustained by someone other than the arrestee) where an arrest for B.W.I. is made, the Intoxilyzer will not be used for testing of the arrestee. In such cases, the authorized test will be a blood test. If the arrestee refuses consent for the blood test or is unable to give consent to such test, the assigned detective shall ensure that an application for a warrant to obtain a blood sample from the arrestee shall be made. The courts have held that the two hour statutory period for the administration of a chemical blood alcohol test does not apply to a court ordered test. The arresting officer and/or the assigned detective shall ensure that any blood samples obtained from the arrestee shall be obtained in accordance with "Blood Test" procedures contained below within this Section, and also with the applicable provisions contained in the Navigation Law. The arresting officer and/or assigned detective may request the assistance of a DRE to conduct a Drug Recognition Evaluation.

2. The arrestee sustained an injury that prevents administration of a breath test.

3. Circumstances prevent timely administration of a breath test.

K. Fingerprint - The arresting officer will ensure that the prisoner's fingerprints are taken as prescribed by law and Department procedures.

L. Record Checks - Arrest record, driving record, license check:

1. Request a File 15 Inquiry (criminal history) via the dispatcher. The dispatcher will then contact the Teletype Unit to perform the inquiry.

2. Make a DMV inquiry of the license and driving record of the arrestee. The investigating Officer should review the criminal history and driving records of the arrestee to determine the proper charge under Navigation Law 49-a.

3. Operating a Vessel While Ability Impaired, Navigation Law 49-a, Subdivision 2 (a) - A person who operates a vessel in violation of this subdivision after being convicted two or more times of a violation of any subdivision of Section 49-a within the preceding ten years shall be charged with a misdemeanor. (This ten year period is from the date of instant offense/arrest backwards to dates of convictions.)

4. Operating a Vessel in Violation of Navigation Law 49-a, Subdivisions 2 (b), (c), (d) or (e)-

a. A person who operates a vessel in violation of

Subdivisions 2 (b), (c), (d) or (e) after having been convicted of a violation of Subdivision 2 (b), (c), (d) or (e), or of operating a vessel or public vessel while intoxicated or while under the influence of drugs, within the preceding ten years, shall be charged with a Class E Felony. (This ten year period is from the date of instant offense/arrest backwards to date of conviction.)

b. A person who operates a vessel in violation of Subdivisions 2 (b), (c), (d) or (e) after having been twice convicted of a violation of Subdivision 2 (b), (c), (d) or (e), or of operating a vessel or public vessel while intoxicated or while under the influence of drugs, within the preceding ten years, shall be charged with a Class D Felony. (This ten year period is from the date of instant offense/arrest backwards to dates of convictions.)

c. If charging Felony B.W.I., the arresting officer shall complete a Felony Complaint (SSCS-1000) as follows:

(1) When a defendant has been arrested for B.W. I. and has refused a chemical test or the results of a blood test are not yet known, the proper charge is Section 49-a subd. 2(d). If a defendant has submitted to a test and the results are known and are .08 or higher, the correct charge is Section 49-a subd. 2(b). Where the vessel is a public vessel and the results are known to be .04 or higher, the correct charge is Section 49-a, subd. 2(c).

-or-

(2) Charge Section 49-a subd. 2(e) of the Navigation Law when the arrestee is suspected of being under the influence of drugs.

(3) In addition to the information which is normally included in the "to wit" section of a misdemeanor information, the following sentence shall be added: "The defendant was previously convicted (state applicable occasions), within the past ten years, of operating a vessel or public vessel while under the influence of alcohol or drugs in violation of Section 49-a, Subdivisions 2(b), (c), (d) or (e) of the New York State Navigation Law".

(4) It shall be stated that the Felony Complaint is based on personal knowledge and information and belief, the source being the:

(a) Attached local record check from Central Records, obtained via facsimile machine, and/or

(b) The DMV abstract (computer printout) obtained from the New York State Department of Motor Vehicles.

M. Death or Serious Physical Injury - Required Notations on

Court Paperwork - When an arrestee is charged with a violation of Section 49-a, subdivision 2 (b), (d) or (e) of the Navigation Law and someone other than the arrestee dies or suffers a serious physical injury arising out of the incident, such information shall be indicated by use of the designated codes on the court information. The letter "D" shall be used when a death has occurred or the letters "SPI" shall be used when a serious physical injury has occurred. These codes shall be printed prominently [in capital letters and set off by quotation marks], in order to differentiate from the numerical section of law charged. On the court information the letter(s) shall be printed in the space following the section of law charged.

N. Bail Ineligibility - An arrestee charged with a violation of subdivisions 2 (a) or 2 (c) of Section 49-a may be bailed in accordance with these Rules and Procedures, (see Chapter 16, Section 16, "Desk Appearance Tickets and Bail"). An arrestee charged with a violation of Section 49-a, subdivisions 2 (b), (d) or (e) of the New York State Navigation Law shall not be bailed by police personnel, but shall be brought before the proper court of arraignment. If the defendant is hospitalized as a result of a vessel crash, a Field Appearance Ticket may be issued for violation of Section 49-a, (see Chapter 9, Section 4, "Field Appearance Ticket Procedures").

O. Blood Test Procedure - Blood test for determining alcohol or drug content of the blood.

1. If a blood test is needed, the officer having a prisoner in custody must personally notify the Communications Section Duty Officer and request the response of a physician's assistant from the Office of the Medical Examiner. If the Office of the Medical Examiner does not have personnel available, the officer shall request a physician, or a registered physician's assistant, or a registered professional nurse to take a specimen of the prisoner's blood as specified below, with the officer acting as a witness.

2. The following precautions shall be taken: The skin from which the blood sample is to be taken must not be sterilized with any solution which contains alcohol, nor can the instrument or instruments used for the purpose of withdrawing the blood specimen, nor the container in which said blood specimen is to be placed, be sterilized in any such solution. The kit supplied by the Toxicology Laboratory contains a sterile syringe, needle, gauze pads, vacutainer tubes and an antiseptic swab.

3. The blood test must be given as soon as possible after the discovery of the facts which indicate that a determination as to alcohol or drug content of the blood should be made. This test must be given within two (2) hours of the time of arrest or the time of the prescreening breath test, whichever occurred first, or as otherwise directed by these Rules and Procedures.

4. In addition to any required Police Department paperwork (e. g., Evidence Analysis Request, etc.), the Toxicology Laboratory's DWI/DUID LABORATORY REQUEST FORM (form TOX/DWI-001A) that is supplied with each

blood kit must be completed by the arresting/investigating officer when forwarding the blood specimen to the Crime Laboratory. The "comments" section of the form may be used to describe any unusual characteristics of the incident or blood sample that may assist the Toxicology Laboratory.

5. The officer who witnesses the taking of the blood specimen ensures delivery of the kit containing said blood specimen to the Crime Laboratory as soon as practicable.

6. The officer delivering the kit containing said blood specimen notes the serial number, time and date the kit containing said blood specimen was picked up and the time, date and name of the person (or locker number) to whom the kit containing said blood specimen was delivered at the Crime Laboratory.

7. A written record shall be kept of all persons through whose hands - the "chain-of-custody" - the kit containing said blood specimen passes before it reaches the Toxicology Laboratory and shall be made a permanent part of the arrest record.

8. The representative of the Crime Laboratory shall note the name and shield number of the officer delivering the kit containing the blood specimen, kit number, name of prisoner, and the time and date the kit was received.

9. The requested laboratory testing shall be performed, and the findings reported on the appropriate forms.

P. Breath Test Procedures - When an "Intoxilyzer" is used to determine alcohol content of the blood, the following procedure is to be used:

1. The arresting officer will transport the prisoner to the appropriate precinct, and the warnings contained on the Alcohol Influence Report shall be administered to the prisoner as soon as is practicable. Upon obtaining consent from the arrestee to the administration of a breath test, the arresting officer shall request from the Communications Section Duty Officer that a Certified Breath Analysis Operator be dispatched to the precinct wherein the Breath Test is to be administered.

2. The Breath Test shall be administered by the Certified Breath Analysis Operator at the designated location using the Intoxilyzer and in the presence of the arresting officer. The Breath Test shall be given within two (2) hours of the time of the arrest or the time of the pre-screening breath test, whichever occurred first, or as directed by these Rules and Procedures.

a. The Breath Test for determining the alcohol content of the blood is administered via an Intoxilyzer, or such other instrument as the Police Commissioner may approve.

b. The Breath Test is administered only by a Certified Breath Analysis Operator who has been approved and certified by the State of New York Department of Health and/or the Suffolk County Police Department.

c. The Certified Breath Analysis Operator who administers the test shall perform the following in the testing procedure:

(1) The Certified Breath Analysis Operator shall ensure that nothing is placed or introduced into the prisoner's mouth for a minimum of fifteen minutes prior to the actual Breath Test.

(2) The Certified Breath Analysis Operator shall perform the Intoxilyzer Test in accordance with guidelines promulgated by the New York State Department of Health and/or the Suffolk County Police Department.

(3) The result of the Breath Test appears on a form known as the "Intoxilyzer Evidence Card". Upon removal of the Evidence Card from the instrument, the card is initialed by the Certified Breath Analysis Operator and the arresting officer.

(4) The original copy of the Intoxilyzer Evidence Card is retained by the arresting officer for attachment to the case record in a sealed envelope and is not to be stapled or mutilated in any manner.

(5) Whenever a Certified Breath Analysis Operator conducts an Intoxilyzer Test, he or she shall submit form PDCS-3115, Supporting Deposition - Breath Analysis Operator. The original will be submitted to the arresting Officer and copies will be distributed to the District Attorney, Court and Breath Analysis Operator.

Q. Drug Recognition Evaluations (DWI/BWI) - The procedures for the use of Drug Recognition Evaluations are contained in Chapter 16, Section 2 of these Rules and Procedures.

R. Seizure of Conveyances (DWI/BWI) - The procedures for the seizure of conveyances under Suffolk County Code 270 are contained in Chapter 16, Section 2 of these Rules and Procedures.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

ADD: Drug Recognition Evaluations (DWI/BWI) 16/2
Drug Recognition Expert (DRE) (DWI/BWI) 16/2
Seizure of Conveyances (DWI/BWI) 16/2
A.R.I.D.E. Field Sobriety Test Notes

END



ORDER NUMBER 08-27

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE PRISONER TRANSPORTATION PROCEDURES				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/11/08	DATE EFFECTIVE 03/11/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 10: TITLE: PRISONER TRANSPORTATION PROCEDURES

I. PURPOSE

To establish procedures for prisoner transportation.

II. POLICY

Transportation of persons who are in custody is a constant requirement and frequent activity performed by members of the Service whether it be immediately after arrest or during the movement of prisoners from the holding facilities to another facility. It shall be the policy of the Suffolk County Police Department to provide adequately for the safety and security of the prisoner, the members of the Department, and the general public.

III. DEFINITIONS

Security Hazard - Any threat to the security of the prisoner, to the facility in which he or she is held, or to others with whom the prisoner may come into contact. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and other actions to be taken by the escort officer to provide proper protection for and security of the prisoner.

Transport Vehicle - the vehicle used for transporting a prisoner from one point to another. This term does not refer to commercial vehicles, such as buses, trains, or airplanes, that may be used for prisoner transport.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Examination of Transport Vehicle - At the beginning of each shift members of the Service will conduct a thorough examination of all vehicles to be used by them for prisoner transport to ensure the vehicle is safe and equipped with appropriate items such as a spare tire, jack, lug wrench and safety flares. The condition of the vehicle itself should be examined, including the proper inflation of tires, fuel and oil levels, ignition systems and engine operation.

1. Members of the Service will search the police vehicle before each prisoner transport to ensure that no weapons, contraband or similar items are present and available to the prisoner.

2. Further, after delivery of the prisoner, members shall again search the vehicle to ensure that the prisoner did not conceal weapons, contraband or evidence.

B. Prisoner search - Prior to being transported, every prisoner will be searched for weapons or contraband by a member of the Service or Detention Attendant of the same sex as the prisoner. If not inconsistent with this section, the search will be conducted by the transporting officer.

C. Prisoner Handcuffing - The handcuffing of prisoners shall be at the discretion of the arresting officer. The only exception will be when prisoners are being transported to or from court for arraignment or hearing, at which time all prisoners will be handcuffed. The following guidelines are provided to members of the Service to aid them in deciding whether the handcuffing of a prisoner is appropriate.

1. The seriousness of the offense.

2. Whether the arrestee resisted arrest, is violent or likely to become violent.

3. Whether the arrestee is belligerent, argumentative, demonstrative, etc.

4. The likelihood that the arrestee will cause injury to himself or another.

5. The likelihood that the arrestee would attempt escape.

6. The likelihood that the arrestee, if not restrained, would cause damage to property.

D. Handcuffing Procedure - When handcuffed, a prisoner's hands are placed behind his body immediately after having been taken into custody by the arresting officer and remains handcuffed while in police custody except when lodged in a detention cell or at the actual time of arraignment, examination or trial. The court may order the prisoner to be held in restraint during any court proceeding.

1. When one (1) pair of handcuffs is used on two (2) prisoners, the prisoners are handcuffed wrist to wrist.

2. Prisoner transporter belts or handcuff chains are permissible when transporting prisoners in a prisoner van.

3. Ordinarily, males and females will not be handcuffed together and juveniles will not be handcuffed to adults.

4. Special restraints such as leg restraints, straight jackets etc., may be used on violent or self destructive prisoners when authorized by a superior officer.

5. The nylon leg restraint may be used on a prisoner at the discretion of the transporting officer(s). The nylon leg restraint shall be the only leg restraint device authorized to be used by members of the Department without the approval of a supervisor.

6. The transporting of prisoners should normally be in an upright position. However, if the prisoner must be transported lying down, for example due to alcohol/drug intoxication, it shall preferably be on his/her side or prone with his/her face to the side and an open airway to prevent asphyxiation. A prisoner in this condition must be transported by two officers. A prisoner in this position requires close and continuous monitoring, and may require medical attention prior to arrest processing.

E. Time Checks - Members of the Department when transporting prisoners will notify Headquarters via radio communications of the fact that they are transporting a prisoner, their starting mileage, and that they have arrived at their destination and their finishing mileage. The times of these transmissions will automatically be recorded on the tapes whether the dispatcher announces it or not.

F. Prisoner Van / Bus - The prisoner van/bus is used only for the transportation of prisoners, the movement of Officers, or for other Police duties as authorized by the Precinct Commanding Officer. The prisoner van/bus, when in use for the transportation of prisoners, is staffed by a Member of the Service or Detention Attendant, designated as the operator, and a minimum of one (1) Member of the Service designated as a Security Officer. Additional Members of the Service may be designated as Security Officers depending upon the number and demeanor of the prisoners to be transported. All provisions relating to Police Department vehicles as outlined in these Rules and Procedures apply to the prisoner van/bus. The Precinct Commanding Officer is responsible for ensuring that operators are qualified to operate the prisoner van/bus.

1. Prisoners transported in a prisoner van/bus shall be seated in the rear compartment, separated from the Security Officers and Detention Attendants by a safety barrier. The doors on the prisoner compartment will be locked.

2. In so far as possible, Security Officers will maintain visual contact with prisoners at all times.

G. Police Vehicle - Police vehicles used for the transport of prisoners shall be modified to minimize opportunities of escape from the

rear compartment.

1. Patrol Vehicles at a minimum will have the window cranks and door locks removed from the inside rear compartment.

2. Prisoner vans will have a safety barrier installed, separating the prisoners from the transporting officers.

a. Transport in police vehicle with a security screen.
In police vehicles equipped with a security screen, the prisoner will be transported within the screened area.

b. Transport of prisoners in police vehicles not equipped with a security screen.

(1) When an officer transports one prisoner, the prisoner is seated in the front passenger seat with the seat belt on and door locked. Prior to seating the prisoner in the front passenger's seat, the seat must be moved to its rear most position.

(2) When two officers transport one prisoner, the prisoner is seated in the rear seat on the passenger's side, with seat belt on and doors locked. The second officer is seated in the rear seat behind the driver.

(3) When one officer must transport more than one prisoner, seat one prisoner in the front seat, and the second prisoner in the rear seat on the passenger's side, both with seat belts on and doors locked. (This situation should exist under emergency conditions only.) Prior to seating the prisoner in the front passenger's seat, the seat must be moved to its rear most position.

(4) When two officers transport two prisoners, one prisoner is seated in the front passenger's seat, and the second prisoner is seated in the rear seat on the passenger's side, both with seat belt on and doors locked. The second officer is seated in the rear seat behind the driver. Prior to seating the prisoner in the front passenger's seat the seat must be moved to its rear most position.

H. Special Transport - Members of the Service will not transport prisoners for purposes other than a governmental function.

1. Member transport of female prisoners - A male member of the Service shall not transport a prisoner of the opposite sex unless:

a. Accompanied by another police officer or detention attendant, or

b. The transport vehicle is followed by another police vehicle operated by a police officer who will monitor the transport.

2. Transport of minors - A child under arrest who is actually or apparently under the age of sixteen years is not transported in the company with an adult prisoner or prisoners.

3. Transporting handicapped prisoners - When transporting handicapped prisoners, members of the Service shall use proper care and tact when placing the prisoner in the police vehicle. The prisoner's wheelchair, crutches or prosthetic appliances shall be secured by the transporting officer and transported along with the prisoner. For the safety of the transporting officer and the prisoner, such devices shall be transported in the trunk of the police vehicle when feasible. The transporting officer will ensure that whatever legally possessed medicine necessary for the prisoner's health, when readily available, is also transported with the prisoner, under the control of the officer.

4. Transporting sick or injured prisoners - When a prisoner in transport or at the scene of an arrest is injured or becomes ill, the arresting officer will transport the prisoner to the nearest hospital. If deemed necessary or in the best interest of the health of the prisoner, an ambulance will be called for medical aid and transport to the nearest hospital. A police officer will ride in the ambulance to guard the prisoner.

a) Whenever a prisoner is exhibiting symptoms of excited delirium that prisoner shall be transported by ambulance to the nearest hospital under an appropriate and necessary level of restraint to control the person. This medical transport should occur prior to arrest processing or committal. Symptoms of excited delirium include: hallucinating, unusual strength, non-compliance to pain, profuse sweating, hyperthermia, public disrobing due to high body temperature, destroying of property, screaming, and/or meaningless speech. The use or withdrawal from drugs, especially cocaine, can precipitate this condition which is commonly referred to as cocaine psychosis. A prisoner that is in a state of excited delirium is susceptible to sudden death from cardiac arrest due to hyperthermia and it is unlikely that defibrillation will restore a heart rhythm. One officer must accompany the ambulance transport and the victim must be transported under restraint and closely monitored at all times.

5. Post-Custodial Transport- Members of the Service shall not, under any circumstances, transport individuals who were in police custody, and have subsequently been released, unless the member receives supervisory consent. All such approved transports must conform to the transport procedures detailed for prisoners.

I. Restraining Devices on Handicapped Prisoners - Members of the Service shall use discretion in using restraining devices on handicapped prisoners. When the handicap is such that no danger of escape or injury to the prisoner or officer exists, restraining devices may be inappropriate. If deemed necessary, a handicapped prisoner may be handcuffed in the front.

J. Restraining Devices on Sick or Injured Prisoners - Members of

the Service shall use discretion in using restraining devices on sick or injured prisoners. If a prisoner is injured or sick enough to be totally incapacitated, restraining devices may not be appropriate.

K. Restraining Devices on Mentally Ill Prisoners - Members of the Service shall use restraining devices in situations where the mentally ill prisoner is engaging in activity that presents an immediate danger to himself or others. A restraint may be used only to the extent necessary to prevent the prisoner from injuring himself or others. Handcuffs and/or leg restraints shall be used to prevent a prisoner from seriously injuring himself or others. A camisole (long sleeved jacket) will be used only if serious injury is imminent and handcuffs are inadequate. Constant observation should be employed at all times during restraint.

L. Lavatory Visits - When members of the Service transport prisoners in a vehicle for a long period of time or utilize aircraft transportation, the prisoner shall be escorted and kept under surveillance when a visit to the lavatory is necessary.

M. Prisoner Meals During Vehicle Transportation - When members of the Service transport prisoners in a vehicle and when the transporting officer stops for a meal, the selection of a place where meals will be taken will be at random and:

1. Selected to provide a secure and safe place for the prisoner, transporting officers and patrons of that establishment.

2. The prisoner will be seated in a way that maintains his security.

3. Restraining devices will not be removed.

4. The prisoner can use only utensils that are safe and cannot be used as a weapon (plastic utensils should be used when possible).

N. Responding to Law Enforcement Services While Transporting Prisoners - When transporting a prisoner in a vehicle, members of the Service will provide law enforcement services only in the following situations:

1. When there is a need for the transporting officer to act immediately in order that a potential victim is not harmed.

2. When a victim has been injured and assistance is required immediately.

3. When a crime is in progress and there is an immediate need because of safety reasons that the suspect be apprehended.

4. Response to an officer needs assistance call in the immediate area where the transporting officer (s) feels that the prisoners will not be placed in inordinate personal danger.

5. In all of the above situations, the transporting officer should ensure at all times that his prisoner is secured and protected.

6. Under no circumstances shall an officer transporting a prisoner engage in a pursuit.

O. Communication by Prisoner While Being Transported - Members of the Service who transport prisoners will not allow prisoners to communicate with other people while in transit unless the situation requires it. Officers shall use good judgement when deciding whether to allow a conversation to take place between the transported prisoner and another person. The prisoner's rights to communicate with family members, legal counsel or others shall not normally be exercised during this period of transit.

P. Transporting Prisoners from One Detention Facility to Another - When transporting prisoners from one facility to another, the transporting officer(s), upon arriving at the destination with the prisoner, will follow these procedures:

1. Firearms and mace will be secured in the designated place at the facility being entered.
2. Restraining devices will be removed only when directed to do so by the receiving facility or when the officer is sure that the prisoner is properly controlled and secure.
3. The appropriate paperwork will be submitted to the proper person at the receiving facility and, in situations that require it, the officer will ensure that proper signatures are obtained on paperwork to be returned to the Department. All adult prisoners shall have their right thumb print recorded on the Suffolk County Sheriff's Department Police I. D. Thumb Print Card. This card is to be attached to the Arrest Work Sheet which shall accompany the prisoner to the court of arraignment.

a. Prisoner Identification - Prior to transporting a prisoner from a detention facility, the transporting officer shall ensure that he/she has the correct person by checking the arrest paperwork and requesting verification from the detention facility personnel. Additional methods to verify identity may include:

- (1) Mug shot comparisons
- (2) Fingerprint comparisons through DCJS or Identification Section
- (3) Proper identification documents
- (4) Verification of a prisoner's identity by a responsible person.

Q. Transport of Dangerous/Security Risk Prisoners to Court - The desk supervisor will notify the transporting officer when a prisoner to be transported is considered dangerous or a security hazard because of combative or aggressive behavior or may attempt to escape or attempt suicide. In addition, the desk supervisor will cause a PDCS 2042 to

be written to the presiding judge of the appropriate court outlining the dangerous behavior. A copy of the PDCS 2042 will be attached to the court paperwork and a copy will be retained in the command folder. The transporting officer(s) will notify the person responsible for the detention of the prisoner at the facility or court before the transport takes place in order that provisions for handling the prisoner can be made to minimize any chance of escape, injury to the prisoner or anyone else.

R. Aircraft Transportation - Recent air carrier incidents revealed a need for guidelines to be used by air carriers and law enforcement agencies for the safe transportation of prisoners. The following procedures are established to improve safety. They require coordination between the air carrier and law enforcement personnel.

1. Prior Notification- Prior to the transportation of a prisoner on board an air carrier aircraft, law enforcement officer(s) shall notify a responsible representative of the air carrier. (i.e., the duty supervisor in charge of the passenger counter, or the duty supervisor in charge of passenger service in the case of larger stations, or the station manager or acting station manager in case of smaller stations.)

2. Airline Concurrence - Airlines will not accept prisoners for interline transportation unless concurrence has been obtained in advance from the other airline(s) involved. The booking airline shall include in its booking message the name and identification of the prisoner and escorting officer(s).

3. Dangerous Prisoners - A prisoner considered to be dangerous will not be transported unless he is escorted by two or more officers, he is adequately restrained throughout the flight; and the procedures to be followed are approved by a responsible representative of the air carrier.

4. Officers Identification - The escorting officer(s) shall adequately identify themselves to the pilot in command and appropriate flight attendants.

5. Pre-boarding - The escorting officer(s) and prisoner shall board the aircraft in advance of other passengers as "pre-boards".

6. Seating Location - The escorting officer(s) and prisoner shall be assigned the rear most seats in aircraft.

7. Prisoner Restrictions - Under no circumstances shall a prisoner be seated adjacent to any normal or emergency exit. He/she shall not be permitted to leave their seat without an escort.

8. Seating Arrangements - At least one officer shall be seated between the prisoner and the aisle.

9. Lavatory Visits - The prisoner shall be escorted and kept under surveillance when a visit to the lavatory is necessary.

10. Intoxicants - No intoxicating beverages of any kind shall be served to the escorting officer(s) or the prisoner while on board the

aircraft.

11. Meals - The prisoner may be served food at the discretion of the escorting officer(s) if metal utensils are not used.

12. Restraining Devices - Escorting officer(s) shall be equipped with adequate restraining devices to be used in the event the prisoner becomes unruly.

13. Deplaning - Escorting officer(s) and the prisoner shall deplane after the terminating passengers leave the aircraft.

14. Dangerous Prisoners, Maximum - Not more than one prisoner considered to be "dangerous" shall be transported on any flight.

15. Airline Refusals - An airline may refuse to accept a prisoner at any time if, in the judgement of a responsible representative of the airline, such acceptance might jeopardize the safety of other passengers.

16. Mace Prohibited - Escorting officer(s) must not carry mace, tear gas, or similar devices aboard aircraft.

17. Searching Prisoners- Escorting officer(s) must ensure that prisoners are not carrying contraband, weapons, matches, or other potentially dangerous items.

18. Air Security Notifications - Airlines utilizing FAA Air Security Specialists must assure that specialists assigned to a flight carrying prisoners are aware that a prisoner and escort are aboard and their seat location is known.

19. Hi-jacking Attempts - In the case of the above section, prisoner escort(s) must be advised that FAA Air Security Specialists are aboard. Escort(s) shall take no action during a hijacking attempt unless requested to do so by the captain of the aircraft.

20. Witness Escorts - Persons who have been subpoenaed to appear as witnesses in a civil suit, even though accompanied by an escorting officer, are not considered as prisoners under this section.

VII. ACCREDITATION STANDARDS

A. CALEA - Chapter 71

B. NYSLEAP - Chapter 64

VIII. INDEX

Thumb Print Card, Police I.D. 16/10

Prisoner I.D., Thumb Print 16/10

END



ORDER 08-15
 08-52

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE HOLDING FACILITY AND PRISONER SAFETY			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 02/01/08 07/17/08	DATE EFFECTIVE 02/11/08 07/17/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 11: TITLE: HOLDING FACILITY AND PRISONER SAFETY

I. PURPOSE

To provide clear guidelines for the efficient management of Department holding facilities and to provide a uniform procedure for processing detainees, controlling personal property, assuring detainee's rights, and establishing an acceptable means for providing medical and health care when needed.

II. POLICY

It shall be the policy of the Suffolk County Police Department that all members of the Department when having custodial care of prisoners take all necessary measures to ensure for prisoner safety, security, humane treatment, and provide for medical assistance if requested.

III. DEFINITIONS

A. Holding Facility - A temporary confinement facility for which the custodial authority is usually less than seventy-two (72) hours and where detainees are held pending release, arraignment, adjudication, or transfer to another facility.

B. Confined Prisoner- A prisoner shall be considered confined from the time he enters a Departmental holding facility (Precinct) to the time he/she is transported or released from the Departmental holding facility.

C. Reportable Incident - As used in subsection VI. R., shall mean the death of a confined prisoner or, injury or illness requiring hospitalization of a confined prisoner, or a civil or natural emergency or disturbance.

D. Emergency Incident

Emergency incidents, as used in subsection VI. R., shall refer to incidents of the following type which involve a prisoner and/or the life or physical welfare of the prisoner while temporarily detained or

confined (lodged) in a Department detention facility.

1. Suicide or attempted suicide.
2. All deaths, other than suicide.
3. Escape or attempted escape.
4. Injury or illness, accidental, self or otherwise inflicted incurred subsequent to detention.
5. Assault on an officer.
6. Fire.
7. Verification of medication possessed by prisoner and the necessity of same.

E. Metal Detector Sweep - A hand-held metal detector that is used in the search of prisoners prior to lodging. The metal detector may be used on garments or swept over the prisoner's person as a means to detect metal objects.

IV. REFERENCES

- A. New York Codes, Rules and Regulations Section 9, part 7508.

V. RULES AND REGULATIONS

A. When a reportable incident or emergency incident, as defined above, occurs which results in the death of a prisoner the Platoon Commander shall, without unnecessary delay, notify the Homicide Section to respond and conduct an investigation, and notify the precinct commanding officer and the Communications Section duty officer.

B. When a reportable incident or emergency incident, as defined above, occurs resulting in other than a death of a prisoner, the platoon commander shall, without unnecessary delay, notify the precinct commanding officer, the Communications Section duty officer, and any other command required to conduct an investigation.

VI. PROCEDURES

A. A prisoner, at the scene of arrest, is carefully frisked by the arresting officer to ensure that no weapons, contraband or dangerous instruments are possessed that could be detrimental to the safety of the officer, arrestee or public.

1. Anytime an individual is arrested their basic civil liberties are restricted. The arrest processing and continuing due process require, whenever possible, an interpreter be provided for non English speaking arrestees.

B. Members of the Service make known the arrest of any person by taking such person to the precinct in which the arrest is made for search

and booking. If the arrest is made with or without a warrant, outside the geographical jurisdiction of a precinct, but within the County of Suffolk and the prisoner is not released on bail by Department personnel at the place of arrest, he is booked and detained as follows:

1. Location of incident inside the Police District: The command of incidence of the arrest. The command so notified, without undue delay, picks up the prisoner and assumes responsibility for entry in its Daily Journal, detention and arraignment.

2. Location of incident outside the geographical jurisdiction of the Police District: The law enforcement agency within whose jurisdiction the incident occurred is notified of the arrest by the arresting command. The prisoner is booked, detained and arraigned as prescribed elsewhere in Departmental procedures.

3. Booking shall be defined as the completion of all reports required for processing and, when required, the fingerprinting, photographing/mugshots of the prisoner. The responsibility for the taking of fingerprints is as follows:

a. Detective Division - in all criminal cases being handled by the Detective Division.

b. Patrol Division - in all criminal cases being handled by the Patrol Division. To facilitate the taking of fingerprints, the Detective Division and the Patrol Division render such assistance and cooperation to each other as may be warranted.

4. In all instances a prisoner is to be booked before being released from custody.

5. When a child who is actually or apparently under the age of sixteen years is arrested, the juvenile is processed by the Detective Division and copies of the paperwork are forwarded to the Fugitive /Missing Persons Section.

C. A member of the Service removes any and all firearms and secures them with a desk officer, or in a designated gun locker, before entering a detention area to process, lodge and/or check a prisoner. At no time shall a weapon be brought into a detention area for any reason.

D. Once all weapons are secured, then immediately upon entering a precinct or other Department facility with a prisoner, or as soon as possible after any person being detained is arrested, the precinct platoon commander, his designee, or the supervising officer of the command where the arrestee is detained, will initiate a Prisoner Activity Log.

1. All subsequent prisoner movement during arrest processing, to include physical checks of the subject's well being while lodged in detention cells, will be recorded on the Prisoner Activity Log. Information obtained and recorded on the Prisoner Activity Log shall include, but not be limited to the following:

a. Current health of the detainee NOTE: See e. below.

b. The supervisor shall secure each container of prisoner medication and record from the container label: Patient Name, Medication Name, Rx Date, Dose, Pharmacy and M.D. See Section E. below regarding prisoner medication required during confinement.

c. Visible emotional/behavioral condition.

d. Visible physical conditions, and claims of injury/pain.

e. Whenever a member of the Department gains knowledge that an arrestee has AIDS or an AIDS related illness or has tested positive for the HIV antibody, such member shall not disclose this information to anyone, either verbally or on a written record (i.e., Prisoner Activity Log, Arrest Worksheet, etc.). This prohibition also extends to recording the type of medication (e.g., AZT) which may be prescribed for the patient or arrestee. Members shall record only the prescription number of the medication.

E. Prescribed Prisoner Medication - Prescribed prisoner medication required (including currently prescribed pain medication but not to include over the counter medications or non-prescription pain killers) during confinement shall be retained with the prisoner's property. Prisoners shall not be administered any medication until it has been verified that the prisoner requires the medication and the medication is what it purports to be. Physical verification of the medicine shall be made by a supervisor. As per New York State Commission of Corrections (SCOC) guidelines the supervisor shall physically identify and confirm each medication by use of an internet link to the Physicians Desk Reference (PDR) provided by drugs.com or by utilizing the Precinct's hardcopy of the PDR. This verification process applies to aerosol canisters, liquid medications, as well as pills and tablets. In the case of required injectables (e.g. insulin) the prisoner shall be transported to the nearest hospital for assistance.

After approval to dispense the medication is obtained from a supervisor, the medication shall be dispensed to the prisoner in the prescribed amount and at the prescribed times. Dispensing of medications shall be done by the desk supervisor or at his/her direction, a desk officer, with all appropriate time entries indicated on the Prisoner Activity Log, PDCS 2032-1.

Documentation of the verification of prisoner medication shall be effected by completing an Emergency Incident Form as described in Rules and Procedures Chapter 16, Section 11, subsection VI. R., regarding Emergency Incidents. When a medication of medical necessity cannot be verified, proper documentation shall be made of the attempt and the prisoner shall be transported to the nearest hospital for treatment.

If an incarcerated person claims to need prescribed medication but did not have the medication in his/her possession at the time of arrest, the supervisor shall make such reasonable efforts to contact family members or significant others to deliver the prescribed medication to the Precinct Desk Supervisor. If such contact is unsuccessful, attempts can be made to contact the physician of record and/or pharmacy to obtain this

information. If all of these contact attempts are unsuccessful the prisoner shall be transported to the nearest hospital emergency room for assessment and determination of need for said medication.

1. "AS NEEDED" Medication- Certain Medications, such as aerosols for asthma or nitroglycerin tablets for chest pain may be prescribed on an "AS NEEDED" basis for acute clinical problems. It is important for the Supervisor to be aware of the "AS NEEDED" dosing of certain medications. Supervisors should secure prisoner's property containing "AS NEEDED" medications in a readily available area.

2. Acute Symptoms- Any prisoner who receives prescribed medication for acute symptoms, e.g. shortness of breath, chest pain, shall immediately be transported to the nearest hospital for treatment after receiving his/her prescribed medication.

F. An officer, having a prisoner in custody, shall conduct a thorough search of a prisoner of the same sex before entry into the holding cell of a precinct or other police facility. A metal detector sweep may also be used.

1. When a prisoner is of the opposite sex, the desk supervisor will designate an officer of the same sex as the prisoner to conduct a search. If the prisoner is a female, a female detention attendant may be designated to conduct the search.

2. When the custody of a prisoner is transferred from one member to another, the prisoner will be subjected to another thorough search.

3. An entry concerning all thorough searches of persons in custody and the results thereof, as well as the signatures of the member or members of the Service and/or Department conducting the search will be entered on the Prisoner Activity Log prepared for the arrestee.

4. Strip Search - The integrity of an individual's person is a cherished value in our society, and a strip search is a significant intrusion into an individual's personal privacy. Therefore, strip searches should never be undertaken routinely, and never without clear legal justification.

a. A strip search within the meaning of this section is the removal or rearrangement of any clothing which permits visual inspection of the genitals, buttocks, anus, or female breasts. A strip search also includes any removal or rearrangement of undergarments.

b. All strip searches will be conducted in a secluded, private setting, by a member or members of the same sex as the person to be searched. The member or members conducting such a search shall exercise reasonable care for the privacy, dignity and comfort of the person so searched.

c. Strip searches by any personnel, including detention attendants, shall be conducted only with the approval of a superior officer.

d. A strip search may be undertaken when there is reasonable suspicion that a person is concealing a weapon, dangerous instrument, contraband, evidence of an offense, or any other instrument, article or substance that may facilitate escape and there is no other reasonable method to obtain these items unless a strip search is undertaken without delay. Factors that should be considered in determining the necessity for a strip search include the nature of the crime, the circumstances surrounding the arrest and the background of the arrestee.

e. An entry concerning all strip searches, body cavity searches and the results thereof, as well as the signatures of the member or members of the Service and/or Department conducting the search will be entered on the Prisoner Activity Log prepared for the arrestee. Whenever a strip search is conducted based on the provision of reasonable suspicion, as set forth in this section, the supervisor granting approval shall enter the following on the Prisoner Activity Log: his name and rank, exact location of where search is performed; name, rank, and sex of officer/employee who conducted search and facts/circumstances that justified search.

f. A body cavity search is a search or examination of any body cavity of an individual and is a substantial, significant intrusion into a person's personal privacy. Therefore, body cavity searches shall never be undertaken routinely and never without clear, legal justification. Body cavity searches shall not be undertaken unless a member of the Service above the rank of lieutenant approves such search and:

(1) There is reasonable cause to believe that the person to be searched is concealing a weapon, dangerous instrument, contraband or evidence of an offense, or an instrument, article or substance that may facilitate escape from custody, and a body cavity search is the only reasonable way to secure such item or items.

(2) The search shall be performed by a licensed physician in a private setting, giving due regard for the personal dignity of the individual so searched. Adequate prisoner security shall be maintained at all times during said search. A member of the Service or Department of the same sex as the prisoner shall be present while the search is being conducted.

(3) Every effort to secure a search warrant for a body cavity search is made. Only in extreme exigent circumstances shall consideration be given to conducting a body cavity search by a licensed physician without a warrant. A body cavity search shall never be authorized without a warrant in the event that a prior search warrant application for said search has been judicially disapproved.

G. Prisoner Property - Arresting officers and desk supervisors shall provide adequate safeguards and proper documentation for property taken from arrestees.

1. The arresting officer shall ensure all currency is safeguarded and inventoried.

a. All currency shall be counted and placed in a standard white envelope. This envelope shall be signed across the seal by the invoicing officer.

b. When appropriate, or the amount of currency is \$1,000.00 or more, the above procedure shall be witnessed by a superior officer and documented on the Prisoner Activity Log.

2. The Prisoner's Property Receipt (PDCS-2021) shall be utilized to inventory all arrestee property.

a. Property seized as evidence, instrumentalities or proceeds of crime will not be inventoried on form PDCS-2021.

b. There is a list of items attached to this Order which has been prepared by the Suffolk County Sheriff's Department. These items will not be accepted in prisoner property at First District Court. The processing officer shall make every attempt to release any item on the list, excluding those which are illegally possessed, to any individual that is agreeable to the prisoner.

c. Property that will not be accepted at court and which is unable to be released shall be listed on the Prisoner Property Receipt with a notation that it is being held at the Precinct. The processing officer shall inform the arrestee which items will be held at the Precinct and that they may be picked up following the arrestee's release from court.

d. The arrestee will sign the Prisoner's Property Receipt. The receiving officer's signature on the Prisoner's Property Receipt will verify that the property was received.

e. If the arrestee refuses to sign the inventory, such refusal should be noted on the Prisoner's Property Receipt and the Prisoner Activity Log.

f. The processing officer shall then place a photocopy of the form PDCS-2021 and the noted items which will not be accepted at court in a separate prisoner property bag. This bag shall be secured in a designated portion of the Precinct property closet. Even if the prisoner is transported to another Precinct for lodging prior to transportation to court, the Precinct of arrest shall retain custody of this property.

g. Prisoner property that is retained at the Precinct shall be held for thirty (30) days following the arrest. If not claimed by the arrestee within this period, the arresting officer shall invoice this property to the Property Section following existing property procedures.

NOTE: If a prisoner's cell phone will be transported to court with his property, the processing officer shall disconnect

the battery.

3. Upon completion of invoicing the property on the Prisoner's Property Receipt, the invoicing officer shall complete the following:

a. The Prisoner's Property Receipt number shall be documented on the Prisoner Activity Log.

b. The prisoner's name, PIN number, Central Complaint number and Prisoner's Property Receipt number shall be printed on the Property Bag.

c. The Property Bag shall be sealed by the invoicing officer and the Property Bag shall be annotated by the invoicing officer in the "sealed by, date and time" portion. The invoicing officer shall affix the pink and blue copies of the Prisoner's Property Receipt to the Property Bag with as few staples as possible to avoid tearing the bag. Nothing else should be affixed to the Property Bag.

d. Issue the arrestee the original (white) copy of the Prisoner's Property Receipt.

e. Prisoner Transfer Prior to Transport to Court - If the prisoner is transferred to another precinct for lodging, the sealed prisoner property bag shall be transferred with the prisoner and subsequently transported to court by the transporting precinct.

4. The desk supervisor is responsible for ensuring that the invoicing of prisoner property is completed properly. Additionally, the desk supervisor is responsible, as are the relieving desk supervisors, for the safeguarding and disposition of the property.

5. No property removed from a prisoner will be returned while in police custody unless authorized by the desk supervisor for good reason. Property may be released to a second party with the prisoner's consent.

a. When a prisoner is deemed imminently bailable, the invoicing of property will be optional. A Prisoner's Property Receipt will be completed irrespective of the fact that property was or was not physically removed from the prisoner.

b. Upon release of a prisoner from custody, the property belonging to said individual shall be returned to same only after the Prisoner's Property Receipt has been signed by both the prisoner and the releasing officer.

(1) It is of primary importance the releasing officer verify first that the right person is being released from custody before the property is returned or bail procedures initiated. This can be done by use of mugshots, fingerprint comparisons, proper identification or verification of prisoner's identity by a responsible person.

(2) Property retained for evidence or other purposes shall not be returned and shall be indicated as such on

the receipt.

(3) If the prisoner is released to a transporting officer for transfer to another facility, the property shall be given to the transporting officer who shall sign the receipt. The precinct shall maintain a copy of the receipt for its files.

6. All the property that is removed from the prisoner shall include:

a. Unlawfully carried

b. Required as evidence

(1) Such property is promptly invoiced on the appropriate Property Section Invoice to the Property Clerk unless it is required in court immediately or must be examined at the Laboratory Section.

(2) At the completion of the court hearing or laboratory examination, the arresting officer returns the evidence to the desk officer, who forwards same to the Property Clerk.

c. Lawfully carried, but dangerous to life or would facilitate escape:

(1) Property dangerous to life includes, but is not limited to: watches, metal cigarette cases, pocketbook mirrors, eyeglasses, other articles containing glass or having sharp edges, belts, neckties and similar articles which could be used to attempt to commit suicide.

(2) Property which could facilitate escape includes: brass tube fillers for ballpoint pens which can be used as keys to open handcuffs.

d. Objects that can be used to damage or deface other property.

e. All personal property except clothing, if the prisoner is intoxicated or unconscious.

f. Medicines that are prescribed and/or over the counter.

7. Suspicious Property - When property of such value or bearing identification marks as to arouse suspicion is found on a prisoner, the arresting officer checks the Records Unit, Central Records Section to ascertain whether it has been reported, lost or stolen.

8. Prisoner Bracelets - After all prisoner property has been properly invoiced, the arresting or processing officer shall prepare and affix a prisoner bracelet as follows:

a. Print the prisoner name, PIN number and Property Receipt

number on the bracelet label. (The property receipt number shall be entered as "Property #" and then the unique number.)

b. Insert the label into the bracelet pocket and remove the portion marked "tear-off".

c. Affix the bracelet to the prisoner's left wrist.

9. Arrest Paperwork for Prisoner Transport - Upon the request of the Sheriff's Department, the following paperwork will be provided when a prisoner is transported to Court: "Sheriff's" copy (only) of the Arrest Report; Thumb Print Card and Booking Data Sheet (if available). If the Booking Data Sheet is not available, a copy of the prisoner's photo identification (if available) shall be provided. These items may be affixed (stapled) together, but not secured to the Prisoner Property bag.

10. NYSPIN File 5 and 6 Inquiries - Arresting officers shall obtain a copy of the NYSPIN File 5 and 6 inquiries for each arrestee, including negative or "no record" inquiries. Two (2) copies of the NYSPIN inquiries will be attached to the arrest paperwork, one marked "Sheriff" and the other marked "Court".

a. Copies of the negative or "no record" File 5 and 6 inquiries shall be affixed on top of the packet containing the "Sheriff's" copy of the Arrest Report, Thumb Print Card and Booking Data Sheet (if available).

b. If a "want" is found, the arresting officer shall contact the originating agency and conduct a preliminary investigation to determine whether the want is still current and if the prisoner should be held for the originating agency. The arresting officer shall document when and to whom they spoke and the full particulars of this preliminary investigation on a Supplementary Report.

c. If there is a hold, the arresting officer shall affix a copy of the Supplementary Report to the Prisoner Transmittal Sheet, form PDCS-2031.

11. The Use of Prisoner Transmittal Sheet, PDCS-2031, and Transfer of Custody - When prisoners are transferred to the custody of the Sheriff or any other law enforcement agency, the desk supervisor ensures that the transferring officer obtains a receipt for the prisoners and prisoner property (if any). The Prisoner Transmittal Sheet (PDCS-2031) is used for this purpose and when receipted, it is returned to the Precinct for distribution and filing. For prisoners that are not being transferred to the custody of the Sheriff, a General Receipt may be substituted if necessary and when receipted, will be filed with Prisoner Transmittal Sheets.

a. The Prisoner Transmittal Sheet contains a column entitled "Prop (Y-N)." Arresting or processing officers shall use this column to indicate whether or not property has been transported with the prisoner.

b. The Prisoner Transmittal Sheet contains a column entitled "Holds (Y-N)." Arresting or processing officers shall use this column to further indicate whether or not there is a hold on a

prisoner. If there is a hold, a copy of the Supplementary Report noted above shall be affixed to the top of this form and provided to Sheriff's Department personnel when the prisoners are transported to Court.

c. Officers transporting prisoner property to Court will assist the Sheriff's Deputies in storing and safeguarding this property. Each sealed Property Bag (with Prisoner Property Receipt attached) will be shown to the receiving Deputy Sheriff. If approved for storage, the officer shall place the Property Bag in the assigned property locker.

H. The desk officer telephones, free of charge, to one number within New York City, Nassau or Suffolk County at the request of the prisoner and uses the Departmental telephone system.

I. When a prisoner is arrested and is not released, he or she will be detained in a Department detention cell until authorized to be released or taken to court.

1. A member of the Department who has charge of prisoners is responsible for their safekeeping while confined to the detention cell or a hospital room.

2. Prisoners shall not be lodged in a detention cell in the nude.

a. The prisoner's clothing, after being thoroughly searched, shall be returned.

3. Jackets, overcoats, belts, ties, other similar garments and footwear will be stored where they will not be accessible to the prisoner while lodged in a detention cell or hospital room.

J. The desk supervisor does not permit anyone to personally interview or visit a detained prisoner without first determining the purpose of the visit and the identification of the visitor, which is to include name, address and relationship to the detainee.

1. Circumstances may require the searching of the visitor and/or the direct observation of the visit.

a. All information must be entered on the Prisoner Activity Log.

2. Nonessential persons, excluding designated personnel and detainees, are not granted access to holding facilities except as authorized by the desk supervisor.

3. The following are permissible visitors:

a. a superior officer of this Department;

b. a member of the Detective Division;

c. a District Attorney or his/her representative;

- d. the Medical Examiner or his/her representative;
- e. the prisoner's attorney, upon the request of the prisoner. With approval from a desk supervisor, access to an attorney may be confidential, if appropriate;
- f. upon proper identification and when necessary in the performance of his/her official duties, the authorized agent of any governmental agency of which the prisoner is an employee;
- g. members of other governmental law enforcement, parole, probation, social and welfare departments or agencies, upon proper identification;
- h. members of the clergy in the discharge of their duties;
- i. a member of the prisoner's immediate family, namely wife, husband, parent, brothers, sisters or children over sixteen.

4. When a member of the Police Department receives a telephone or an in person inquiry by an individual claiming to be an attorney or member of the immediate family requesting to know if a client or relative is in the custody of any member of the Suffolk County Police Department, and the person inquired about cannot be located the inquiry will be recorded. The member of the Department will obtain the name of the inquiring attorney or family member and the name of the client or relative inquired about. After immediately assisting this person, and when the client or relative is not located, he/she will immediately call the duty officer and relate the following information:

- a. The fact that an inquiry has been made by an attorney or family member as to whether a client or relative is in Suffolk County Police custody.
- b. The attorney or family member's name.
- c. The client or relative's name.
- d. The date and time of inquiry.

(1) It will be the responsibility of the duty officer to enter this information in the Duty Officer's Log. The duty officer will then issue a teletype notification to all commands requesting information on and the location of the client or relative in question.

(2) In addition, it is the responsibility of all members of this Department to record any contact, whether in person or via phone, between a person in police custody and a third party, especially those contacts between attorneys and clients.

5. A detained prisoner shall not be allowed access to packages or mail delivered by visitors. Items such as, but not limited to, cash, checks, clothing, and contraband shall be intercepted, if discovered, and

invoiced according to Department procedures.

a. Confiscated contraband shall be invoiced and forwarded to the appropriate unit for identification and/or storage.

K. Holding areas for juveniles shall be separate from adult holding areas.

1. All juveniles will be placed in a court designated room set aside for the reception of juveniles.

a. Under no circumstances should a juvenile be taken to other facilities, such as, the precinct squad room or the detective squad room.

b. A juvenile will not be placed in the company of any adult offender.

(1) A person who is actually or apparently over the age of ten (10) and under the age of sixteen (16) may be detained in a detention cell used for adults only when approval to do so is granted by the State Division for Youth* and the juvenile is kept secluded from adults.

(2) No person, regardless of age, who is arrested for a crime that was committed when they were under sixteen (16) years of age, will be detained in a detention cell used for adults unless approval to do so is granted by the State Division of Youth*.

*Such approval will be determined on a case by case basis.

2. Juvenile Offender Lodging - The Precinct Detective Bureau or the applicable Detective command processing the juvenile is responsible for pre-arraignment transportation of all juvenile offenders to a facility designated by the State Division of Youth as a facility for the reception of children, when court is not in session, and will deliver them to District Court for arraignment. A photocopy of the arrest package will accompany the juvenile to the detention facility.

L. Just as holding areas are separate for juveniles, female detainees shall be held separately by sight and sound from male prisoners and when possible, a female officer or detention attendant shall be present.

1. The primary female detention facility has been designated as the Fourth Precinct.

a. Platoon commanders will contact the Fourth Precinct platoon commander to see if cells are available.

b. Female prisoners will only be accepted at the Fourth Precinct with completed Arrest/Court packages.

(1) When bail is appropriate, the minimum bail amount that Desk Officers may set is \$50.00. Desk officers

are reminded that the bail amount should act as an incentive for the individual to appear before the court on his/her assigned date. Bail should be of a suitable amount to ensure compliance. In those instances when the arrestee's history demonstrates a propensity for not appearing before a court (3 or more prior arrests for warrants), bail shall be fixed at maximum allowable under law as prescribed below unless, however, there exists extenuating circumstances that render maximum bail impractical or otherwise contrary to good judgement and the interests of justice (including, but not limited to, available prisoner cell space, defendant's health, use as an informant**, etc). If bail is fixed below maximum due to such circumstances, the supervising desk officer shall document or cause to be documented on a Supplementary Report PDCS-1084 the criteria which resulted in the decision to release the arrestee on the posting of less than maximum bail. That notwithstanding, pre-arraignment bail ordinarily may be fixed as follows:

(a). Class "E" felonies (except sections 130.25, 130.40, 205.10, 205.17, 205.19, or 215.56 of the Penal Law) - not to exceed \$750.00, and only where there exists extenuating circumstances** that render holding the arrestee impractical or otherwise contrary to good judgement and the interests of justice.

(b) Class "A" misdemeanor - not to exceed \$500.00

(c) Class "B" misdemeanor - not to exceed \$250.00

(d) Petty Offense or violation - not to exceed \$100.00.

(2) Release Without Bail - In a situation wherein a person is arrested for a bailable offense but does not have the necessary cash, and where it would be in the best interests of all parties to release the person from custody, the supervising desk officer may issue to the person a Desk Appearance Ticket without the posting of cash bail after due consideration is given to the subject's residency tenure, non-violent nature of charges, lack of warrant history, conviction history, employment tenure, use as an informant**, and reliability of identification. The supervising desk officer shall document or cause to be documented on a Supplementary Report PDCS-1084 any and all of the aforementioned criteria which resulted in the decision to release the arrestee without bail.

** Approval of the District Attorney's Office is required before a defendant in custody can be utilized by the Police Department in another investigation.

c. Once the female detention facility is full, the Fourth Precinct Platoon Commander or Officer-in-Charge, working in conjunction with the District Commander, will designate an overflow female facility.

2. A member of the Service does not visit nor enter a detention cell of a female, except in cases of extreme police emergency or upon the request of, and in the presence of, a female police officer or assigned detention attendant.

a. Detention attendants are primarily responsible for the observation of prisoners. Other duties relative to the arrest processing, detention or transportation of prisoners may be assigned by the desk sergeant or platoon commander.

(1) When assigned to prisoner observation duties, the detention attendant's initial entry in the Prisoner Activity Log will include the physical and mental status of the prisoner(s) assigned to her.

(2) Any unusual physical or mental condition not previously noted, will be immediately reported to the desk sergeant or platoon commander. The detention attendant will record applicable entries on the Prisoner Activity Log as well as any changes that occur during the detention period.

3. Detention attendants will maintain close physical observation of prisoners.

a. Pursuant to State Commission of Correction regulations, in no event shall prisoner inspections exceed 30 minute intervals.

b. If a prisoner is deemed dangerous or emotionally disturbed (e.g., violent behavior/suicide threats), she will be the subject of continuous physical observation.

(1) When this occurs, the desk sergeant or platoon commander will designate an appropriate replacement in the event the detention attendant must leave the detention area for personal reasons, or to perform other duties.

(2) If a female prisoner is the subject of continuous physical observation, the platoon commander or desk supervisor will ensure that personnel deployment is sufficient to maintain adequate observation of other prisoners.

M. Barring any exigent circumstances (e.g., medication requiring food or drink) only prisoners who are detained during any of the three (3) daily meal hours; mornings 0500-0900 hours, noon 1100-1400 hours and evenings 1600-1900 hours shall be provided with a meal at the expense of the County. Whenever a prisoner is in custody for all three daily meal periods at least one meal must be served hot. The precinct supervising desk officer or his or her designee, or the supervising officer at any other location where a prisoner is in custody during any of these periods

shall ensure that suitable meals are ordered and provided to prisoners by the close of each meal period.

1. Food shall be given to prisoners in the cell or detention room.

a. Under no circumstances shall prisoners be taken outside the security area for this purpose.

b. A record of meals provided, including a notification if the prisoner refuses a meal, shall be recorded on the Prisoner Activity Log.

c. No more than fourteen (14) hours shall elapse between meals.

2. Meals for prisoners are purchased only from participating vendors in each precinct area.

a. A suitable meal shall be of such nature so as to eliminate the need for eating utensils (e.g., an egg on a roll or a hamburger).

b. The meals are charged and not paid for by the members of the Service with their own money.

c. A Suffolk County claim voucher is submitted by each vendor at the end of each month with the receipts showing the purchases attached thereto.

(1) Each receipt shows a description of the meal, the amount charged, the date, the prisoner's name, the Central Complaint Number and the signature of the member of the Service purchasing the meal.

(2) The claim vouchers and receipts are forwarded to the Finance Unit for processing.

N. Prisoner inspection visits are made at intervals not to exceed thirty minutes apart. At each inspection the inspecting member shall enter their rank and shield and record the prisoner's condition on the Prisoner Activity Log. Each entry made to the Prisoner Activity Log shall record the true and accurate time of each inspection. The inspecting member shall notify the Desk Supervisor of any significant change in the prisoner's condition or if the prisoner makes a request for medical attention.

1. The desk supervisor will, depending on the mental and/or physical condition of the prisoner, determine if a restraining device and/or full time physical supervision of the prisoner is warranted. This determination will be entered on the Prisoner Activity Log.

2. The surveillance of the detention cells by closed circuit television is only an aid in the observation of the lodged prisoners) and does not negate the need for inspection visits by the designated officer.

a. Twenty-four hour supervision is essential for maintaining security and ensuring the safety and welfare of detainees.

b. A count of the detainee population, including their physical location, shall be done at least once during each shift. The count shall be further confirmed at the time of tour change and documented in the Daily Journal.

O. While all members of the Service are responsible for the humane treatment, observation and safekeeping of a prisoner in their custody or detained in a building, or part thereof or detention area over which they have supervision, the desk supervisor is immediately responsible for the safekeeping of prisoners, the holding facility and the subordinate personnel assigned to that facility.

1. The desk supervisor will ensure that all desk officers and detention attendants are properly trained in the operation of the holding facility (e.g., location of keys, location of fire and first aid equipment, detention and search procedures as well as the proper handling of prisoners.

2. He/she is to ensure that equipment, tools, and cleaning supplies are not left in the holding cells or detention area after the completion of facility maintenance.

3. He/she will ensure that video monitoring equipment is functioning properly and when appropriate, the monitoring equipment will be situated in a manner to reduce invading a detainee's personal privacy. He/she will report malfunctions immediately and request priority repairs.

a. If the video surveillance equipment is not on line, increased security measures will be instituted.

b. Video surveillance monitoring equipment will be placed in a location that is not accessible to public view.

c. Female prisoners placed in holding cells will only be monitored by detention attendants or female police officers.

4. Desk officers and/or detention attendants will unlock and thoroughly check an unoccupied holding cell for weapons and contraband prior to placing a prisoner within, and must report anything found.

a. Any conditions observed shall be verbally reported to the desk supervisor and the situation rectified. A Central Complaint Number will be obtained and a confidential investigation initiated.

P. Safety measures shall be utilized to enhance the proper operation and maintenance of the holding cells.

1. A member of the Department does not enter an occupied cell except under the following conditions:

a. He is accompanied by another officer or detention attendant.

b. It is an urgent situation and he is being monitored by video surveillance equipment.

2. There will be two (2) sets of keys for each holding facility.

a. The first set of keys, designated for everyday use, will be secured at its assigned location in the precinct desk area. The desk supervisor will be responsible for the security, proper utilization and return of this set of keys.

b. The second set of keys will be kept in the precinct gun locker and its security will be verified by the platoon commander at the beginning of each tour.

3. Exterior access holding cell doors should be kept closed and locked except during the ingress and egress of a prisoner, for the security checks, or for maintenance and cleaning.

a. Individual unoccupied cells within the cell block area shall remain locked until occupied by a detainee.

b. The entire detention area, when not in use should remain locked except for maintenance and cleaning.

4. Eating utensils are not issued nor permitted in the holding cells.

5. A supervising officer shall be responsible for the efficient and expeditious evacuation of all prisoners and personnel from precinct facility in the event of a fire, or other accident, to hazard free areas.

Q. Responsibility for the security of precinct holding cells and the provisions thereof lie with the precinct commanding officer (see current Rules and Procedures 10/4.).

R. All Emergency Incidents, as defined in this Chapter, Section III. D., shall, without unnecessary delay, be reported to the precinct commanding officer by the timely completion of the Emergency Incident Report PDCS-1110. Those Emergency Incidents which fit the criteria of Reportable Incidents shall be additionally reported to the State Commission of Correction as detailed below:

1. The precinct commanding officer shall obtain all relevant reports, along with the Emergency Incident Report PDCS-1110 and Internal Correspondence PDCS 2042 from appropriate members of the Department, describing the incident, and will maintain these documents in a separate file at the precinct. These reports and correspondence shall, at request, be forwarded to the Office of the Chief of Patrol; provided, however, if the Emergency Incident is a death of a prisoner, or an incident investigated by the Homicide section in circumstances where death is likely to result, the Homicide Section shall obtain and maintain the aforementioned file and will be responsible for the immediate dissemination of copies of pertinent reports to the Precinct Commander and the Office of the Chief of Patrol.

2. The precinct commanding officer, or his or her designee, shall, without unnecessary delay, notify the Communications Section Duty Officer of all Emergency Incidents for inclusion in the Duty Officer's Confidential Log. The Duty Officer will be responsible for the preparation of the State Commission of Corrections Form, Reportable Incident Form (SCOC 501), as outlined below in subsection 3.b.

3. Notification to the State Commission of Correction - The State Commission of Correction must be notified of all "Emergency Incidents" that meet the criteria of "Reportable Incidents" (see III. Definitions C.) as follows.

a. When an Emergency Incident results in the death of a confined prisoner it shall be Homicide Section's responsibility to complete section I of the State Commission of Correction form, Report of Inmate Death (SCOC M-187), and send via facsimile machine to the State Commission of Corrections within 6 hours of pronouncement of death. The fax number is (518)485-2467. A 24-hour assistance number is available at (518)485-2466.

b. All other Reportable Incidents must be reported to the State Commission of Corrections on their form, Reportable Incident Form (SCOC 501), and mailed within 24 hours of the incident occurrence, to the following address: State Commission of Correction, 60 South Pearl Street, Albany, New York 12207-1596. The Communications Section duty officer is responsible for completing this form and mailing it to the aforementioned address.

4. In the case of suicide attempts it will be the responsibility of the platoon commander, after being notified that a suicide attempt has been made, to ensure that the prisoner is transported to the nearest hospital for a medical examination.

a. Subsequent to the medical examination, the prisoner will be interviewed by a physician to determine if committal to a psychiatric facility is required.

b. In the event the prisoner is not committed, the prisoner will be returned to the detention area and placed under full time (one on one) observation for the duration of the prisoner's detention.

c. All incidents of attempted suicide, whether or not an injury results, are reported as outlined above in this section.

5. Prisoners involved in an Emergency Incident who are injured or allegedly injured:

a. Photographs will be taken if a prisoner sustains an injury or alleges an injury. Photographs will be taken if a prisoner is subjected to any force, including restraining force, or is charged with Resisting Arrest, whether or not the prisoner is injured or alleges injury. The photographs will clearly depict the following body areas of the arrestee:

(1) Overall front and back areas.
(2) Close-ups of all exposed areas.
(3) Close-ups of all injured areas.
(4) Close-ups of all areas alleged by the prisoner to be injured.

(5) Upon consent of the prisoner, close-up photographs of the following body areas: front and rear torso (male), rear of torso (female), legs and feet. No efforts shall be made to compel or force a prisoner to submit to any photographs of the foregoing body areas.

b. Photographs will be taken of the scene and any evidence pertaining to the prisoner's injury / alleged injury, if applicable.

c. The Precinct Crime Section or Crime Scene Section will take the photographs, whenever possible. Digital cameras or 35mm. film cameras will be used. If the Precinct Crime Section or Crime Scene Section is not available, any personnel and/or equipment may be used.

d. The injury / alleged injury photographs will be documented on a *Supplementary Report* (PDCS-1084) by the Officer taking the photographs. The Officer will also make the proper notations on the *Prisoner Activity Log* (PDCS-2032).

e. The Supervisor will ensure the photographs are taken and will make notation on the *Prisoner Activity Log*.

S. Whenever feasible, an arresting officer will request assistance in the arrest and transportation of a person deemed to be dangerous or mentally ill.

1. When a prisoner in custody shows obvious signs of mental illness, the platoon commander or designee will arrange for an examination by competent medical authority (physician) to determine if committal to a psychiatric facility is required.

2. In situations where a prisoner's physical or mental condition obviously warrants it or the prisoner is intoxicated to the extent he becomes self-destructive, constant physical observation (one on one) shall be provided.

T. The following guidelines will be adhered to when restraining dangerous or mentally ill prisoners who are confined in a detention facility (cell).

1. If an emergency situation exists in which the prisoner is engaging in activity that presents an immediate danger to himself or others, a restraint may be used only to the extent necessary to prevent the prisoner from injuring himself or others.

a. In an emergency situation the platoon commander will authorize the use of a restraint.

2. Pursuant to State Commission of Correction guidelines, restraining equipment should be available for use in emergencies.

a. Handcuffs or leg irons will be used to prevent a prisoner from seriously injuring himself.

b. A camisole (long sleeved strait jacket) will be used only if serious injury is imminent and handcuffs are inadequate.

3. Constant observation should be employed at all times during restraint.

4. Prisoners will never be shackled to cell fixtures.

5. Any activity relative to the use of restraints will be documented on the Prisoner Activity Log.

6. Whenever a restraint must be used on a confined prisoner, the platoon commander will ensure the prisoner is examined for possible committal to a psychiatric hospital.

a. If a restrained prisoner is not committed, the examining physician will be consulted for a decision regarding the continued use of restraint(s).

b. Any prisoner who is given a psychiatric examination and subsequently not committed to a psychiatric facility will be placed under full time (one on one) observation until released from police custody.

(1) Any information relative to prisoner's psychiatric examination will be documented on the Prisoner Activity Log.

U. Any prisoner who complains of acute symptoms or shows signs which are potentially serious or life threatening, e.g. shortness of breath, chest pain, neurological changes, shall be immediately transported to the nearest Emergency Room for assessment and treatment. Additionally, any prisoner who appears deeply intoxicated or seriously physically incapacitated by alcohol or drugs, e.g. inability to walk or severely depressed level of consciousness, shall be transported to the Emergency Room for medical assessment. In any other situation where deemed medically necessary, the supervisor can decide to transport a prisoner to the Emergency Room for clinical assessment.

1. The arresting officer searches the prisoner, if a male, in the presence of witnesses, and takes all property from him as required by the Rules and Procedures. If a female, the search of such prisoner is left to a female police officer, detention attendant, or the hospital authorities and any property in her possession which is unlawfully carried, or which is required as evidence, or which is lawfully carried but is dangerous to life or would facilitate escape, is obtained by the arresting officer and delivered to the desk supervisor.

2. An itemized receipt is given to the hospital authorities for

all property received from them.

V. A member of the Service promptly reports to the desk supervisor a person in his care of custody who is in such a condition to require medical attention.

1. The desk supervisor sends the prisoner to the hospital, taking steps to guard the prisoner enroute and in the hospital.

a. The desk supervisor makes provisions for a guard if the prisoner is admitted to the hospital.

2. The desk supervisor enters in the Daily Journal the following:

a. Time of departure from the precinct.

b. Attending physician's name.

c. Name and address of hospital.

d. Reason for being transported to hospital.

e. Name or names of police officers guarding the prisoner.

f. Time returned to precinct.

3. Whenever a person in police custody receives medical treatment, that person will be required to sign a Release of Medical Records form.

a. If a subject refuses to sign the form or is unable to do so due to the injury sustained, note that refusal or inability to sign on the form.

W. A member of the Service assigned to guard a prisoner enroute to a hospital, or in a hospital, guards the prisoner until he is properly relieved and informs his relief of any special instructions.

X. A member of the Service assigned to guard a prisoner in a hospital is responsible for the following:

1. Maintains the Prisoner Activity Log in a similar manner as if the prisoner were actually detained in a precinct detention area.

a. Should the prisoner require hospitalization after first being detained in the precinct detention area, the Prisoner Activity Log first used is carried along with the prisoner to the hospital and maintained there.

b. If a prisoner is first placed under custody while in a hospital, the Prisoner Activity Log is begun there and carried along with the prisoner upon his return to the precinct.

2. Does not permit anyone to personally interview or visit a prisoner except those persons as outlined as permissible visitors.

a. In addition, the recipient of a telegram signed by the superintendent of the hospital notifying him that a prisoner is seriously ill is permitted to visit the prisoner.

3. Reports to the precinct desk officer any change in condition of the prisoner or any unusual requests or circumstances.

4. The Sheriff's Office is to be notified when a hospitalized prisoner is arraigned and a commitment order has been signed so that they can assume custody of the prisoner.

Y. When an escapee from an Office of Drug Abuse Services (ODAS) detention facility is apprehended by a member of this Department, he is detained at the precinct of apprehension and the Communications Section duty officer is notified, who in turn notifies the ODAS authority concerned. The escapee is lodged in a detention cell until he is picked up by the ODAS authority concerned. The escapee is lodged in a detention cell until he is picked up by the ODAS. The apprehending officer records all action taken including notification of a Field Report and Daily Journal entry is made.

VII. ACCREDITATION STANDARDS

A. CALEA 72.1.2, 72.1.3, 72.1.4, 72.3.6, 72.4.1, 72.4.2, 72.4.3, 72.4.4, 72.4.5, 72.4.7, 72.4.11, 72.5.1, 72.5.2, 72.5.3, 72.5.4, 72.5.5, 72.5.6, 72.5.9, 72.5.10, 72.6.1, 72.6.3, 72.6.5, 72.7.4, 72.7.5, 72.8.1, 72.8.2, 72.8.3, 72.8.4, 72.8.5, 72.8.6,

B. NYSLEAP

VIII. INDEX

Prisoners

- Reportable Incidents 16/11
- Emergency Incidents 16/11

END



ORDER NUMBER 08-13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE FOA LODGING				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/18/08	DATE EFFECTIVE 01/18/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 12: TITLE: FOA LODGING

I. PURPOSE

To establish prisoner lodging procedures for other authority.

II. POLICY

It is the policy of this Department to accept for lodging, a prisoner in the custody of another law enforcement agency when requested.

III. DEFINITIONS

Prisoner Lodged FOA - A prisoner who is in the custody of a law enforcement agency other than this Department and who is placed in a Departmental detention cell.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Desk Officer Duties

1. When the officer and prisoner enter the precinct, a blotter entry is made reflecting the incident, prisoner date, charge, arresting officer and agency and physical condition of the prisoner.

2. In addition to those prisoner handling and reporting procedures outlined in the Rules and Procedures, a desk officer will:

a. Obtain a Central Complaint number from the Communications Section.

b. Prepare a Field Report denoting incident as "Prisoner Lodged FOA" and in the details section indicate:

(1) Full name of prisoner.

(2) Full name, rank, shield number, and agency of officer who had prisoner in custody.

(3) Crime charged and detention cell number.

(4) Use precinct location for precinct of occurrence, sector, car number.

c. Denote "FOA Detention" on Detention Log.

d. Record and warrant checks will be performed on all FOA lodgings. If subject is found to have an active warrant, subject is to be arrested by a member of the Suffolk County Police Department on the warrant charge and processed as outlined in this chapter.

B. Fingerprinting and Photographs

1. Photographs and fingerprints will be taken of the prisoner when authorized by law, and at the request of the arresting agency.

a. No Personal Identification Number (PIN) is required.

b. Prisoners sustaining or claiming to sustain injuries due to a confrontation prior to, during or after arrest shall be photographed. The photograph(s), taken in addition to any other required photographs, shall clearly show each injury or depict the area (s) claimed to be injured.

c. When photographing the prisoner, the name of the associated agency will be noted in the "Incident" area of the Evidence Recovery Sheet (PDCS 6504).

d. Electronic fingerprint images will be sent directly to the Division of Criminal Justice Services (DCJS).

C. Prisoner's Property

1. When prisoner's property is taken into custody by a member of this Department, the procedures outlined in the section titled "Holding Facility and Prisoner Safety" will be followed. A photocopy of the Property Receipt will be given to the outside arresting agency.

D. Bail Eligibility

1. The desk supervisor is to determine whether or not the prisoner is eligible for release on bail or Appearance Ticket and, if so, submit same to above if the prisoner so desires.

E. Transportation to Court

1. When requested by an associated agency, prisoners will be transported to court and lodged for other authority situations. The arresting agency will, upon completion of proper prisoner processing procedures, submit to the desk supervisor the completed and signed Court Information, arrest reports, prosecution worksheet, Suffolk County Sheriff's Department Police I.D. Thumb Print Card, and any other information required by the court (Paperwork will not be forwarded to Central Records Section, unless the arrest was made by a Suffolk County Court Officer).

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Injured Prisoners 16/1, 16/11, 16/12

Prisoner Injuries, photographing of 16/1, 16/11, 16/12

END



ORDER NUMBER 08-59

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE MIRANDA WARNING			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 09/10/08	DATE EFFECTIVE 09/03/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 14: TITLE: MIRANDA WARNING

I. PURPOSE

To provide an arresting/investigating officer with the procedure for administering the Miranda Warning.

II. POLICY

The constitutional rights of the individual are of paramount importance and, as such, shall be acknowledged and protected by all members of the Service.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Prior to any interrogation of a person who is in custody, the following warning shall be given:

1. You have the right to remain silent.
2. Anything you say can and will be used against you in a court of law.
3. You have the right to talk to a lawyer, right now and have him present with you while you are being questioned.
4. If you cannot afford a lawyer and want one, a lawyer will be appointed to you by the court before any questioning. If you decide to answer questions now without a lawyer present, you will have the right to

stop the questioning at any time until you talk to a lawyer.

5. Waiver -

a. Do you understand each of these rights I have explained to you?

b. Having these rights in mind, do you wish to talk to me/us now?

VI. PROCEDURE

A. Legal Aspects - The following are some legal aspects to the above warnings.

1. Understanding Rights - Once these warnings are given to the prisoner, the officer giving the warnings inquires as to whether or not the person understands each and every one of the warnings given. If the person indicates he does not understand a particular warning, it is explained to him in everyday language. If the person indicates he does not understand English, the warnings and any explanations are given in whatever language the person speaks. If other than Spanish, the officer contacts the duty officer who is to provide an interpreter. For the convenience of the members of the Service, the rules are set out in Spanish on the reverse side of the Miranda Warning card.

2. Recording Interrogation - A person may, after being advised of his rights, as above, waive same. The waiver must be made voluntarily, knowingly and intelligently and this is recorded on the appropriate form (statement). The burden of providing a valid waiver in court must be borne by the Prosecution.

B. Pre-Trial Identification - Line-ups, show ups, photo spreads and other pre-trial identification procedures are to be performed as outlined in the manual, "Pre-Trial Identification Manual," PDCS-7552, prepared by the Suffolk County District Attorney's Office.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 05-99

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE ESCAPE OF PRISONERS FROM CUSTODY				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 11/1/05	DATE EFFECTIVE 11/1/05	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 15: TITLE: ESCAPE OF PRISONERS FROM CUSTODY

I. PURPOSE

To establish a procedure that will direct the actions of members of the Force during an incident where a prisoner escapes from police custody.

II. POLICY

It shall be the policy of the Suffolk County Police Department to adhere to clear guidelines and a course of action when dealing with prisoner escapes from police custody.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. The procedure to be followed in the event of a prisoner escape from police custody, within the Police District, will remain consistent even though an escape may occur from various locales and under various circumstances (i.e., police custody, police vehicle, police facility, holding cell).

1. The first officer to become aware of a prisoner escape from custody will immediately notify the Communications Section dispatcher and provide the following:

a. A complete description: name and address, if known,

physical description, clothing, etc.

b. The original charge the prisoner was arrested for, and whether or not he may be armed or considered dangerous.

c. Any past dangerous history, if immediately known.

d. Location, direction and means of travel, and probable areas of flight.

2. A supervisor will be notified and will respond to the scene to take command. After evaluating the situation, the supervisor will cause a district-wide alarm to be broadcast, if appropriate.

a. In escape 1st degree and 2nd degree situations, the appropriate detective squad will be called, In case of an escape from a detective or detective facility, the precinct platoon commander will also be notified.

b. The duty officer will be notified and an alarm and/or teletype will be sent to adjoining police agencies, NYSPIN and NCIC.

c. A supervising officer in command will make timely decisions as to whether or not a search perimeter will be established and where it should be located.

(1) If appropriate, K-9 will be called out.

(2) If timely and appropriate, the Aviation Section will be called out.

3. In the event of an escape from a holding facility, an Emergency Incident Report (PDCS-1110) will be filed and the duty officer will make the appropriate notifications to the Department of Corrections.

4. If the escape occurs in another jurisdiction, assistance will be requested immediately from the jurisdiction the officer is in at the time of the escape.

a. The transporting officer(s) shall offer his services in order to recapture the escapee.

5. The assigned officer(s) shall submit a field report and an Internal Correspondence directed to his commanding officer detailing the facts of the escape.

6. The precinct commander/detective squad commander will cause an investigation of the incident and submit required reports to the appropriate division chiefs.

VII. ACCREDITATION STANDARDS

A. CALEA 72.4.10

B. NYSLEAP 64.6

VIII. **INDEX**

Prisoner Escape 16/15
Escape from Custody 16/15

END



ORDER NUMBER 09-10

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE DESK APPEARANCE TICKETS AND BAIL				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/27/09	DATE EFFECTIVE 04/24/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 16: TITLE: DESK APPEARANCE TICKETS AND BAIL

I. PURPOSE

To set forth procedures regarding the various aspects of the issuance of desk appearance tickets and bail.

II. POLICY

It is the policy of the Department to arraign arrestees as soon as practicable so as to establish jurisdiction of the courts over the arrestee. Pre-arraignment bail may be authorized by a police officer in charge at a police station pursuant to section 150.30 of the Criminal Procedure Law whenever the issuing officer has made a determination that issuance of a desk appearance ticket with the posting of an appropriate amount of cash bail will reasonably ensure the appearance of the defendant under his/her own volition. A defendant has no constitutional or statutory right to a desk appearance ticket.

III. DEFINITIONS

Pre-Arraignment Bail - Posting of cash bail with the issuance of a Desk Appearance Ticket.

Desk Appearance Ticket - An Appearance Ticket issued at the precinct or Police Headquarters and only to be used after arrest and not in lieu of arrest.

IV. REFERENCES

Criminal Procedure Law
 Family Court Act, section 155-a

V. RULES AND REGULATIONS

A. A member of the Police Department, County of Suffolk, is disqualified as a surety for bail.

B. Desk Appearance Tickets shall only be used after arrest and shall

not be issued in lieu of arrest.

C. Bail amount shall be sufficient enough as to likely secure the defendant's appearance to court, and in no case shall it be fixed at less than \$50.00 (release without bail may still be considered).

D. Executive Law §995-c(3) requires designated offenders who have been convicted and sentenced to provide a DNA sample for inclusion into the State DCJS DNA Databank. DCJS File 15's (Criminal History) and DCJS Fingerprint Responses have begun to include a banner advising that the subject was "Required to provide a DNA sample for inclusion in the State DNA Database."

VI. PROCEDURES

A. Required Inquiries - Desk Appearance Ticket (D.A.T.) Defendants - Inquiries for local warrants and NYSPIN File 5, File 6 and DCJS Fingerprint Inquiries are required for all persons arrested for a printable offense and received at the Precinct, including persons under consideration for issuance of a Desk Appearance Ticket. This shall include arrests which are for a voluntary surrender or to assist an associated agency.

1. For non-printable offense defendants, processing officers shall obtain and verify as much pedigree as possible and telephonically request that the Arrest Records Unit run a File 15 through *E-Justice* for the defendant.

2. For printable offenses, processing officers shall transmit copies of the arrestee's Livescan fingerprints to the Arrest Processing Unit for further transmission to DCJS.

3. Upon receipt of the DCJS File 15 Response or DCJS Fingerprint Response, Arrest Records Unit personnel shall promptly review the response and telephonically advise the arresting officer if a DNA sample is required.

4. If a DNA sample is required, Arrest Records Unit personnel shall forward electronically or by FAX a complete copy of the File 15 or DCJS Fingerprint Response to the processing Precinct. A copy of the appropriate response shall be affixed to the arrest paperwork.

5. If the File 15 reveals that the defendant owes a DNA sample for inclusion into the State DNA databank, then existing procedures for obtaining buccal swabs shall be followed, (refer to Chapter 16, Section 1, "Buccal Swabs"). Processing officers shall make every effort to obtain this sample voluntarily from the prisoner.

a. Supplementary Reports are required to document whether the required DNA sample was, or was not, provided by the arrestee. A pre-printed, fillable Supplementary Report for DNA reporting, (PDCS-1084-11), is now available on the SCPD Intranet under the Online Forms category.

b. A General Receipt will be provided to the arrestee, stating the time and date the DNA sample was taken and the Prisoner Activity Log shall be annotated with the same information.

6. Refusals to Provide DNA - Any person under consideration for a D.A.T. who owes a DNA sample and refuses to provide said sample, shall not be released and shall instead be transported to Court. Refusals to provide the required DNA sample shall be documented as above and "DNA REFUSAL" shall be stamped in red ink on the Prisoner Activity Log and near the prisoner's name on the Prisoner Transmittal Sheet. This procedure will alert the Court Liaison Section, Sheriff, Assistant District Attorney and the Court that the subject owes a DNA sample before being released. A copy of the Supplementary Report documenting such refusal shall be affixed to the Prisoner Transmittal Sheet and processing officers shall further indicate on the Prisoner Transmittal Sheet that there is a "hold" on the prisoner.

7. If the person voluntarily provides the DNA sample at the Precinct, consideration can then be given to release upon issuance of a Desk Appearance Ticket.

B. DESK APPEARANCE TICKET

1. A Desk Appearance Ticket is authorized by the supervising desk officer, or in his or her absence, the desk officer in charge, and will be prepared in triplicate. The purpose of the Desk Appearance Ticket will be explained to the defendant and he/she will be advised as to what court he must appear in and the date of such appearance. The defendant will be requested to read the ticket himself if he/she is able. The issuing officer will then have the defendant sign the desk appearance ticket in his/her presence. The original white copy is given to the defendant; the pink copy is forwarded to the court involved, along with the court complaint and other court papers; the yellow copy is to be retained at the command of issuance. The supervising desk officer, or in his or her absence, the desk officer in charge, will exercise complete discretion as to whether a Desk Appearance Ticket is issued.

2. When a Desk Appearance Ticket is issued it will be made returnable in accordance with the District Court Schedule, PDCS 7123.

a. All Desk Appearance Tickets shall be returnable to First District Court Room 220 at the times specified by First District Court, except those Desk Appearance Tickets issued for Class E Felonies shall be made returnable at 9:00 am to Room D-11.

b. During operations involving multiple arrests, no more than ten (10) defendants shall be assigned to a single return date (s). The remainder shall be assigned in groups of not more than ten to the next successive available date until all are scheduled.

c. In the event non-bailable codefendants or other

special circumstances exist which necessitate the need to arraign a particular group of defendants on the same date and that number exceeds fifteen (15) individuals, unit commanders shall notify Court Liaison Section in advance, preferably in writing, of the date of such returns in order that additional personnel can be assigned to handle the influx.

3. Issuing Procedure

a. Provided there exists verifiable identification, reliable address information, and absence of wants/warrants, a person arrested for any bailable offense may be released on a Desk Appearance Ticket by posting the required pre-arraignment cash bail, which in no case is to be less than \$50.00.

b. The desk officer may, at his/her discretion, refuse to authorize the issuance of a Desk Appearance Ticket when there is a reasonable basis to believe that if the defendant is released:

- (1) He/she will engage in further violation of law, or
- (2) That he/she may injure himself or others in the community, or
- (3) He/she will fail to appear before the court as directed based on his/her arrest history.

c. Supervising desk officers, or in his/her absence, the desk officer in charge, shall not authorize the issuance of Desk Appearance Tickets in the following areas:

(1) Class A, B, C, D felony or the following E felonies: Rape 3rd (130.25); Criminal Sexual Act 3rd (130.40); Escape 2nd (205.10); Absconding from temporary release 1st (205.17); Absconding from a community treatment facility (205.19); or Bail Jumping 2nd (215.56) of the Penal Law.

(a) Defendants charged with E felonies other than the aforementioned shall only be released on bail when there exists extenuating circumstances that render holding the arrestee impractical or otherwise contrary to good judgment and the interests of justice.

(2) If the defendant is "incapacitated" because of intoxication, drugs, or injury.

(3) A youth charged as a juvenile offender.

(4) A defendant charged with a violation of Subdivision 2, 2a, 3, 4, or 4a of Section 1192 of the Vehicle and Traffic Law or Subdivision 2 (b), (d) or (e) of Section 49-a of the Navigation Law.

(a) When a defendant is arrested for a violation of Sections 1192.1, 1192.5, or 1192.6 of the

VTL, or arrested for violations of Sections 49-a 2 (a) or 49-a 2 (c) of the Navigation Law, he is to remain in custody for a period of twelve (12) hours or until during the 12 hour period, his blood alcohol level is sufficiently reduced to below .04 of one per centum as indicated by a prescreening breath test at the time of bail, or until he is brought before a local criminal court for arraignment.

(5) All domestic incident cases which involve any act of violence or the threat thereof.

(6) In all incidents where a defendant violated an Order of Protection or is charged with Criminal Contempt due to violating an Order of Protection.

(7) For any warrant arrest. (There are rare exceptions where an Appearance Ticket may be issued for a warrant arrest. These are described in Chapter 16, Section 3.VI.D - Bail Procedures for Misdemeanor and Violation Warrants).

(a) In most cases, a subject arrested on a warrant issued by any court will not be released on bail even if the issuing judge has indicated a bail amount on the warrant. The only exceptions are Family Court warrants where a bail is indicated on the warrant, and in those rare circumstances where some discretion in accepting bail may be called for. Please refer to Chapter 16, Section 3.VI.D. - Bail Procedure for Misdemeanor and Violation Warrants, for details.

(b) When Family Court is not available for arraignment, a desk supervisor may authorize the release of a subject conditioned upon the posting of cash bail when such subject has been arrested pursuant to a Family Court warrant and a bail amount has been indicated on the warrant by the issuing judge. The amount of bail shall be the amount fixed in the warrant. The appearance date will be set for the next morning that Family Court is in session.

4. Hospitalized Defendant

a. When an arrest is made for an offense for which a Desk Appearance Ticket may be issued and the defendant is injured or hospitalized, the defendant may be issued a Desk Appearance Ticket for the charge provided:

(1) The injury does not affect his mental capacity or otherwise impair his ability to accept the Desk Appearance Ticket.

(2) A hospitalized defendant, who because of his injury was not qualified for a Desk Appearance Ticket at the time of his arrest, may be issued a Desk Appearance Ticket when he has sufficiently recovered from his injuries and the attending physician so specifies.

(3) In selecting the return date for a Desk Appearance Ticket issued to a hospitalized defendant, the issuing officer will select a date on which the defendant will be physically able to appear.

5. Should any judge of any court contact a member of this Department and instruct bail be set for a defendant charged with a non-bailable (by police) offense, the member of the Department so contacted advises the judge that such procedure is prohibited by the Police Commissioner. The defendant can be delivered to the judge for proper arraignment if he so desires. In all cases, refer to the designated sections of the Criminal Procedure Law before admitting any person to bail.

C. BAIL

1. Cash Bail - Only cash bail can be fixed and accepted by a desk officer who authorizes the issuance of a Desk Appearance Ticket

a. No Bail Bonds will be accepted at a police facility unless the defendant has been arraigned and a Bail Bond is fixed by court order.

2. Amount of Bail - The minimum bail amount that Desk Officers may set is \$50.00. Desk officers are reminded that the bail amount should act as an incentive for the individual to appear before the court on his/her assigned date. Bail should be of a suitable amount to ensure compliance. In those instances when the arrestee's history demonstrates a propensity for not appearing before a court (3 or more prior arrests for warrants), bail shall be fixed at maximum allowable under law as prescribed below unless, however, there exists extenuating circumstances that render maximum bail impractical or otherwise contrary to good judgement and the interests of justice (including, but not limited to, available prisoner cell space, defendant's health, use as an informant**, etc). If bail is fixed below maximum due to such circumstances, the supervising desk officer shall document or cause to be documented on a Supplementary Report PDCS-1084 the criteria which resulted in the decision to release the arrestee on the posting of less than maximum bail. That notwithstanding, pre-arraignment bail ordinarily may be fixed as follows:

a. Class "E" felonies (except sections 130.25, 130.40, 205.10, 205.17, 205.19, or 215.56 of the Penal Law) - not to exceed \$750.00, and only where there exists extenuating circumstances** that render holding the arrestee impractical or otherwise contrary to good judgement and the interests of justice.

b. Class "A" misdemeanor - not to exceed \$500.00.

c. Class "B" misdemeanor or unclassified misdemeanor - not to exceed \$250.00.

d. Petty offense or violation - not to exceed \$100.00

3. Release Without Bail - In a situation wherein a person is arrested for

a bailable offense but does not have the necessary cash, and where it would be in the best interests of all parties to release the person from custody, the supervising desk officer may issue to the person a Desk Appearance Ticket without the posting of cash bail after due consideration is given to the subject's residency tenure, non-violent nature of charges, lack of warrant history, conviction history, employment tenure, use as an informant**, and reliability of identification. The supervising desk officer shall document or cause to be documented on a Supplementary Report PDCS-1084 any and all of the aforementioned criteria which resulted in the decision to release the arrestee without bail.

** Approval of the District Attorney's Office is required before a defendant in custody can be utilized by the Police Department in another investigation.

4. Procedures for Desk Officers

a. Cash Bail Receipts

(1) When cash bail is posted with the supervising desk officer, a receipt is issued from the Cash Bail Receipt Book.

(2) On a Cash Bail Receipt enter the appropriate information. In the "Person Posting Bail" Section, place the name, address and zip code of the person providing the bail money. If bail is provided by the defendant, clearly indicate this by placing his name in this area. Have the surety sign and date the Cash Bail Receipt.

(3) The Cash Bail Receipt is distributed as follows:

(a) The white copy is given to the person posting bail (surety).

(b) The green, canary and pink copies are forwarded to the Court Liaison Section in District Court or the Court of jurisdiction.

(1) In District Court the green copy will be maintained by the Court Liaison Section until bail is either forfeited or exonerated and then forwarded to the County Treasurer. The canary copy will immediately be forwarded to the County Treasurer. The Court Liaison Section will stamp the pink copy "Bail Received, Court Liaison Section", and then sign and date the receipt in the appropriate area. The receipt will be returned to the Precinct and stapled into the Cash Bail Receipt Book on the appropriate goldenrod copy.

(2) In any other court, the green copy will be initialed by the clerk in the court of jurisdiction, the words "Bail Received" will appear on the receipt, and it will be returned to the Precinct and stapled into the Cash Bail Receipt Book. The pink and

canary copies will remain with the Court.

(3) The goldenrod copy remains in the pad.

b. Handling of Cash Bail

(1) The desk supervisor will ensure that each bail deposit and the accompanying receipts be placed in a standard business envelope. The face of the envelope will contain: the defendant's name, Central Complaint Number, court return date, and amount of bail. The sealed envelope will be initialed by the officer issuing the bail receipt. Each envelope will contain bail for only one defendant. No other formal cash bail book is maintained in connection with the above.

(2) All bail received at the precinct will be stored in a locked file cabinet, located on the precinct desk proper, until it is ready to be sent to the appropriate court. The key for this cabinet will be retained by the desk supervisor or the platoon commander.

(3) When a defendant has been admitted to bail it is noted in the precinct's "Daily Journal", as follows: Name of defendant, charge, court, amount of bail, time released, and date of scheduled court appearance.

(4) The amount of cash bail retained at the precinct at the beginning and end of each tour of duty shall be verified by the supervising desk officer, or his designee, and entered in the precinct's Daily Journal. The entry shall include the number of envelopes and the cumulative total of cash bail in all the envelopes.

(5) All cash bail on hand at the beginning of the tour of duty of the second platoon (day tour), on a regular business day (Monday through Friday, except holidays), shall be delivered to the appropriate court. Where cash bail is to be delivered to the 1st District Court it shall be taken to the office of the Department's Court Liaison Section at 1st District Court no later than 1200 hours. Bail received by a precinct on weekends, holidays or daily, after bail has already been sent to a court, will be held until the next appropriate delivery date. The only exception shall be if a court has notified the Department they will not accept bail at these times in which case delivery of bail will be made at the first appropriate date and time.

(6) When cash bail is removed from the precinct for any reason, an entry shall be made in the precinct's Daily Journal. The entry shall list the number of envelopes containing cash bail removed and the total sum of money contained in these envelopes and the destination of the bail.

(7) It is the responsibility of the desk supervisor to ensure

that all cash bail received, retained and transferred is listed in the Daily Journal and is accurately accounted for from time of receipt until presented to a member of the Court Liaison Section. Any discrepancy found shall be immediately reported to the desk supervisor. The desk supervisor when either finding or being informed of a discrepancy shall have same noted in the Daily Journal, begin an investigation, and notify the platoon commander and commanding officer or executive officer, without unnecessary delay.

(8) The commanding officer shall ensure that a thorough investigation is performed, that all appropriate actions are taken to locate the missing cash bail and that any remedial actions required are taken. Additionally, he shall report the incident and results of the investigation to the Chief of Patrol.

5. Court Liaison Section Procedures - when cash bail is received from a member of the Department the following procedures will be followed:

a. The Court Liaison Section officer will stamp the Cash Bail Receipt Book (pink copy) in the space below, "Disposition of Bail", "Bail Received, Court Liaison Section" and then sign and date the receipt in the appropriate area. He will first verify the amount of bail contained in the envelope.

b. On a daily basis, after bail has been received from all precincts, the Court Liaison Section officer will then list the appropriate information in the Cash Bail Journal. (The entries will be made in alphabetical order by defendant's name).

(1) Cash Bail Receipt number.

(2) Defendant's name.

(3) Precinct forwarding bail.

(4) Amount of bail.

(5) Courts (Criminal or Traffic).

c. When all precincts have brought bail in, a deposit slip is made up for total bail received and deposited in the Cash Bail Account.

d. A revenue report is made up and sent to the County Treasurer's Office with the pink and canary copy of the Cash Bail receipts and a check for the amount of cash bail received that day. An adding machine tape of the Cash Bail Receipts will also be forwarded.

e. The green copies are placed in a chronological file, by court return date, to be maintained by the Court Liaison Section.

f. A Court Liaison Section member will check the court calendars daily to ascertain what defendants appeared for court.

(1) If the defendant appeared, the designated Court Liaison Section member will check under "Disposition of Bail" Box 1 on the face of the Cash Bail Receipt (green copy) and then sign in the appropriate box and forward the receipt to the County Treasurer.

(2) If the defendant failed to appear, the Court Liaison Section member will first check with the clerk of the appropriate court before bail is forfeited. Upon ascertaining that the defendant failed to appear, the designated Court Liaison Section member will check under "Disposition of Bail" Box 2 and sign in the appropriate area on the face of the Cash Bail Receipt (green copy). A revenue report will be prepared for all forfeitures. Only one report is necessary for all forfeited receipts each day. The revenue report and green copies of Cash Bail receipts will then be forwarded to the County Treasurer's Office.

g. When checking with a court, ascertain if an attorney has presented himself at court and waived arraignment. This will satisfy the terms of the Appearance Ticket.

h. The designated Court Liaison Section member will make the appropriate entries in the Cash Bail Journal.

(1) If bail is forfeited, the word "Forfeited" will be placed in the remarks column, the date and designated Court Liaison Section member's initials, rank, shield or title will be placed in appropriate columns.

(2) If bail is exonerated, the exonerated column will be checked and the date and designated Court Liaison Section member's initials, rank and shield or title will be placed in the appropriate columns.

i. In some instances, cash bail may be received from a member of the Service that will be the responsibility of the District Court (i. e., bail taken on a warrant or a defendant arraigned while in police custody and bail taken). In these instances the Court Liaison Section officer or designee will:

(1) Stamp the pink copy "Bail Received, Court Liaison Section" and then sign and date the receipt in the appropriate area. This copy will be returned to the precinct.

(2) Forward the bail money with the green and canary copies to the appropriate District Court Clerk. The canary copy will be retained by the District Court Clerk.

(3) The District Court Clerk will sign the green copy stating he received the bail money and the green copy will be maintained by the Court Liaison Section. These transactions will not be included in the Cash Bail Journal.

6. Acceptance of Bail After Arraignment - Bail, in any amount, in cash or bail bond may be accepted by Suffolk County Police Department

personnel in those instances in which the defendant has been arraigned in court, and:

a. Bail has been fixed by the court

b. Said court is not in session.

c. Defendant, accompanied by the commitment with the amount of bail as fixed by the court stipulated thereon, is in the custody of the Department.

D. CRIMINAL SUMMONS - When defendants fail to appear before the court after being released on a desk appearance ticket (or field appearance ticket), First District Court will often issue a Criminal Summons before issuing a warrant of arrest. As far as practicable, such Criminal Summons must be personally delivered per statute. After receiving a Criminal Summons from the Court, Court Liaison Section shall forward the summons to the appropriate Precinct Crime Section for service. Precinct Crime Section personnel shall initiate steps necessary for delivery of said summons without undue delay. Upon delivery, the serving officer shall complete an Affidavit of Service of Criminal Summons (PDCS 3108) and forward the completed affidavit to Court Liaison Section for filing with the Court. If personal delivery cannot be accomplished after due diligence, officers shall document such attempts to serve the summons on a Warrant/Criminal Summons Control Sheet (PDCS 2007a). The completed Warrant/Criminal Summons Control Sheet (PDCS 2007a) shall be forwarded to Central Records. The Criminal Summons, along with a copy of the Warrant/Criminal Summons Control Sheet shall be forwarded to Court Liaison Section before the return date of the Criminal Summons. Court Liaison Section shall communicate with the District Attorney's Office to have an arrest warrant issued for the defendant named in the Criminal summons.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

Criminal Summons

END



ORDER NUMBER 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE DIPLOMATIC IMMUNITY/FOREIGN AMBASSADORS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 17: TITLE: DIPLOMATIC IMMUNITY/FOREIGN AMBASSADORS

I. PURPOSE

To establish guidelines for members of the Service in the handling of incidents involving foreign diplomatic and consular personnel.

II. POLICY

It shall be the policy of the Suffolk County Police Department to support the principles of international law and extend privileges and immunity, where warranted, to members of foreign diplomatic missions and consular posts. The Department recognizes that most of these privileges and immunity are not absolute and will assure that the appropriate degree of immunity is afforded once the person concerned has been precisely identified. The Department will further maintain its fundamental responsibility to protect the public welfare in connection with criminal law enforcement actions involving diplomats. Foreign diplomats who violate traffic laws shall be cited. Allegations of serious crimes shall be fully investigated, promptly reported to the U.S. Department of State, and procedurally developed to the maximum permissible extent.

III. DEFINITIONS

A. Identification Cards Issued by the U.S. Department of State: The only authoritative identity document is the identification card issued by the U.S. Department of State, Office of Protocol or, in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These cards are 3 3/4" x 2 1/2" and contain the photograph of the bearer, name, title, mission, city and state, date of birth, identification number, expiration date and a U.S. Department of State seal on the front of the card. **A brief statement of the bearer's criminal immunity is printed on the reverse side.** There are three types of these cards:

1. Diplomatic - Blue border for diplomats.

2. Official - Green border for embassy employees.
3. Consular - Red border for consular personnel.

B. Foreign Diplomatic Passports and U.S. Diplomatic Visa: ___

Possession of foreign diplomatic passports containing U.S. "A" or "G" visas is an indication that the bearer **might** be entitled to privileges and immunities in the United States. This identity document is not conclusive. Police Officers must be alert to a good faith, yet erroneous assertion by the bearers of these documents, that they are entitled to immunity in the United States.

C. Tax Exemption Cards: The U.S. Department of State issues tax exemption cards to all persons entitled to such exemptions, but tax cards do not give a definitive indication of the degree of immunity of the bearer. They should not be relied upon for immunity purposes and should be considered only as **an indication** that the bearer may enjoy some degree of immunity.

D. Automobile Registration, License Plates and Driver Licenses:

Federally issued registration documents and drivers licenses do not definitively reflect the degree of privileges and immunities of the bearer. They should be relied upon only as **an indication** that the bearer may enjoy some degree of immunity. Vehicle license plates issued by the U. S. Department of State are coded to reflect the degree of immunity which the registered owner of the vehicle enjoys:

1. Plates with a "D" prefix or suffix are issued to diplomatic missions and those members who hold diplomatic rank.
2. Plates with a "C" prefix or suffix are issued to consular missions and career consular offices.
3. Plates with an "S" prefix or suffix are issued to the administrative and technical staff at diplomatic missions and consular employees at consular missions.
4. Plates with an "A" prefix or suffix are issued to official vehicles of the Secretariats of the United Nations and the Organization of American States, and the personally owned vehicles of those staff members who have diplomatic status.

E. Categories of Persons Entitled to Privileges and Immunity:

The categories below are presented in very general terms for informational purposes only. There are additional categories which could apply or circumstances could exist, such as special bilateral agreements, which could offer more privileges and immunities than generally provided below. ***It is the responsibility of this Department to precisely identify the individual with the United States Department of State or United Nations and then ensure that the appropriate degree of immunity is afforded.***

1. Diplomatic Agents and their family members - enjoy the

highest degree of privileges and immunities. They may not be handcuffed (except in extraordinary circumstances), arrested or detained beyond a reasonable amount of time to verify their identity and obtain all pertinent information. Neither their property, including vehicles, nor their residences, may be entered or searched. Diplomatic agents enjoy complete immunity from the criminal jurisdiction of the host country's courts and thus can not be prosecuted no matter how serious the offense unless their immunity is waived by the sending state. They enjoy complete immunity from the obligation to provide evidence as witnesses and can not be required to testify even, for example, if they have been the victim of a crime.

2. Embassy Administrative and Technical Staff and family members - enjoy privileges and immunities identical to those of diplomatic agents in respect to their personal inviolability, immunity from criminal prosecution, and immunity from the obligation to provide evidence as witnesses.

3. Members of the Service Staff of diplomatic missions - have official acts immunity only and they do **not** enjoy personal inviolability, inviolability of property, and immunity from the obligation to provide evidence as witnesses. The families of service staff members enjoy no privileges or immunities. (Official acts immunity will be presented in more detail below in Subdivision VI. "Procedures".)

4. Consular Officers - have official acts immunity in respect to criminal matters and their personal inviolability is quite limited. Consular officers may be arrested pending trial only if the offense is a felony and that the arrest is made pursuant to a decision by a competent judicial authority, (e.g., a warrant issued by an appropriate court or similar judicial authorization). Consular officers can be prosecuted for misdemeanors, but remain at liberty pending trial or other disposition of charges. The property of consular officials is not inviolable. Consular officers are not obliged to provide evidence as witnesses in connection with matters involving their official duties, to produce official documents, or to provide expert witness testimony on the laws of the sending country. Absent a bilateral agreement, the family members of consular officers enjoy no jurisdictional immunity of any kind and no personal inviolability.

5. Consular Employees - have no personal inviolability, only official acts immunity, and enjoy immunity from the obligation to provide evidence as witnesses only in respect of official acts. Their family members enjoy no personal inviolability or jurisdictional immunity of any kind.

6. Consular Service Staff - do not enjoy personal inviolability or jurisdictional immunity of any kind, but they do have immunity from the obligation to provide evidence as witnesses only in respect of official acts. Their family members enjoy no personal inviolability or jurisdictional immunity of any kind.

7. International Organization Personnel, (e.g., United Nations) - are assigned privileges and immunities generally on the

basis of the job functions they perform. There may be treaties embodying such grants of privileges and immunities, or domestic legislation may have been enacted to grant specific immunities and privileges to individuals not covered by the treaty. For this category, members of the Service may be guided primarily by the identity documents possessed by the individual and by contacting the United Nations Communications Section. Members should be aware that short-term official visitors to the United Nations or other international organizations may not possess the usual official identity documents referenced above, yet **could** have privileges and immunities equivalent to those afforded diplomatic agents.

IV. REFERENCES

United States Department of State Publication 10524, "Diplomatic and Consular Immunity, Guidance for Law Enforcement and Judicial Authorities"

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. General State Department Policy - Alleged Criminal Violations by Persons with Immunity from Criminal Jurisdiction - The U.S. Department of State encourages law enforcement authorities to properly document each incident of an alleged criminal violation committed by a person with immunity from criminal jurisdiction. They encourage law enforcement to conduct these investigations vigorously and to prepare these cases carefully and completely.

1. The U.S. Department of State will, in all incidents involving persons with immunity from criminal jurisdiction, request a waiver of that immunity from the sending State if the prosecutor advises that, but for such immunity, they would prosecute or otherwise pursue the criminal charge.

2. If the charge is a felony or any crime of violence, and the sending State does not waive immunity, the U.S. Department of State will require that person to depart the United States and not return unless they submit to the jurisdiction of the court with subject matter jurisdiction over the offense. Upon departure, the State Department will request that law enforcement issue a warrant for the person's arrest so that the name will be entered into NCIC.

B. General State Department Policy - Official Acts Immunity - No law enforcement officer, State Department officer, or diplomatic mission or consulate is authorized to determine whether a given set of circumstances constitutes an official act. This is an issue which may only be resolved by the court with subject matter jurisdiction over the alleged crime. Thus, a person enjoying official acts immunity from criminal jurisdiction may be charged with a crime, but may assert as an affirmative defense that the actions arose in connection with the performance of official acts. If, after examination of the facts, the

court agrees, then the court is without jurisdiction to proceed and the case must be dismissed.

C. General State Department Policy - Traffic Enforcement - The U. S. Department of State's Diplomatic Motor Vehicle Office maintains driver histories on all its licensees and assesses points for moving violations. Drivers who demonstrate a pattern of bad driving habits or who commit an egregious offense such as DWI are subject to having their licenses suspended or revoked as appropriate. In serious cases such as suspected DWI or motor vehicle crashes involving personal injury, the U. S. Department of State urges telephonic notification to them.

D. General State Department Policy - Property/Vehicle - The property of a person enjoying full criminal immunity, including his or her vehicle, may not be searched or seized. Such vehicles may not be impounded but may be towed the distance necessary to remove them from obstructing traffic or endangering public safety.

1. If a vehicle that is owned by a diplomat is suspected of being stolen or used in the commission of a crime, occupants of the vehicle may be required to present vehicle documentation to permit police verification of the vehicle's status through standard access to NLETS.

2. Should the vehicle prove to have been stolen or to have been used by unauthorized persons in the commission of a crime, the inviolability to which the vehicle would normally be entitled must be considered temporarily suspended, and normal search of the vehicle and, if appropriate, its detention, are permissible.

E. Verification of Identity - All Incidents - When a member of the Service responds to the scene of an incident involving any person or family member who claims diplomatic or consular immunity, the officer shall attempt to verify the status of that individual. This would include circumstances where the person is responsible for the commission of a crime, in violation of the law, including parking tickets, a victim of a crime, involved in a non-criminal incident, their property is damaged or any direct involvement in any incident reported to this Department. The investigating officer will review the identification presented, if any, and promptly make a telephonic inquiry to the Criminal Intelligence Section (CIS) at 852-6110 for assistance in verifying the individual's status through the U.S. State Department or, if appropriate, with the U. S. Mission to the United Nations. (Please note that CIS is staffed seven days per week, from 0800 to 2400 hours.) The investigating officer shall also notify his or her immediate supervisor and the Duty Officer. In the event that CIS is not available, questions of identity will be resolved through the Duty Officer.

1. In all cases, the Duty Officer shall record the incident in the Duty Officer's Confidential Log and notify the on duty District Commander.

2. If the incident would normally warrant arrest or detention, officers shall inform the individual that they will be

detained until their identity can be confirmed. A person claiming such immunity is not brought to a Department facility for the purposes of identification except when the identity of the individual can not be determined at the incident location or for the safety of all concerned.

3. If the suspect enjoys personal inviolability, he or she may not be handcuffed or detained except under extraordinary circumstances such as where the public safety is in imminent danger, or it is apparent that a serious crime may be otherwise committed, or in self-defense. After all pertinent information has been obtained, that person must be released.

4. The required notifications and forwarding of reports will be presented below.

F. Traffic Enforcement - Stopping a mission member or dependent and issuing a traffic summons for a moving violation does not constitute arrest or detention and is permitted. The investigating officer shall notify his or her immediate supervisor and follow the appropriate procedures contained above in "Verification of Identity - All Incidents".

1. If a summons is issued to a person or family member claiming diplomatic or consular immunity, A Field Report shall be completed to document the details of the incident and a copy of the summons shall be attached to the Field Report.

2. If appropriate, members of the Service shall, whenever practical or as circumstances permit, administer standard field sobriety tests. All field sobriety tests shall be properly administered in accordance with Department approved training and the results fully documented. Subjects with diplomatic or consular immunity may not be compelled to take these tests.

3. If an officer judges an individual with diplomatic or consular immunity to be too impaired to drive, the officer shall not permit the individual to continue to drive (even in the case of diplomatic agents). Depending upon the circumstances, and upon supervisory approval, the officer may: with the individual's consent, take the person to the Precinct or other location where they may recover sufficiently to drive; summon, or allow the individual to summon, a friend or relative to drive, or call a taxi for the individual. If deemed appropriate, a supervisor may authorize police transportation for the individual.

4. The required notifications and forwarding of reports will be presented below.

G. Additional Required Notifications - In addition to the aforementioned, the following notifications shall be made:

1. The supervisor will immediately notify his or her Commanding Officer in major incidents and, if unable to be contacted, the Executive Officer, and as soon as practical in all other incidents. If the Commanding Officer or Executive Officer can not be contacted,

the Division Chief or his designee will be notified.

2. For major incidents or those which would normally constitute a felony arrest, the Duty Officer shall immediately notify the Police Commissioner, the Chief of Department and the Chief of Detectives.

H. Reporting of Incidents - All reports relating to a criminal or non-criminal incident directed against or perpetrated by a person claiming diplomatic or consular immunity, or their families, including incidents against their property, shall be titled with the appropriate incident and annotated "forward to Criminal Intelligence Section (CIS)". This shall include the MV-104A, Field Report, Incident Report, Domestic Incident Report, PDCS-1018, Field Interview/Intelligence Report, or any related Supplementary Reports.

1. In situations where a Field Report is not required, details of the incident will be reported by the investigating officer in an Internal Correspondence and forwarded to CIS.

2. If follow-up investigation is required, copies of these reports shall also be forwarded to the appropriate Precinct Crime Section (PCS) for investigation, or, if a felony, to the appropriate Detective Squad for investigation. These commands shall forward any related Supplementary Reports to CIS. (Form PDCS-1018 is routinely distributed to PCS and CIS.)

I. Responsibilities of the Criminal Intelligence Section - CIS will be responsible to forward copies of any written report relative to a criminal or non-criminal incident directed against or perpetrated by a person claiming diplomatic or consular immunity, or their families, including incidents against their property, to the U.S. Department of State, Diplomatic Security Service, or, if appropriate, to the U.S. Mission to the United Nations. CIS shall also maintain liaison with the U.S. Department of State, U.S. Mission to the United Nations, and consular officials as required. The detailed documentation of incidents is essential to enable the U.S. Department of State to carry out its policies.

VII. ACCREDITATION STANDARD REFERENCE

A. CALEA

B. NYSLEAP

VIII. INDEX

Consular Immunity - 16/17

Diplomatic Immunity - 16/17

END

RULES AND PROCEDURES

CHAPTER 16: TITLE: ARREST AND PRISONERS

SECTION 18: TITLE: ELDER ABUSE

I. PURPOSE

To provide procedures for handling occurrences falling within the category of Elder Abuse.

II. POLICY

It is the policy of the Suffolk County Police Department to safeguard the lives and property of all citizens. The Department recognizes, however that the elderly are more likely to be victims of certain crimes because of their unique vulnerabilities. In cases of Elder Abuse, arrests shall be made in appropriate circumstances. It is recognized, in many cases, that the older adult may need services or assistance not provided by the Police Department or may refuse assistance from the Police Department. The Suffolk County Police Department's policy in such cases is to fully cooperate with and assist Adult Protective Services of the Suffolk County Department of Social Services Adult Services Bureau. The intent of this policy is to provide a partnership approach to situations involving the elderly and thereby better serve the elder community.

III. DEFINITIONS

A. Adult Abuse: Includes the physical, sexual, emotional or financial abuse and or neglect of a physically or mentally impaired adult 18 years of age or older who resides in the community, by another individual, when the impaired adult is unable to provide for his/her own health, welfare and safety.

B. Elder Abuse: Includes the same criteria in "A." above but relates to persons 60 years of age or older.

C. Physical Abuse: Non-accidental use of force that results in bodily injury, pain or impairment (ex. Slapped, burned, cut, bruised, improperly physically restrained).

D. Sexual Abuse: Is non-consensual sexual contact of any kind.

E. Emotional Abuse: The willful infliction of mental anguish, threats, humiliations, intimidation, isolation, name calling, treating as a child, etc.

F. Financial Abuse: The illegal or improper use and/or exploitation of funds, property or other resources (e.g. theft, fraud, embezzlement, conspiracy, forgery, falsifying of records, coerced property transfers, or denial of access to assets).

G. Neglect: The refusal or failure to fulfill a caregiver obligation, (ex. Provide food, denial of medical services) it may be active(willful) or passive(due to inadequate caregiver knowledge or infirmity). It may also be, the failure to care for oneself due to a physical or mental impairment.

IV. REFERENCES

A. Executive Law sections 544a and 544b.

B. Social Service Law section 473.

V. RULES AND REGULATIONS

A. Response: An officer responding to any call involving a person or persons 60 years or older, should be aware of the possibility of elder abuse. At times, the victim may not wish police intervention in suspected or documented cases of abuse. If the victim has the capacity to make such a decision, their decision should be respected. However, in every case involving complainants/victims 60 years or older that are handled as a domestic incident or violation order of protection, in accordance with existing policy, the

domestic incident report is to be faxed to the Domestic Violence and Elder Abuse Bureau. If the circumstances require only a field report and the complainant or victim is 60 years of age or older, the field report is to be faxed to the Domestic Violence and Elder Abuse Bureau if it involves exigent circumstances or requires immediate follow-up investigation. In all other cases, a copy of the field report should be forwarded through the inter-office mail system.

NOTE: Many cases of elder abuse involve Domestic situations in those cases the incident is to be handled as a domestic incident or violation order of protection as outlined in chapter 16 section 6 and 7 of the Rules and Procedures. The officer should be aware that the arrest policies and procedures set forth in these Rules and Procedures sections also apply when the complainant is a victim of elder abuse in a domestic situation. Special concern should be utilized when establishing probable cause for arrest in those cases where the elderly person may be suffering from some type of dementia(i.e. Alzheimer).

VI. PROCEDURES

A. Members Responsibilities

1. Emergency Situations - When an officer feels and elderly person (60 years or older) is at risk of serious physical injury or death, the officer shall take immediate steps to alleviate the risk by either removing the source or the victim. The officer shall also contact ADULT PROTECTIVE SERVICES (853-2235/36 between 0830-1630 hrs.) without unnecessary delay. Adult Protective Services or The Department of Social Services will have a caseworker meet the officer and the victim either in the home or at a secondary location.

2. Non-Emergency Situations - When the officer suspects an elderly person (60 years or older) is abused and/or at risk, and it is not an emergency situation and immediate police intervention is not

appropriate, the officer shall take the following actions:

a. Contact Adult Protective Services via telephone. A caseworker will take the information over the phone and advise the officer as to whether the case will be accepted by Adult Protective Services. [The case will be accepted for an assessment visit unless Adult Protective Services eligibility can be conclusively ruled out. If any doubt remains about a person's eligibility the case will be accepted for assessment].

b. In any case where it is suspected that criminal activity is involved the officer will contact the appropriate Precinct Crime Section, Detective Division Command or other specialized departmental units. Additionally, officers are to notify the Domestic Violence & Elder Abuse Bureau via telephone, during non-duty hours a message shall be left on the answering machine.

c. In non-criminal situations, further assist may be given to the complainant/victim by referring them to additional support services. These referrals would be in addition to those required above.

d. When appropriate and probable cause exists an arrest should be made.

3. Requests For Joint Visits From Adult Protective Services - Adult Protective Services will call upon the Police to make joint visits to clients homes in both Emergency and Non-Emergency situations.

a. Emergency Situations - The Adult Protective Services worker will call "911" and request the officer meet them in the field to assist in the following situations:

1. Emergency entrance
2. Providing emergency assistance
3. Stabilizing an immediate problem
4. If the Adult Protective Services worker feels they are at risk

b. Non-Emergency Situation

- The Adult Protective Services worker will contact the Domestic Violence and Elder Abuse Bureau to set up a joint visit in situations they determine to be a non-emergency. Both agencies will visit the client to determine if a crime has been committed, to provide protection for the victim and to utilize law enforcement options that may be available. The Adult Protective Services worker and the officer will discuss the referral or incident information and determine what role each individual will play.

c. Requests for Joint

visits from Police to Adult Protective Services - The Domestic Violence and Elder Abuse Bureau will request Adult Protective Services to make a joint visit on cases where the officer feels additional services or non-police interventions may be needed. The Adult Protective Services caseworker and officer will discuss the referral and determine the roles of each prior to the visit.

END

RULES AND PROCEDURES

CHAPTER 17: TITLE: PERSONNEL

SECTION 1: TITLE: PERFORMANCE EVALUATION SYSTEM

I. PURPOSE

Performance evaluation is an ongoing process designed to assist members of the Department to know what is expected of them and to maintain and improve work performance. It features personnel counseling when required, and recognition for performance that meets or exceeds Department expectations; it identifies training needs, assists members to determine and achieve career goals and helps develop members to their fullest potential.

II. POLICY

To improve the efficiency, effectiveness and performance of the Suffolk County Police Department through counseling, training, and supervision, and ongoing communication between employees and supervisors.

All supervisors shall observe, coach, train and counsel their subordinates on an ongoing basis and complete a "Performance Evaluation Report" for each member under their supervision at intervals specified in this directive.

Each evaluation shall be prepared in a fair and objective manner and in conformance with the specifics of this directive.

III. DEFINITIONS

Definitions will be found listed under subsection L and M of the procedure section of this directive.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Performance Evaluation Report (PER)

1. Performance evaluations shall be documented on the Suffolk County Police Department Performance Evaluation Report (PER) which is to be completed, distributed and retained in accordance with this and other pertinent Department directives.

2. PER's shall be completed by the rater at the end of the rating period.

3. The evaluations shall be based only on job performance, and only for a specific rating period, such period to be noted on the PER.

B. Rating Period

1. There shall be two rating periods of six months each year for sworn personnel. The first shall be October 1 through March 31; the second, April through September 30. The only exception shall be probationary members of the Force who shall be rated, at a minimum, every two months. PER's for probationary police officers assigned to the Police Academy, including field training, may be prepared more frequently, as directed by the commanding officer of the Police Academy Bureau.

2. For civilian employees, there shall be one rating period each year. This period shall be October 1 through September 30, unless otherwise directed by the Police Commissioner. The only exception shall be probationary employees. PER's for all probationary employees shall be prepared, at a minimum, every two months.

C. Persons Rated

A PER shall be completed at the end of the rating period for all members of the Department, both sworn and civilian.

1. If a sworn member has been out of work for a period exceeding three months during the rating period or a civilian member has been out of work for a period exceeding six months during the rating period, a rating will not be done; however, a PER shall be prepared and state, in the narrative section, the reason (s) the member was not evaluated, the length of time during the rating period the member was out of work or not working, and the reason for the absence.

D. Raters

1. Employees, other than probationary employees, shall be rated by their immediate supervisor. If the rater has not been the immediate supervisor of a permanent employee for at least 3 months, no rating shall be conducted by that supervisor. However, if any other supervisor has been that employee's immediate supervisor for more than 3 months during the rating period, he or she shall prepare the PER for that period.

2. If no one person has been the immediate supervisor of a permanent employee for at least 3 months of the rating period, it shall be the responsibility of the current immediate supervisor to complete the heading area on the PER, and state in the narrative section that no evaluation was completed because the employee has not had the same immediate supervisor for at least 3 months. The signature of the employee, the rater and the rater's supervisor are required on the PER in such a circumstance.

E. Rater's Responsibility

1. At the beginning of each rating period, raters shall review with the employees under their supervision the tasks of the occupied position, the level of expected performance, and the rating criteria.

2. The rater shall have the responsibility to give ongoing information during the rating period so that the subordinate knows what must be done. The "Review" should be just that, a review of information noted during the period and previously communicated, unless it just occurred.

3. The rater shall complete a PER for each subordinate at the end of each rating period. The rater shall review the rating with each employee rated and during the review shall, where necessary, provide further guidance for improvements in performance as well as guidance for career goals. Particular attention shall be given to performance noted as "unsatisfactory" or "needs improvement" on the most recent PER for that employee.

4. The employee shall, at the end of the review, sign the completed evaluation report. However, if a member of the Department covered by a labor contract between the County of Suffolk and the Association of Municipal Employees, Inc. (AME) refuses to sign this report the rater shall, in accordance with the AME contract, in the presence of an AME representative add, "I hereby certify that the employee named above has seen and read this material but has refused to affix his/her signature hereto."

5. The review with the employee shall be conducted in private and ample time shall be scheduled to fully discuss matters pertaining to the evaluation. The rater shall provide the employee with the pink copy of the PER at the end of the review.

6. The rater shall conduct the review with the employee within 30 days of the end of the rating period unless the rated employee is not available for

some good reason. In this event the review shall be conducted without unnecessary delay when the employee and supervisor are mutually available. The rater shall explain the review delay in the narrative section of the PER.

7. Comments shall be required in the narrative section of the PER when a rater gives an employee an overall evaluation of "outstanding" or "unsatisfactory". The rater shall state the specific reason(s) or events supporting the assessment.

F. Evaluations Shall be Job Related

1. Performance evaluations shall be based on all job related data available to the rater. These shall include, but are not limited to, rater observations, records made by the rater, official Department records (Work Performance Record, etc.), and any other records regarding the employee's performance during the period.

2. Employees shall not be rated on any performance category that is not applicable to the job position the employee held during the rating period. Any categories not applicable for the rating period shall be so indicated by the rater as per the instructions on the PER.

G. Unsatisfactory Performance Notification

1. Whenever performance is such that it is the intention of the rater to give an employee an overall unsatisfactory evaluation the rater shall, if possible, both verbally and in writing (via Internal Correspondence), personally convey this fact to the employee. The rater shall also offer guidance toward performance improvement. The fact that the employee was notified, as well as a summary of the guidance given to the employee, shall be noted on the employee's Work Performance Record.

H. Rater Training

1. The commanding officer of the Police Academy Bureau shall be responsible for training raters.

2. No supervisor shall conduct a performance evaluation until successfully completing rater training.

I. Review by Rater's Supervisor

Each completed PER shall be reviewed and signed by the rater's supervisor.

J. Contested Performance Evaluation

1. When an employee believes that his or her Performance Evaluation is inaccurate or incorrect, the employee shall advise the rater, who will attempt to resolve the issue with the employee. The rater, upon good cause, may amend the evaluation. Whenever a rater amends an evaluation under any circumstance, the rater shall initial the change on the PER and briefly explain the reason for the change in the narrative section.

If the employee disagrees with the evaluation and the matter has not been resolved by the rater, the rated employee may prepare an "Internal Correspondence" addressed to the rater's supervisor entitled "Appeal of Performance Evaluation". The correspondence shall state specifically what is being contested, the change desired and its justification. A machine copy of the PER shall be attached to the Internal Correspondence and submitted to the rater's supervisor. The rater's supervisor shall notify the rater that this correspondence has been received.

The rater's supervisor shall meet with the employee and the rater separately, to discuss the contested evaluation. The rater's supervisor shall make the final determination and shall notify the employee of the decision on an "Internal Correspondence", providing the rater with a copy. The

final determination shall be made by the rater's supervisor within a reasonable time based on the circumstances existing at the time of the appeal.

The rater's supervisor shall cause copies of all correspondence regarding an evaluation to be attached to and remain with the original copy (white) of the PER.

2. The employee shall have 5 working days (of the rated employee), from the date of the performance evaluation interview, to appeal the evaluation.

3. If notified of an appeal, the rater shall attempt to resolve the issue. If successful, either by demonstrating to the employee the accuracy of the evaluation or by changing the evaluation, it should be noted on the PER and distributed as directed.

4. If the rater is not able to resolve the issue on appeal, the rater shall so note on the report and submit the report to the rater's supervisor. The rater's supervisor shall forward the PER to the commanding officer for distribution after the appeal has been decided.

5. If an employee, after initiating the appeal process, decides to withdraw or not appeal, the rater's supervisor shall briefly state this fact in the narrative section of the PER, sign the form and then forward it to the commanding officer for distribution.

K. Performance Evaluation System Review

1. An annual performance evaluation system review shall be conducted. Each division chief shall conduct an inspection to determine how well the process is functioning in the division. The inspection shall, in addition to any other elements examined, identify instances of extreme ratings and the reasons for them and the number of appealed ratings and the reasons for them.

2. Each division chief shall prepare an Internal Correspondence to the Chief of Department which shall state the results of such inspection. This correspondence shall be prepared and submitted as follows:

For sworn personnel, annually before May 31.

For civilian personnel, annually before November 30.

L. Performance Categories:

For All Employees

General Appearance: Does the employee present an acceptable appearance (e.g. grooming, cleanliness, attire, prescribed uniforms etc.) when factors such as job assignment and work site are taken into consideration?

Initiative: Does the employee attempt to take appropriate action when something needs to be accomplished? Is the employee self-reliant?

Judgement and

Common Sense: Does the employee demonstrate the capability for making appropriate decisions? Does the employee make decisions based on a careful analysis of the circumstances? Does the employee use discretion wisely?

Knowledge of Laws, Department Policies and Procedures and Assignment Tasks: Does the employee know the laws applicable to his or her particular assignment? Does the employee possess appropriate knowledge of policies and procedures? Does

equipment?

Investigative and reasonable Problem Solving and research? Does the employee explore all avenues of investigation

Skills: Does the employee recognize and utilize information that becomes known? Does the employee follow leads to their logical conclusion? Does the employee evaluate the full range of options for solution?

Courtesy-Sensitivity the Interaction with the Public and with Members of the Department: Does the employee relate well with the public? Does the employee get along with and work well with other members of the Department?

For All Supervisory Employees

Effectiveness of utilize Delegation: Does the supervisor understand and accepted principles of delegation? Is the supervisor developing personnel through appropriate delegation? Is the supervisor delegating all tasks that subordinates are capable of appropriately performing?

Training and Coaching of Subordinates: Does the supervisor recognize when an employee under his or her supervision requires additional training? Does the supervisor, if appropriate, take the time to provide the needed training? Is the supervisor an effective trainer?

Evaluation of What is the quality of the evaluations

Subordinates: conducted by this supervisor? Does the supervisor use the evaluation system within the framework of the intended purposes? Does this supervisor properly use the evaluation training he or she has received? Does this supervisor put forth the effort required to make the evaluation system effective?

M. Performance Level Definitions, Individual Categories and Overall Evaluation

Outstanding - exemplary level of performance.

Exceptional - superior level of performance.

Good - above acceptable level of performance.

Acceptable - meets acceptable level of performance.

Needs Improvement - Performance does not meet an acceptable level, improvement is needed.

Unsatisfactory - Performance is well below an acceptable level, a great deal of improvement is needed.

N. Explanation of Non-Compliance Required

Whenever it becomes necessary to deviate from any requirement of this general order, the rater, or in the rater's absence, the rater's supervisor shall clearly explain the deviation and the reason therefore in the narrative section of the PER.

O. Distribution of Performance Evaluation Report

1. Raters shall forward completed PERs to their supervisors, who shall review and forward same to their commanding officers.

2. The PER shall be distributed as follows: original copy (white) is forwarded to the Personnel and Accounting Bureau; second copy (canary) retained by the employee's command while the employee is assigned to the command; second copy (canary) shall be forwarded to any subsequent command to which the employee is assigned; upon employee's retirement, resignation, etc., the command forwards the second copy (canary) to the Personnel and Accounting Bureau; third copy (pink) is given to the employee.

3. The Personnel and Accounting Bureau shall retain the original copy (white) for six (6) years after termination of employment.

P. Commanding Officer's Responsibility

The commanding officers shall be responsible to ensure that the ratings in their commands are:

- conducted in accordance with Department policy and procedure,
- prepared on each employee of the command at the end of each rating period,
- conducted by supervisors who have received the required Department training prior to performing a rating,
- documented on PERs which are completed, retained and distributed in conformance with Department policy and procedure.
- after completion, forwarded to the office of the respective division chief, or for commands assigned to the Officer of the Commissioner, to the commanding officer of the Personnel and Accounting Bureau.

Q. Division Chief's Responsibilities

Division Chiefs shall be responsible to ensure that rating

reports for commands within their division are:

- provided for each member of every command,
- after collection and verification, forwarded en masse
to the Personnel and Accounting Bureau.

VII. ACCREDITATION STANDARDS

- A. CALEA 35.1.1, through 35.3.6
- B. NYSLEAP 13.1 through 13.10

VIII. INDEX

Performance Evaluation 17/1
Evaluation, Performance 17/1
Work Performance Evaluation 17/1
Job Performance 17/1

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE PERSONNEL SELECTION			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 1/5/05	DATE EFFECTIVE 1/5/05	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 17: TITLE: PERSONNEL

SECTION 3: TITLE: PERSONNEL SELECTION

I. PURPOSE

To fix responsibility for selection and appointment of Police Department personnel and for the administration of the selection process as well as to clarify rules regarding lateral entry into the Department.

II. POLICY

It shall be the policy of the Suffolk County Police Department to establish and maintain a cooperative working relationship with the Suffolk County Department of Civil Service in order to ensure that selection of potential employees, sworn and non-sworn, is conducted in the best interests of the Police Department, consistent with the provisions of the Civil Service Law and Rules.

III. DEFINITIONS

Lateral Entry - A personnel practice that permits employees from within or outside the agency to be selected for a position and be exempt from all or part of the agency's selection process for that position.

IV. REFERENCE

New York State Civil Service Law
 Suffolk County Civil Service Rules

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Responsibility for Appointment

1. All appointments to the Police Department shall be made at the direction of the Police Commissioner and in accordance with New York State Civil Service Law and Suffolk

County Civil Service Rules.

B. Responsibility for Administration

1. The Chief of Support Services shall be responsible for the administration of the Police Department's role in the selection process for all employees, in accordance with the Civil Service Law and at the direction of the Police Commissioner.

C. Lateral Entry

1. Outside Department, sworn

a. Except as provided by law and directed by the Police Commissioner, lateral entry into sworn personnel positions from outside the Department shall not be permitted.

2. Non-sworn (civilian)

a. Personnel within or outside the Department.

(1) Lateral transfers shall be permitted with the approval of the Police Commissioner.

3. Within the Department, sworn

a. Internal transfers of sworn personnel shall be conducted as outlined in the Department Rules and Procedures.

(1) Where provided by law the Police Commissioner may waive all or part of this lateral entry process.

VII. ACCREDITATION STANDARDS

A. CALEA 32.1.1, 32.1.2, 32.2.1

B. NYSLEAP 11.2

VIII. INDEX

Personnel Selection 17/3
Selection of Personnel 17/3
Lateral Entry 17/3

END



ORDER NUMBER 07-14

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE PROMOTIONAL PROCEDURE				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/23/07	DATE EFFECTIVE 03/23/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 17: TITLE: PERSONNEL

SECTION 4: TITLE: PROMOTIONAL PROCEDURE

I. PURPOSE

To clarify authority and responsibility of the Police Commissioner regarding promotions of personnel. To fix responsibility for maintenance and revision of the Suffolk County Police Department promotion procedures.

II. POLICY

It shall be the policy of the Department to make selections for promotion in accordance with the Rules and Regulations of the New York State Civil Service Commission and the Suffolk County Civil Service Department.

III. DEFINITIONS

N/A

IV. REFERENCES

New York State Civil Service Law Article IV, Section 52,
 Section 50
 New York State Civil Service Commission Rule 8, 13
 New York State General Municipal Law Section 209q

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. All promotions shall occur at the direction of the Police Commissioner in accordance with applicable laws and the promotional procedures.

B. The Suffolk County Police Department promotional procedures shall be maintained by the Human Resources Bureau Supervisor. Revisions shall

be made in accordance with applicable law and upon approval of the Police Commissioner.

C. A member of the Service or Department is detailed or assigned as directed by the Police Commissioner. The Police Commissioner may detail within the number provided by resolution of the County Legislature; police officers as detectives, sergeants as detective sergeants, lieutenants as detective lieutenants, and captains as detective captains, deputy inspectors, inspectors, deputy chiefs, assistant chiefs, chiefs, Chief of Department, and deputy commissioners.

VII. ACCREDITATION STANDARDS

- A. CALEA - Chapter 34 et. al
- B. NYSLEAP - Chapter 15 et. al

VIII. INDEX

Promotional Procedures 17/4

END



ORDER NUMBER 06-10

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE APPLICATION FOR TRANSFER				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/25/06	DATE EFFECTIVE 01/25/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 17: TITLE: PERSONNEL

SECTION 5: TITLE: APPLICATION FOR TRANSFER

I. PURPOSE

To clarify the procedures for members of the Service in making application for transfer, to define how long applications remain in effect, and to clarify the procedures for renewing a transfer application.

II. POLICY

Allocation of personnel to specific assignments is made with the aim of establishing optimum effectiveness within the Department while recognizing the needs, ability, and preference of individual employees. It is the policy of the Suffolk County Police Department to insure that all employees enjoy the right to be considered for a transfer to an assignment of their choice without any form of discrimination being involved in the process. The Suffolk County Police does not condone, and will not tolerate, any discrimination.

III. DEFINITIONS

(As per Suffolk County Administrative Code Section A6-3)

A. County Official- The County Executive; a County Legislator; a County Department head; a County Police official above the rank of Police Lieutenant; or any other elected or appointed County official with the power to hire, fire or promote an employee.

B. Promote- To place a person currently in county employment in another county job which pays a higher biweekly salary, exclusive of overtime or other fringe benefits.

C. Relative- A spouse, issue, brother, sister, parent, brother-in-law, sister-in-law, parent-in-law, niece, or nephew.

IV. REFERENCES

A. Suffolk County Administrative Code Section A6-3

V. RULES AND REGULATIONS

A. A member of the Service makes an application for a desired change in detail or assignment to his/her commanding officer through official channels, typewritten on official designated forms. The member does not permit anyone else to do so for, or in, his behalf.

B. A member of the Service is detailed or assigned as directed by the Police Commissioner. Any transfer from a detail or assignment to another shall occur at the direction of the Police Commissioner in accordance with applicable law and these Rules and Procedures.

C. Suffolk County Administrative Code Section A6-3:
Hiring or Promoting Relatives of County Officials

1. Requirements for promotions or hiring: Whenever the County of Suffolk desires to promote or hire a person for a position not being filled by way of a competitive examination, as per the New York State Civil Service Law and that person is a relative of a County official as defined above, then such hiring or promotion shall not be effective unless it receives approval by the County Executive and by a resolution of the Suffolk County Legislature.

2. Truth-in-nepotism hiring: Any individual hired or promoted to a position not being filled pursuant to Civil Service Law competitive examinations shall sign a sworn affidavit at least five business days prior to the commencement of employment with the County of Suffolk stating whether or not such individual is a relative of any county official as defined herein. This affidavit shall be filed with the Suffolk County Department of Civil Service at least one business day prior to the commencement of employment with the County of Suffolk.

3. Relatives of Judges:

a. The County of Suffolk shall not hire or promote the spouse, issue, brother, sister, parent, brother-in-law, sister-in-law, parent-in-law, niece or nephew of a Suffolk County District Court Judge, Suffolk County Family Court Judge, Suffolk County County Court Judge, Suffolk County Surrogate, Suffolk County Supreme Court Justice or Judge of any court thereto for any position not being filled pursuant to New York Civil Service Law competitive examination.

b. The restriction in subsection 3(a) may only be waived via a duly enacted resolution of the County of Suffolk, in which case the hiring or promotion shall not take effect unless or until such resolution is enacted into law. The hiring or promotion shall be of such duration as set forth in such resolution.

4. Sanctions:

a. Any individual who either fails to file an affidavit required by subsection 2 of this section, who intentionally files an affidavit containing false statements as to the information required by

subsection 2 of this section or who intentionally violates subsection 3 of this section (i.e., the hiring or promoting authority or official and/or any person who approves the hiring or promotion) shall be guilty of an unclassified misdemeanor punishable by a fine of one thousand dollars (\$1,000.) and/or a term of imprisonment not to exceed six (6) months.

b. In the event that an individual is hired or promoted to a position of county employment in violation of the provisions of this section, then the Suffolk County Comptroller shall seek reimbursement of all wages, salary or other forms of compensation, including the dollar value of fringe benefits paid to said individual during any period of such violation, plus interest in the amount set forth in Subdivision 1 of Section 3-a of the New York General Municipal Law.

VI. PROCEDURES

A. Member's Responsibility - A member of the Service desiring a change in detail or assignment makes an application to the desired command by completing an Application for Transfer form (PDCS-1036). The member submits the completed form to his/her commanding officer who shall be responsible for forwarding the transfer request through official channels, adding any necessary comments, endorsements, and denials whenever appropriate. The application shall remain in effect for a period of one (1) year commencing from the date the requested command acknowledges receipt of the Application for Transfer form, or until the application is rescinded by the applicant. After such time, if the applicant wishes continued consideration for transfer, the member shall submit a newly completed Application for Transfer form, amending, if warranted, any qualifications, training, experience, etc., and indicating where appropriate that the submission is being used to renew and/or update the active PDCS-1036 already on file.

B. Personnel Section's Responsibility - In addition to filing the original copy of the Application for Transfer form in that Department member's personnel folder maintained at the Personnel Section, the personnel section shall also maintain a departmental file or electronic database of all Applications for Transfer that are received. Such file or electronic database shall include the following types of data:

1. Name, rank and shield number of applicant
2. Sex and ethnicity of applicant
3. Command applicant is requesting transfer from
4. Command applicant is requesting transfer to
5. Date application submitted
6. Date vacancy is posted by a command, if any

a. For all members of the Service that have an Application for Transfer in force for a particular detail or

assignment, an entry shall be made into the file or electronic database whenever the Personnel Section receives a posting for a vacancy for such detail or assignment.

(1) The Personnel Section shall ensure that a copy of the vacancy posting is affixed to the member's original Application for Transfer that is filed in his/her personnel folder.

C. Transfer to Detective Division - When the desired command is within the Detective Division, the applicant completes an Application for Transfer as described above. The applicant shall include a resume to accompany the Application for Transfer form. The application for Transfer and the attached applicant resume shall be forwarded to the Office of the Chief of Detectives.

D. Internal Departmental Compliance Procedures Concerning Suffolk County Administrative Code Section A6-3: Hiring or Promoting Relatives of County Officials

1. The provisions of the law exist to preserve public confidence and integrity in the selection process for positions in our Department which are not filled pursuant to New York Civil Service Law competitive examinations. Therefore, in order to ensure proper compliance with the aforementioned law, the Department will require that the Truth-In-Nepotism Hiring/Promotion Affidavit (PDCS-1097), available from the Personnel Section, be completed by the following members of the Department and returned to the Personnel Section:

a. Any police officer or supervisor assigned to a position that may or will result in detective designation will complete the Truth-In-Nepotism Hiring/Promotion Affidavit as part of the original transfer procedure.

b. The Personnel Section will be responsible for ensuring that candidates being considered for a position with the Police Department which will not be filled pursuant to a New York Civil Service Law competitive examination complete the Truth-In-Nepotism Hiring/Promotion Affidavit five business days prior to hiring.

c. Any other member of the Department being considered for a promotional position which will not be filled pursuant to a New York Civil Service Law competitive examination will complete the Truth-In-Nepotism Hiring/Promotion Affidavit.

d. Applicants for civilian non-competitive civil service positions will complete the Truth-In-Nepotism Hiring/Promotion Affidavit.

2. The Truth-In-Nepotism Hiring/Promotion Affidavit will be completed by members of the Department in the above described categories regardless of whether or not a relative is a county official, as defined previously. Additionally, the affidavit will be notarized. A member of

the Department is also responsible for updating the affidavit if there is a change in status concerning the position of a relative as a county official (i.e., promotion, retirement, marriage, etc.).

3. The Personnel Section will be responsible for filing the affidavits with the Suffolk County Department of Civil Service. A copy of the filed affidavit will be placed in the member's personnel file.

4. When an affidavit discloses the existence of a relative as defined herein, the Personnel Section shall notify the Police Commissioner that full legislative approval will be required for promotion, detective designation or hiring. When directed by the Police Commissioner, the Commanding Officer of the Administrative Services Bureau will prepare, or cause to be prepared, the necessary introductory resolution for submission to the Legislature via the Office of Intergovernmental Relations of the County Executive's Office. A copy of the legislative approval will be filed in the member's personnel file.

5. Members of the Department are advised that the filing of affidavits with civil service or obtaining legislative approval does not guarantee that a member will be promoted, designated or hired. Promotion and hiring remains the prerogative of the Police Commissioner, except as otherwise provided by law.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

Application for Transfer 17/5
Assignment Requests 17/5
Request for Transfer 17/5
Transfer, Application for 17/5
Transfer to Detective Division 17/5
Detective Division, transfer to 17/5
Transfer, Personnel Section Responsibility 17/5
Truth-In-Nepotism Hiring/Promotion Affidavit 17/5
Suffolk County Administrative Code Section A6-3 17/5
Nepotism 17/5

END

RULES AND PROCEDURES

CHAPTER 17: TITLE: PERSONNEL

SECTION 7: TITLE: COLLECTIVE BARGAINING PROCESS

I. PURPOSE

To define the role of the Suffolk County Police Department in the collective bargaining process.

II. POLICY

The collective bargaining process is primarily a function of the Department of Personnel and Labor Relations. The Suffolk County Police Department assists in this process by providing resource personnel to advise as to the operations of the Department and the effect of various contractual provisions proposed on such operations. All such assistance is rendered within the concept of the principle of "good faith" bargaining.

III. DEFINITIONS

A. Bargaining Unit - The association which acts as sole and exclusive bargaining unit for a particular group of employees. At the present time the following associations represent the groups of employees listed below:

1. Association of Municipal Employees - Represents all members of the Department listed and included in bargaining units 2 and 6.

2. Police Benevolent Association - Represents all members of the rank of police officer.

3. Suffolk Detectives Association - Represents all members designated as detective below the rank of sergeant.

4. Superior Officers Association - Represents all members of the Force, including those designated as

detective supervisor, holding the rank of sergeant and greater, up to and including the rank of Chief of Department.

IV. REFERENCE

New York State Civil Service Rules and Regulations
New York State Civil Service Law

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Collective Bargaining Negotiations

1. The principle negotiator for the County is determined by the County Executive.

a. Rules of procedure for negotiations are determined by the parties in advance of the process for negotiations of wages, hours, and terms and conditions of employment.

2. The Department is represented by the Deputy Commissioner along with selected members of the Department.

a. The role of Department personnel is limited to providing information in reference to the impact of contractual provisions/proposals on Department operations.

(1) Members of the Department's resource team are compensated in accordance with prevailing collective bargaining agreements.

b. Upon completion of the collective bargaining agreement, a copy of the signed agreements will be maintained by the Deputy

Commissioner.

3. Resolution of disputes or impasses are made in accordance with Section 209 of the New York State Civil Service Law. A written record is made of any such resolution.

B. Post Contract Procedures

1. The agreement resulting from the collective bargaining will be printed and distributed to the employees in accordance with the collective bargaining agreement.

2. The Department will review its Rules and Procedures and amend or add those administration directives necessary to ensure compliance with the collective bargaining agreement.

3. The Deputy Commissioner, or his designee (s), will inform all supervisory and management personnel of the terms of the new agreement affecting personnel under their command either individually or in any combination:

- a. Distribution of the agreements;
- b. Training; or
- c. Holding staff meetings.

VII. ACCREDITATION STANDARDS

- A. CALEA - Chapter 24 et. al.
- B. NYSLEAP - N/A

VIII. INDEX

Bargaining Units 17/7
Detectives Association, Suffolk 17/7

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE GRIEVANCE PROCEDURE			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 2/3/05	DATE EFFECTIVE 2/3/05	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 17: TITLE: PERSONNEL

SECTION 8: TITLE: GRIEVANCE PROCEDURE

I. PURPOSE

To define the role of the Suffolk County Police Department in the grievance procedure.

II. POLICY

It is the policy of this Department to promote a harmonious and cooperative relationship between the Department and its members in resolving grievances.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. All formal grievances will be submitted in writing according to the procedure contained in the current collective bargaining agreement and should include:

1. The facts upon which they are based;
2. The specific wrongful act; and
3. The remedy sought.

B. When a formal grievance is received from a member of the Department, the commanding officer of the aggrieved employee shall,

in accordance with the present collective bargaining agreement:

1. Acknowledge receipt by noting the date and time;
2. Analyze the facts or allegations;
3. Affirm or deny in writing the allegations in the grievance;
and may
4. Identify the remedy, if any, to be made.

C. Decisions made concerning an employee's grievance may be appealed by the employee in accordance with the specific procedure stated in their collective bargaining agreement.

D. Civil Service Grievance - A member of the Service is not deprived of the right of appeal to the Legislature or to any public official, board, commission, or other public body, for the redress of grievances on account of employment in the Civil Service of the County of Suffolk. A member of the Service before availing himself of this privilege, first submits to the Police Commissioner, in writing, a copy of the papers containing the subject matter of such appeal.

E. Grievances filed by an employee in accordance with the current collective bargaining agreement are coordinated for the Department by the Deputy Police Commissioner who will, due to the sensitivity of the grievance records, maintain custody and control of these records.

F. All records relating to grievances are subject to the retention schedule as enumerated in the New York State Education Law (Retention - a minimum of six (6) years after resolution of grievance).

VII. ACCREDITATION STANDARDS

- A. CALEA - Chapter 25 et. al.
- B. NYSLEAP 16.1

VIII. INDEX

Grievance Procedure 17/8
Labor Dispute 17/8
Contract Dispute 17/8
Complaint, Contract 17/8

END

RULES AND PROCEDURES

CHAPTER 17: TITLE: PERSONNEL

**SECTION 10: TITLE: SKILLS, KNOWLEDGE AND ABILITIES
INVENTORY**

I. PURPOSE

To maintain an updated inventory of the skills, education and knowledge of each employee.

II. POLICY

It shall be the policy of the Suffolk County Police Department to review the skills, education and knowledge of each employee in order to assess training requirements in order to provide members with the knowledge and training needed for the proper completion of the police mission.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Recording and Maintaining of Records - The Personnel Section shall maintain an inventory of skills, knowledge and abilities of each member of the Department. This inventory shall include, but not be limited to:

1. Educational background;

2. Training courses completed in any job related area;
3. Work experience;
4. Special skills,
5. Foreign languages.

B. Members Responsibility - It shall be the responsibility of each member to promptly provide written notification to the Personnel Section, via the member's commanding officer, regarding any changes specified above.

VII. ACCREDITATION STANDARDS

- A. CALEA 23.2.1
- B. NYSLEAP

VIII. INDEX

Reporting of Special Skills 17/10
Education 17/10
Foreign Language 17/10
Job Skills 17/10

END

RULES AND PROCEDURES

CHAPTER 17: TITLE: PERSONNEL

SECTION 12: TITLE: TRAUMATIC INCIDENT COUNSELING

I. PURPOSE

To provide referral and/or counseling for Department members involved in traumatic incidents.

II. POLICY

The Department recognizes that mental and physical stress can be brought about by involvement in violent, deadly, or life-threatening incidents. For the well-being of its members, it shall be the policy of the Department to have mandatory referral for evaluation and/or counseling for all members involved in certain types of incidents, directly involving the officer, which result in death or serious injury.

III. DEFINITIONS

The traumatic incidents, for the purposes of this section, are those incidents in which:

A. A member exchanges gunfire, or is shot or otherwise seriously injured.

B. A member discharges his weapon causing injury or death to another.

C. A member is directly involved in an incident which, accidentally or otherwise, causes serious physical injury or death to another.

D. A member is directly involved in an incident where his partner is killed or seriously injured.

E. A member is directly involved in incidents or disasters where multiple serious injuries or deaths have occurred.

F. A member is involved in any incident which, in a supervisor's discretion and with the approval of the commanding officer, requires evaluation or counseling.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Duties and Responsibilities - Upon notification of the involvement of a member in a traumatic incident, the following procedure will be followed:

1. Supervisor - A supervisor will be called to all scenes involving traumatic incidents. Once such an incident is confirmed, the supervisor at the scene will notify the Duty Officer and request notification of the Employee Assistance Bureau.

2. Duty Officer - The Duty Officer will notify a member of the Employee Assistance Bureau and provide details of the incident. The member of Employee Assistance Bureau so notified will determine if a response to the scene is necessary or if next day follow-up will suffice. The Duty Officer will additionally make such other notifications as is normally required for the type of incident involved.

3. Employee Assistance Bureau - It shall be the responsibility of the Employee Assistance Bureau to coordinate attendance of the involved member at evaluation and/or counseling sessions. Such attendance shall be arranged through the involved member's commanding officer. All conversations between Employee Assistance and the member will remain strictly confidential.

4. Commanding Officer - The commanding officer of the member involved will ensure the member's attendance at all evaluation and/or counseling sessions indicated as necessary by the Employee Assistance Bureau. In coordination with the Employee Assistance Bureau and where appropriate, the member's commanding officer shall direct the member involved to respond for evaluation within 48 hours of the initial incident. Additionally, the commanding officer shall be authorized to place on administrative leave of up to 72 hours, an officer suffering the effects of a traumatic incident.

5. Armorer Unit - Upon the request of a commanding officer, the Armorer Unit will issue a replacement weapon to any officer whose weapon was taken as evidence in a shooting incident.

6. Members of the Force - All members of the Force will cooperate with members of the Employee Assistance Bureau, where appropriate, to permit access to individual members of the Force involved in traumatic incidents.

B. Member's Rights

1. Nothing contained herein shall prevent a member from seeking evaluation or counseling from any source, in addition to those as required by this order.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

Mandatory Referral 17/12
Traumatic Incidents 17/12
Counseling 17/12

END



ORDER NUMBER **07-79**

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE EMPLOYMENT REGULATIONS					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 10/04/07	DATE EFFECTIVE 10/04/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 17: TITLE: PERSONNEL

SECTION 13: TITLE: EMPLOYMENT REGULATIONS

I. PURPOSE

To establish employment regulations for members of the Department.

II. POLICY

Members of the Department may engage in outside employment in any off duty occupation which is not in violation of Federal, State or County Law, union contracts or these Rules and Procedures.

III. DEFINITIONS

N/A

IV. REFERENCES

A. Labor contracts of P.B.A., S.D.A., and S.O.A.

V. RULES AND REGULATIONS

A. Outside Employment - No member of the Department shall engage in outside employment that involves or appears to involve a conflict of interest. Nor shall any outside employment be undertaken on a member's regularly scheduled work time or while on sick or injury leave time. In those specific individual cases where the Police Commissioner deems that a member of the Service's outside employment is in some manner compromising the member's position as a sworn officer, the Police Commissioner may direct that the officer cease such employment.

1. Any member of the Service who intends to engage in or operate a business enterprise or employment other than service to the Suffolk County Police Department shall submit an Outside Employment Record form and is subject to the following provision as outlined in the present union contracts.

a. A member of the Service, no matter when he or she was employed, may engage in business and/or accept and be employed in an occupation off duty so long as such does not violate any provision of law or labor contractual agreement.

b. Use of Department issued uniforms and equipment (including service weapons) in conjunction with outside employment is not authorized.

c. The Alcoholic Beverage Control Law prohibits Officers from having any interest in the sale or manufacture of alcoholic beverages (ABCL, 128). Officers are prohibited from working for a licensed establishment. This includes employment as security, both inside and outside the establishment. Under Section 128-a, an Officer may:

(1) Work in an establishment with an off-premises beer license as long as the officer has the written permission and consent of their Commanding Officer.

(2) Work solely as a security guard or direct traffic for a volunteer firefighter's organization that holds a temporary beer and wine permit.

2. Members of the Department who are attorneys will not participate in the legal defense of, or otherwise represent, clients who are involved in the following:

a. A criminal case.

b. Any legal action in which a client is charged with the violation of a criminal or other statute, enforced by police officers or peace officers.

c. Any litigation where the County of Suffolk or the Suffolk County Police Department is either a plaintiff or a defendant except if acting on behalf of the County and/or the Department.

3. Members of the Department who are engaged in outside employment which requires special licensing (e.g. firearms dealer, private investigator, security guard, electrician, etc.) must, in addition to the aforementioned departmental requirements, possess said license and abide by the restriction/regulations required by the particular license.

B. Outside Employment Termination - When such business or employment is terminated, the member must report same to the Police Commissioner, in writing, on the appropriate Departmental form within ten (10) working days of such termination.

C. Employment While Suspended - A member of the Service, when suspended from duty without pay, may engage in another lawful business or employment during the period of suspension. The member must keep an accurate record of the compensation which he may earn in any other

lawful business or employment and any unemployment insurance benefits he may have received during such suspension period.

VI. PROCEDURES

N/A

VII. ACCREDITATION STANDARDS

A. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER	05-07 05-116
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE
FIREARMS TRAINING

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 1/5/05 12/08/05	DATE EFFECTIVE 1/5/05 12/08/05	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 18: TITLE: TRAINING

SECTION 1: TITLE: FIREARMS TRAINING

I. PURPOSE

To promulgate a firearms training procedure for all members of the Service.

II. POLICY

It shall be the policy of the Suffolk County Police Department to annually qualify its sworn members in the safe and prudent use of firearms and to continually maintain such skills.

III. DEFINITIONS

Regular Firearms Training - is the training course and program designed by the Police Academy staff and approved by the Police Commissioner covering firearms, to be carried on duty and off duty, at the firearms range and demonstrating proficiency by achieving a qualifying score.

Remedial Firearms Training - is additional training over and above the regular firearms training in any or all aspects of the regular firearms training until the member can successfully complete or meet the standards for the regular firearms training program.

Modified Firearms Training - is a training course designed by the Police Academy staff and approved by the Police Commissioner that adapts the segment of the regular firearms training program in which the member fires the weapon so as to accommodate a member's physical limitation, however; the member must still fire the required number of rounds and achieve the appropriate qualifying score, in a safe and prudent manner.

Limited Duty - that duty status wherein a member of Service is temporarily prohibited or physically inhibited from performing all the tasks of a sworn officer by some limitation due to a work-related illness or injury. Note: Members of the Service are directed to refer to Rules and Procedures Chapter 2, Section 1, 'Rules and Regulations' subdivision V. A. 3., which provides an exception to limited duty eligibility for an off-

duty temporary physical condition resulting in the unavailability of a Department issued protective vest/body armor.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

The procedures that follow set forth requirements that are rules and, as such, must be observed by all members of the Service.

VI. PROCEDURES

A. Commanding officers are responsible for the following:

1. Scheduling members of their commands for regular firearms training (but only after they have successfully completed the annual Decentralized Individual In-Service Training Program on the use of deadly physical force) and, where required, remedial firearms training. The commanding officer shall ensure that members assigned to firearms training have in fact attended. When notified by a member that he or she did not attend the scheduled firearms training, the commanding officer shall direct the member to submit an Internal Correspondence stating the reason for not attending. Under these circumstances, the commanding officer shall be responsible for rescheduling the member.

2. When notified by the Chief of Department that a member(s) of his or her command has not met the minimum standards with his or her primary service handgun during that calendar year, shall take possession of handgun(s) possessed by the member(s). After taking the handgun(s) the commanding officer shall:

a. Notify the Police Commissioner via an Internal Correspondence of the safeguarding of the handgun(s).

b. Follow the procedures set forth in Chapter 4, Section 3 of the Rules and Procedures dealing with the confiscation of weapons and issuance of restricted identification cards.

3. When appropriate, designate those officers in his or her command who will be trained in the use of the shotgun, or specialized weapons in those commands authorized by the Chief of Department.

a. The Chief of Department shall designate the commands authorized to use shotguns and/or specialized weapons as well as the number of sworn personnel to be trained on their use.

4. Maintain a list of all officers within his or her command who have been successfully trained in the use of the shotgun and/or specialized weapons upon notification of such by the commanding officer of the Police Academy.

5. Ensure that no member shall arm himself or herself, or be

issued or use a shotgun or specialized weapon unless he or she has been successfully trained with that specific weapon during the current year or in the previous calendar year.

B. Sworn members are responsible for the following:

1. Participate annually in and successfully complete the Decentralized Individual In-Service Training program on the use of deadly physical force. This training must be completed before attending the annual firearms training.

2. Participate annually, unless specifically exempted by the Chief of Department or prohibited by the Department's Rules and Procedures, in the Department's firearms training and qualification program.

3. Achieve a successful score with handguns carried both on and off duty on the approved firearms training program.

a. The selection of the make, model and caliber of a handgun carried off-duty shall be at the discretion of the individual member, however, the firearms training program will not be altered to accommodate diverse weapons (i.e., no extra time allotted for reloading revolvers, derringers, etc.).

b. The opportunity to qualify with a second on duty weapon or off duty weapon will be provided during the annual firearms training program. Each qualification of an off duty weapon or second on duty weapon shall be effective for a three (3) year period. Time constraints limit qualification to one additional weapon, however, members wishing to qualify with more than one weapon in addition to the Glock 19 may do so on their own time by scheduling through the firearms training section.

c. Cartridges for qualification purposes will be provided for 9mm and .38 caliber only. All other cartridges shall be supplied by the member requiring same. Sixty (60) rounds are required for the non-department issued weapon qualification program.

d. Each weapon that a member selects to carry as an on or off duty weapon is inspected by the Armorer prior to qualification. If the weapon is found to be in need of repair, the member is prohibited from qualifying with that weapon until such repairs are made. Repairs made to personally owned weapons will be at the member's expense.

4. Will not use a Department shotgun or specialized weapon, unless he or she has successfully completed the approved training program established for those weapons.

5. When assigned to attend any scheduled firearms training program or session and for any reason does not attend, the member shall, without unnecessary delay, submit an Internal Correspondence to his or her commanding officer stating the reason(s) for not attending.

C. When the member responds for firearms training and fails to meet the minimum standards set or was unable to participate in all aspects of the Firearms Training Program, the commanding officer of the Firearms Training Section shall notify:

1. The member's commanding officer; and
2. The effected member that he or she must attend remedial training on his or her next regularly scheduled work day that the range is open.

D. The member's commanding officer will:

1. Without unnecessary delay, reschedule the effected member for remedial training on their next regularly scheduled work day that the range is open; and
2. Direct that the effected member be immediately assigned to administrative duties until he/she successfully re-qualifies at the Range.

NOTE: The member will only be required to participate in that portion of the firearms training course which he or she was unable to successfully complete.

E. A member on leave due to illness or injury whether the illness or injury is work-related or not, shall be prohibited from participating in any firearms training. A member working in a limited duty capacity due to a work-related illness or injury may be prohibited or physically unable to participate in regular firearms training, and if so, may participate in modified firearms training upon approval of the Police Surgeon and with the permission of the Chief of Department. Those members requesting permission to participate in modified training shall submit an Internal Correspondence to his/her commanding officer.

1. The member's commanding officer shall forward a copy of the Internal Correspondence to the commanding officer of the Medical Evaluation Unit. The commanding officer of the Medical Evaluation Unit shall review the request and decide whether an interview or physical examination by the Police Surgeon is necessary. The commanding officer of the Medical Evaluation Unit shall then make a recommendation to the Chief of Department.

- a. Based on the decision of the Chief of Department the commanding officer of the Medical Evaluation Unit shall proceed as follows:

- (1) When a member working limited duty is granted permission to attend a modified firearms training course, the commanding officer of the Medical Evaluation Unit shall notify by an Internal Correspondence the commanding officer of the Police Academy Bureau, with a copy to the member and the member's commanding officer, who shall schedule the member for this training.

(2) When a member is denied from participating in any firearms training program, the commanding officer of the Medical Evaluation Unit shall notify by an Internal Correspondence the member's commanding officer, with a copy to the member, detailing the reasons for the denial. After which the member's commanding officer shall, upon approval of the Chief of Department, take possession of and retain all the handguns possessed by that member until he/she can participate in and successfully complete the regular or modified firearms training course.

b. After taking possession of the member's handgun(s) the member's commanding officer shall:

(1) Notify the Police Commissioner via Internal Correspondence.

(2) Follow the procedures set forth in Chapter 4, Section 3 of the Rules and Procedures dealing with the confiscation of the weapons and issuance of restricted identification cards.

F. The commanding officer of the Police Academy Bureau shall be responsible for the following:

1. On or before November 5 of each year he/she shall send to the Chief of Department and all division chiefs a list of all sworn members of the Department who failed to successfully complete or attend firearms training as of that date during the current calendar year.

2. On or before January 5 of each year he/she shall submit to the Chief of Department a list of all sworn members of the Department who have failed to complete or attend firearms training in the preceding calendar year.

3. After January 1 and prior to February 15 of each year he/she shall submit to the Police Commissioner a description of the Firearms Training programs, the proposed passing scores of the proficiency segment, and the training agenda to be utilized during that calendar year. Unless notified by the Police Commissioner to the contrary, the firearms training program, the proposed passing scores, and training agendas shall go into effect on March 1 of that calendar year.

4. On or as close to the first of every month he/she shall send an up to date listing of all personnel successfully trained in the use of the shotgun and/or specialized weapons during the current calendar year to the Chief of Department and all division chiefs.

a. Each precinct and bureau designated by the Chief of Department shall also receive a list in order to maintain a list of all currently trained officers.

(1) If an officer fails to successfully complete the training with the shotgun and/or specialized weapons

the commanding officer of the member's command shall be immediately notified to remove said member from the list of qualified officers.

5. Without unnecessary delay, notify the member's commanding officer when a member fails to successfully complete or pass any firearms training program attended.

6. Maintain a separate list of all officers qualified with the shotgun and/or specialized weapons.

7. Prior to the beginning of the annual Regular Firearms Training Program at the Police Academy Range, he or she shall notify the commanding officer of each precinct and bureau of the number of sworn members they may schedule per day for firearms training.

8. Document and maintain a record of the training received by the members to include, but not be limited to:

a. Regular Firearms Training Course

(1) positions utilized

(2) weapons utilized

(3) scoring

b. Firearms Safety

c. Laws and procedures applicable to the use
of firearms.

VII. ACCREDITATION STANDARDS

A. CALEA 1.3.10, 1.3.11

B. NYSLEAP 33.1

VIII. INDEX

Annual Regular Firearms Training - 18/1
Firearms Training, Regular - 18/1
Limited Duty - 18/1
Modified Firearms Training - 18/1
Remedial Firearms Training - 18/1
Training, Regular Firearms Training - 18/1

END



ORDER NUMBER 07-13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE TRAINING COMMITTEE				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 03/23/07	DATE EFFECTIVE 03/23/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 18: TITLE: TRAINING

SECTION 2: TITLE: TRAINING COMMITTEE

I. PURPOSE

To establish a Training Committee charged with the formulation of a department training policy as directed by the Police Commissioner.

II. POLICY

Proper training of department personnel is a continuous process necessary to provide a professional standard of service and law enforcement to the community. The Training Committee shall, on a semiannual basis, determine training needs, evaluate current training programs, and receive input related to the training needs of all commands to aid the Commissioner in implementing and updating a comprehensive training program geared toward maintaining professional standards with the goal of ensuring that the citizens of the County receive efficient, effective police service.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Training Committee

1. A Training Committee shall be instituted as a standing committee of the Department and shall report on a periodic basis to the Chief of Department their findings and recommendations.

The committee, as appointed by the Chief of Department, shall consist of the following 10 members with a representative of the Legal Bureau acting in an ex-officio capacity for review of all legal issues:

Chief of Department or designated representative

Chief of Patrol or designated representative

Chief of Detectives or designated representative

Chief of Support Services or designated representative

Commanding Officer of Police Academy Bureau or designated representative

Commanding Officer of Internal Affairs Bureau or designated representative

Commanding Officer of Research and Development Section or designated representative

Commanding Officer of Recruit Training Section

Commanding Officer of In-Service Training Section

Commanding Officer of Audio Visual Resource Section

To promote continuity, members appointed shall, to the extent possible, remain unchanged for a minimum of one year.

a. Chairperson Assignment

(1) The chairperson of the Training Committee shall be the commanding officer of the Police Academy or, in his absence, his designee.

b. Sub-Committees

(1) Division Subcommittees - The Patrol, Detective and Support Services Divisions shall establish training subcommittees, consisting of a minimum of three members, whose primary responsibility will be to research the training needs of their respective divisions and report their findings to the chief of the division for review by the Training Committee. From time to time, members of the subcommittees may request or may be invited to address the full committee.

(2) Local Departments Training Sub-Committee - There shall also be a sub-committee consisting of three members appointed by the President of the Suffolk County Police Chiefs Association. It will

advise the full committee on the training needs of the individual local departments and will also receive input as to what training may be available to their members at any particular time.

B. Appointment and Replacement of Committee Members

1. Appointment or replacement of a designee to the committee for any reason shall be made as follows:

a. Name of each designee recommended to be appointed shall be submitted by the respective division chief or bureau commander on Internal Correspondence to the Chief of Department for approval prior to appointment.

C. Operational Procedures of the Training Committee

1. Meetings - The Training Committee will meet semiannually with the date of each meeting determined by the Committee Chairperson or as designated by the Chief of Department.

In order to derive the greatest benefit from committee meetings, committee members shall thoroughly familiarize themselves with the following:

- Department policies and procedures with particular emphasis on training;

- curriculums currently used by Recruit Training and all In-Service Training programs including E.V.O.C. and Firearms Training;

- all mandated training requirements of the Municipal Police Training Council, which apply to this Department.

2. Research - Committee members may be required to conduct research in a specified area as designated by the committee chairperson. A written or oral report may be required summarizing the research findings.

Sources for this research shall include but not be limited to inspection reports, staff meetings and reports, field observations and consultations with field personnel, internal affairs investigative reports, evaluation of present training programs, and planning project reports.

3. Recommendations - The committee shall establish its own procedures regarding recommendations affecting training policies, procedures, programs, curriculums, etc. The procedure shall describe the steps to be used in determining if a change should be recommended, the form in which the proposed changes should be presented, and the level of authority necessary for final approval.

Any recommendation to change any aspect of training must conform to Bureau for Municipal Police Rules and Regulations. The procedure shall ensure that when a change in training will significantly affect the manner in which personnel in a particular division perform their duties, the respective division chief shall have

sufficient opportunity to review and comment on such impact

prior to the final decision by the committee. Review by the Legal Bureau will also be required for all proposed substantive changes.

All findings and recommendations of the committee shall be forwarded to the Chief of Department for his review and approval. The findings of the Chief of Department shall then be communicated to the chairperson of the committee to notify the affected command(s) who will be responsible for taking appropriate action to implement recommended and approved training curriculums, programs, policies, etc.

D. Police Academy Bureau Function

1. The existence of the Training Committee shall not preclude the Police Academy Bureau from modifying the lesson plan, instructors or course content of any schools, courses, or programs run by the Police Academy to facilitate day to day training, provided the modifications are consistent with current departmental policies and procedures and they are not prohibited by federal, state or departmental regulations.

VII. ACCREDITATION STANDARDS

A. CALEA 33.1.4, 33.1.5, 33.1.6

B. NYSLEAP

VIII. INDEX

Training Committee

END



ORDER NUMBER 08-13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE FIELD TRAINING PROGRAM					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 01/18/08	DATE EFFECTIVE 01/18/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 18: TITLE: TRAINING

SECTION 4: TITLE: FIELD TRAINING PROGRAM

I. PURPOSE

To initiate a field training program for all probationary police officers and to fix responsibility for the implementation of such training.

II. POLICY

Proper training of Department personnel is a continuous process necessary to provide a professional standard of service and law enforcement to the community. The Field Training Program is designed to provide a logical extension of the Police Academy Recruit Training into the actual working environment of a police officer. Trainees will receive on the job training by selected and trained officers in a supervised environment to bridge the gap between classroom training and the actual street conditions.

III. DEFINITION

Field Training - A structured and closely supervised program provided to recruit officers to facilitate the application of skills and knowledge obtained in the classroom to actual performance in on the job situations.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Organization

1. The Field Training Program is administered by the Patrol

Division. It is comprised of:

a. FIELD TRAINING PROGRAM DIVISION COORDINATOR: The Deputy Chief of Patrol who is responsible for the overall operation of the Field Training Program. Responsibilities include the recommendation and implementation of procedural guidelines and directives to enhance the program's efficiency and effectiveness.

b. PRECINCT FIELD TRAINING COORDINATOR (PFTC): A Supervisor who is responsible for the daily operation of the program at the precinct level. The duties of this position include ensuring compliance with program procedures at the precinct level, selection of Field Training Officers (FTOs), maintenance of program records, overseeing FTO and Probationary Police Officer (PPO) assignments, and advising the Field Training Program Division coordinator of the progress and problems of PPOs.

c. FIELD TRAINING PROGRAM COORDINATOR: A Sergeant who is assigned to the Police Academy and is responsible for acting as a liaison between the Police Academy Bureau and the Field Training Program, and for all training related to the Program. The duties of this position include the training of all FTOs (including associated agencies), the training of recruits with regard to the Field Training Program and its procedures, coordinating any information exchange between the Police Academy and the precincts, and satisfying information requests by associated agencies about the program.

d. FIELD TRAINING OFFICER: Police Officers who are assigned to the Patrol Division in each precinct and are responsible for the daily field training and evaluation of the PPOs. The duties of this position include field training of PPOs in accordance with program guidelines and Departmental procedures, and the completion of a daily evaluation of the PPOs progress utilizing the Field Training Observation Report (PDCS 5200).

B. Field Training Program Structure

1. The police officer/recruit shall be designated as a probationary police officer upon graduation from the Police Academy, and enter into a twelve week Field Training Program.

2. Field training will be divided into three (3) Phases, each lasting four (4) weeks. PPOs in the top 50% of the class academically, will be eligible to complete field training at the end of Phase 1 (accelerated field training). In addition, the eligible PPOs must maintain a rating average of five (5) or above on the Daily Observation reports (DOR), and there must not be any area where the PPO is consistently under-performing. At the end of the third week of field training, the eligible PPO's sergeant and the PFTC will decide if the PPO meets the above standards. If the PPO does meet the standards, he or she will complete field training after four (4) weeks. If an eligible PPO does not meet these standards, he or she will continue field training in Phase 2. (PFTCs will be advised of all PPOs who are academically eligible for the accelerated program prior to their assignment to a precinct.)

All PPOs who maintain a rating average of five (5) or above and who are not consistently underperforming in any area, will be eligible to complete field training at the end of Phase 2 (eight (8) weeks). After the third week of Phase 2, the PPO's sergeant and the PFTC will decide which PPOs meet the above standard. All PPOs, who do meet this standard, will complete field training after eight (8) weeks. All other PPOs will move on to Phase 3 of the program.

3. The PPO will be assigned to different sectors and FTOs based upon availability and need.

4. Failure of the PPO to successfully complete the Field Training Program will result in termination of employment. It should be noted that there is no mechanism for extending field training beyond twelve (12) weeks (unless a PPO misses part of the program due to sickness, injury etc.). At the end of the 12-week program, a PPO is either acceptable or unacceptable.

C. Field Training Officer

1. Qualifications

a. A minimum of three (3) years of service as a police officer with the Department (may be waived by the division coordinator).

b. Assignment to the Patrol Division.

c. Good standing in the Department as evidenced by activity level, attendance record, disciplinary history, etc.

d. Must demonstrate maturity, fairness, impartiality and dependability.

2. FTO Selection

a. An Internal Correspondence is submitted by interested personnel to the appropriate precinct field training coordinator.

b. The FTO candidate is forwarded an FTO application to be completed and returned to the precinct coordinator.

c. The FTO candidate's supervisor will complete a Supervisor's Appraisal form. The form will contain the FTO candidates attendance record data, disciplinary history, etc. along with specific recommendations from the applicant's sergeant, lieutenant and commanding officer.

d. An oral assessment is then scheduled with the appropriate precinct coordinator.

e. A determination of an applicant's eligibility is made by the precinct coordinator based on the FTO application, supervisor's

recommendations and the oral assessment, subject to approval by the program's division coordinator.

f. A list of approved candidates is maintained by each precinct for attendance at the FTO Certification School.

3. FTO Training

a. All approved FTO applicants must satisfactorily complete the FTO certification course.

b. If a PPO must be assigned to a unit with a non-FTO, a daily observation report will not be generated for that tour.

D. Evaluation Program

All evaluations of PPOs will be completed utilizing the Field Training Observation Report (PDCS-5200). FTOs will complete the form as a daily observation report, and supervisors will complete the Supervisor's Weekly Evaluation (PDCS-5200-3), End of Phase Evaluation (PDCS-5200-1), and Final Evaluation Summary (PDCS-5200-2) reports as indicated in the Field Training for Police Officers Manual (PDCS-7502).

1. FTO Evaluation

a. A FTO will complete a daily observation report each day a PPO is assigned to him/her during field training.

b. All evaluations performed by the FTOs are to be completed in strict accordance with the standardized evaluation guidelines.

c. The FTO will then forward the completed daily observation report to his/her immediate supervisor to be reviewed and signed in the indicated area.

2. Supervisory Evaluations

a. Sergeants will monitor all FTO/PPO field training by meeting with them on a daily basis to review the completed daily evaluation reports and to monitor the progress, problems etc. of the FTOs and PPOs.

b. All supervisors who have a PPO assigned to their squad for field training will perform an end of phase evaluation every four (4) weeks on that PPO.

c. The supervisors end of phase report will summarize the results of the daily observation reports completed by FTOs on a particular PPO during a field training phase.

d. The supervisor will conduct an interview with the PPO

to advise him/her of his/her progress as indicated on the end of phase report. During the interview, PPOs will have the opportunity, either verbally or in writing to contest any evaluations they are not in agreement with.

e. The PPO will sign and receive a copy of the supervisor's end of phase report.

f. The original end of phase report is forwarded to the appropriate precinct coordinator.

g. Upon completion of the third Phase of field training, the PFTC will ensure that a Final Evaluation Summary (PDCS-5200-2) is completed for each PPO in that precinct.

h. The PFTC will collect all Daily, Weekly, End of Phase, and Final evaluation forms. After ensuring that the evaluations and the Recruit Field Training Guide have been properly completed, he or she will forward folders containing these forms to the Office of the Chief of Patrol. This will be accomplished within thirty (30) days of the end of field training.

i. The PFTC will ensure that, upon successful completion of the field training program, each PPO will have a bi-monthly evaluation completed by his or her supervisor. These evaluations will continue for the duration of the PPO's probationary period.

Completed bi-monthly evaluations for all PPOs in a precinct will be compiled and forwarded to the Office of the Chief of Patrol no later than one (1) week after each bi-monthly period has expired.

j. The Commanding Officer of each precinct will immediately notify the Chief of Patrol, through the chain of command, of any significant performance deficiencies identified during the field training or probationary period.

VII. ACCREDITATION STANDARDS

A. CALEA 33.4.6

B. NYSLEAP 32.5

VIII. INDEX

Field Training Program 18/4
Field Training Officers 18/4
Probationary Police Officers 18/4

END

RULES AND PROCEDURES

CHAPTER 18: TITLE: TRAINING

SECTION 6: TITLE: SPECIALIZED, ADVANCED, REMEDIAL AND TECHNICAL TRAINING

I. PURPOSE

To establish guidelines for specialized, advanced, remedial and technical training.

II. POLICY

Training provided by the Police Academy Bureau will prepare each member to perform his/her duties and responsibilities in a manner consistent with the needs and objectives of the Department and the communities they serve.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Specialized Training

1. Specialized training is required in addition to the skills, knowledge and abilities gained in recruit or other in-service training. The training program will include, but not be limited to the following:

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. Agency policies, procedures, rules and regulations specifically related to the function or component.

e. Supervised on the job training closely coordinated with experienced personnel.

2. The training program should be based on the results of a job task analysis of the specialized assignments.

3. Commanding officers are responsible for initiating training.

4. Units by Division Requiring Specialized Training:

a. Patrol Division

(1) Special Patrol Bureau

(a) Emergency Services Section

(b) Canine Section

(c) Aviation Section

(d) Crime Scene Section

(2) Marine Bureau

(a) Barrier Beach Section

(b) Marine Enforcement Section

(c) Marine Patrol Section

(3) Highway Patrol Bureau

- (a) Highway Enforcement Section
- (b) Motorcycle Section
- (c) Motor Carrier Safety Section
- (d) SAFE-T Section

(4) Patrol NET Bureau

(5) Selective Enforcement Section

(a) C.O.P.E. Officers

b. Detective Division

(1) All sworn members of the Department that are appointed to detective status are required to attend a basic criminal investigation course.

(2) Arson Section

(3) Identification Section

c. Support Services Division

(1) Technical Services Section

(2) Police Academy Bureau

(a) Instructors

(b) Career

Counselors

(3) Information Technologies Section

(4) Communications Section

5. Several civilian positions within the Department, in accordance with civil service policy require specialized experience prior to appointment. Those positions include, but are not limited to:

a. Evidence Technician

b. Evidence Technician Trainee

- c. Photographic Plant Manager
- d. Criminal Identification Technician
- e. Senior Criminal Identification Technician
- f. Photographic Technician
- g. Detention Attendant

6. The Department maintains specialized teams which consist of sworn personnel who are assembled for specific incidents and who require specialized training. Those teams include, but are not limited to:

- a. Dive Team
- b. Hostage Negotiation Team
- c. E.S. Unit

B. Advanced Training

The Department will provide or make available to department members advanced training to supplement pre-promotional training and/or managerial development. This training is designed to impart a higher level of supervisory and management skills to the participants.

1. Criteria for selection of personnel

- a. excellent character
- b. prerequisite level of education, skills, and abilities
- c. leadership qualities
- d. recommendation of member's

immediate

Supervisor.

2. Advanced training is intended to enhance the individual's professional development. This training will not satisfy the Department's mandatory training requirements unless approved by the Police Commissioner.

3. Members who have received advanced training may be assigned to take advantage of their newly acquired skills at the discretion of the division chief.

C. Remedial Training

Remedial Training shall be provided to all Department members who fail to meet minimum standards of training or display deficiencies in routine job performances.

1. The criteria to be utilized in determining the need for training remediation will be:

a. The comparison of the Department's member's performance to the job standard established for his/her position.

b. Department members whose performance is judged below standard due to lack of requisite knowledge and/or skill.

2. It is each supervisor's responsibility to determine the existing training needs of personnel within their area of supervision and to retrain or recommend retraining when such action is warranted by circumstances surrounding a member's inadequate performance.

3. When it is determined that a Department member's performance inadequacy is one which, if not corrected, would expose the public to unnecessary danger or the Department to substantial liability, steps to correct the inadequacy must be taken immediately. The supervisor will either correct the problem or arrange with the Police Academy Bureau to supply the remedial training. Performance inadequacies which pose no clear and present danger to the public or the Department will be corrected at the earliest possible opportunity, at the discretion of the affected division.

4. Department members scheduled for remedial training sessions are required to attend. Willful nonattendance will result in disciplinary action.

5. Although remedial training is a viable

means of correcting some work related deficiencies, the process shall not be considered the only means available to the Department for coping with a member's inadequate performance. Other means (i.e. transfer, demotion, termination) may be utilized when judged more appropriate to the particular circumstances surrounding the inadequate performance.

D. Technical Training

The Commanding Officer of any other unit which, based upon a job task analysis of that unit, indicates a need for technical training, certification or license will schedule this training for his personnel where appropriate and inform the C. O. of the Police Academy of any special training received by command personnel.

VII. ACCREDITATION STANDARD

- A. CALEA 33.1.18, 33.5.4, 33.6.1, 33.6.2, 83.3.2
- B. NYSLEAP 33.3

VIII. INDEX

Specialized Training 18/6
Advanced Training 18/6
Specialized Teams Training 18/6
Remedial Training 18/6
Technical Training 18/6

END



ORDER NUMBER 07-80

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE IN-SERVICE TRAINING					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 10/09/07	DATE EFFECTIVE 10/09/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 18: TITLE: TRAINING

SECTION 7: TITLE: IN-SERVICE TRAINING

I. PURPOSE

To establish procedures for ensuring that all Members of the Service receive in-service training in compliance with New York State Law Enforcement Accreditation annual training requirements of 21 hours within each Accreditation Year.

II. POLICY

It is the policy of the Department to ensure that each Member of the Service receives continuing in-service training necessary to provide the highest levels of officer safety and service to the public.

III. DEFINITIONS

A. Annual Recurrent Academy Bureau Training - Such training that is provided to each Member of the Service on a recurring basis by the Police Academy Bureau within each Accreditation Year. Said training includes but is not limited to: firearms range training and Decentralized Individualized In-service Training (DIIT).

B. Accreditation Year - An Accreditation Year begins June 2nd of each calendar year and ends on June 1st of the following year, (e.g. June 2, 2006 through June 1, 2007, June 2, 2007 through June 1, 2008, etc.)

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Division Chief Responsibility -

1. It is the responsibility of each Chief of a Division or Office to ensure that all sworn members under their respective commands receive 12 hours of annual Accreditation Year in-service training in addition to the annual recurrent Academy Bureau training.

2. It is the responsibility of each Chief of a Division or Office to ensure that all sworn supervisors under their respective commands receive annual Accreditation Year supervisory skills training. Said training may be counted as part of the 12 hour training requirement cited in subsection VI. A. 1.

3. It is the responsibility of each Chief of a Division, Bureau or Office, to ensure that accurate records of Monthly Command Inspection Training are entered into the Department's computerized training records database in a timely fashion. Said information shall be entered by appropriate members of the command as designated by the Chief of the Division or Office, or the member's commanding officer. The Police Academy Bureau will be consulted if any problems are encountered or if training in the use of the system is needed.

4. It is the responsibility of each Chief of a Division or Office to ensure that accurate records of training are forwarded to the Police Academy Bureau as follows:

a. Records of training conducted by Department sources outside the Police Academy shall be forwarded to the Academy by the course instructor in a timely fashion. Said records shall include the completed In-Service Training Attendance Record (PDCS-5021a) and a justification for the instruction, in the form of a lesson plan or course outline.

b. It shall be the responsibility of the Commanding Officer of the Police Academy Bureau to ensure all records for training conducted outside the Academy Bureau are entered into the computerized training records system in a timely manner.

c. For training offered by agencies or entities outside the Department, the procedure stipulated in Chapter 18, Section 10 shall be followed.

B. Methods of Compliance - The 12 hour non-recurrent Academy Bureau training may be satisfied in several ways including but not limited to:

1. Instruction by a supervisor or other appropriate individual on policing methods, rules and/or procedures, crime trends, community conditions and other law enforcement issues during a squad/section/unit inspection.

2. Attendance at non-recurrent training provided by the Police Academy Bureau such as expandable baton training, Emergency Medical Technician recertification, Basic Criminal Investigation, Supervision School.

3. Attendance at training offered by agencies or entities outside the Department that has been approved by the Police Academy Bureau as qualifying to meet the NYSLEAP 21 hour annual Accreditation Year training requirement.

C. Police Academy Bureau Assistance - The Police Academy Bureau shall assist commands as needed in planning training activities, selection of appropriate topics, securing training materials, and providing actual training.

D. Under 21 Hours - It is the responsibility of each Chief of a Division or Office to ensure that after the end of each Accreditation Year, the Accreditation Manager is informed via Internal Correspondence the names of each sworn member within their Division or Office, by command, that have not completed 21 hours of training within the preceding Accreditation Year. The names on the correspondence must appear in the same order as they appear in the "Under 21 Hours" report in the Department's computerized training records program. An explanation of why the 21 hours of training was not achieved must be given next to each name, or other comments must be given, (e.g. member out injured for 9 months of period, time to be made up in next Accreditation Year, member retired, etc.).

VII. ACCREDITATION STANDARDS

A. NYSLEAP Standard 33.1, 34.2

VIII. INDEX

Accreditation Year 18/7

END

RULES AND PROCEDURES

CHAPTER 18: TITLE: TRAINING

SECTION 9: TITLE: COMMANDING OFFICER, POLICE ACADEMY

I. PURPOSE

To define the position and authority of the commanding officer of the Police Academy.

II. POLICY

The Commanding Officer of the Police Academy is the training director of the Suffolk County Police Department and is responsible for the training of all department members.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Responsibilities:

1. The Commanding Officer of the Police Academy shall be responsible for administering the training function of the Department. This function shall include, but is not limited to:

a. the training of all sworn and civilian personnel, and the meeting of all Department training goals;

b. act as chairperson of the Training Committee;

c. ensure that all lesson plans and outlines will be submitted for annual review and approval, and are consistent with Department guidelines on lesson plan development, existing state requirements (BMP), Department policies and procedures;

d. arrange and coordinate departmental ceremonial function, i.e., funerals, awards, promotional and graduation ceremonies;

e. develop the training policy of the Department under the direction of the Chief of Support Services, the Chief of Department and the Police Commissioner.

f. be responsible for:

1. the selection;
2. the appointment;
3. the removal,
4. the supervision, of all staff and instructors assigned to the Police Academy, or from any other command, department, or outside source if they are utilized to conduct training of Department personnel.

g. responsible for submitting an annual budget in a timely manner. He will be accountable for all expenditures made by the Police Academy Bureau and its respective sections and units.

h. confer with a representative of:

1. the Office of the Police Commissioner
2. the Chief of Department
3. all division chiefs; to ensure that the training curriculums and

policies of the Police Academy are consistent with the needs of the Department and the needs of the communities it serves.

i. act as the supervisor of the Criminal Justice Police Administration Program in conjunction with the Academy's affiliation with Suffolk County Community College.

VII. ACCREDITATION REFERENCES

A. CALEA 33.1.16, 33.2.2

B. NYSLEAP N/A

VIII. INDEX

Academy Commanding Officer, Responsibilities 18/9
Training Committee Chairperson 18/9

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE ATTENDANCE AT NON-ACADEMY SCHOOLS			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 05/04/06	DATE EFFECTIVE 05/04/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 18: TITLE: TRAINING

SECTION 10: TITLE: ATTENDANCE AT NON-ACADEMY SCHOOLS

I. PURPOSE

To establish procedures for recording attendance of sworn members and the submission of course curricula and/or reports regarding schools, conferences or training seminars conducted by either outside entities or commands other than the Police Academy Bureau.

II. POLICY

It is the policy of the Department to maintain a well-trained work force. In order to maximize the accessibility to information obtained through specialized training at non-departmental schools and ensure that accurate records are maintained, the Police Academy Bureau shall be the repository of attendance records, course outlines and program curricula.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Members of the Department who receive training conducted by Department Commands other than those within the Police Academy Bureau, shall complete all requested information on the In-Service Training Attendance Record, PDCS-5021a. The PDCS-5021a must be complete and legible in order for the attendees to receive credit for the training. Course instructors shall forward the completed PDCS-5021a, along with justification for the course, to the Police Academy Bureau via the chain of command. Such justification shall consist of a lesson plan or

course outline.

B. The commanding officer of the Police Academy Bureau is responsible for the updating of each member's Police Academy Training Record from the information provided by the member's Division Chief.

C. Extra-Departmental Training - After any sworn member of this Department attends non-Departmental training at schools, conferences or training seminars, the member shall submit a PDCS-5023, Outside Training Record, and forward it to the Police Academy Bureau.

1. Sworn members submitting PDCS-5023, Outside Training Record shall, if available, submit a copy of the course outline, lesson plan, course announcement or other record documenting the content of the training, including the dates, location and sponsor of the event, as well as a synopsis or summary of the course topics or program curriculum. This record shall be prepared as soon as practicable after completion of the training. If a completion certificate or similar document is issued, a copy shall be forwarded to the Police Academy Bureau upon receipt.

2. After any sworn member of this Department attends non-Departmental training at schools, conferences or training seminars, his or her commanding officer or supervisor can require that member to prepare a written report, outlining the course or program curriculum if the commanding officer deems it necessary.

D. The commanding officer of the Police Academy Bureau shall cause the filing of the submitted reports, curriculums, summaries and critiques for evaluation and future reference.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP Standard 33.1

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 18: TITLE: TRAINING

SECTION 11: TITLE: DECENTRALIZED INDIVIDUALIZED IN-SERVICE TRAINING (D.I.I.T.)

I. PURPOSE

To establish a procedure for the administration of the D.I. I.T. Program.

II. POLICY

Refresher training is periodically provided to experienced officers to update their training and to evaluate the effectiveness of their prior recruit and in-service training.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. The commanding officer of the Audio Visual Research Section is responsible for the Decentralized Individualized In-Service Training (D.I.I.T.) program. It is the responsibility of the commanding officer to ensure the following:

1. Distribution of all program materials to each designated training officer.

2. Train designated training officers prior

to distribution of any D.I.I.T. programs.

3. Arrange D.I.I.T. for those members returning to duty from long term absences.

a. Determine those tapes required to train these members to proficient levels.

B. The commanding officer of each command is responsible for the following:

1. When authorized by the Chief of Department or division chief, pursuant to subsection C. 2/3 of this section shall designate a member of the command as a training officer.

a. Commanding officers not authorized to designate a training officer shall assist the assigned training officer, pursuant to subsection C. 4. of this section by ensuring members of his/her command respond for training.

2. Ensure that members successfully complete the pretest, final test, and when required a retest.

3. Notify the commanding officer of the Police Academy, without unnecessary delay, whenever a member fails to successfully complete a D.I.I.T. program.

4. On a semiannual basis, on or before January 9th and July 9th, report to the commanding officer of the Police Academy those members of his/her command who have not successfully completed all prescribed D.I.I.T. programs and the reasons therefore, and what actions have been taken by the commanding officer to ensure such training has been completed.

a. The commanding officer of the Police Academy shall report to the Chief of Department, via the Office of the Chief of Support Services, on an annual basis, by January 20 those

members of the Department who have not successfully completed all prescribed D.I.I.T. programs for the previous year and the reasons therefore, and what actions have been taken to ensure such training shall be completed.

C. The Chief of Department and each division chief or his designee shall be responsible to periodically review, at a minimum of every six months, the efforts of commanding officers to assure that D.I.I.T. programs are being attended by all members of commands under his/her jurisdiction.

1. The Chief of Department shall report to the Police Commissioner, on an annual basis, by January 30, those members of the Department who have not successfully completed all prescribed D.I.I.T. programs for the previous year and the reasons therefore, and what actions have been taken to ensure such training shall be completed.

2. The Chief of Department and each division chief shall establish which commands are to designate training officers under his/her jurisdiction.

3. The Chief of Department shall establish which commands assigned to the Office of the Police Commissioner are to designate a training officer.

4. The Chief of Department and division chief shall establish which commands the designated training officers are responsible to train under his/her jurisdiction.

D. A training officer shall be responsible for the following:

1. View all D.I.I.T. tapes during prescribed cycles and obtain all materials for dissemination to members.

- a. Complete all testing as required.

b. Maintain the integrity of all D.I. I.T. materials.

2. Show each member within his/her assigned command(s) the prescribed D.I.I.T. tape(s).

a. Distribute the appropriate pretest, final test and when required a retest as follows:

(1) A pretest shall be given at the discretion of the training officer when sanctioned by the commanding officer of the Audio Visual Research Section.

(2) When a pretest is given, it shall be completed without the member first viewing the prescribed program tape.

(a) If a member fails to achieve a passing grade, the member must be administered the final test after viewing the prescribed D.I.I.T. tape.

(b) A final test shall be completed after viewing the prescribed D.I.I.T. program tape(s).

(aa) If a member fails to successfully complete such test he/she shall be given the opportunity to take a retest.

3. A retest shall be given after the training officer reviews with the member the final test, the concepts he/she is deficient in, and the prescribed D.I. I.T. tape(s).

a. If a member again fails to successfully complete the prescribed test, he/she shall be scheduled for remedial training by the commanding officer of the Police Academy.

b. Notify the member's commanding officer when a member fails to successfully complete a prescribed cycle.

4. Record the scores for those tests administered and return all completed test sheets to the commanding officer of the Audio Visual Research Section.

5. Retain a list of all members who have not successfully completed all prescribed D.I.I.T. programs to date.

a. Note reason(s) for same.

b. Note what steps were taken to rectify situation in each case.

6. When it is necessary to have personnel on patrol respond for training, notify the Communications Section duty officer.

E. Each member is responsible for the following:

1. When notified to respond for training, respond, without unnecessary delay, to the designated facility for such training.

2. View prescribed tape(s).

3. Complete all testing as required pursuant to subsection D. 2.

4. Promptly return to post or assignment after training is completed.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 19: TITLE: BUDGET/FINANCE

SECTION 2: TITLE: GRANT MANAGEMENT

I. PURPOSE

To establish procedures for the solicitation and acceptance of grants.

II. POLICY

All grants applied for by the Department shall be processed in coordination with the Chief of Support Services. This coordinated approach should lead to the development of a better expertise in the pursuit of public and private grants with the objective of obtaining maximum available grant funding needed to operate police programs not funded in the regular budget.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. No member of the Department, with the exception of the Police Commissioner or Deputy Commissioner, shall seek grant funding, submit an application for a grant, participate in a grant program, or commit the Department to a grant program without the prior approval of the Chief of Department or his designee.

VI. PROCEDURES

A. Any member of the Department seeking grant funding for

a police program or who learns that the Department has been made eligible for grant funding shall submit this information via an Internal Correspondence through the chain of command to the Chief of Support Services. When available, copies of the grant announcement, application, and application instructions shall be forwarded with the Internal Correspondence.

B. The Internal Correspondence submitted to the Chief of Support Services shall comprehensively provide the information needed to prepare a grant application or to look for potential funding sources.

1. In lieu of the requirement for an Internal Correspondence, a member of the Department may submit the information in a format acceptable to the Chief of Support Services (i.e., cassette tape, computer disk, actual written proposal, etc.).

C. If it is determined that the Department will apply for the grant, the Chief of Support Services, aided by the appropriate command(s), shall be responsible for the development and submission of the application.

D. If the grant is approved, the Chief of Support Services shall be responsible for the preparation of all required contracts, county resolutions, etc.

E. The designated project director shall be responsible for all required reporting and general overview and supervision of the grant.

VII. ACCREDITATION STANDARDS

A. CALEA 14.2.1

B. NYSLEAP 5.1

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 19: TITLE: BUDGET/FINANCE

SECTION 4: TITLE: FISCAL MANAGEMENT

I. PURPOSE

To establish procedures for the proper, efficient, and lawful fiscal management of the Department.

II. POLICY

Proper fiscal management is critical to the success of the police mission and to ensuring public confidence. The Department will utilize only lawful and recognized systems of fiscal management and seeks to ensure that the systems chosen are the most appropriate for the successful attainment of established goals and objectives.

III. DEFINITIONS

N/A

IV. REFERENCES

New York State General Municipal Law, Sections 36, and 103
Suffolk County Standard Operating Procedures
Suffolk County Department of Audit and Control Manual
Suffolk County Charter, Article V

V. RULES AND REGULATIONS

A. All procedures promulgated by any authority shall be in conformance with applicable law and direction of the Office of the County Executive.

VI. PROCEDURES

The Police Commissioner maintains lawful authority and responsibility for the fiscal management of the Department.

Although final approval and responsibility remains with that office, the actual performance of related functions is delegated as indicated:

A. Budget Preparation and Control

1. The Chief of Support Services shall annually cause to be prepared, detailed budget preparation instructions for use by commanding officers. Such instructions shall be in conformance with applicable law and the directions established by the Office of the County Executive, and shall include, but are not limited to, provisions for:

a. Command and specialized assignments review to include: a determination of the original condition which necessitated the implementation of such command or assignment and a cost-benefit analysis of continued existence of same.

b. Establishment of unit goals and objectives.

(1) Input for the development of such goals and objectives is to be sought from all personnel levels.

c. Evaluation of progress made toward attainment of previous goals and objectives.

d. Staff review by appropriate bureau and division commanders before forwarding of completed requests.

2. The Chief of Support Services shall ensure the Department's compliance with the Suffolk County Standard Operating Procedures with respect to position control and shall notify the Police Commissioner, through channels, of any discrepancies.

B. Accounting Procedures

1. The Chief of Support Services shall ensure that the accounting system of the Department is in compliance with the procedures established in the Suffolk County Department of Audit and Control Manual. He/She shall also monitor and oversee all fiscal matters.

2. The Office of the Police Commissioner is responsible for the administration of that portion of the special services fund referred to as the Commissioner's Fund.

3. The Chief of Detectives is responsible for the administration of that portion of the Special Services Fund referred to as the Detective Division Fund.

VII. ACCREDITATION STANDARDS

- A. CALEA 1.1.1, 1.1.2, 1.1.3, 16.3.1, 17.1.4
- B. NYSLEAP 5.1

VIII. INDEX

Fiscal Management 19/4
Budget Preparation, Control 19/4

END

RULES AND PROCEDURES

CHAPTER 19: TITLE: BUDGET/FINANCE

SECTION 5: TITLE: SPECIAL SERVICES FUND ADVANCE PROCEDURE

I. PURPOSE

To establish procedures governing the administration of the Special Services Fund.

II. POLICY

The Special Services Fund was established on May 10, 1965 by Suffolk County Resolution 244-65 for the purpose of providing members of the Department with funds to be used in the investigatory process. This shall include purchasing information and/or evidence as required. This fund shall be maintained, recorded and disbursed in a manner which ensures the justification and accountability of all monies for their intended purpose.

III. DEFINITIONS

N/A

IV. REFERENCES

Suffolk County Resolution 244-65

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Detective Division - The Finance Section will advance monies from the Special Services Fund to the Office of the Chief of Detectives to be used by members for expenses related to investigatory purposes. The Chief of Detectives (or the Chief's designee) will disburse a portion of this money to the

Narcotics Squad and to each Precinct Detective Squad. Funds maintained at the Precinct Detective Squad level shall support the operations of that squad, the Precinct Crime Section, and other commands as required. Other specialized detective units will report directly to The Chief of Detectives' Office when requiring funds for investigations. The Chief of Detectives' Fund will be replenished when necessary by the Finance Section. The Finance Section will make an entry in the Special Services Fund Ledger in the amount of the total of the fund replenishment.

Only supervisory personnel within a particular detective unit are authorized to make disbursements from the Special Services Account Cash Box located within that unit. Use of funds within the Detective Division will require the utilization of the "Special Services Fund Ledger" and the "Special Services Fund Cash Voucher Form" (PDCS-2205). The ledger entries and the voucher forms must be completed prior to any submission for reimbursement.

1. The "Special Services Fund Ledger" is a bound ledger book which is maintained by each detective unit for the purpose of accounting for the disbursements and replenishments of funds. Separate line entries must be used each time funds are advanced or returned. Each entry shall contain:

- a. The date
- b. The voucher number
- c. The name, rank, shield number, and command of the member receiving the money
- d. The central complaint number
- e. The amount advanced or the amount returned
- f. The balance
- g. The reason for the expenditure

2. The "Special Fund Cash Voucher" is a document utilized to account for the disbursements of funds from the Special Cash Fund. The supervisor issuing the cash advance or reimbursement will fill out the Special Cash Fund Voucher in triplicate based upon the following guideline:

- a. The name, shield number, and command of the officer who received the money will be entered.
- b. A brief description of what the funds were or will be used for, and the central complaint number will be entered.
- c. The amount of the advance or reimbursement will be spelled out in writing and entered numerically on the voucher.
- d. The officer receiving the funds and the issuing supervisor will sign and date the voucher.
- e. Unused monies from the special services account will be returned within 72 hours to a supervisor who will enter the amount returned and the amount expended on the case. If additional time is required to conduct a transaction, the immediate supervisor of the member who received the funds will submit an Internal Correspondence (PDCS-2042) certifying that the delay was necessary in order to insure the success of the investigation.
- f. If no monies are returned, "0" (zero) will be entered on the line for the amount returned and the total amount expended will be entered.
- g. The supervisor will then sign and date the voucher on the line entitled, "Amount Returned/ Expended Verified By". Information concerning purchases and related expenses will be entered on the bottom portion of the form where applicable.
- h. All three copies of the voucher will remain in the book until a supervisor signs the form indicating that monies have either been returned or the entire amount was expended.
- i. The officer who expended the money will submit a supplementary report to the squad supervisor detailing how the funds were used. The supplementary report will refer by receipt number to the Special Fund Cash Voucher from which the funds were drawn. All supplementary reports will contain a supervisor's signature. If the immediate supervisor is not available, the desk sergeant or command supervisor will provide the

authorized signature.

3. Voucher Form Distribution

a. The original (white form) shall remain in the Detective Unit's Register until such time as a fund replenishment is required. At that time all the original vouchers will be taken to the Chief of Detectives' office. A Bureau Commander will review and authorize reimbursements by signing and dating the vouchers in the space entitled "Reimbursement Authorized By". The funds will then be reimbursed to that Detective Unit. The Chief of Detectives' Office will submit these vouchers to the Finance Section along with a separate Special Cash Fund Voucher which will indicate the total amount needed to replenish the Chief of Detectives' Account.

b. The second copy (yellow form) will be given to the investigating officer once the supplementary report is completed. This copy will be retained in the case folder.

c. The third copy (pink form) will remain in the register as a permanent record.

B. Funds required for investigatory purposes by any division other than those specifically identified herein will be drawn directly from the Finance Section after having been approved by the division chief or the division chief's designee.

1. The Finance Section will maintain a Special Services Fund Ledger.

2. The member will furnish written supervisory approval for the expenditure.

3. The Finance Section will complete a Special Services Fund Voucher and the member will sign and date the voucher.

4. The Finance Section will disburse the funds to the member.

5. Upon completion of the transaction, the Finance Section will provide the member with the yellow copy of the voucher. (A transaction is completed when the member is reimbursed for funds previously expended or when unused funds from an advance are returned.)

6. An entry will be made in the Special Services Fund Ledger by the Finance Section. Only the expended amount will be entered in the ledger.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 19: TITLE: BUDGET/FINANCE

SECTION 6: TITLE: DEPARTMENT FINANCIAL OBLIGATIONS

I. PURPOSE

To establish procedures to be utilized for application and/or reimbursement of funds relating to department business.

II. POLICY

N/A

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

All Department members who wish reimbursement of expenses incurred by attending a conference must receive approval prior to attending, whether submitting a Conference Attendance Request Funded Through Asset Seizure form, PDCS 2010, or the Suffolk County Executive Form 10, titled, Application for Conference Attendance.

VI. PROCEDURE

A. Travel Expense Vouchers - Reimbursement to members of the department of expenses incurred while on official department business (e.g., extraditions, out of state duties, schools, etc.,) is requested by submitting a Travel Expense Voucher to the Finance Section within 90 days of the date the expense is incurred.

B. Advance Repayment - Members of the Department having been advanced expense monies make repayment of same to the Finance Section within seventy-two hours of receipt of the Expense Voucher check from the County Treasurer.

1. All Travel Expense Vouchers not exceeding \$25.00 will be paid directly by the Finance Section. Vouchers will be submitted on a monthly basis for expenses incurred on official Department business such as breakfast, lunch, dinner, tolls, parking fees, mileage or overtime meal allowances, etc., up to a twenty-five dollar maximum. Checks for reimbursement for expenses incurred processed by the Finance Section will be picked up by the member's command on a scheduled payday.

C. Petty Cash - Authorized emergency purchases under \$25.00 are paid from a petty cash fund.

D. Purchase Authorization - All other purchases must first be authorized by the Supply Section.

E. Receipt for Tolls - Any member, while traveling on official County business, who pays an individual toll of \$1.00 or more, must obtain a receipt for this toll and attach it to his expense voucher in order to be reimbursed.

F. Conference Attendance - A member of the Department completes either a Suffolk County Executive Form 10, titled, Application for Conference Attendance or Police Department form PDCS 2010 titled, Conference Attendance Request Funded Through Asset Seizure, whichever is appropriate, when any expense is incurred by the Department and/or County to attend such conference, training, school, seminar, etc. (Forms are obtainable from the Finance Unit.) The member shall submit the appropriate form through the chain of command to the Chief of Department at least six weeks prior to the start of the conference, seminar or school. An Application for Leave, PDCS 1037, shall not be submitted when the aforementioned forms are submitted.

G. Use of County Commercial Gas Credit Card - The primary

method of distribution of gasoline to fuel County owned or leased motor vehicles shall be via County owned pumps. County commercial gasoline credit cards are to be used only in emergency situations. County commercial gasoline credit cards may be used for purchases or emergency vehicle repairs when there is no access to County gas pumps or maintenance facilities (i.e., out of County travel). When making gasoline purchases using County commercial gas credit cards self service pumps should be used whenever possible.

1. In all instances where a County gas credit card is used to purchase gasoline within Suffolk County, the operator shall, for each purchase, complete County Form, Authorization for In County Use of Commercial Credit Cards, SCIN Form 192, attach the credit card purchase receipt and submit them to the Transportation Section on a daily basis. Purchasing gasoline for any Department vehicle by means of credit card within Suffolk County is prohibited except:

a. If on an emergency call, search, etc., and the vehicle or vehicles involved have insufficient fuel to respond to a Department's gasoline dispensing station, the operator is permitted to make a five dollar purchase which will give him sufficient gasoline to travel to said dispensing station.

b. Any emergency gassing which exceeds the five dollars specified must be explained by the operator on Internal Correspondence submitted to the Commanding Officer, Transportation Section through channels with endorsement by the operator's commanding officer. Vehicles assigned to leave Suffolk County must be completely fueled prior to departure. Normal travel to Nassau County or New York City should not require fueling outside Suffolk County unless assignment requires extensive travel in that area.

2. The Transportation Section is responsible for the preparation of the Monthly Summary Sheet - In

County Use of Commercial Gasoline Credit Cards, SCIN Form 193, and its submission, along with all SCIN Form 192s and receipts, to the County Executive's Office of Management and Research no later than ten (10) days after the last day of the month:

H. Telephone Call Reimbursement - Telephone call reimbursement privileges are granted to specific personnel within the Department to be used in performance of police business only.

1. Specific personnel assigned to certain commands have the authority of receiving reimbursement for business calls made on non-departmental telephones. A member of the Department transferred to such a command may be granted this authority upon written request of his commanding officer to the commanding officer of the Communications Section. Reimbursement will only be given for calls made for police business and only when the use of the Department facility is not feasible. A member of the Department who is transferred to another command will lose this authority unless a written request is made by his new commanding officer to the commanding officer of the Communications Section. Indiscriminate use of this authority by any Department member will subject that member to investigation and all abuses will have to be explained in detail.

2. Telephone credit cards are issued by the authority of the Police Commissioner to the Police Commissioner, Deputy Police Commissioners, Chief of Department, Chief of Support Services, Chief of Patrol, Chief of Detectives, Deputy Chief of Support Services, Deputy Chief of Patrol, Deputy Chief of Detectives, and the commanding officer of the Criminal Intelligence Section. Any member of the Department holding a police telephone credit card is responsible for its proper use. The credit card is to be used for police business only when the use of the Department's telephone facility is infeasible. A member of the Department holding a telephone credit card who loses possession of

said card either through loss or theft will notify the Police Commissioner immediately indicating the circumstances surrounding its loss/theft.

Indiscriminate use of the telephone credit card by a member of the Department will subject the holder to investigation and said abuses will have to be explained in detail.

I. Travel Arrangements - Arrangements for reservations, tickets for air or rail travel and for advance reservations of rental cars are authorized only as follows: Personnel of the Detective Division make such arrangements through the Office of the Chief of Detectives which is responsible for proper notification to the Finance Unit. All other Department personnel make such arrangements through the Finance Unit. Vouchers for payment are to be in accordance with requirements set forth by the Finance Unit.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 07-13

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE DESTRUCTION OF DANGEROUS DRUGS AND WEAPONS			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/23/07	DATE EFFECTIVE 03/23/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 20: TITLE: PROPERTY MANAGEMENT

SECTION 1: TITLE: DESTRUCTION OF DANGEROUS DRUGS AND WEAPONS

I. PURPOSE

To establish procedures for the destruction of nuisance or unclaimed weapons and dangerous drugs held by the Property Section.

II. POLICY

In accordance with applicable law, all weapons and dangerous drugs acquired through the legal process and are no longer necessary for evidentiary or other legal purposes, must be destroyed.

III. DEFINITIONS

N/A

IV. REFERENCES

- A. New York State Criminal Procedure Law, Article 715
- B. New York State Penal Law, Section 400.05
- C. New York State Public Health Law, Section 3387

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

- A. Destruction of Nuisance or Unclaimed Weapons

1. Property Section responsibilities:

- a. Receive all nuisance and unclaimed weapons as per property and evidence invoice procedures.

b. Maintain a file on said weapons and list those which are no longer of value as evidence or for other legal purpose.

c. When the number of weapons assigned a disposable status is of a sufficient amount, or at least once per year, the Property Section shall prepare a list for review.

(1) The Property Section shall cause a check to be made on all listed weapons for outstanding alarms through NCIC and NYSPIN.

(2) The list shall be forwarded to the Office of the Chief of Detectives for a final review and approval. The Property Section shall prepare a PDCS 2042, which shall accompany the list of weapons, explaining that each weapon has been checked for active alarms.

(3) The list shall be mailed to the Superintendent of the New York State Police for a subsequent check of all weapons listed. When the State Police has cleared the list, said list shall be returned to the Property Section along with an "Approval of Destruction" letter supplied by the State Police.

d. Upon receipt of an "Approval of Destruction" letter from the New York State Police, the Property Section shall set up a date with the Internal Affairs Bureau to complete an inventory of each weapon to be destroyed. The weapons shall be sealed in appropriate packaging and stored in a secure space until destruction on the following day.

(1) A minimum of two members of the Service from the Internal Affairs Bureau shall conduct an examination of all weapons on the destruction list. The manufacturer and serial numbers of the weapons shall be checked to verify consistency with those listed.

(2) A minimum of two members of the Service from the Internal Affairs Bureau, along with a supervisor and 2 officers from the Property Section, shall attend and witness the destruction process.

B. Destruction of Dangerous Drugs

1. Property Section responsibilities:

a. Receive all dangerous drugs as per property and evidence invoice procedures.

b. Maintain a file on said drugs and list those which are no longer needed for evidentiary or other legal purposes.

c. When the quantity of drugs reaches the optimal level

for the destruction process, the Property Section will request a court order for destruction in accordance with Section 3387 of the New York State Public Health Law. All necessary affidavits, stating the drugs are no longer needed for court presentation, will be obtained by the Property Section.

d. Upon receipt of the signed court order, the Internal Affairs Bureau and Narcotics Section will be notified to conduct inspections of the drugs.

(1) A member of the Narcotics Section will conduct random field tests for content of the drugs.

(2) A minimum of two officers from the Internal Affairs Bureau will supervise the drug field testing process and will verify the accuracy of the list against the actual drug inventory.

e. Upon completion of the inspection, the drugs will be sealed in appropriate packaging and stored in a secure space until removed for destruction on the following day.

f. The drugs will be transported to an environmentally approved incinerator and destroyed by burning.

(1) Security for the transport and destruction process will be consistent with the value of the drugs to be destroyed.

(2) A minimum of two officers from the Internal Affairs Bureau will accompany Property Section personnel, assigned to transport the drugs, will verify the seals of the packages as intact, and will witness the destruction process.

VII. ACCREDITATION STANDARDS

A. CALEA 74.5.2, 74.5.3

B. NYSLEAP 7.1, 7.5

VIII. INDEX

Property: Add Destruction of 20/1

Nuisance Weapons: Add and Dangerous

Drugs, Destruction

20/1

END

RULES AND PROCEDURES

CHAPTER 20: TITLE: PROPERTY MANAGEMENT

SECTION 2: TITLE: MARIHUANA AND CONTROLLED SUBSTANCES FOR TRAINING

I. PURPOSES

To provide a procedure for obtaining marihuana and controlled substances to be used for training purposes. Many training exercises require the use of controlled substances in order to be effective, therefore, pursuant to federal and state law, the following procedure shall facilitate the utilization of such substances.

II. POLICY

As part of its continuing effort to combat the problem of illegal drugs, the Department will enhance the abilities of officers to locate, recognize and identify various drugs through comprehensive training programs.

III. DEFINITIONS

N/A

IV. REFERENCES

A. New York State Criminal Procedure Law - Article 75

B. New York State Public Health Law - Section 3387

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Storage and Control of Substances - The Property

Section stores and controls all marihuana and controlled substances seized by members of the Department until such time as they are no longer required for criminal prosecution. When sufficient amounts of these substances are accumulated, the Property Section petitions the County Court for a court order to dispose of such substances pursuant to Section 3387 of the New York State Public Health Law.

B. Transfer of Substances to the Medical Examiner's Crime Laboratory - In order to maintain marihuana and controlled substances for training purposes the Medical Examiner's Crime Laboratory has agreed to be the central repository for distribution of these substances and to distribute them to those licensees who require these substances for training. The Property Section will supply the Crime Laboratory, when requested by the lab, with substances as needed to maintain a bank for distribution. When substances are required for training purposes and are requested by the Crime Laboratory, the Property Section will petition the court for a court order to transfer such substances to the Crime Laboratory for eventual destruction through destructive testing. Upon transferring the substances to the Crime Laboratory, the Property Section will submit a "Return on Court Order Pertaining to Destruction of Dangerous Drugs" report to the issuing court.

1. Licensees are to notify the Medical Examiner's Crime Laboratory to make specific requests for substances which will be required for training purposes.

C. Licensing to Posses Marihuana and Controlled Substances for Training - Any Department member who requires substances for training purposes must posses a Federal Drug Enforcement Administration License or a license issued by the New York State Department of Health as per the New York State Pubic Health Law, Section 3324.

1. Licensees are responsible for keeping their licenses current.

D. Request for Substances for Training - A licensee who

requires the use of marihuana or a controlled substance for training shall initiate a request via Internal Correspondence, PDCS 2042, through his or her commanding officer, to the Medical Examiner's Crime Laboratory. The request will state the type of training to be conducted and the amount and type of substance required to accomplish the training. Every effort should be made to request only the amount of substance which will be destroyed by the training.

E. Crime Laboratory - Upon receipt of a written request from a licensee endorsed by his or her commanding officer, the Crime Laboratory will check inventory and the requested substance, if available, will be prepared to meet the requested criteria.

1. The Crime Laboratory has advised that they will package all substances in 4 mil. plastic sleeves which are double heat sealed, top and bottom, with "MEDICAL EXAMINER'S CRIME LABORATORY" clearly embossed on the seal. As long as the plastic bag remains intact the integrity of the substances within are assured.

2. They will then transfer all samples to the licensee of the requesting command using a laboratory receipt and any and all forms and documentation required by federal and/or New York State laws.

3. The Crime Laboratory will supply security envelopes for unused drug returns.

F. Training Site - The licensee will open the plastic sleeves only at the training site in the presence of at least one other sworn member of the Department who will verify the integrity of the seals. During the training, a listing of usage will be recorded and submitted, on an Internal Correspondence, PDCS 2042, to both the Property Section and the Crime Laboratory.

G. Unused Substances - Upon completion of the training session, unused substances, if there be any, will be placed in a new security envelope and sent back to the Medical Examiner's Laboratory along with the Internal Correspondence specifying

the use of the substance for training as stated above in subsection F. and an Evidence Analysis Request, PDCS 3320-9. This form will request the submitted substances be tested and re-analyzed and measured to confirm its positive identification. The unused substances will then be returned to inventory for future use.

1. Licensees are responsible for the completion of records required by State or Federal laws.

VII. ACCREDITATION STANDARDS

- A. CALEA 74.5.2, 74.5.3
- B. NYSLEAP 7.1, 7.5

VIII. INDEX

Training, Marihuana for Use in
Training, Controlled Substances for Use in
Marihuana for Use in Training
Controlled Substances for Use in Training

END



ORDER NUMBER	08-20 08-39
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE PROPERTY PROCEDURES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/11/08 05/23/08	DATE EFFECTIVE 03/11/08 05/23/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 20: TITLE: PROPERTY MANAGEMENT

SECTION 3: TITLE: PROPERTY PROCEDURES

I. PURPOSE

To establish procedures for the proper disposition of property which comes into Department custody.

II. POLICY

Members of the Department will safeguard and properly dispose of all property which comes into their custody. Property will be properly preserved to maintain its evidentiary integrity for possible court presentation. Unless property is contraband or must be presented into court, every reasonable effort will be made to ensure its return to its rightful owner.

III. DEFINITIONS

A. Weapon - For purposes of this section, the term weapon shall be construed as those instruments delineated in the New York State Penal Law, Section 265 which includes all types of firearms. Additionally, it shall also include other instruments designed or altered for use as weapons.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Personal Property Law - A member of the Service is not considered a "finder" as outlined under the provisions of the Personal Property Law, Article 7B, of the State of New York. Property of any type coming into a member's possession while in the performance of a police duty is processed by that member, in accordance with the Rules and Procedures and special procedures as outlined by the Property Clerk, Police Department,

VI. PROCEDURES

A. Efforts to return property to its rightful owner should include, but not be limited to:

1. A teletype inquiry, when the recovered/found property has suitable identification;
2. An inquiry with the Property Recovery Detective assigned to the Fugitive/Missing Persons Section.
3. When applicable, a check with Central Records.

B. Property Invoicing - Whenever any property, including, but not limited to, that which is considered lost, stolen, evidentiary in nature, or contraband (illegally possessed goods or material), is received or located by a member of the Department, he/she will promptly invoice same utilizing a Property Section Invoice- Receipt (PDCS-4201).

The invoicing (arresting/reporting) officer shall make an informed determination regarding the initial destination (e.g. Property Section, Identification Section, Suffolk County Crime Laboratory, or other appropriate command) of each item invoiced. In the event all of the recovered items are not to be initially forwarded to the same location, separate Property Section Invoice-Receipts must be prepared, dependant upon initial destination, containing the item(s) to be forwarded to each location. (Please note that an unlimited number of invoices may be produced under a single Central Complaint Number. However, the number of Central Complaint Numbers generated should be kept to the minimum required.)

If, during the period after an invoice containing a group of items is forwarded to an initial destination other than the Property Section, but prior to receipt by the Property Section, it is determined that some, but not all, of the item(s) contained on the Property Section Invoice-Receipt need to be forwarded to another location prior to acceptance by the Property Section, an additional Property Section Invoice-Receipt shall not be generated. Rather, notation shall be made directly on the Property Section Invoice-Receipt clearly documenting the status of the affected item(s), and a General Receipt (PDCS-0094) shall be prepared documenting the split of the item(s) from the Property Section Invoice-Receipt. Both the General Receipt and a copy of the notated Property Section Invoice-Receipt shall accompany the separated item(s) until they are forwarded to the Property Section and reunited with the other item(s) contained on the Property Section Invoice-Receipt.

The arresting/reporting officer will adhere to the distribution instructions printed on the Property Section Invoice-Receipt (PDCS-4201) and proper recording procedure as per this section. The goldenrod copy of this form will be maintained at the reporting member's command and will serve as a receipt for property transferred to the Property Section, Identification Section, Suffolk County Crime Laboratory, or

other appropriate command. Upon receipt of the invoiced canary copy from Property Section, the command member designated to handle this task will place the property invoice number on the goldenrod copy and in the command Property Log. The goldenrod copy is then returned to the arresting/reporting officer.

1. Members of the Department, upon coming into possession of found property, issue a General Receipt to the person delivering the property. This receipt will record the transaction identifying the property or instrument. The property will then be invoiced as outlined above.

2. Members of the Suffolk County Crime Laboratory obtaining evidentiary property may submit such evidence to the Police Department Property Section for safekeeping. It will be the investigating officer's responsibility to release or have such evidence disposed of when no longer needed.

3. When contraband or evidentiary property is taken from a person or given to a member of this Department, a General Receipt will be given to that person.

4. When a handgun(s) is surrendered or seized from a person by a member of the Pistol Licensing Bureau, a General Receipt will be given to that person. The handgun(s) will then be invoiced as outlined above.

5. When U.S. currency or foreign currency is given, found or seized by a member of this Department, a general receipt will be issued when applicable and the currency will be counted and invoiced on a Property Section Invoice/Receipt (PDCS 4201) by listing denominations in descending order from highest to lowest. Each denomination will be entered as an item number, the total number of a specific denomination shall be entered as quantity, and the specific denomination shall be entered as brand. The total for each denomination shall be entered under description. The total amount of currency will be entered directly below the last denomination total. "Subject to final count verification at Property Section" shall be added directly below the total.

a. For amounts likely to exceed \$10,000 U.S. dollars, or foreign currency of approximate worth believed to exceed \$10,000 U.S. dollars, the member's supervisor and an officer from the Property Section shall be requested and required before any final count is made. The currency will be counted with a portable bill counter by the Property Section officer in conjunction with the reporting officer and his/her supervisor. Volumes of currency in which transport of such is not likely to result in loss, the count may be made at the scene, the precinct, or at the Property Section, as appropriate. Significant volumes of currency, regardless of actual worth over \$10,000, shall not be transported and the count shall be made at the scene. During the hours in which Property Section is closed, an officer from Property Section will be called out via the duty officer. The reporting officer will complete the Property Section Invoice/Receipt and the Property Section officer shall sign in the

provided space. The Property Section officer shall return the canary and goldenrod copies of the Property Section Invoice/Receipt, with the invoice number acknowledging receipt, to the reporting officer.

6. Whenever a member of the Department is involved in an investigation which requires the loan or issuance of property from any source, especially a pawn shop, precious metals dealer, or second-hand dealer, the transaction will be properly documented and an effort will be made to promptly return said items to the lending party. The following, along with the above mentioned Property Section Invoice -- Receipt (PDCS-4201), will be required.

a. The assignment of a Central Complaint number in all cases.

b. Record details of the transaction in case narrative in all cases

c. The issuance of a General Receipt, and the completion of Property Section Invoice Receipt PDCS 4201, when property is not already in Police Department custody.

7. Members of the Department invoicing criminal related asset seizures valued in excess of \$1,000 shall immediately fax a copy of the completed Property Section Invoice Receipt (PDCS-4201) to the Asset Forfeiture Unit.

8. Confiscated License Plates Procedure for non-Impound Unit Personnel – Whenever a member of the Service has cause to confiscate license plates, he or she shall issue the motorist a General Receipt and prepare a Field Report to explain the circumstances surrounding the seizure of said plates. A copy of the Field Report and General Receipt shall be affixed to the seized plates and the items will be retained in a secure location at the Precinct for a period of thirty days. After this period, the plates shall be submitted to Property Section for destruction and the DMV shall be notified of this destruction as follows:

a. Precinct administrative personnel shall prepare a letter to DMV advising them of the dates that the plates were confiscated and destroyed. A “Confiscated License Plate” letter template is available for use on the SCPD Intranet under the Online Forms menu. Ideally, confiscated license plates shall be reported to DMV in groups of ten sets of plates on each letter. The plates shall be properly packaged and secured for submission to Property Section in the order that they appear on the DMV letter(s).

b. The Desk Supervisor or designee shall obtain an administrative Central Complaint number to be used on the DMV letter and on form PDCS-4201, Property Section Invoice-Receipt. A PDCS-4201 shall be prepared to transfer these plates from the Precinct to Property Section for destruction. The description of the items will be annotated “see attached DMV letter” and a copy of the letter shall be affixed. For the purposes of the DMV letter, the date of destruction shall be the date that the letter and Property Section Invoice was prepared.

c. The “Confiscated License Plate” letter shall be mailed to DMV and copies of the letter and appropriate General Receipts and Field Reports shall be maintained at the Precinct.

d. The Command Property Log shall be prepared using the administrative Central Complaint number as follows: "Date In" as the date the PDCS-4201 was prepared; "Item Description" shall be the total number of license plates listed on the DMV letter(s); "Location Found and Finder" will remain blank; and "Date Out" as the date Property Section receives the property from the Precinct.

e. The distribution of the PDCS-4201 will be as per existing property invoicing procedure. Upon receipt of the invoiced canary copy from Property Section, the command member designated to handle this task will place the property invoice number on the goldenrod copy and in the Command Property Log. The canary copy may then be destroyed and the goldenrod copy will be filed with the paperwork described above in subdivision 8. c.

9. Confiscated License Plates Procedure for Impound Unit Personnel - The Impound Unit frequently receives vehicles that have been impounded or seized by commands within the Department. If license plates are subsequently to be destroyed, and upon the request of the registered owner, and when authorized to do so, the Impound Unit shall issue a "license plate letter" enabling the registered owner to cancel the insurance on their vehicle. In addition, Impound Unit personnel shall:

a. Prepare a letter to DMV advising them of the dates that the plates were confiscated and destroyed. A "Confiscated License Plate" letter template is available for use on the SCPD Intranet under the Online Forms menu. For the purposes of this letter, the date confiscated shall be the date the vehicle was received at the Impound Unit and the date of destruction shall be the date that the DMV letter was prepared.

b. The "Confiscated License Plate" letter shall be mailed to DMV and copies of the respective letters shall be maintained at that command. Impound Unit personnel shall destroy the license plates by cutting or shredding.

C. Security wire seals may be utilized in the following manner:

1. Each security wire seal is numbered and when sealed, will show the identifier for the command where the property was secured. Numbers are to be used at random. A single wire may be used to label more than one item, such as when a number of rings or other items may be strung on one wire rather than individually labeled. The wire number will be listed on the Property Invoice - Receipt in the description section after a description of item(s) is labeled or sealed.

2. To label items that cannot be positively identified, such as jewelry and furs, or to label objects which do not bear manufactures's names and/or serial numbers.

3. To seal items such as large containers holding multiple objects (e.g. large tool boxes containing tools). Such sealing must occur at the command where the property is to be invoiced immediately subsequent to recovery.

D. The assigned supervising officer of each command responsible for the safeguarding of property in Department custody, will ensure the property is properly packaged and secured.

E. Every command responsible for the custody of property will maintain a Property Log. The Property Log will consist of a bound book with pre-numbered pages. The first page will note the reporting command and the date of the first and last entry. The requested information will run consecutively and start on pages two and three of the Log. The Log will be retained in a safe location in the command for a period of six (6) years, then forwarded to the Property Section for permanent retention. The following columns will be made across the book.

1. "Date In" column - 1 1/4" column reporting the date and time the property was secured at designated location.
2. "Central Complaint Number" - 1 1/2" column reporting the Central Complaint Number used for the reporting of the incident.
3. "Item Description" - 3" column reporting a brief description of the invoiced property, e.g. boy's 26" blue bike; 3 containers unk. substance; 26 pcs. clothing.
4. "Location Found" - 1 1/2" column reporting the location of the property found.
5. "Finder" - 1 1/2" column reporting finder of the property if applicable.
6. "Reporting Officer" - 1" column reporting the name, shield, rank, command and squad of officer submitting property.
7. "Supervisor's Signature" - or his designee - 1 1/2" column for the legible signature of the verifying officer when securing property.
8. "Date Out" - 1" column reporting the date and time the property was removed from command storage.
9. "Signature of Member Removing Property" - 1 1/2" column for the legible signature of the authorized member removing the stored property.
10. "Invoice Number" - 1" column reporting the Property Section Invoice Number. This number will be entered at a later date upon return of the canary copy of the Property Section Invoice receipt to the reporting command.

F. Each precinct will maintain a Security Envelope Correction Log Book. The Security Envelope Correction Log Book will consist of a bound book with pre-numbered pages. It will be utilized whenever an error involving the preparation of the Security Envelope necessitates the Security Envelope's transfer to the Security Envelope Correction Drop Box, as detailed in Chapter 14, Section 7 of these Rules and Procedures. The first page will note the reporting command and the date of the first and

last entry. The requested information will run consecutively and start on page two of the Log. The Log will be retained in a safe location in the command for a period of six (6) years, then forwarded to the Property Section for permanent retention. The following columns will be made across the book.

1. "Date In" - reporting the date and time the property was deposited into the Security Envelope Correction Drop Box.

2. "Central Complaint Number" - reporting the Central Complaint Number.

3. "Invoicing Officer" - reporting the name, shield, rank, command and squad of officer invoicing property.

4. "Supervisor's Signature" (or designee) - for the legible signature of the verifying supervisor when property is placed into the Security Envelope Correction Drop Box.

5. "Date Out" - reporting the date and time the property was removed from the Security Envelope Correction Drop Box for its transfer back to the Evidence Drop Box.

6. "Invoicing Officer" - reporting the name, shield, rank, command and squad of invoicing officer removing property from the Security Envelope Correction Drop Box.

7. "Supervisor's Signature" (or designee) - for the legible signature of the verifying supervisor when property is removed from the Security Envelope Correction Drop Box.

G. The command of the reporting officer is responsible for maintaining a file of the canary copies of Property Section Invoice - Receipts (only for property that is evidence) received from the Property Section. The final disposition is reported to the Property Section in the evidence final disposition section of the canary copy. When the reporting officer is no longer assigned to the command (or on extended leave, i.e., lengthy sick leave), the command assumes the responsibility of reporting the final disposition of evidentiary property to the Property Section. If a final disposition is to be reported and the command does not have or cannot locate the canary copy, the final disposition will be reported by filling in the necessary information on a blank canary copy.

H. Release of non-evidentiary property and evidentiary property.

1. Invoiced property of a non-evidentiary nature may be released by designated personnel to its rightful owner provided that the property is not a weapon, part of an estate or contraband. However, weapons, including firearms, may be released by the commanding officer of the Property Section, or his designee, upon determination that the owner of the weapon is authorized to possess such weapon or if the weapon is a firearm which requires a license to possess, that the owner is duly licensed to possess such firearm and that there are no other factors present which would prohibit its release (i.e., evidence, etc.). The

commanding officer of the Pistol Licensing Bureau, or his designee, may release handguns which are in custody at the Pistol Licensing Bureau, upon determination that the owner of the handgun is duly licensed to possess the handgun and there are no other factors which would prohibit its release. Upon establishing these requirements, all of the following steps are to be taken:

a. The owner's name and address is recorded on the Property Invoice.

b. The officer releasing the property notes in the Property Section's Disposition Section - "Property Released, John Doe, Sgt. 385".

c. The true owner places his signature and address in the Property Section's Disposition Section - "Received by John Jones, 120 Main Street, Hauppauge, New York 11788".

d. After the person claiming the property signs for same, the officer will record the number of the document used to identify the true owner's signature.

e. Members of the Department may not have invoiced property released to them unless such release is in the official capacity of their assignment or they are a member of the command responsible for eventual disposition of such invoiced property.

1) A member of the Detective Division acting in his/her official capacity may have unclaimed property, which is not contraband and is non-evidentiary, temporarily released by the Property Bureau for the purpose of enhancing an official investigation. The property shall be returned to the Property Bureau when the investigation is completed, and shall be in the original condition or value as when it was released. The Commanding Officer of the Property Bureau shall ensure that any property not returned or returned in less than the original condition or value has an accompanying Internal Correspondence from the Detective Division member explaining in detail the circumstances.

2. Evidentiary (excluding unauthorized use of a vehicle) - Property of an evidentiary nature will not, except in the following situations, be released to an owner.

a. If an arrest is not made and is not likely to be made, evidentiary property (proceeds) may be released to its rightful owner. (In cases of stolen vehicles, this determination can be made at the scene.) Be aware the release of this evidentiary property may affect the future prosecution of a case if a perpetrator is later apprehended.

b. When animals, livestock, perishable goods or large bulk items (too large for proper handling by this Department) are involved as evidence and an arrest is made or likely to be made, the

reporting/investigating officer will verify ownership and complete two (2) copies of the Burglary/Larceny Affidavit and have them notarized at the command. Evidence will be photographed by available qualified personnel before its release. The original notarized Burglary/Larceny Affidavit, along with a copy of the Property Invoice, will be forwarded to the District Attorney's Office in Hauppauge as follows: Felonies-Felony Screening Bureau; Misdemeanor - District Court Bureau. If an arrest is made, the paperwork will be forwarded along with the arrest package. The remaining copy of the Burglary/Larceny Affidavit and photographs of evidence will be retained in the appropriate command case file. Appropriate remarks will be entered on all property paperwork.

c. If an owner requests that evidentiary property be released, the officer receiving the request is responsible for verifying ownership and completing the Burglary/Larceny Affidavit. The Property Section is then notified of the possible future release of this property. The reporting /investigating officer forwards the original Burglary/Larceny Affidavit and a copy of the Property Invoice (specified in b.) to the District Attorney's Office in Hauppauge. The remaining copy of the Burglary/Larceny Affidavit is retained at the command case file. Owners will be advised to wait at least five (5) working days before contacting the District Attorney's Office regarding the status of their request.

d. Instruments or objects (example: gun, knife, getaway car, etc.) used in the commission of a crime will not be released from custody without prior approval of the District Attorney's Office. Officers receiving requests for the release of such evidence should contact the District Attorney's Office for direction.

e. Evidence other than proceeds of a crime or instrumentalities of a crime may be released to a rightful owner providing it is not necessary to prove the means and consequence of the crime. However, as always, proper scientific analysis should be conducted, photographs taken and necessary steps taken to preserve the chain of evidence.

NOTE: Any questions regarding the release of such property should be directed to the District Attorney's Office.

f. Recovered Stolen Vehicles (arrest made or imminent) which have not been used in connection with another crime or criminal transaction and an arrest has been made or appears likely to be made, may be released by the investigating officer to the registered owner or his representative as follows:

(1) Upon confirmation that the owner is available to respond and prior to releasing the vehicle, a Crime Scene Unit shall be requested to take the required evidentiary photographs of said vehicle in conformance with New York State Penal Law Section 450.10, subdivision 4.

In the event a Crime Scene Unit is unavailable

or will be significantly delayed, the arresting/investigating officer shall notify his supervisor.

The supervisor may direct the arresting/investigating officer or another officer to remain with the vehicle until the Crime Scene Unit can respond, or secure the vehicle at the precinct until the Crime Scene Unit can respond, or impound the vehicle as an evidentiary impound and advise the Crime Scene Unit to take the photographs at the impound facility.

(2) The Crime Scene Unit shall forward all photographs taken to the Identification Section for processing.

(3) When an arrest has been made, the investigating officer shall notify the Identification Section to forward the photographs to the District Attorney's Case Advisory Bureau.

(4) When an arrest has not yet been made, the photographs shall be retained at the Identification Section. Upon arrest of the defendant, the investigating officer shall notify the Identification Section to forward the photographs to the District Attorney's Case Advisory Bureau.

g. Recovered Stolen Vehicles which have not been used in connection with another crime or criminal transaction, and where no arrest has been made, and there are no indications that an arrest will be forthcoming, need not be photographed and may be released by the investigating officer to the registered owner, or his representative, absent any prevailing circumstances which would require further evidentiary examination or reason for impounding. The registered owner, or his representative, must be available to respond and take custody of the vehicle within a reasonable time or the vehicle shall be impounded and towed by wrecker from the Impound Wrecker List to the vendor's storage facility (Private Tow).

I. A Final Disposition Card is only used for a vehicle or boat impound. Final Disposition Cards are maintained in a Final Disposition Card file by the command member designated to handle this task until the card can be forwarded to the Property Section. Updated information regarding a vehicle or boat in the possession of this Department and changes in ownership will be brought to the attention of the command member designated to handle this task who will make the necessary changes on the Final Disposition Card.

1. The final disposition of property that is evidence is reported to the Property Section on the canary copy of the Property Section Invoice - Receipt.

2. It is the responsibility of the reporting command, upon notification from the court that the case has been disposed of, to ensure that the evidence final disposition section of the canary copy is completed and submitted to the Property Section. It is not necessary for any command to retain the canary copy for non-evidence property. Updated

information regarding evidence and changes in ownership will be brought to the attention of the command commanding officer or his designee who will make the necessary changes on the canary copy.

3. Commanding officers shall cause frequent investigation to be made in all pending cases, and promptly report to the Property Section when property is no longer required as evidence and may be disposed of. Commanding officers shall make special investigation of all cases pending more than six months

a. When a case is still pending and an owner responds directly to the reporting/investigating command with a court order authorizing the release of property, the evidence final disposition section on the canary copy will be completed and forwarded to the Property Section so that the property can be released. When the property owner is responding directly from the command to the Property Section, telephone notification will be made to the Property Section. A photocopy of the court order will be retained in the command case file and a photocopy will be sent to the Property Section.

b. When an owner responds to the Property Section with a court order authorizing the release of property, a photocopy of the court order will be forwarded to the appropriate command for retention in case file, and command may destroy the canary copy of the Property Section Invoice - Receipt.

J. The officer or command making a stolen property recovery is responsible for completing a Supplementary Report. Where two commands are involved, it is important that the recovery command immediately notify the command responsible for the theft or loss investigation and forward the first copy of the Supplementary Report to said command for inclusion in their follow-up working case report files.

K. Whenever it is necessary for the investigating command to submit an additional Supplementary Report supplying additional information pertinent to the recovery, the information previously submitted should not be duplicated.

L. The Property Section retention of property when the identity of its owner cannot be determined is as follows:

<u>Property Value</u>	<u>Period Held</u>
Less than \$100	3 months
\$100 - less than \$500	6 months
\$500 - less than \$5,000	1 year
\$5,000 or more	3 years

M. Video images recorded by the Department in the course of an investigation, intended to be used as evidence in a criminal prosecution, will be retained a minimum of 8 years. At the end of said time period, the Property Section will notify the responsible command which in turn, when appropriate, shall notify the Office of the District Attorney, that the items will be referred to the evidence disposal panel

for disposition. The video images will be disposed of unless directed otherwise by the responsible command.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 07-84

TYPE DEPARTMENTAL GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE IMPOUND PROCEDURES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 11/01/07	DATE EFFECTIVE 11/01/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 20: TITLE: PROPERTY MANAGEMENT

SECTION 4: TITLE: IMPOUND PROCEDURES

I. PURPOSE

To provide procedures for impounding motor vehicles and boats.

II. POLICY

Impound procedures are initiated with a Field Report, followed through and then terminated in accordance with the instructions for reporting an impound as outlined in this section. The impound is invoiced on the appropriate forms, as outlined under these instructions, by the member of the Service and in accordance with the Personal Property Law.

III. DEFINITIONS

A. Motor Vehicle - Shall also include, for the purposes of this section, snowmobiles and all terrain vehicles.

B. Impound - Taking possession of or holding in Department custody, motor vehicles or boats, for the purposes of evidence gathering investigations, scientific analysis or returning said property to its rightful owner.

C. County Tow, P.D. Tow - Impounded vehicle is towed by Police Department wrecker to County property, which shall be construed to mean a designated police impound tow area which shall include the Medical Examiner's Crime Laboratory Garage in Hauppauge. A member of the Detective Division has the authority to have the vehicle initially towed by a Police Department wrecker to a Precinct for evidence gathering and/or property invoicing, prior to being towed to the designated police impound tow area.

D. Private Tow, Vendor Tow - Impounded vehicle is towed by a wrecker from the (private vendor) Impounded Wrecker List to the vendor's storage facility.

E. Evidential Impounds - Vehicles impounded for the purposes of safety checks, evidence for court proceedings, unidentifiable, or for any other reason necessitating further criminal investigation or scientific analysis. Impounds of this nature shall be towed directly to County property by Police Department wrecker, (County Tow). A member of the Detective Division has the discretion to have an evidential impound towed to a Police Precinct prior to being towed to the designated police impound tow area.

F. Non-Evidential Impounds - Vehicles impounded for any reason other than the above, where the chain of evidence or further criminal investigation does not play a part. Impounds of this nature shall be towed by a wrecker from the Impound Wrecker List to the vendor's storage facility (Private Tow).

G. Identifiable Vehicle - A vehicle, regardless of its condition, which is identified by the issued VIN tag attached to the vehicle. NOTE: When a vehicle is identifiable and is of a derelict condition and not needed as evidence and an owner fails to respond (even though all efforts to contact an owner were unsuccessful) and the vehicle does not create a hazard or risk to the public, the vehicle should be left at the incident location and notification made to the town or village highway department of the jurisdiction said vehicle is located within for the purpose of removal and disposal.

H. Unidentifiable Vehicle - A vehicle, regardless of its condition, where the issued VIN tag is missing, removed, altered, obliterated, etc. NOTE: In this circumstance an Evidential Impound should be requested so the identity and status of the vehicle can be determined. The impounding authority shall be responsible for the final disposition if no further action is to be taken after the vehicle's identity and status has been determined.

I. Abandoned Vehicle - Refusal or noncompliance by an owner of a vehicle to accept custody or responsibility of or for such vehicle within the specified times under Article 33, Section 1224 of the Vehicle and Traffic Law shall constitute said vehicle as abandoned. NOTE: It shall be the responsibility of the town or village highway department of the jurisdiction said vehicle is located within to remove and dispose of such vehicle.

J. Derelict Vehicle - A vehicle which is stripped to a virtual shell, missing 75% of its major components or has 75% of its major parts or components damaged and the resulting damage is so extensive that repair would greatly exceed the value of the vehicle before such damage occurred. NOTE: See identifiable vehicle above.

K. Asset Forfeiture Vehicle - Impounded vehicle targeted from asset forfeiture (federal or state) proceedings.

L. Disposition - Final disposition of all evidentiary impounds rests with the investigating officer as outlined in these Rules and Procedures.

M. Motorized Scooter (As per section 221-9 of the Suffolk County Code)

- A skateboard or like device with two or more wheels and an upright steering mechanism attached to the front wheel or wheels, upon which a person or persons may ride propelled by other than muscular power, except that it shall not include an electrically driven mobility assistance device or wheelchair as those devices are defined in New York State Vehicle and Traffic Law Section 130-a, nor shall it include any low-speed vehicle as such is defined in New York State Vehicle and Traffic Law Section 129-a.

IV. REFERENCES

Suffolk County Code Section 221

V. RULES AND REGULATIONS

A. Vehicles are to be impounded only under the following circumstances:

1. When required as evidence.
2. When seized in conjunction with narcotics arrests.
3. When required by state or local law.
4. When necessitated by prevailing circumstances.

a. Necessity for impoundment will be evaluated by, but not limited to, such factors as:

(1) The inability of owner to respond within a reasonable time to take possession of a vehicle at the scene.

(2) The inability to eliminate the need for impoundment, for example, a vehicle that is a road obstruction that could be moved to a safe position and parked legally, and therefore does not require impounding.

(3) In the case of abandoned vehicles, every reasonable attempt will be made by the appropriate member(s) of this Department to notify the owner to remove the vehicle. If unsuccessful in this regard, the town or village in which the vehicle is abandoned is entitled to custody of the vehicle and the town or village concerned shall be so notified through procedures set up by the precincts.

(4) In an arrest situation or any other extended custody situation (i.e. committal), which involves the operator of a motorcycle (motorcycles are inherently difficult to secure in a reasonably safe manner), when no authorized person is available to take possession of the motorcycle.

VI. PROCEDURES

General Procedures for impounds are as follows:

A. When it has been determined that no feasible alternative to impoundment exists, the member of the Service about to effect such impound will request the authorization of a uniformed road supervisor.

B. In a case where a member of the Patrol Division wants to effect an impound, the patrol supervisor will determine that the impound is both legal and necessary before authorizing same. If the vehicle is required as evidence or is necessary to an investigation, the vehicle will be towed as an evidential impound to the Impound Unit storage yard by Police Department wrecker. An evidential impound may initially be towed to a Police Precinct if an impound is made by a member of the Patrol Division at the request of a member of the Detective Division (e.g./ a car used in a robbery is later found and is to be held for prints) a representative of the command effecting the impound will notify a representative of the command requesting the impound, via telephone, and also send a copy of the Field Report or Supplementary Report, which ever is appropriate. Additionally, the representative will forward a copy of the Impound Worksheet to the Auto/Marine Theft Section in those cases where the vehicle is to be examined by that section. If the vehicle is non-evidential it will be impounded as a vendor tow by a wrecker from the Impound Wrecker List and towed to the vendor's storage facility. The responsibility for completing all paperwork and notifying the Teletype Unit of the impound is that of the member of the Patrol Division effecting the impound.

C. In a case where further investigation may be required by the Detective Division, they will be notified and if the assigned member of the Detective Division determines that an impound is necessary as part of an investigation, the patrol supervisor will give an impound sticker to the requesting detective. This type of impound will be an evidential impound and will be towed by a Police Department wrecker to either the Impound Unit or to a Precinct if authorized by a member of the Detective Division. For impounds undertaken as part of an investigation by a member of the Detective Division the authority for such impounds and responsibility for completing all paperwork and notifying the Auto/Marine Theft Section (when required) and to the Teletype Unit lies with the member of the Detective Division effecting the impound.

D. In cases where the reporting command effects an evidentiary impound at the request of or for a separate investigating command, responsibility for disposition rests with the investigating command. In this situation the reporting command, upon receipt of the Impound Invoice, will complete the Impound Log by listing the investigating command responsible for final disposition in the disposition column. The canary copy of the invoice is then forwarded to the investigating command. In a case where the investigating command and reporting command utilize the same log, no disposition should be listed until final disposition.

E. It shall be the responsibility of the investigating command when receiving the canary copy of the Impound Invoice to have an entry made in the appropriate Impound Log for their command.

F. The officer impounding a vehicle will:

1. Ensure that an impound sticker is placed on an impounded vehicle prior to removal of the vehicle.

2. Complete all appropriate paperwork as outlined in this section.

3. Promptly return completed paperwork to the road supervisor.

4. Notify the Teletype Section by telephone that an impound has occurred.

5. Perform all other necessary tasks to ensure the proper disposition of the impounded vehicle as outlined in this section.

G. Responsibilities of commands for control of impounds and designation of command impound officers.

1. The precinct commander is responsible for the proper enforcement of those laws and ordinances, within his geographical jurisdiction, concerning abandoned and/or derelict vehicles and that the members of his command or other commands are properly instructed before effecting an impound. The law or ordinance is to be properly applied and effectively utilized, wherever possible, to preclude effecting an impound by this Department. Only a Field Report is required by the command to indicate compliance with and utilization of the law or ordinance since, in this case, no impound has been effected by this Department. The precinct commander will ensure that a member of his command comply with the guidelines set forth in this title.

2. Designation of command impound officers and impound ledgers is as follows:

- a. Specialized detective units and District Attorney Section: A member of the Office of the Chief of Detectives and a member of the District Attorney's Section shall be designated to maintain the Impound Ledger Book assigned to their respective commands. Information concerning impounds effected by specialized detective squads shall be entered in the office of the Chief of Detectives Impound Ledger. Information concerning impounds effected by the District Attorney's Section shall be entered in the Impound Ledger maintained by the District Attorney's Section.

- b. Precinct, Highway Patrol Bureau and Precinct Detective Bureaus: Each precinct commander, the Marine Bureau commander, and the Highway Patrol Bureau commander shall designate a member of his command as the Command Impound Officer. Information concerning impounds effected by both Patrol and Precinct Detective Bureau personnel shall be entered in the Impound Ledger for that precinct.

- c. Other patrol bureaus: All other patrol bureaus effecting an impound will submit paperwork to precinct of jurisdiction. Precinct of jurisdiction will perform all functions as

if impound was effected by member of their command.

H. The command impound officer has as his primary function, the return of impounded vehicles, not required as evidence or for further investigation or analysis, to their rightful owners before the vehicle is transferred to County property and the control of the Property Section. In accordance with this function, the command impound officer is responsible for notifying Teletype Unit immediately after the release by his command of any vehicle to its rightful owner.

1. Ensure the following aspects of the impound procedure:

- a. Secure adequate storage facilities.
- b. Geographical location - selected wreckers should be located so as to provide quick response time when requested.
- c. Reliability and performance.
- d. Agreement with and compliance to Suffolk County Police Department schedule of fees for tows and storage as per contract. Furthermore, vehicles which are impounded for safety checks, evidence or other reasons necessitating further investigation or scientific analysis shall be towed directly to County property at the time of impound by Police Department wrecker. In these instances the Impound Wrecker List (private tow trucks) is not to be utilized.

2. A thorough, systematic inspection of vehicles impounded to private vendor locations will be performed in order to ensure:

- a. Vehicles are properly stored and secured.
- b. Invoicing is accurate particularly in regard to the condition of the vehicle, and if any property is contained therein it shall be removed and invoiced to Property Section (by impounding officer).
- c. Compliance by the vendor with the Department's requirements.

3. Maintain an Impound Ledger Book as per format recommended by Property Section/Impound Unit. This ledger shall contain columns for the following information: Date, CC Number, Impound Teletype Message Number/Date sent, Property Invoice Number, Make/Year of Vehicle, Impound Authority/Plate Number, VIN Number, Impound to, Remarks and Disposition. (Cancellation of Impound Teletype Number and date sent should be entered in this column if vehicle is released to rightful owner by precinct). On a daily basis (Monday - Friday) the command impound officer will telephone the Property Section to notify them of all impounds within the last twenty-four hours (72 hours after a weekend).

4. For vendor tows, immediately upon impoundment of a vehicle attempt to ascertain and locate owner. All written notifications will be sent by registered mail, return receipt requested, and will be accurately

documented.

5. After approximately ten (10) business days, if vehicle remains unclaimed transfer vehicle to the custody of the Property Section Impound Unit along with all documented notifications regarding ownership and disposition. If the vehicle is released to the owner at the private vendor location, it is the responsibility of the owner to pay all accrued fees to the private vendor after first having obtained the appropriate Department release for the vehicle. If the vehicle is transferred from the custody of the command to that of the Property Section, without release to the owner, the payment for towing and storage fees accrued by the impound wrecker will be verified by the command impound officer and payment to said vendor will be made by standard voucher at the time of transfer. The impounded vehicle in question will then be transferred to County property by Police Department wrecker, car carrier, or private vendor, and responsibility for its disposition lies with the Property Section. At the time of transfer, all relevant paperwork will likewise be forwarded to Property Section/Impound Unit. Relevant paperwork will be forwarded through the first available courier service.

I. Upon notification of an impending impound, the supervisor will either communicate with the impounding officer or respond to the scene as deemed appropriate. He/she will ensure that the Rules and Procedures are followed. In addition, the supervisor will ensure that a copy of the completed impound worksheet is promptly forwarded to the Impound Unit via the facsimile network.

1. Guidelines for impounding vehicles for safety checks.

a. Motor vehicle accident fatalities or those involving serious physical injury where there exists a risk of death and the investigation into the causes of said accident shall continue focusing on any contributory factors of said vehicle(s) past the initial incident scene location by an investigating command.

(1) Commercial vehicle impounds for safety checks may be authorized by the Motor Carrier Safety Section when necessary to facilitate evidence gathering, provide safer conditions to complete inspections and/or equipment failure which may necessitate such an impound.

b. If in the course of the initial investigation at the incident scene location it has been clearly determined by the investigating command that a safety check will not have a bearing on the investigation at hand, then the vehicle(s) shall not be impounded but said vehicle(s) shall be towed by the next available wrecker from precinct accident list or released to the owner/operator when such vehicle is operable. For instance, when an operator is killed or suffers serious physical injury and no other participant(s) suffer injury and no further investigation is required concerning contributory factors of said vehicle(s), the vehicle(s) shall not be impounded.

c. If it has been determined that the vehicle shall be

impounded for a safety check investigation and at the finish of such investigation where there is no criminal prosecution, the vehicle should be released to the owner/agent by the investigating command.

J. Property Section has the responsibility of maintaining a master log of all Department Impounds and for the final disposition of all impounded vehicles, as well as the notification of teletype as to the final disposition of all impounded vehicles not previously released at the command level, as delineated in the following:

1. For "Evidential Impound" - those impounded to County property and required as evidence or part of further investigation, Property Section is responsible for returning vehicle to lawful owner or disposing of vehicle after being notified that said vehicle is no longer required as evidence and can be released.

2. For "Non-Evidential Impounds" - Property Section becomes responsible for final disposition when vehicle is physically transferred to County property from the storage facility of the private vendor. This occurs after the command impound officer has exhausted all attempts at returning vehicles to owner. The disposition of impounded vehicles by the Property Section shall be accomplished within the guidelines of State and County Law (Local Law 21 of 1979) - Suffolk).

K. Auto Marine Theft Section - If the identity of the owner of an impounded vehicle, boat, motor, or trailer cannot be determined because of no visible VIN/HIN, altered VIN/HIN, etc. the command impound officer shall contact the Auto/Marine Theft Section by telephone, followed by sending a copy of the Impound Worksheet and Supplementary Report, if prepared, to ensure that every attempt to identify the owner is made. The Auto/Marine Theft Section will assist the requesting command as needed.

L. The Records Unit, Central Records Section, shall remain the central repository for completed impound paperwork after final disposition of the vehicle has been accomplished.

M. Impound stickers are to be carried by uniformed road sergeants of the Patrol Division. The sticker, filled out with the required information (using blue-black or black ink base ballpoint pen), is placed on the dashboard of the impounded vehicle by the officer at the time of the impound.

N. All vehicles that are impounded are promptly invoiced to the Property Clerk on the Motor Vehicle/Boat Impound Invoice Forms. It is the responsibility of the reporting command to acquire all the information this form calls for and that all copies are legible.

1. When the reporting command is not able to supply the information required by a caption, the symbol N/R is entered in such a way that the information received later may be entered in the space allotted. This instruction does not alter the requirement that all available information must be entered under each caption.

2. Additional Property - All fixed accessories will be listed on

the form as well as presence or absence of keys, radio and/or battery. All personal property of value is to be removed and invoiced to Property Section on the Property Section Invoice. The trunk, glove compartment, console, and any closed containers found in the auto during the inventory search shall be opened and their contents inventoried. If any of the above items are locked, an officer should attempt to obtain the keys from the driver, owner, passenger, etc. The above items should not be opened if to do so would cause more than minimal damage unless:

a. The officer reasonably suspects they contain weapons, explosives, hazardous materials, perishables, etc.; or

b. contents are in plain view; or

c. contents may be inferred from the outward appearance of the container (e.g., container physically designed to hold a particularly type of contraband or evidence, such as a gun case or a tool box containing burglar tools) or containers which an experienced officer knows are commonly used to package narcotics, such as glassine envelopes, tin foil packets etc.; or

d. the officer has consent of the owner to search.

If the vehicle is an evidential impound which requires further testing or analysis of the vehicle itself or any property in the vehicle and entry into the vehicle would compromise the results of such tests, property contained in the vehicle shall be invoiced by the command requesting the impound only upon completion of said tests.

Thereafter, any property contained in the vehicle which requires further testing or analysis shall be invoiced and submitted for such testing or analysis as per Rules and Procedures, Chapter 14.

All other property shall be invoiced to the Property Section by the command requesting the impound as set forth in this chapter.

3. Indicate body condition of vehicle, upholstery, etc., by naming the damaged or deteriorated areas and state briefly the extent of the damage. Furthermore, list all major parts missing from the vehicle, such as engine, transmission, wheels, doors, fenders, etc.

4. Every effort is to be made to determine the identity of the owner of the vehicle. Appropriate action is to be taken by the reporting command to promptly notify the owner and a record of the completed notification is to be entered in the space provided on the form.

5. If the owner is a corporation, insert the name of the corporation, not the name of the individual owner connected with it. If there is more than one registered owner, list all of them.

6. The reporting command is responsible for the distribution of all copies of the invoice by the first available courier service after the tour on which the impound was effected.

7. Upon completion of the form, two copies (white and pink), plus the Impound Worksheet, are forwarded to the Property Section/Impound Unit for distribution. The

goldenrod copy is retained at the reporting command, forwarded to the reporting officer after the invoice number has been indicated, and canary copy is placed on file at the command. The only exception to the aforementioned is that in cases of evidentiary impounds when other than the investigating command performs the impound, the reporting command will forward the canary copy to the investigating command.

O. Upon receipt of the Final Disposition Card from the command effecting the final disposition of an impounded vehicle, the Property Clerk enters the details in the lower portion of the white and canary copies of the invoice under the heading "Final Disposition of Vehicle".

P. When receiving added information concerning the investigation of an impound, the reporting/investigating command is to complete, insofar as possible, their canary copy of the Motor Vehicle/Boat Impound Invoice Form. A Supplementary Report containing this additional information is to be forwarded to the Records Unit, Central Records Section and any other concerned command(s).

Q. When a final disposition, such as "returned to owner" (name and address) or classified as "abandoned or derelict", (with regard to those vehicles actually impounded by this Department, is determined by the reporting command, the Final Disposition Card is completed by the command, and along with the completed canary copy of the Motor Vehicle/Boat Impound Invoice Form, is forwarded to the Property Section/Impound Unit by the first available courier service. The Property Section Clerk, after ascertaining that the disposition is final and complete is to forward the canary copy of the invoice to the Records Unit, Central Records Section.

R. Owners seeking to reclaim personal property, removed from the vehicles and forwarded to the Property Section, will be advised to contact the Property Section. Desk personnel can assist by making phone inquiry for them.

S. Owners seeking to reclaim vehicles seized as evidence must present the following items:

1. District Attorney's release, Court Order or a certified written authorization from the investigating detective command.
2. Registration certificate, title or bill of sale.
3. Personal identification of owner.

T. To reclaim all other vehicles:

1. Registration certificate, title or bill of sale.
2. Personal identification of owner.

U. Motor vehicles impounded (seized) in conjunction with narcotics arrests.

1. A member of the Service who so impounds (seizes) a vehicle notifies the Narcotics Section commanding officer during that business day, or the beginning of the business day next following, of all pertinent details regarding such impounds (seizures).

2. The Narcotics Squad commanding officer is responsible for the execution of necessary paperwork, notification and receipt of legal possession thereof, to the District Attorney.

3. Service of replevin for such vehicle is not accepted by any member of this Department and the process server is notified that such service must be made upon the District Attorney.

4. When the Sheriff processes and serves a replevin for such a vehicle, it must be served upon the District Attorney, not this Department.

5. The commanding officer of the Narcotics Section is responsible for designating those vehicles subject to forfeiture action that are suitable for Department use in an undercover capacity. He shall then contact the Property Section and Impound Unit regarding storage requirements necessary for the preservation and security of said vehicles.

V. Boat Impound Procedure - A member, upon locating or recovering a boat which may have been abandoned, lost or stolen will be guided by the following procedures:

1. During the initial investigation, the registration number, engine number, hull identification number, etc., if available, will be checked against federal, state, and local computer files in an effort to identify the owner. If the owner is located, he will be advised of the location of his boat and that it is his responsibility to secure and recover same. A copy of the Field Report regarding this action will be forwarded to the Marine Bureau.

a. In the case of a prior reported theft:

(1) Recovered Stolen Vehicle Report.

(2) Impound paperwork, if required.

b. In the case of an unreported theft:

(1) Field Report.

(2) Stolen Vehicle Report, unless the recovered boat was lost/stolen from outside the Police District.

(3) Recovered Stolen Vehicle Report unless the recovered boat was stolen from outside the Police District.

(4) Impound paperwork, if required.

NOTE: A recovered stolen boat/motor/trailer will not be

released to the owner without the authority of the investigating detective command.

2. If a "Derelict Boat" (i.e. boat which is dilapidated, burned out, stripped, vandalized, etc., to the extent that it had no apparent value other than scrap) is located and the owner cannot be identified, the appropriate town or village will be notified to remove and dispose of it.

3. If a boat with motor is found, both must be in derelict condition or both must be impounded.

4. The officer at the scene will take the following steps:

a. Immediately contact the Marine Bureau and advise them whether or not the boat is to be transported by the Marine Bureau or that the finder agrees to store it on his property; and provide information that will help locate the owner.

b. Complete a Field Report and an Impound Worksheet in duplicate. Original copy of Impound Worksheet to command, copy to Marine Bureau.

c. The reporting officer's command will complete a typewritten Impound Invoice. The Impound Invoice will be distributed as follows: white, permanent copy at Property Section; canary to Property Section, invoiced and returned to investigating command (Marine Bureau), when closed returned to Property Section with final disposition card to close Property Section records. Canary copy is then forwarded to Central Records for filing. Pink to Property Section's work copy. Goldenrod retained at reporting command then forwarded to reporting officer after invoice number has been indicated, and canary copy is on file at command.

NOTE: Officer at scene will still fill out final disposition form (blue card) immediately and forward to precinct with Impound Worksheet to be forwarded to Property Section.

5. When the owner of the boat cannot be ascertained and the civilian finder wishes to retain the boat on his property, he will sign the Finder's Clause incorporated on the Impound Worksheet.

6. The Property Section will coordinate all paperwork concerning a recovered boat. They will assure that the boat has been properly impounded and disposed of.

7. Schedule of Retention/Impound Boats - Boats will be maintained at the Police facility, or by civilian finder as per the established schedule. The Marine Bureau has the responsibility for determining the value of the boat for all purposes of retention. They are then either destroyed, auctioned, or claimed by the civilian finder.

Property Value

Period Held

Derelict

Sent to town dump

less than \$100	3 months
\$100 - less than \$500	6 months
\$500 - less than \$5,000	1 year
\$5,000 or more	4 years

8. The Marine Bureau will transport all impounded boats to either the Marine Bureau facility at Timber Point, or Property Section, Yaphank (discretion in this area will be left to the commanding officer of the Marine Bureau).

9. Marine Bureau will investigate, for purposes of locating owner, cases where the owner cannot be contacted by the original patrol officer's investigation. The Marine Bureau will verify the original patrol officer's estimate of value of the impounded boat. The Marine Bureau has the final responsibility for determining the value of the boat for purposes of retention.

W. Impound by Another Agency - Whenever a member of the Department is notified that a vehicle was impounded by any local governmental agency within the Suffolk County Police District, the member shall advise the agency to contact the Teletype Unit directly.

1. The Teletype Unit shall assist such agencies by accepting and entering the impound information providing it is in accordance with NYSPIN guidelines.

2. A member of the Department does not assume the responsibility to notify the vehicle owner of the impound of his vehicle by any agency other than the Suffolk County Police Department.

3. A member of the Department may assist the governmental agency to notify the owner if within our capabilities.

X. Motorized Scooter Impound Procedures - Section 221-10 of the Suffolk County Code prohibits the operation of motorized scooters (as defined above in subdivision III. M.) upon public areas within the County of Suffolk. This code specifically prohibits motorized scooters from being operated by any person on any property owned by the County of Suffolk, as well as upon any highway, parking area of a shopping center, parking lot, sidewalk, street, or any other public area within the County of Suffolk. The code further indicates that any person violating these prohibitions shall be guilty of a violation and subject to a fine not in excess of \$150.00. This Suffolk County Code additionally contains provisions (Section 221-12) authorizing the seizure of the motorized scooter when the operator is under 16 years of age.

1. The age of the offender(s) shall be a determining factor in how the violation of the Suffolk Code is addressed from an enforcement perspective.

a. Offenders Under 16 Years of Age

(1) A summons for a violation of Section 221-10 of the Suffolk County Code shall not be issued to offenders under 16 years of age.

(2) The motorized scooter, however, may be seized when the offender is under 16 years of age according to the seizure provisions (Section 221-12) of the code. Seizure provisions are described below.

b. Offenders 16 Years of Age or Older

(1) A summons for violating Section 221-10 of the Suffolk County Administrative Code may be issued to offenders 16 years of age or older.

(a) This summons shall be returnable to First District Court with the applicable scheduled return date and time (See PDCS-7123, Suffolk County District Court Return Dates).

(b) The offenders name, address, sex, and date of birth shall be included on the summons. The offender's driver license information shall be entered if the operator of the scooter has been issued a driver license. The majority of the vehicle description area of the summons does not pertain to the type of motorized scooter described in the code since, as per the wording in Suffolk County Code (Section 221-8), "such scooters may not be driven upon the public highways of the state because they are not eligible for registration under the New York State Vehicle and Traffic Law." However, members shall attempt to provide some description. For example, the 'body type' shall be recorded as a 'scooter' with the applicable color noted. The manufacturer's name or model, if available, shall be entered in the area indicated for the 'make' of the vehicle. If any identifying number (i.e., serial number, model number, engine number, etc.) is evident, this number shall be placed on the 'VIN Number' line with an indication of what number is being presented (i.e., serial, model, engine, etc.).

(c) In order to provide a standardized format across all commands, the member issuing a summons for a violation the Suffolk County Code shall record the offense as follows on the summons:

- In the blank area following the words "IN VIOLATION OF SECTION" the issuing officer will print '221'. The appropriate number to include following

the abbreviation for subdivision (SUBD) on the summons is '10'. The numbers represent the applicable code violation section, 221-10.

- The summons is being issued for a non-Vehicle and Traffic Law offense. Therefore, the box in front of the word "OTHER" should be checked. The words 'Suffolk County Code' shall be printed following the parentheses containing the word (SPECIFY). The issuing officer shall print the words 'Motorized Scooter Operation' in the space provided in the box containing the words "OTHER OFFENSE". The box next to the word "MISDEMEANOR" in this area shall not be checked since the offense is a violation.

- The factual portion of the summons shall be completed. The following template shall be used:

The above named defendant on the stated date, time, and place did engage in the operation of a motorized scooter in the above public area within Suffolk County. The source being personal knowledge of deponent.

- Members of the Service shall not indicate the amount of the fine on the summons. The box marked "Contact Court" on the bottom of the summons shall be checked.

(2) Members shall be aware that they are not limited to enforcement of the applicable Suffolk County Code when taking enforcement action against operators of motorized scooters. Since motorized scooters are considered motor vehicles under the New York State Vehicle and Traffic Law (VTL), members may issue summonses to the operators of motorized scooters for violations of the VTL as well. If a member of the Service issues summonses under the Suffolk County Code and the Vehicle and Traffic Law (i.e., unlicensed, uninsured, uninspected, etc.), the summonses shall all be returnable to First District Court. If the operator is issued summonses exclusively for a violation of the Vehicle and Traffic Law, the designation of the returnable court shall be guided by existing practices based upon the offense level cited (i.e., violation offenses to Traffic Violations Bureau [TVB], misdemeanor offenses to First District Court).

(3) As per Suffolk County Code Section 221, a seizure of the scooter shall not occur for a violation of the Suffolk County Code when the offender is 16 years of age or older. However, members shall be guided by any applicable impound provisions within the New York State Vehicle and Traffic Law (i.e., Section 511 of the VTL). Established command policies regarding vendors used for VTL non-evidence impounds shall be used if the member of the Service effecting a VTL impound is unable to transport the motorized scooter to his/her command.

2. Seizure Provisions When Motorized Scooter Operator Is Under 16 Years of Age - Section 221-12-A of the Suffolk County Code states, "Any motorized scooter operated by any person under 16 years of age may be subject to immediate seizure by a duly sworn peace or police officer acting pursuant to his/her official duties, upon reasonable cause to believe that such operation is a violation of Section 221-10 of this article." In accordance with this provision, members of the Service shall proceed as follows:

a. The member of the Service shall request authorization for the seizure from his/her supervisor.

b. Upon supervisory approval, the member of the Service effecting a seizure of the motorized scooter shall ask the dispatcher to assign a Central Complaint (CC#) number to the incident if one has not already been previously assigned. The member shall then complete a Field Report (PDCS-1053), a General Receipt (PDCS-94), and an Impound Invoice (PDCS-4204). Additionally, the member shall also notify the Teletype Unit by telephone that a motorized scooter has been impounded. Pertinent descriptive information (i.e., serial number, engine number, etc.), if available, shall be provided to the Teletype Unit.

(1) Field Report

(a) The Field Report shall be entitled "Impounded Motorized Scooter".

(b) The "Complainant or Victim" box shall not contain the name of the operator of the scooter since the offender is less than 16 years of age.

(c) The member of the Service shall make the Suffolk County Police Department the complainant. The address and phone number boxes shall contain the Police Headquarters or applicable command (i.e., precinct) address and associated phone number.

(d) The "Report to Follow" box should state 'PDCS-4204' and the command box should list command 5113, which is the Impound Unit.

(e) The 'Details' section shall indicate that a motorized scooter was seized from a juvenile at the above location (place of occurrence) in accordance with Suffolk County Code Section 221-12-A. The lower right side corner of the Details section should contain the phrase "Copy to Impound Unit".

(f) The case status will be considered 'Pending'.

(g) In order to accurately record statistics for the number of impounded motorized scooters under the Suffolk County Code, the Department's Incident Reporting System has been modified to include the addition of the following category within the Non-Criminal Incident Code Table: "IS" (Impounded Scooter). Precinct desk personnel shall, therefore, enter data for motorized scooters impounded under the authority of the Suffolk County Code accordingly.

(2) General Receipt

(a) The member of the Service who seizes the motorized scooter from a juvenile operator shall issue a General Receipt to the parent or guardian of the operator, if possible, or to the operator.

(b) The member of the Service shall fully describe the motorized scooter in the descriptive area of the General Receipt.

(3) Impound Invoice

(a) The member of the Service effecting the impound shall complete the applicable portions of the Impound Invoice (PDCS-4204).

(b) Particularly, the following portions of the form shall be completed: Central Complaint number; date of report; explanation box indicating why the motorized scooter was impounded (i.e., Suffolk County Code Section 221-12-A); owner information (i.e., parent or legal guardian of person under 16 years of age who is in possession of the motorized scooter at the time of seizure); 'Arrest/Summons' area - include date, statute (Suffolk County Code Section 221-12-A.), and name/address of operator; location of impound; any damaged parts; T.T. (Teletype) message number and date sent; reporting officer, rank, and shield; command; and supervisor.

(c) In the event that the parent or legal

guardian of the motorized scooter operator is not the owner, the proper owner's name shall be listed in the space under "owner".

c. When the ability to safely transport the motorized scooter by police vehicle exists, the motorized scooter shall be brought back to the seizing officer's command (i.e., precinct) for safekeeping. Once the scooter has been secured at the seizing officer's command, the command member responsible for impounds shall make arrangements with the Transportation Section to deliver the impounded scooter to the Impound Unit facility in Westhampton. If the motorized scooter cannot be transported via police vehicle (i.e., excessive size, weight), the member seizing the motorized scooter shall request a Police Department tow (PD Wrecker) to respond to transport the scooter directly to the Impound Unit.

d. The member of the Service effecting the seizure of the motorized scooter shall provide the informational sheet entitled "Motorized Scooter Seizure Notification Form" (PDCS-4240) to the owner of the scooter, the parent or guardian of the person in possession of the scooter, or the person in possession of the scooter. If the owner cannot be supplied with PDCS-4240, the operator of the scooter shall be advised to supply the owner with the informational sheet. Essentially, the informational sheet explains to the owner of the scooter how the scooter can be reclaimed from the Impound Unit (i.e., ownership documents needed, photo identification, associated administrative fees, hours of operation, phone number, address, etc.)

e. Since the motorized scooters, as per Suffolk County Code Section 221-12-A, may only be seized from operators under 16 years of age, the member of the Service effecting the seizure shall ensure that all reasonable measures are taken to ensure the safety and welfare of the scooter operator.

f. The motorized scooter, once seized, shall not be released to the owner at the seizing officer's command (i.e., precinct) since the Impound Unit shall be the command responsible for collecting administrative fees, storage fees, reviewing owner documentation, and releasing the scooter. Therefore, the owner shall be directed to contact the Impound Unit prior to responding to the facility in order to ensure that the scooter has been transported to the location. If the owner is present at the seizing officer's command, and the owner has not previously received the Motorized Scooter Seizure Notification Form (PDCS-4240), the owner shall be provided with the form.

3. Impound Unit Responsibilities

a. Section 221-12-D of the Suffolk County Code directs the seizing agency to notify the owner of the motorized scooter about the seizure. Therefore, the Impound Unit, upon receipt

of the motorized scooter, shall prepare a letter on Department Letterhead addressed to the owner of the motorized scooter stating that the Impound unit is in possession of the owner's motorized scooter and that the owner shall follow the instructions indicated on the Motorized Scooter Seizure Notification Form (PDCS-4240) in order to reclaim possession. The letter shall be signed by the Commanding Officer of the Impound Unit or his/her designee. The letter and the Motorized Scooter Seizure Notification form shall then be forwarded to the owner's address via certified mail.

b. If the motorized scooter is not claimed within 90 days after the certified letter is sent, the motorized scooter shall be auctioned. If the motorized scooter cannot be auctioned, it shall be disposed of as scrap metal as per accepted Impound Unit scrapping procedures.

c. The Impound Unit shall notify the Teletype Unit upon the final disposition of the motorized scooter (i.e., returned to owner, auctioned, processed for scrap metal, etc.) and complete the final disposition portion of the Impound Invoice (PDCS-4204).

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Motorized Scooter 20/4

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-59

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE
SEIZURE AND FORFEITURE OF MOTOR VEHICLES

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 07/25/07	DATE EFFECTIVE 07/25/07	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 20: TITLE: PROPERTY MANAGEMENT

SECTION 5: TITLE: SEIZURE AND FORFEITURE OF MOTOR VEHICLES

I. PURPOSE

To establish procedures for the seizure and proper disposition of vehicles and conveyances as provided by the respective provisions of the Suffolk County Code and/or Local law.

II. POLICY

In accordance with the applicable laws, Members of the Service shall seize, safeguard and store vehicles and conveyances, pending the outcome of forfeiture proceedings.

III. DEFINITIONS

N/A

IV. REFERENCES

- A. Suffolk County Code Chapter 346 and/or Local Law 27-2004;
 Suffolk County Code Chapter 345 and/or Local Law 1-2005;
 Suffolk County Code Chapter 467 and/or Local Law 17-2005;
 Suffolk County Code Chapter 467 and/or Local Law 24-2006

- B. New York State Vehicle and Traffic Law (NYS VTL)

- C. Rules and Procedures, Chapter 20, Section 3, Property Procedures;
 Chapter 20, Section 4, Impound Procedures

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

- A. Seizure of Vehicles (Local Law 17-2005) - (Aggravated Unlicensed Operation of a Motor Vehicle in the Third Degree, or Unlicensed Operation of a Motor Vehicle -

1. Upon making an arrest or issuing a summons for Aggravated Unlicensed Operation of a Motor Vehicle in the third degree, Vehicle and Traffic Law Section 511.1, committed in their presence, when the suspension or revocation was based on a violation of VTL Sections 510(2)(a)(i),(ii), (iii),(iv)or(vi), or 510 (2) (b) (i) or (xii), or 510(3)(e), officers shall, by authority of Local Law 17-2005, (Suffolk County Code 467), seize the motor vehicle operated, as the instrumentality of the offense.

2. Upon making an arrest or issuing a summons for Unlicensed Operation of a Motor Vehicle, VTL section 509.1, committed in their presence, when the operator has at least one prior conviction for VTL section 509.1 appearing on the operator's DMV record, officers shall, by authority of Local Law 17-2005, (Suffolk County Code 467), seize the motor vehicle operated, as the instrumentality of the offense.

3. The officer taking enforcement action must conduct a DMV check to evaluate and/or process the potential seizure. The predicate suspension, revocation or conviction will appear on the operator's driving record (without a corresponding VTL Section), with some expanded variations, in the SUSPENSIONS/REVOCATIONS/CONVICTIONS section as follows:

510(2)(a)(i) - CRIM NEG-FATALITY OR HOM/ASLT DUE OPER MV
510(2)(a)(ii) - ADVCTG OVERTHROW GV
510(2)(a)(iii) - LEAV SCENE INC-PI...OR FALSE STMT-DOCUMENT
510(2)(a)(iv) - 3 SPEED/MISDEM 18 MO
510(2)(a)(vi) - SPEED CONTEST
510(2)(b)(i) - SUSPENDED PROB LIC
510(2)(b)(xii) - FLS BOMB REP/PLAC
510(3)(e) - GROSS NEG OPER OF MV...OR RECK DSRGD LIFE/PROP
509.1 - UNLIC OP

4. Motor vehicles shall not be seized under this law without supervisory approval. If a clear determination can not be made from a review of the driving record, the vehicle will not be impounded pursuant to this section and no further investigation will be required. Once a motor vehicle is seized, it will be impounded via police wrecker to the Precinct whose boundaries include the location where the offense occurred. The Officer in Charge (OIC) at the Precinct will designate a space for the vehicle and will be responsible for its physical security. Any property found in the vehicle that is not removed by the owner will be inventoried in accordance with Rules and Procedures Chapter 20, Section 4, (Impound Procedures).

5. In addition to standard impound procedures, the officer seizing a vehicle under this Local Law shall immediately:

a. Notify the Teletype Section by telephone that an impound has occurred under "Local Seizure Law 511/509";

b. Fax a copy of the completed Impound Worksheet to the Office of the Commissioner/Legal.

6. Precinct Crime Section - Following a seizure, an investigation shall be initiated by the appropriate Precinct Crime Section (PCS). The PCS investigator shall:

a. Confirm that the seizure meets the requirements of the law by obtaining a copy of the operator's DMV driving record. If it is discovered that the driving record does not contain the qualifying predicates set forth above, the motor vehicle shall be released to the owner as expeditiously as possible. Should the owner fail to remove said vehicle within three (3) business days of notice, the PCS Investigator shall arrange to have said vehicle transported to the Impound Unit;

b. By the appropriate DMV checks, identify the titled owner and registrant and determine if there are any liens on the vehicle;

c. Determine the value of the vehicle, if possible, by utilizing the Kelly Blue Book or other appropriate industry standard;

d. Determine if there are any victims who have been physically injured as a result of the actions of the operator of the vehicle being seized. The investigator shall provide the full name, address and telephone numbers of any victim(s) to the Office of Commissioner/ Legal via Supplementary Report.

e. Within five calendar days of the seizure, forward a copy of the Supplementary Report documenting the investigation, together with copies of all related documents, to the Office of the Commissioner / Legal. All documents will be stamped with the certification "This is a true and accurate copy," and contain the certifying officer's signature, shield number and command. Copies of unsigned police reports are not acceptable. All copies of police reports forwarded, including the Court Information, must bear the signature of the reporting officer, as well as the signature of the reviewing supervisor. In the event that a summary arrest is not made, the investigating officer shall be required to provide a supporting deposition to set forth the underlying probable cause for the summons being issued. In addition to the supporting deposition, a "certified" copy of the summons shall be provided to the Office of the Commissioner/Legal;

f. Arrange for all properly seized vehicles to be towed by police wrecker from the Precinct to the Impound Unit.

7. Office of the Commissioner / Legal - Personnel from the Office of the Commissioner / Legal shall:

a. Within five business days of the seizure, serve a "Notice Of Seizure And Hearing," PDCS 4230-2, upon the titled owners(s) and registrant(s) of the vehicle and lienholder (if any). Such notice shall inform the recipients that the vehicle was seized and that a hearing has been scheduled before a neutral Magistrate to determine: Whether probable cause existed for the vehicle's operator to have been issued a summons or arrested; whether the County is likely to

succeed on the merits of the forfeiture action; and whether the County's retention of the vehicle is necessary, or if other measures would better protect the County's interest during the proceedings. Such notice shall be served by certified mail, return receipt requested, returnable directly to the Office of the Commissioner / Legal.

b. Prepare and assemble a seizure case file containing the following:

(1) Proof of the vehicle's title and registration, as well as the operator's driving records;

(2) Any other required documentation, on a case specific basis.

c. Forward the completed original seizure case file to the Office of the County Attorney and retain a copy of the file at the Office of the Commissioner / Legal.

B. Seizure of Vehicles - (Local Law 24-2006) - Speed Contests or Races -

1. Upon making an arrest or issuing a summons to an operator of a vehicle for violation of NYS VTL Section 1182, committed in their presence, officers shall, by authority of Local Law 24-2006, (Suffolk County Code Chapter 467), seize the vehicle operated as the instrumentality of the offense. Upon supervisory approval, the vehicle will be impounded pursuant to this section. All property seized pursuant to this law is subject to reasonable and customary towing, maintenance and storage fees. The seized vehicle will also be treated as evidence, subject to an evidentiary examination to obtain physical evidence to prove that the vehicle was altered in such a manner as to evince an intent to race the vehicle.

2. Stolen, Altered or Missing VIN Numbers - If, during the course of this investigation, an issue arises concerning the true identity and status of any vehicle, then the investigating Officer shall make the appropriate investigatory notification to the Vehicle Theft Section for follow-up. Section 423-a of the NYS VTL provides that an Officer shall seize and confiscate a motor vehicle or trailer if any original identification number or special identification number is destroyed, removed, altered, defaced or so covered as to be effectively concealed.

3. Once a motor vehicle is seized, it will be impounded via police wrecker to the Precinct whose boundaries include the location where the offense occurred. The Officer in Charge (OIC) at the Precinct will designate a space for the vehicle and will be responsible for its physical security. Existing evidence procedures shall be followed. Any property found in the vehicle will be inventoried in accordance with Rules and Procedures Chapter 20, Section 4, (Impound Procedures).

4. Precinct Crime Section - Following a seizure, an investigation shall be initiated by the appropriate Precinct Crime Section (PCS). The

PCS investigator shall:

a. Confirm that the seizure meets the requirements of the law;

b. By the appropriate DMV checks, identify the titled owner and registrant (or last knowns) and determine if there are any liens on the vehicle;

c. Determine the value of the vehicle, if possible, by utilizing the Kelly Blue Book or other appropriate industry standard;

d. Determine if there are any victims who have been physically injured as a result of the actions of the operator of the vehicle being seized. The investigator shall provide the full name, address and telephone numbers of any victim(s) to the Office of the Commissioner/Legal via Supplementary Report.

e. Within five calendar days of the seizure, forward a copy of the Supplementary Report documenting the investigation, together with copies of all related documents, to the Office of the Commissioner / Legal. All documents will be stamped with the certification "This is a true and accurate copy," and contain the certifying officer's signature, shield number and command. Copies of unsigned police reports are not acceptable. All copies of police reports forwarded, including the Court Information, must bear the signature of the reporting officer, as well as the signature of the reviewing supervisor;

f. Arrange for all properly seized vehicles to be towed, by police wrecker, from the Precinct to an area at the Westhampton Impound Facility designated by the Commanding Officer of the Impound Unit;

g. Promptly notify the Crime Scene Section, and, if warranted, the Vehicle Theft Section, that a "speed contest" vehicle has been impounded/seized and will require an evidentiary examination by faxing a copy of PDCS-3238, Impound Vehicle Examination Request.

5. Office of the Commissioner / Legal - Personnel from the Office of the Commissioner / Legal shall:

a. Within five business days of the seizure, serve a "Notice Of Seizure And Hearing", PDCS-4230-3 upon the titled owners(s) and registrant(s) of the vehicle and lienholder (if any). Such notice shall inform the recipients that the vehicle was seized and that a hearing has been scheduled before a neutral Magistrate to determine: Whether probable cause existed for the vehicle's operator to have been issued a summons or arrested; whether the County is likely to succeed on the merits of the forfeiture action, and whether the County's retention of the vehicle is necessary, or if other measures would better protect the County's interest during the proceedings. Such notice shall be served by certified mail, return receipt requested, returnable directly to the Office of the Commissioner /

Legal.

b. Prepare and assemble a seizure case file containing the following:

(1) Certified copies of the vehicle's title and registration from the Department of Motor Vehicles;

(2) Any other required documentation, on a case specific basis.

c. Forward the completed original seizure case file to the Office of the County Attorney and retain a copy of the file at the Office of the Commissioner / Legal.

6. Vehicle Examination - Subject to available investigative resources and without unreasonable delay, Crime Scene personnel will photograph and/or videotape the impounded vehicle's full exterior and interior, engine, engine components and full engine compartment, tires, exhaust system (or lack thereof) and undercarriage. The presence of any decals, vehicle name or the names of sponsors or engine builders will also be photographed or videotaped.

a. Racing Components - When appropriate, Crime Scene personnel will photograph any vehicle part or component that has been installed or altered for racing. This will include, but not be limited to, the type of engine, headers, cold air intake systems, open air filters, nitrous oxide solenoids or bottles (often marked "NOS"), added or aftermarket turbo kits or intercoolers, hood scoops, racing roll bar and/or roll cage and their points of attachment, racing safety harness, gauges, large capacity battery, fuel cells or bladders, electric fuel pumps, "wheelie bars", traction bars or devices, and drag "slicks" or drag radial tires.

7. Vehicle Examination Reports - Crime Scene Section personnel and, if applicable, Vehicle Theft personnel, shall forward "certified" copies of any evidence examination reports or findings to the Office of the Commissioner/Legal as soon as possible after the impounded speed contest vehicle has been examined. All documents will be stamped with the certification "This is a true and accurate copy", and contain the certifying officer's signature, shield number and command. All copies of police reports forwarded must bear the signature of the reporting officer, as well as the signature of the reviewing supervisor.

8. Storage of the Impounded Vehicle - The Commanding Officer of the Impound Unit shall determine the most appropriate facility to store the impounded speed contest vehicle after the vehicle has been examined by Crime Scene personnel.

9. Release of the Speed Contest or Race Vehicle by Neutral Magistrate - If the vehicle impounded and seized under this law is ordered to be returned to the rightful owner by the Neutral Magistrate, the collection of storage fees as authorized by this law shall stop as of the effective date of the order. The vehicle shall then be retained as evidence in the

ongoing criminal prosecution, and will be released to the rightful owner only upon the authorization of the District Attorney prosecuting the case. Existing evidence procedures shall be followed. In the event the vehicle is authorized by the District Attorney to be released, or becomes reclassified as "abandoned", the collection of storage fees shall resume effective that date, and remain until the date that the vehicle is obtained by the rightful owner. These fees will be in addition to those fees which have previously accrued under this law.

C. Seizure of Vehicles Under VTL 423-a - Stolen, Altered or Missing VIN Numbers -

1. Section 423-a of the NYS VTL provides that an Officer shall seize and confiscate a motor vehicle or trailer if any original identification number or special identification number is destroyed, removed, altered, defaced or so covered as to be effectively concealed. Upon supervisory approval, the vehicle will be impounded pursuant to this section. Existing evidence procedures shall be followed. Any property found in the vehicle that is not removed by the owner or released to a second party with the owner's permission will be inventoried by the investigating Officer or caused to be inventoried by the Officer in accordance with Rules and Procedures Chapter 20, Section 4, (Impound Procedures). The Vehicle Theft Section should be notified to conduct an examination to determine the true identity of the vehicle by the submission of PDCS-3238, Impound Vehicle Examination Request, by the requesting command, or by a notification through the Impound Unit.

2. The Vehicle Theft Section shall conduct an examination to ascertain whether the original identification number or special identification number was destroyed, removed, altered or defaced and to ascertain the true ownership of the seized vehicle, trailer or part. When possible, an owner history will be provided. Investigative findings shall be promptly forwarded by the Vehicle Theft Section to the requesting command and/or the appropriate Precinct Detective Squad via Supplementary Report. A copy shall also be forwarded to the Impound Unit.

3. True Ownership Ascertained - Upon receipt of a report from the Vehicle Theft Section labeling the vehicle as identifiable, the requesting command or appropriate Precinct Detective Squad shall contact the Impound Unit and coordinate the police response. Impound Unit personnel shall send a letter to both the true owner and the person from whom the vehicle was seized by certified mail, return receipt requested, and inform them of the recovery and the terms and conditions for release. Recovered stolen vehicles shall be handled in accordance with Rules and Procedures Chapter 20, Section 3, (Property Procedures).

4. True Ownership Not Ascertained - Upon receipt of a report from the Vehicle Theft Section advising that the true ownership of the vehicle can not be ascertained, the requesting command or appropriate Precinct Detective Squad shall contact the Vehicle Theft Section, Impound Unit and Office of Commissioner/Legal to coordinate the police response. A determination to forfeit the vehicle must be made by the requesting/ investigating command within twenty days of the date of the Supplementary Report from Vehicle Theft advising that true ownership can not be

ascertained. If the vehicle is to be forfeit, the following procedures shall apply to the Vehicle Theft Section and requesting/investigating command:

a. The requesting/investigating command shall: by the appropriate DMV checks, identify the titled owner and registrant and determine if there are any liens on the seized vehicle; contact the Office of the Commissioner/Legal and provide copies of the impound paperwork via fax at 852-6546; notify Vehicle Theft that the vehicle will be forfeit, and determine the value of the vehicle, if possible, by utilizing the Kelly Blue Book or other appropriate industry standard.

b. Within five days of the notification to Legal, the requesting/investigating command shall forward by Supplementary Report, with the exception of reports received from the Vehicle Theft Section, certified copies of all reports documenting the investigation, together with certified copies of all related documents to the Office of the Commissioner / Legal. All documents will be stamped with the certification "This is a true and accurate copy", and contain the certifying officer's signature, shield number and command.

c. Within five days of being notified that the vehicle is to be forfeit, the Vehicle Theft Section shall forward certified copies of the examination results and certified copies of any additional investigative documentation to the Office of the Commissioner / Legal. All documents will be stamped with the certification "This is a true and accurate copy", and contain the certifying officer's signature, shield number and command.

5. Office of the Commissioner / Legal - After receipt of the impound and related paperwork from the requesting/investigating command, personnel from the Office of Commissioner/Legal shall serve a Notice Of Seizure And Forfeiture upon the registered owner(s), lienholder (if any) and the person from whom the vehicle was seized by issuing PDCS-4230-4, Notice Of Seizure And Forfeiture. Such notice shall be served by certified mail, return receipt requested, returnable directly to the Office of the Police Commissioner/Legal, Police Headquarters, 30 Yaphank Avenue, Yaphank, NY 11980. Personnel shall prepare and assemble a seizure case file.

a. In the event that a party with an interest requests a hearing by timely return of the Notice Of Seizure And Forfeiture, the procedures as set forth below shall be followed. Any requests received by any other command within the Department shall be immediately faxed to Legal at 852-6546. Upon receiving a proper request for a hearing, personnel from the Office of the Commissioner / Legal shall:

(1) Notify the County Attorney's Office that a hearing has been requested;

(2) Schedule a hearing date;

(3) Notify the Hearing Officer of the hearing date, time and location;

(4) Notify the person requesting the hearing of the hearing, date and location by sending a letter by certified mail, return receipt requested.

b. All requests for adjournment or continuance must be made in writing and received by the Office of the Commissioner/Legal prior to the scheduled date of the hearing. Such requests may be entertained to the extent that they are reasonable in light of the surrounding circumstances.

6. Hearings shall be convened at the scheduled time and place by the Hearing Officer. The Hearing Officer shall:

a. Identify all parties present at the hearing;

b. Swear all witnesses;

c. Instruct all parties as to the conduct of the hearing, including the presentation of evidence and production of witnesses;

d. Instruct all parties as to the standards for determining the admissibility of evidence;

e. Take testimony and rule on the admissibility of all evidence offered;

f. Within five business days of the termination of the hearing, issue a final, binding decision on Department letterhead. The Hearing Officer shall cause a copy of this decision to be mailed to all parties who received a notice of hearing.

D. Seizure of Vehicles (Local Law 27-2004) - Unlicensed Home Improvement Contractors -

1. Local Law 27-2004, (Suffolk County Code 346), provides for the warrantless seizures of vehicles, and any of the tools of the trade contained therein, which constitute an instrumentality of the offense of engaging in home improvement contracting without a license.

2. Under this law, the Department of Consumer Affairs will bear the burden of: establishing probable cause to believe an offense as defined therein has been committed; making formal notification to all titled owners and registrants after a seizure has occurred, and maintaining coordination with the Office of the County Attorney during all phases of the seizure and subsequent forfeiture action, if any.

3. Members of the Service may be requested by the Department of Consumer Affairs to effect such a seizure. If such a request is received, and upon supervisory approval, the member of the Service effecting a seizure of a vehicle and tools of the trade contained therein shall ask the dispatcher to assign a Central Complaint Number to the incident. The

member shall then prepare a Field Report, (entitled "Impounded Vehicle - F. O.A."), General Receipt and Impound Notice.

4. All pertinent Property and Impound procedures will be followed. At a supervisor's discretion, the vehicle may be sent to the Property Section to have its contents inventoried if there is an inordinate amount of property, i.e., tools, contained within.

5. Local Law 27-2004 further advises that all property seized pursuant to this law is subject to reasonable and customary towing, maintenance and daily storage fees as may be established by the Suffolk County Police Commissioner. These fees shall apply to both the vehicle as well as any tools that have been stored at Property Section. The Impound Unit shall be the command responsible for collecting these fees prior to the release of said property.

E. Seizure of Vehicles (Local Law 1-2005) - Unlicensed Home Appliance Repair Businesses -

1. Local Law 1-2005, (Suffolk County Code 345), provides for the warrantless seizures of vehicles, and any of the tools of the trade contained therein, which constitute an instrumentality of the offense of engaging in home appliance repair businesses without a license.

2. Follow D. 2. through D. 4. as set forth above.

3. Local Law 1-2005 further advises that all property seized pursuant to this law is subject to reasonable and customary towing, maintenance and daily storage fees as may be established by the Suffolk County Police Commissioner. These fees shall apply to both the vehicle as well as any tools that have been stored at Property Section. The Impound Unit shall be the command responsible for collecting these fees prior to the release of said property.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

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END

RULES AND PROCEDURES

CHAPTER 21: TITLE: TRAFFIC

SECTION 1: TITLE: TRAFFIC ANCILLARY SERVICES

I. PURPOSE

To establish guidelines for members of the Force in providing traffic ancillary services to the motoring public.

II. POLICY

It shall be the policy of the Suffolk County Police Department to offer reasonable assistance at all times to the motorist who appears to be in need of aid. It shall also be the policy for the Department to identify and report roadway and roadside hazards and check unattended vehicles.

III. DEFINITIONS

N/A

IV. REFERENCES

New York State Vehicle and Traffic Law, Section 1224

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Disabled motorists - Officers shall be constantly on the alert for motorists who appear to be in need of assistance. Officers will provide reasonable assistance to stranded or disabled motorists and will provide information and directions as needed.

1. If a disabled motorist requests assistance obtaining a towing service, the officer will request

via the Communications Dispatcher, an authorized towing service to respond. If the vehicle is in a hazardous location the officer shall remain at the scene to ensure the prompt response of the towing service and the safety of

motorists. If the vehicle is not a traffic hazard, the officer may, at his discretion, transport stranded motorists to the nearest convenient location where assistance may be obtained. The officer should be certain that assistance is available at the location before leaving.

B. Towing Procedures - Each precinct will maintain several lists of towing vendors available on a 24 hour basis which are contracted by each township within the precinct. When an officer makes a request for a towing service, he must advise the communications dispatcher from which of the following lists the vendor is to be selected from.

1. Accident list - Vendors from this list are used to tow vehicles involved in motor vehicle accidents.

2. Disabled vehicle list - Vendors from this list are used to tow disabled vehicles.

3. Heavy duty list - Vendors from this list are used for towing oversized vehicles for any reason.

4. Non-evidence impound list - Vendors from this list are used for towing impound vehicles for non-evidence purposes (see Rules and Procedures Chapter 20, section 4 for further impound procedures.

5. Police Department wrecker - This is used for towing vehicles being held as evidence or for Police Department vehicles.

C. Vendors will be selected on a rotational basis as they appear on the lists. If for any reason the vendor is unable to respond, he will lose his position on the list and the next vendor will be contacted.

1. If a motorist requests a specific vendor and the vendor is on one of the authorized towing lists, the vendor may be selected without losing his position on the list.

2. Officers will not make any recommendations to the motorists regarding any towing service unless he knows that the particular service is only available through the vendor which he specifies.

D. When a vendor is selected, the precinct desk officer will record the following information in an appropriate logbook.

1. Date
2. Time
3. Location of incident
4. Where the vehicle was taken to
5. The Central Complaint Number (which can be used to obtain addition information).

E. If a vendor takes an unreasonable amount of time to respond, the next vendor on the list may be requested. Officers should prepare an Internal Correspondence to notify his commanding officer of any problems incurred with any vendor.

F. If a vehicle is taken into police custody, it will be the responsibility of the command impound officer to notify the registered owner of its removal.

1. In the cases of recovered stolen vehicles or vehicles used in crimes, it will be the responsibility of the investigating detective to notify the registered owner.

G. Officers will also advise the dispatcher if any special equipment is needed or if any unusual circumstances are present. The dispatcher will forward the request to the

precinct desk personnel who will contact the vendor.

H. Unattended vehicles - Officers shall be constantly on the alert for any unattended vehicles which appear to be abandoned, stolen, or creating a traffic hazard.

1. If a vehicle is deemed to be abandoned pursuant to section 1224 of the New York State Vehicle and Traffic Law, the officer will cause such vehicle to be removed in accordance with the laws and regulations of the township in which the vehicle is abandoned.

2. When a vehicle is determined to be stolen, it should immediately be checked through the communications dispatcher if it is to be held for evidence. If the vehicle is not wanted for evidence or other reasons, it should be released to the owners if they can be contacted. When the owners cannot be contacted or cannot respond, the vehicle will be removed by a non-evidence impound wrecker.

3. If a vehicle is a traffic hazard and the owner cannot remove it in a reasonable amount of time, the officer will cause such vehicle to be removed by an authorized towing service. If the owner cannot be located, a non-evidence impound wrecker will be utilized.

I. Hazardous roadway conditions - Officers shall be constantly on the alert for hazardous highway and roadside conditions which may impede the safe and steady flow of traffic. Hazards may include, but are not limited to the following:

1. Debris in the roadway.

2. Defects in the roadway itself.

3. Lack of, or defects in, highway safety features.

4. Lack of, improper, visually obstructed or

down or damaged mechanical traffic control devices and/or traffic control and informational signs.

5. Lack of, or defective roadway lighting systems.

6. Other roadside hazards.

J. When a hazard is identified which cannot reasonably be corrected by the officer himself, he will inform the communications dispatcher of the situation. He will advise of the urgency, the assistance needed, either police personnel or other agencies and the special equipment that may be needed.

1. If the situation requires immediate attention, an officer will remain on the scene until he is relieved by another agency or the situation is corrected.

K. If an officer encounters a situation involving the release of hazardous materials, the following steps should be taken.

1. Notify a supervisor.

2. Request an Emergency Services Unit to respond.

3. Isolate the immediate area.

4. Remain upwind and request additional departmental resources as needed.

5. Refer to the Department of Transportation Guidebook for hazardous material incidents for initial actions to be taken for the protection of emergency personnel and the public.

6. If the material can be safely identified (i.e. placards, shipping papers, interview with driver) that information should be forwarded to the responding Emergency Services Unit as soon as possible.

7. The Emergency Services Unit will respond and obtain the appropriate technical assistance for the control and removal of the material in accordance with the Emergency Services Hazardous Material Manual.

L. Fire and medical assistance - Officers will provide emergency, fire or medical assistance to highway users. Officers will institute first aid treatment where necessary and can request the response of an ambulance. If there is a fire hazard or a fire is existing, officers will attempt to remove any persons from immediate danger, and if possible extinguish the fire. If needed, the Fire Department will be requested to respond.

1. Officers should avoid emergency escorts of civilian vehicles whenever possible. In the event that an ambulance is not available for an extended period and in the officer's opinion, the life of the injured person depends on immediate professional medical care, the injured person may, with a supervisor's approval, be transported in a police vehicle. Officers conducting the transport shall utilize their emergency lights and siren, however they shall not proceed through traffic control devices without first stopping. Officers shall terminate the transport if in their judgment continuation of the transport would constitute an unacceptable risk to the public.

M. Vehicle Lockouts - Members of the Department will assist persons locked out of their vehicles only if the following condition(s) exist:

1. A child is within a locked vehicle, or
2. An animal is within a locked vehicle, or
3. An emergency exists or imminently exists that threatens a person's life or health.

Members of the Department shall, prior to attempting to unlock a vehicle prescribed above, complete a Locked Vehicle Form PDCS-2119. If special equipment is needed, Emergency Services Section personnel may be summoned to

assist for such lockouts categorized by the aforementioned criteria. Police Department vehicles shall be exempt from the above criteria.

VII. ACCREDITATION STANDARDS

- A. CALEA 66.1.1, 66.1.2, 66.1.3, 66.1.4, 66.1.5,
66.1.6, 66.1.7, 66.1.8, 66.1.9, 66.1.10
- B. NYSLEAP 47.6, 47.7, 47.8

VIII. INDEX

Traffic Related Services 21/1
Towing Services 21/1
Motorist Services 21/1
Vehicle Lockouts 21/1
Lockouts, Vehicle 21/1
Traffic, Vehicle Lockouts 21/1

END

RULES AND PROCEDURES

CHAPTER 21: TITLE: TRAFFIC

SECTION 2: TITLE: POLICE AGENCY
REQUEST FOR DRIVER REVIEW OR SAFETY HEARING

I. PURPOSE

To establish guidelines for the use of the Department of Motor Vehicles Driver Review program and Safety Hearing program. Both of these programs are designed to remove unsafe drivers from the highways.

II. POLICY

When a Member of the Force becomes aware of a motor vehicle being operated in an unsafe manner, and he or she believes that the danger to highway safety can only be eliminated through the suspension or revocation of an individual's driver's license, driving privileges, or vehicle registration, he or she shall make the appropriate request to the New York State Department of Motor Vehicles.

III. DEFINITIONS

A. Driver Review - A New York State Department of Motor Vehicles driver's license retesting procedure. It may include all or part of the usual original driver's licensing requirements. A motorist's driver's license or registration may be suspended or revoked as a result of this review.

B. Safety Hearing - A New York State Department of Motor Vehicles hearing based on a specific incident(s) such as a DWI arrest, a certain number of points on a driver's license, a complaint from a police officer, etc., in which a motorist's driver's license or privilege may be suspended or revoked.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. A police officer requests a driver review by the Department of Motor Vehicles when the officer believes that a motorist's driving abilities are so inadequate that the motorist is a danger to other motorists or pedestrians (this driver review program cannot be used for out of state drivers). A driver review may be requested even if enforcement action has been taken against the motorist. A police officer requests a safety hearing by the Department of Motor Vehicles when a motorist has committed a violation of the Vehicle and Traffic Law; and the police officer cannot take enforcement action or the officer believes that the enforcement action taken will not be sufficient to eliminate the danger to highway safety; and the police officer believes the severity of the incident requires action such as a driver's license suspension or revocation by the Department of Motor Vehicles (this safety hearing procedure can be used for out of state drivers). In either case, if a law violation is observed but no action was taken, the reason must be explained or the request will be returned for proper enforcement action.

1. Driver Review - A police officer completes the New York State Department of Motor Vehicles form entitled Police Agency Request for Driver Review and submits it to his or her commanding officer. The Member of the Department shall complete the Police Agency Request for Driver Review as per instructions provided on the form itself (DMV will not consider more than one driver review request for a given motorist within a 12 month period).

A. The commanding officer, or his or her designee, reviews the form and sends it to the Department of Motor Vehicles.

2. Safety Hearing - A police officer prepares an Internal Correspondence titled "Request for Safety Hearing" to his or

her commanding officer. The Internal Correspondence shall include: the name and address that appear on the registration; the date of birth on the driver's license; the expiration date on the license and registration; the state of issue; the motorist and vehicle identification number; the name, address, and date of birth of the motorist; a brief description of the incident(s) including the reason(s) the requesting officer cannot take enforcement action; the name, rank, shield number, command, and squad of the requesting officer.

A. The requesting officer submits the completed Internal Correspondence to his or her Commanding Officer.

1. If the Commanding Officer determines that the request is valid, he or she sends it, with a cover letter, to the Department of Motor Vehicles.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

DMV Driver Review 21/2
DMV Safety Hearing 21/2
Driver Review 21/2
Police Agency Request for Driver Review 21/2
Safety Hearing 21/2

END



ORDER NUMBER 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE MOTOR VEHICLE CRASH REPORTING					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 21: TITLE: TRAFFIC

SECTION 3: TITLE: MOTOR VEHICLE CRASH REPORTING

I. PURPOSE

To establish requirements for the reporting of motor vehicle crashes.

II. POLICY

Response to traffic crashes is effected in order to protect the rights of the involved parties, to care for the injured, to determine where possible, the causes of crashes so that methods of crash prevention may be developed and when a traffic violation is discovered, to investigate and gather necessary evidence to prosecute the violator.

III. DEFINITIONS

N/A

IV. REFERENCES

A. New York State Department of Motor Vehicles Police Accident Report Manual With Truck And Bus Supplement.

B. New York State (NYS) Insurance Law Section 2335-a.

C. NYS Vehicle and Traffic Law (VTL) Section 114-b.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. A member of the Service who responds to the scene of a motor vehicle crash, other than one involving a police vehicle, shall complete and submit a Field Report (PDCS-1053), Police Accident Report (MV-104A), Motor Vehicle Crash Supplement Report (PDCS-1010), and all other appropriate forms when necessary.

Whenever a Police Accident Report is prepared, a brief description of the crash will be included in the Accident Description/Officer's Notes section. In addition the longitude and latitude, as displayed by the Global Positioning System, will be recorded in the box labeled "coordinates". When this data is unavailable, N/A will be entered in place of the data.

On those occasions when there is no personal injury and no police action (tow, arrest, Appearance Ticket) is taken, the aforementioned reports shall still be prepared unless the member is specifically requested by each and every operator not to prepare a crash report. If it is determined that a Police Accident Report (MV-104A) is not necessary, a field report will suffice. This report shall be entitled, "Motor Vehicle Crash" and shall contain driver and vehicle information as well as a brief explanation as to why a Police Accident Report (MV-104A) was not necessary.

1. Crashes involving personal injury reported within five (5) days, which were not previously investigated at the scene, require a Police Accident Report (MV-104A), Field Report, Motor Vehicle Crash Supplement Report and a Daily Journal Entry.

2. Crashes involving only property damage reported within five (5) days of occurrence and not previously investigated at the scene, require a Field Report and a Daily Journal Entry.

3. A complaint will not be taken for any crash that is reported after five (5) days of occurrence, unless it involves leaving the scene of an incident, and the motor vehicle operator can substantiate a legitimate reason for not reporting it sooner. In all other cases reported, advise the complainants they have ten (10) days from the date of the crash to report it in writing to the Commissioner of Motor Vehicles if there was personal injury involved and/or there is damage to the property of any one (1) person, including himself, in excess of one thousand dollars (\$1,000).

B. Fatal or serious crashes not involving Police Department Vehicles.

1. Field Report - One set by assigned Officer. Distribution: Original to Central Records, copy retained at precinct, copy to investigating command.

2. Police Accident Report, MV-104A and, when appropriate, MV-104S - Original by assigned Officer. Provide one additional photocopy when required to comply with the Rules and Procedures section outlined below in Crash with Criminal Action. Distribution: Original to Central Records, copy retained at Central Records.

3. Police Report For Fatal Motor Vehicle Accidents, MV-104D - Original by assigned Officer. Provide one additional photocopy when required to comply with the section outlined below in Crash with Criminal

Action. Distribution: Original to Central Records, copy retained at Central Records, copy to investigating command.

4. Motor Vehicle Crash Supplement Report - Original by assigned Officer. Provide one additional photocopy when required to comply with the section outlined below in Crash with Criminal Action. Distribution: Original to Central Records.

5. Measurements (Supplementary Report) - Original and two (2) copies prepared by Crime Scene officer. Distribution: Original to Central Records, copy to Precinct Detective Squad, copy to command file.

6. Photos - As deemed necessary by Detectives. Distribution: Identification Section.

7. Photos and Statements (criminal) - As deemed necessary by Detectives. Distribution: Central Records and Precinct Detective Squad.

8. Videotaping - If a Detective assigned to investigate a serious or fatal motor vehicle crash determines that exceptional circumstances exist which warrant the videotaping of the scene, the Detective may request the scene be videotaped.

9. Death Report (PDCS-1002) - Original and two copies by Detectives. Distribution: Original to Central Records, copies to Precinct Detective Squad and Medical Examiner.

C. Police Vehicle Crashes -

1. Special Circumstances:

a. Intentional Act - If the investigating supervisor determines that there is probable cause to believe that the incident was an intentional act, refer to paragraph F. As set forth below, the intentional damage to property by the use of a motor vehicle itself, or the intentional causing of personal injury, is not defined as a crash.

b. Minor Crash - If the investigating supervisor initially determines that the crash does not meet the reporting requirements of the VTL, (no personal injury and damage less than \$1000.00), **then the original MV-104A and MV-104L will be completed and submitted to the Transportation Section for review, not Central Records.** Transportation Section personnel will retain the original MV-104A and MV-104L in the police vehicle crash folder and shall determine whether the crash meets the VTL reporting requirements. If it is determined that the crash must be reported, then Transportation personnel will make the required distributions referenced below. If it is determined that the crash does not meet the reporting requirements, Transportation will retain the original MV-104A and MV-104L in the police vehicle crash folder. These reports will be stamped or annotated "not required to be submitted to DMV." Transportation Section personnel shall then provide stamped copies to Central Records. **Central Records personnel shall**

not send these copies to the Department of Motor Vehicles.

2. State Accident Reports:

a. POLICE ACCIDENT REPORT(S) (MV-104A and when appropriate MV-104S) - Original and four (4) copies. Provide one additional photocopy when required to comply with the section outlined below in Crash with Criminal Action. Prepared by investigating supervisor.

Distribution: Original to Central Records, copy retained at Central Records. Three (3) copies to police vehicle crash folder. Fax a copy of the completed MV-104A to the Transportation Section within 48 hours of the accident.

NOTE: NYS Insurance Law Section 2335-a provides protection from rate increases for persons involved in the emergency use of vehicles.

Section 114-b of the NYS VTL provides the definition of "emergency operation" as follows: "The operation, or parking, of an authorized emergency vehicle, when such vehicle is engaged in transporting a sick or injured person, transporting prisoners, delivering blood or blood products in a situation involving an imminent health risk, pursuing an actual or suspected violator of the law, or responding to, or working or assisting at the scene of an accident, disaster, police call, alarm of fire, actual or potential release of hazardous materials or other emergency. Emergency operation shall not include returning from such service".

Supervisors shall articulate the appropriate condition of the police emergency vehicle operation, including that the accident involved an on-duty Police Officer operating a police vehicle in an official capacity, within the Accident Description/Officer's Notes section of the MV-104A. If appropriate, Supervisors should specify that the emergency lights and/or siren were utilized. Supervisors should also specify which operator number is the Police Officer.

The fleet number of the police vehicle will be entered in the accident description section. If a police vehicle without registration plates is involved, "Police" should be indicated within the registration plate section. If a police vehicle with registration plates is involved, the registration plate section must contain the plate number of the police vehicle. Further, the date of birth and driver's license number of the officer must be accurately entered. However, the command address is to be indicated on the report rather than the home address of the officer.

Furthermore, a Report of Motor Vehicle Accident (MV-104) need not be filed by the Officer/operator of the police vehicle.

b. REPORT OF MOTOR VEHICLE ACCIDENT POLICE LINE OF DUTY ACCIDENT (MV-104L) - As with the MV-104A form, the driver's license number of the officer must be accurately entered on the MV-104L form, and the registration plate section must contain either the annotation "Police" if a police vehicle without registration plates is involved, or the plate number of a police vehicle with registration plates. Original and three copies prepared by investigating

supervisor. Distribution: Original to Central Records, copy retained at Central Records, and three copies to police vehicle crash folder.

c. POLICE REPORT FOR FATAL MOTOR VEHICLE ACCIDENTS (MV-104D) - Original and four (4) copies. Provide one additional photocopy when required to comply with the section outlined below in Crash with Criminal Action. Prepared by investigating supervisor. Distribution: Original to Central Records, copy retained at Central Records, and three (3) copies to police vehicle crash folder.

NOTE: The original MV-104L and MV-104A (and MV-104D if appropriate) should be attached and forwarded by Central Records personnel to the Department of Motor Vehicles together.

3. Internal Correspondence - Original and two (2) copies prepared by operator. Distribution: Original and two (2) copies to police vehicle crash folder.

4. Field Report - Original and four (4) copies. Prepared by investigating supervisor. Distribution: Original to Central Records. One (1) copy to precinct file. Three (3) copies to police vehicle crash folder. Fax a copy of the completed Field Report to the Transportation Section within 48 hours of the crash.

5. Motor Vehicle Crash Supplement Report - Original and three (3) copies. Provide one additional photocopy when required to comply with Rules and Procedures section outlined in Accident with Criminal Action. Prepared by investigating supervisor. Distribution: Original to Central Records. Three (3) copies to police vehicle crash folder. Police vehicle operator or any police vehicle passengers shall not write any statements on this report.

6. Diagrams and measurements as deemed necessary by the investigating supervisor (Supplementary or Continuation Report). Original and two (2) copies prepared by the investigating officer. Distribution: Original to Central Records, two (2) copies to police vehicle crash folder.

7. Estimate of Repairs - Original only. Obtained by the vehicle operator's command. Distribution: Transportation Section.

NOTE: Indicate damaged vehicle as either in service or out of service with location.

8. Photographs as deemed necessary by investigating supervisor.

NOTE: Photographs are required on all police vehicle crashes which result in at least, an injury that requires emergency medical treatment.

Distribution: Photographs to Identification Section.

9. Internal Report - P.D. Crash. Original and one (1) copy. Prepared by investigating supervisor and operator's commanding officer. Distribution: Original and one (1) copy to police vehicle crash folder.

10. Police Vehicle Crash Folder - After all required forms are completed they are to be inserted into the folder and forwarded through the operator's commanding officer to the Transportation Section within 10 days of the crash. In the event that this 10 day time limit can not be realized, the operator's command is to notify the Transportation Section of the delay and a copy of the crash folder is to be forwarded until the case is resolved. The Transportation Section will make the necessary distribution and maintain a file copy of forms contained in the police vehicle crash folder.

11. Investigating Supervisor - The responsibilities of the investigating supervisor will be fulfilled by a regular patrol sergeant of the precinct of occurrence except:

a. When adherence to said procedure would create an undue or unreasonable delay.

b. When a sergeant of either Highway Patrol Bureau, Marine Bureau or Canine Section is present at the scene or more readily available, he/she will act as the investigating supervisor. Completed reports shall be forwarded to the member's commanding officer via the precinct of occurrence.

D. Crashes Involving Certain Trucks and Buses - There are two conditions that a member of the Service must consider when determining if Truck and Bus Supplemental Police Accident Form MV-104S is required, both of these conditions must be met.

1. Qualifying Vehicles - The crash must involve at least one of the following types of vehicles:

a. Any commercial truck having a Gross Vehicle Weight Rating (GVWR) or Gross Combination Weight Rating (GCWR) greater than 10,000 lbs.

b. Any vehicle displaying a hazardous material (Haz Mat) placard.

c. A bus designed to carry 9 or more persons, including the driver.

AND

2. Severity of Crash - The crash must result in at least one of the following conditions for any vehicle or person involved.

a. At least one person killed.

b. At least one person injured severely enough to require transportation from the scene for immediate medical attention.

c. At least one vehicle required to be towed away from the scene due to disabling damage (other than for a flat tire); and/or

d. At least one vehicle required to be provided intervening assistance due to an event which required that the vehicle be moved, up righted, or otherwise assisted by emergency equipment (other than for a flat tire).

3. If a crash involved both conditions (at least one qualifying vehicle AND at least one of the qualifying severity criteria), a Form MV-104S must be completed and submitted for each qualifying vehicle.

E. Crash with Criminal Action - Photocopies of the Police Accident Report(s) and the Motor Vehicle Crash Supplement Report are to be included and forwarded, with the required court papers, whenever officers prepare cases for criminal actions that are coupled with traffic crashes. Such cases include, but are not limited to driving while intoxicated, leaving the scene of a crash without reporting, larceny of any vehicle, assault by use of any vehicle, criminal negligence in the operation of any vehicle, etc.

F. The intentional damage to property by the use of a motor vehicle itself, or the intentional causing of personal injury, is not a crash. In such cases, a New York State Motor Vehicle Accident Report will not be filed. The appropriate procedure for investigating and charging any crime(s) will be followed and a request for a safety hearing will be made to the Department of Motor Vehicles Safety Hearing Board as outlined in Rules and Procedures Chapter 21, Section 2.

1. When a supervisor investigating a crash involving a Department vehicle determines that probable cause exists that a Police Department Vehicle was damaged because of an intentional act, the supervisor will ensure that an investigation is done by the appropriate command(s), as per Rules and Procedures Chapter 24, Sections 2 and 3, and that any arrest is made in conformance with Chapter 16 of the Rules and Procedures. The investigating supervisor will not file a New York State Accident Report (MV-104A) in such circumstances. The Commanding Officer will ensure that an Incident Report (PDCS-1099) is completed and forwarded, to the Transportation Section within 10 days of the incident so that the vehicle can be repaired or replaced. In the event that the required documents cannot be forwarded within 10 days of the incident, the Commanding Officer will ensure that the Transportation Section is notified of the delay and that the required forms are forwarded when available. The Transportation Section will complete a SCIN 47 Form as required by Suffolk County Risk Management, make the necessary distribution of the documents and shall maintain file copies of the forms.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 22: TITLE: INTERGOVERNMENTAL/INTERAGENCY RELATIONS

SECTION 2: TITLE: CRIMINAL JUSTICE AGENCY MEETINGS

I. PURPOSE

To establish procedures for department participation in Criminal Justice Agency Meetings.

II. POLICY

The Department, along with several other County agencies, shares responsibility in providing various services to County residents. In order to serve the public in the most efficient manner, the County Criminal Justice Agency functions as coordinator for inter-agency communication.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. The Police Commissioner or his designated representative will attend the monthly Criminal Justice Agency Meetings. These meetings are conducted in order to enhance inter-agency cooperation and communications. Ideas that increase the effectiveness of services are encouraged.

B. The following agencies are members of the County Criminal Justice Agency:

1. County Executive's Office
2. Criminal Justice Coordinating Council
3. District Attorney
4. Fire, Rescue and Emergency Services
5. Legal Aid Society
6. Medical Examiner's Office
7. Police Department
8. Probation Department
9. Public Safety Committee of the Legislature
10. Sheriff's Office
11. Unified Court System
12. Youth Bureau

VII. ACCREDITATION STANDARDS

- A. CALEA 4.1.1, 4.1.3, 4.2.1
- B. NYSLEAP 58.2

VIII. INDEX

Liaison, County Agencies 22/2
Criminal Justice Agency 22/2

END

RULES AND PROCEDURES

CHAPTER 22: TITLE: INTERGOVERNMENTAL/INTERAGENCY RELATIONS

SECTION 3: TITLE: LIAISON WITH LAW ENFORCEMENT AGENCIES

I. PURPOSE

To establish and maintain effective channels of communication between law enforcement agencies in order to exchange information, establish joint law enforcement operations and share statistical and support services.

II. POLICY

The Department shall maintain liaison with other law enforcement agencies in adjoining jurisdictions and agencies having concurrent authority in the Department's service area.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

Liaison with law enforcement agencies:

A. Agencies within Suffolk County; Association Meeting - The Suffolk County Police Chiefs Association is an organization comprised of the department heads of all Suffolk County town and village police agencies, the Suffolk County Police Commissioner, Sheriff, District Attorney, and the Superintendent of the New York State Police. One or more of

the following members of the Force shall attend association meetings:

1. Police Commissioner
2. First Deputy Police Commissioner
3. Second Deputy Police Commissioner
4. Chief of Department
5. Chief of Patrol
6. Chief of Detectives
7. Chief of Support Services

B. Agencies outside Suffolk County - Liaison with agencies outside the County, having concurrent authority within the Police District, will be coordinated through the Office of Chief of Department on an ad hoc basis.

C. The Police Commissioner or his designee will attend meetings of the New York State Chiefs of Police Association, an organization comprised of the department heads of police agencies throughout New York State.

VII. ACCREDITATION STANDARDS

- A. CALEA 4.1.2
- B. NYSLEAP N/A

VIII. INDEX

Liaison with Law Enforcement Agencies 22/3

END



ORDER NUMBER 08-13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE INFORMATION EXCHANGE, VICE AND ORGANIZED CRIME					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/18/08	DATE EFFECTIVE 01/18/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 22: TITLE: INTERGOVERNMENTAL/INTERAGENCY RELATIONS

SECTION 4: TITLE: INFORMATION EXCHANGE, VICE AND ORGANIZED CRIME

I. PURPOSE

To establish procedures for recording and maintaining information on vice and organized crime information exchanged with associated agencies.

II. POLICY

The control and suppression of vice and organized crime often involves cooperation with other law enforcement agencies. A record or file of correspondence and assistance will allow the Department to evaluate the effectiveness of past operations and may enhance the development of present and future strategies.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Establishment of a recording system for inter-agency correspondence;

1. Commands which exchange correspondence regarding vice and organized crime information, either disseminated to or received from outside agencies, should maintain a record of the correspondence.

2. Method of recording;

a. Information received - Confidential and/or active case will be assigned a case number and be include in the case file.

b. Information received - unrestricted (e.g. Educational, Statistical, etc.) logged and placed in command correspondence file.

c. Information disseminated - A log should be kept on all outgoing correspondence to other agencies. The log entry should contain at least the following:

- (1) Name/address of agency
- (2) Date of correspondence
- (3) Officer providing information
- (4) General nature of information

B. Access to the correspondence file should be through the commanding officer or his designee.

VII. ACCREDITATION STANDARDS

A. CALEA 43.2., 43.2.6

B. NYSLEAP 50.7

VIII. INDEX

Associated Agency, Information Exchange 22/4
Correspondence File, Vice/Organized Crime 22/4

END

RULES AND PROCEDURES

CHAPTER 22: TITLE: INTERGOVERNMENTAL/INTERAGENCY RELATIONS

SECTION 5: TITLE: MUTUAL AID/CONCURRENT JURISDICTION

I. PURPOSE

To establish procedures for situations involving concurrent jurisdiction or requests/reception of requests for assistance from other law enforcement agencies.

II. POLICY

The Suffolk County Police Department will provide normal law enforcement services as mandated by the County Charter. In the absence of formal written interagency agreements, the exercise of the police function in areas of concurrent jurisdiction or outside the jurisdiction of the Department shall be in accordance with applicable law and the provisions of this procedure.

III. DEFINITIONS

N/A

IV. REFERENCES

General Municipal Law, Section 209
New York State Military Law, Section 6,212
Interstate Civil Defense Compact, Section 9231
Suffolk County Executive Standard Operating Procedures

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Concurrent jurisdiction involving other law enforcement agencies - The Department recognized the inherent problems in

providing law enforcement services in situations where concurrent jurisdiction exists, however, the Department must identify its responsibilities when confronted with a situation involving concurrent jurisdiction.

1. The various law enforcement agencies of the federal, state, county and local governments are vested with authority to conduct investigations and make arrests within the Police District according to their respective unique enforcement roles. Members of the Department cooperate and render assistance when so requested. These agencies include but are not limited to: The Federal Bureau of Investigation, the New York State Police, the Drug Enforcement Administration, the U.S. Secret Service, the Attorney General's Office, the Department of Environmental Conservation, the Long Island Rail Road Police, the State University of New York Police, the U.S. Coast Guard, the Suffolk County Park Rangers, the National Park Rangers, the Suffolk County District Attorney's Office and the various local village police departments.

2. Responsibilities - In situations where the Department maintains responsibility as the primary provider of law enforcement services, the Department shall perform the following functions.

- a. appropriate response
- b. reporting
- c. ensure appropriate follow-up by prosecutors and courts

(1) The Department will ensure that the appropriate notifications are made to the Suffolk County District Attorney's Office. Any further questions regarding jurisdictional considerations will be resolved by that office.

3. Specific Situations or Locations

- a. Nuclear disaster, hazardous

material, natural disaster occurring within Suffolk County.

(1) Jurisdictional considerations and responsibilities for any of the above incidents which occur within Suffolk County are delineated within the Standard Operating Procedures of the Office of the County Executive and the Department's Unusual Occurrence Plan.

B. Mutual Aid

Procedures for requesting or receiving a request for mutual aid are enumerated in the General Municipal Law. Any request for aid shall be made or granted through the appropriate authority as established in the Department's Unusual Occurrence Plan.

1. Communications shall be established utilizing the statewide radio band.

2. The General Municipal Law provides that officers engaged by another jurisdiction enjoy the same powers, authority and protection of law as if they were engaged in their own jurisdiction. As such, these officers may be used for any police duty including, but not limited to:

- a. mass processing of arrestees
- b. transporting prisoner
- c. operating temporary detention facilities

3. Financial considerations such as indemnification and liability are provided for by law.

4. Whenever a request for aid is made to this Department and the appropriate authority grants such request, all necessary assistance shall be rendered, consistent with the personnel requirements of the Department.

5. Members assigned in response to a request for aid will report to the officer in charge of the mobilization point or to his/her designee. At that time, members will be apprised of their particular assignments and the identity of the person(s) to whom they will report in the requesting jurisdiction.

C. National Guard Assistance

Procedures for requesting the assistance of the National Guard are established in the New York State Military Law. Any request for such assistance shall be made by the appropriate authority as established in the Department's Unusual Occurrence Plan.

D. Federal Law Enforcement Assistance

1. In emergency situations when the circumstances may require the assistance of Federal law enforcement resources the on-scene officer in charge will be contacted and advised of the need.

2. If the on-scene officer in charge determines that a true emergency exists which requires Federal law enforcement assistance, he/she will contact the Duty Officer and provide sufficient information as to allow the Duty Officer to contact the appropriate Federal agency.

3. The Duty Officer will contact the appropriate Federal agency and will confirm the notification with the on-scene officer in charge.

VII. ACCREDITATION STANDARDS

- A. CALEA 2.1.2, 2.1.3, 2.1.6, 2.1.7, 2.1.9
- B. NYSLEAP - N/A

VIII. INDEX

END



ORDER NUMBER 07-38

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE MUTUAL AID/SUFFOLK COUNTY SHERIFF'S DEPARTMENT				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 05/04/07	DATE EFFECTIVE 05/04/07	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 22: TITLE: INTERGOVERNMENTAL/INTER-AGENCY RELATIONS

SECTION 6: TITLE: MUTUAL AID/SUFFOLK COUNTY SHERIFF'S DEPARTMENT

I. PURPOSE

To delineate the duties and responsibilities of the Suffolk County Police Department, relative to the Suffolk County Sheriff's Department, in the rendering of mutual aid for extraordinary circumstances.

II. POLICY

Emergency situations occasionally require law enforcement capabilities beyond those available from within the Police Department. Cooperative agreements with associate departments and agencies will be maintained in order to provide mutually beneficial augmentation of resources.

III. DEFINITIONS

Emergency Rapid Response Plan (10-91/92) - Patrol Division - Enumerates police response to the scene of an extraordinary event as outlined in Patrol General Order 90-04.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

The Police Department and the Sheriff's Department will render mutual aid and assistance as follows:

A. Police use of detention cells at the Sheriff's Central Islip

Facility: during mass arrest situations such as riots and other large scale emergencies.

1. The Sheriff's Central Islip Detention facility at 1st District Court will be opened by Sheriff's Deputies at the request of a Police Department Deputy Chief or higher ranking officer during weekday business hours or at the request of the District Commander at other times. The request must be made via telephone to the sheriff's radio room, telephone number 852-2286 and 1 to 2 hours of lead time allowed for access to the facility.

B. Police Department use of the Sheriff's Riverhead Criminal Court detention area: as a staging area should the Police Department be asked to provide mutual aid to any of the East End Police Departments.

1. In the event of the activation of the Suffolk County Police Mobilization Plan Chapter 15, Section 13 of the Rules and Procedures (Mobilization Plans-Eastern Suffolk), the Suffolk County Sheriff's Department will, upon notification by a District Commander, Police Department Deputy Chief or higher ranking officer, provide access to the Criminal Court Detention area for use as a staging area. Such requests must be made to the Sheriff's radio room at 852-2286.

C. Police Department Emergency Rapid Response to the Sheriff's Department Request for assistance via the 10-91, 10-92 Emergency Rapid Response Plan.

1. In the event of an emergency at the Suffolk County Jail or Honor Farm, a supervising Deputy Sheriff may initiate the 10-91/92 emergency rapid response plan via the police duty officer. The police response will be as follows:

a. 10-91- A team of seven (7) officers and one (1) supervisor from each of (2) specified adjacent precincts.

b. 10-92 - A team of seven (7) officers and one (1) supervisor from each precinct and all available personnel from specialized patrol bureaus.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Mutual Aid, S.C.P.D. and Sheriff's Department 22/6
Emergency Rapid Response Plan, 10-91/92 22/6
10-91/92 Emergency Rapid Response Plan 22/6
Detention Facility, Use of 1st District Court 22/6
Mobilization Plans, Eastern Suffolk 22/6
Tactical Plans 22/6



ORDER NUMBER	08-63
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE
 RADIO COMMUNICATIONS

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 10/14/08	DATE EFFECTIVE 10/14/08	DATE TO BE REVIEWED N/A
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RULES AND REGULATIONS

CHAPTER 23: TITLE: COMMUNICATIONS

SECTION 1: TITLE: RADIO COMMUNICATIONS

I. PURPOSE

To establish guidelines for radio communications to and from members of the Department including specification of circumstances which require radio communication.

II. POLICY

Communication is a vital link necessary for effective and productive police performance. Operations are more efficient and officer safety is enhanced when dispatchers, supervisors, and fellow officers know the status of officers, their locations, the nature of cases, and developments in their investigations.

III. DEFINITIONS

N/A

IV. REFERENCES

F.C.C. Rules and Regulations - Part 90

V. RULES AND REGULATIONS

A. Portable Radio Unit

1. A member of the Department, assigned to the Patrol Division and assigned a Department vehicle with a portable radio unit shall have in his possession at all times and in the ON position, the portable radio unit when exiting the vehicle.

B. Personal Transmission

1. The police radio system shall not be used for messages of a personal nature.

VI. PROCEDURES

A. Accountability

1. All radio communications utilizing Federal Communications Commission (FCC) assigned radio frequencies shall be subject to FCC Rules and Regulations addressed to Public Safety Systems.

2. All users of radio frequencies assigned to the Suffolk County Police Department shall be subject to these policies and procedures.

B. Radio Procedures

1. The volume of radio traffic within this Department requires that all Department personnel be accountable for use of radio equipment and for properly transmitting authorized messages only.

C. Radio Call Signs

1. Members of the Department, when communicating via radio, will use authorized radio call signs for unit identification.

D. Transmissions

1. Radio transmissions will be brief and concise. Extraneous remarks are not authorized.

E. Required Radio Communications

1. The first officer to arrive at the scene of a potential or actual emergency condition or situation shall notify the communication dispatcher via radio of the following:

- a. Arrived at scene
- b. Location
- c. Type of incident
- d. Request for any additional resources or assistance.

2. Assisting/back-up officer shall notify the communication dispatcher via radio of their arrival at the scene.

3. A member of the Service who stops a person for a violation of law or under a stop and frisk situation shall notify the communication dispatcher of the location, reason for the stop and if needed, the type of assistance the member requires.

4. When a member of the Service finds it necessary, for any reason, to transport a civilian in a police vehicle who is not in police custody, the officer will immediately report such transport by radio transmission to the Communications Section, unless the transporting officer believes that such a transmission may impact an ongoing investigation.

F. Use of Telephone

1. Information exchanges or requests that can be completed via telephone should be done in that manner.

G. External Services

1. When a member, at the scene of an incident/accident, requires services external to the agency, he notifies either the precinct or command desk officer via telephone or the communication dispatcher via radio.

H. Interacting Agency Transmissions

1. If the need arises whereby it becomes necessary to communicate via radio with an interacting agency the following procedures will be adhered to:

a. To communicate with Riverhead or Southampton Police Departments, notify the dispatcher, who will arrange through the duty officer for use of the county-wide (data) channel.

b. To alert Nassau County Police Department or New York State Police, notify the dispatcher, who will arrange to have the duty officer monitor the channel being used and keep N.C.P.D. duty officer or N.Y.S.P. dispatcher updated.

c. To communicate with any police department within the Police District, use the primary channel of the precinct in which they are located.

2. In all instances of communicating with interacting agencies, plain language will be used instead of 10-codes.

I. Supervisor Responsibilities

1. It is the responsibility of the field supervisor to identify and correct misuse of radio equipment, as well as improper radio procedure.

VII. ACCREDITATION STANDARDS

- A. CALEA 41.2.16, 41.2.6, 41.2.7, 81.1.4
- B. NYSLEAP - N/A

VIII. INDEX

Communication, Radio 23/1
Radio Procedures 23/1
Transmissions Via Radio 23/1
Call Signs, Radio 23/1
FCC Regulations 23/1
Inter-Agency Radio Communications 23/1

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE RADIO SIGNALS - TEN CODE					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 23: TITLE: COMMUNICATIONS

SECTION 2: TITLE: RADIO SIGNALS - TEN CODE

I. PURPOSE

To inform Department members of the authorized numerical radio code signals to be used during radio transmissions.

II. POLICY

The Department maintains and constantly strives to improve its intra-department communications network to provide for rapid and efficient police response. The appropriate use of the radio ten code significantly enhances these efforts.

III. DEFINITIONS

N/A

IV. REFERENCES

A. Memo Book Insert, PDCS 6100-8.

V. RULES AND REGULATIONS

A. The radio signal ten codes, general alarm codes and the phonetic alphabet that follows are the only authorized codes and as such members of the Service shall abide by their proper use.

VI. PROCEDURE

A. Suffolk County Police Radio Code Signals - The following code signals shall be used to facilitate transmission of radio messages:

Signal Code Message

Omega Immediate emergency evacuation of all personnel

Signal No.	Message
10-1	Police Officer Needs Help
10-2	Larceny
10-3	Burglary
10-4	O.K. Acknowledgment
10-5	Death Investigation
10-6	Stand By Except for Emergencies
10-7	See a Complainant
10-8	Sick or Injured Person
10-9	Inhalator
10-10	Auto Crash
10-11	Phone Communications Bureau
10-12	Report to Your Command
10-13	Phone your Command
10-14	Stolen Car
10-15	Robbery
10-16	Fight
10-17	Disturbance (Other than Fight)
10-18	Meal Period
10-19	Gone on Arrival
10-20	Drunken Driver
10-21	Hit and Run
10-24	Fire
10-25	Peeping Tom or Prowler
10-26	Escort
10-27	Reporting in Service
10-28	Out of Service (Location & Phone)
10-29	Verification of Registration
10-30	Missing Person
10-31	Lost Child
10-32	Transporting Prisoner
10-33	Change to Mobile Frequency
10-34	Suspicious Car or Person
10-35	State Your Location
10-36	Arrived at Scene
10-37	Controlled Situation
10-38	Finished Last Assignment
10-39	Any Message this Unit
10-40	Prisoner Food for no.
10-41	Additional Unit Requested
10-42	Bomb Scare
10-43	Report to Relief Point
10-44h	Radiation Monitor Alert - High Alarm Rate
10-44l	Radiation Monitor Alert - Low Alarm Rate
10-45	Warrant Check
10-45a	License Check
10-45b	Order of Protection Verification
10-45c	Parole or Probation Check
10-46	Next Transmission Confidential
10-47	Dangerous and/or Possibly Armed
10-50	Now at Home on Call
10-51	Police Officer Involved
10-55	Switch to Data Band

- 10-60 No Report Required
- 10-65 Mobile Station Identify
- 10-66 Vehicle Service
- 10-70 Panic Alarm
- 10-71 Bank/Hold-up Alarm
- 10-72 Commercial Alarm
- 10-73 Residential Alarm
- 10-74 Miscellaneous Alarm
- 10-85 Violent Domestic Dispute
- 10-86 Non-Violent Domestic Dispute
- 10-91 Precinct Needs Assistance (Local) - a team of seven (7) officers and one (1) supervisor from each of (2) specified adjacent precincts.
- 10-92 Precinct Needs Assistance (District Wide) - a team of seven (7) officers and one (1) supervisor from each precinct, and all available personnel from specialized patrol bureaus.
- 10-93 Crisis Action Team (Activation)
- 10-99 Respond to Designated Motor Patrol Fixed Position (Adverse Weather/Roadway Conditions). Geographic area to be specified by authorizing authority.
- 10-100 Activate Law Enforcement Coordinated Response Group

B. General Alarm Radio Code Numbers

- CODE 1 Stolen Motor Vehicles - Motorcycles
- CODE 2 Auto Information - Used in the Commission of a Crime
- CODE 3 All Units Set up Pre-Arranged Road Block Plan
- CODE 4 Wanted for Hit and Run (Property or Personal Injury)
- CODE 5 Wanted or Escaped Persons
- CODE 6 Missing Persons - Runaways
- CODE 7 Wanted for Burglary - Report of Burglary
- CODE 8 Wanted for Robbery and Hold Up
- CODE 9 Property Lost or Missing
- CODE 10 Property Stolen
- CODE 11 Wanted for Assault
- CODE 12 Wanted for Homicide
- CODE 16 Lost or Stolen Registration Plates

C. Phonetic Alphabet

- | | |
|--------------|--------------|
| A - ALPHA | N - NOVEMBER |
| B - BRAVO | O - OSCAR |
| C - CHARLIE | P - POPPA |
| D - DELTA | Q - QUEBEC |
| E - ECHO | R - ROMEO |
| F - FOX TROT | S - SIERRA |
| G - GOLF | T - TANGO |
| H - HOTEL | U - UNIFORM |
| I - INDIA | V - VICTOR |
| J - JULIET | W - WHISKEY |
| K - KILO | X - X-RAY |
| L - LIMA | Y - YANKEE |
| M - MIKE | Z - ZULU |

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Omega 15/16, 23/2
Law Enforcement Coordinated Response Group 15/18, 23/2
END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE TELE-SERVE PROCEDURES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 23: TITLE: COMMUNICATIONS

SECTION 3: TITLE: TELE-SERVE PROCEDURES

I. PURPOSE

To establish a telephone service (Tele-Serve) procedure within the Communications Section whereby certain non-emergency requests for police assistance will no longer require the in person response of a police officer. This procedure will more effectively utilize available patrol time and enhance service to the public.

II. POLICY

It shall be the policy of the Suffolk County Police Department to direct certain non-emergency requests for police services to be handled by communicating with the complainant via telephone. The members assigned this task shall be responsible for obtaining all necessary information from the complainant to complete Department reporting requirements.

III. DEFINITIONS

Tele-Serve - is a procedure whereby certain non-emergency requests for police assistance may be received and recorded by telephone rather than by dispatching a patrol officer.

Tele-Serve Officer - A police officer assigned to handle Tele-Serve telephone calls.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Certain complaints received may be handled via telephone, as opposed to the dispatching of a patrol officer to meet with the complainant. The offense/complaint categories which shall be considered for Tele-

Serve processing are those which involve situations in which an officer's presence at the scene of the incident or location of complainant in no way will aid to the "solvability" of the crime or resolution of the situation. These include:

1) Reports that are removed by time or distance from the incident location.

2) Reports that are being made to meet the requirements of insurance, documentation for further legal action, etc.

3) Incidents which, by their very nature do not require a police response.

NOTE: An officer will be dispatched to the scene if the complainant requests such response, even though the call otherwise qualifies for handling under the Tele-Serve Program.

B. The following calls may be handled by Tele-Serve when the perpetrator is no longer present;

Criminal

1) Larceny

2) Aggravated Harassment 2nd (phone calls)

3) Harassment (perpetrator no longer present)

4) Trespass

5) Criminal Mischief

6) Other incidents which in the opinion of the Emergency Complaint Operator can be handled without responding to the location of the complainant.

Non-Criminal

1) "Police Information" calls not requiring personal interview.

2) Motor Vehicle Crashes (prior/non-injury).

3) Nuisance calls of a continuing nature (e.g., littering complaints not in progress).

4) Lost Property

5) Abandoned Autos (not stolen or wanted)

6) Found Property (not proceeds of a crime, money, jewelry, credit cards or contraband - drugs, etc.)

7) Other incidents which in the opinion of the Emergency

Complaint Operator can be handled without responding to the location of the complainant.

C. The following complaints shall not be handled by the Tele-Serve officer and a sector unit shall be dispatched:

- 1) Offenses in progress.
- 2) The offender is at the scene, or the probability exists that he is still in the immediate area.
- 3) A crime scene may exist.
- 4) Evidence of an offense needs to be preserved or observed.
- 5) A crime has just occurred and an area "canvass" would be appropriate.
- 6) Any call in which the Emergency Complaint Operator, or the dispatcher, or the Tele-Serve officer believes there is a need for a sector unit's response to the incident and/or complainant location.

D. Upon the receipt of a call which qualifies for Tele-Serve, the Emergency Complaint Operator will prepare a Central Complaint card and direct the card to the Tele-Serve officer. The officer shall obtain all necessary information from the complainant to complete a Field Report and shall prepare this report. At the conclusion of the conversation the member shall give the complainant his or her name, rank, badge number if a police officer and operator number if a civilian, and the Central Complaint number, and will further advise the complainant of the procedure to obtain a copy of the Field Report.

E. If the member handling Tele-Serve determines that the complaint does not qualify for Tele-Serve, (i.e., the call is of an emergency nature or requires police response), he or she shall, without unnecessary delay, notify the appropriate dispatcher to reassign the incident to a sector unit. The sector unit shall then be responsible for the completion of all necessary reports.

F. The original Field Report will be sent to the Data Services Section. Data Services will enter the appropriate information from each report into the automated blotter system and forward the Field Report to Central Records.

G. A copy of the completed Field Report shall be forwarded to the appropriate precinct for review and filing.

H. When follow-up is required, a copy of the report will also be sent to the applicable investigative command (i.e., Crime Section, Precinct Squad Section). The investigative command receiving a report prepared by Tele-Serve shall be responsible for proper follow-up, including contacting the complainant, if requested or required, and submission of other required reports.

I. A complaint eligible for Tele-Serve received at a precinct will be accepted (when appropriate), and the officer receiving the complaint will prepare a Field Report utilizing the current procedure for walk-in complaints.

VII. ACCREDITATION STANDARDS

A. CALEA 41.2.1

B. NYSLEAP

VIII. INDEX

Tele-Serve Procedure 23/3

Complaint Handling, Tele-Serve Procedures 23/3

END



ORDER NUMBER 08-41

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE TELETYPE MESSAGE TRANSMITTAL GUIDE				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/16/08	DATE EFFECTIVE 06/16/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 23: TITLE: COMMUNICATIONS

SECTION 4: TITLE: TELETYPE MESSAGE TRANSMITTAL GUIDE

I. PURPOSE

To establish guidelines for the transmission of teletype messages.

II. POLICY

In order to increase efficiency and meet requirements mandated by law, it is necessary to transmit authorized information into the New York Statewide Police Information Network and to other networks via NYSPIN.

III. DEFINITIONS

A. NYSPIN - New York State Police Information Network.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Teletype, Authority for - When it is appropriate to issue a teletype message, it is the responsibility of the investigating officer to prepare the message and to initiate its issuance. In those cases where the Detective Division is responsible for the investigation, the investigating officer is responsible for the issuance of the message and will authorize the message. When the investigation occurs wholly within the Patrol Division or for those incidents that occur between the hours of 0100 - 0900 hours where Detective Division personnel are not required to respond, the investigating officer will be the officer taking the original report or the officer assigned to the investigation from the Crime Control Section. The message must be authorized by a member of the rank of sergeant or above, unless otherwise directed by the

Police Commissioner. In those cases involving stolen motor vehicles, the initial officer taking the report is responsible for issuing the appropriate teletype message. The message must be authorized by a member of the rank of sergeant or above, unless otherwise directed by the Police Commissioner.

1. Cancellation - The teletype message or other alarm is canceled by the authority of either the originator (or the originator's command) or by the member of the Force making the arrest, return, or recovery requested in said message or alarm.

2. Notification - It is the responsibility of the member making such arrest, return or recovery to promptly notify the Teletype Unit to cancel the teletype message or other alarm.

3. Supplementary Report - When the arrest, return, or recovery is made by a member not assigned to the originating command, the member canceling the teletype message or other alarm is required to notify the command responsible for the case investigation by phone and Supplementary Report indicating the appropriate details.

B. The following are authorized informational and explanatory categories accepted by NYSPIN. The Teletype Unit will accept authorized information for any of these categories as follows, and enter the information into the NYSPIN system.

1. Stolen Motor Vehicle (Includes Unauthorized Use) - A vehicle (any motor driven conveyance designed to carry its operator, except a boat but including trailers and aircraft) taken without owner consent or a loaned, rented or leased vehicle that has not been returned.

2. Stolen Vehicle Parts - Stolen VIN plates, Certificates of Origin or Title, and serial numbered vehicle engines or transmissions.

3. Leaving Scene of Crash - Incidents involving motor vehicles or motorcycles, except for property damage only. Information must describe vehicle (e.g., license plate number, make, color, model. etc.) and description of driver, if available.

4. Persons wanted for committing an offense, except for Vehicle and Traffic Law offenses less than a misdemeanor, for whom a warrant has been issued.

a. A temporary want may be entered prior to the securing of a warrant, if the member believes prompt action is necessary to apprehend a person who has committed or there exists reasonable grounds to believe he has committed a felony and may seek refuge by fleeing across jurisdictional boundaries prior to the warrant being secured.

b. Extradition limitations will determine what system, either DCJS or NCIC, the want will be entered into.

5. Persons reported missing that meet one of the following four (4) conditions:

a. A person of any age who is missing and under proven mental or physical disability or who is senile and can possibly endanger himself or another.

b. A person of any age who is missing and in company of another person under circumstances indicating that his physical safety is in danger.

c. A person of any age who is missing under circumstances indicating that the disappearance was not voluntary.

d. A person who is missing and under the age of eighteen (18).

6. Felony crimes committed where an arrest has not been made in a prescribed period of time.

a. A felony involving the use of deadly physical force or a deadly weapon and the perpetrator has not been apprehended within thirty (30) minutes after such complaint has been received - immediately dispatch over NYSPIN system.

b. Any other felony for which the perpetrator has not been apprehended within five (5) hours after such complaint has been received.

7. Property reported lost or missing, but not the object of a criminal act, of any value, having a unique manufacturer's assigned serial number or an owner applied number (e.g., bicycles).

8. Property, other than motor vehicles, license plates or motor vehicle parts, reported stolen, of any value, having a unique manufacturer assigned serial number and/or an owner applied number. No message shall be sent for such stolen property where a complainant indicates his only interest is recovery of property.

9. Vehicle license plates that are lost or stolen. (When one un-expired license plate is reported lost or stolen, the motorist must have surrendered remaining plate.)

10. Serially numbered identifiable securities which have been reported stolen embezzled, counterfeited, or are missing (lost) are to be entered. Securities shall mean: currency (Federal Reserve Note, Silver Certificate, U.S. Note, Canadian Note, etc.), documents or certificates which are generally considered to be evidence of debt (Treasury issued bills, bonds and notes), municipal and corporate bonds, debentures, other non personal notes, ownership of property (common or preferred stock), documents which represent subscription rights (stock warrants, stock rights). Postal traveler's checks, warehouse receipts, savings certificates, and interest coupons on stocks and bonds.

11. A stolen boat or a loaned, rented or leased boat that has not been returned will be entered in file provided the vessel is

registered or documented and there is a permanent identifying serial number affixed or if not registered, has a permanent I.D. number affixed.

12. Lost, stolen and recovered guns with serial numbers.

13. Information and data pertaining to Department arrestees.

14. Elopees - A person who escapes or leaves without permission from a facility (psychiatric center, institute, clinic, ward, etc.) while being treated for mental illness.

15. General Police Information and Special Computer Inquiries - Notification to or request for information from other agencies:

a. When search for data is necessary and information available to us is not complete enough to make standard record inquiry (e.g., stolen vehicles having certain characters in a particular location in license plate or lost or stolen guns of one make or caliber, etc.) an off-line search is possible by inquiring a File 25 message through our Teletype Section.

16. Impounds - Vehicles, as defined by NYSPIN, taken into Departmental custody, for the purposes of evidence gathering, investigation, scientific analysis or for any reason deemed necessary by statute or prevailing circumstances. (NYSPIN defines a vehicle as any motor driven conveyance designed to carry its operator, except a boat. NYSPIN also considers a trailer to be a vehicle.)

a. Vehicles, as defined above, impounded by any local governmental agency, within the Suffolk County Police District, authorized by the New York State Vehicle and Traffic Law to make impounds. Teletype Unit personnel will advise the reporting agency to notify the Teletype Unit when the vehicle has been returned to its owner or is no longer in the custody of the reporting agency.

17. Repossessions - Motor vehicles or boats that have been repossessed, and reported to the Department by repossessors as required by Vehicle and Traffic Law.

18. Consumer Product Tampering - Notification to the New York State Police Consumer Tampering Data Base on all consumer product tampering cases being investigated by this Department.

a. The following information will be transmitted, within five (5) hours of receipt of the initial complaint, on all consumer product tampering cases:

(1) Name, rank and command of officer handling the initial complaint.

(2) Central Complaint Number assigned to the incident.

(3) Whether or not the Department is requesting

State Police Assistance.

(4) Complainant's name, D.O.B., address, and phone number.

(5) Type of product.

19. Methamphetamine Laboratories - The Division of State Police shall be notified by a member of the Narcotics Section via the Teletype Unit (NYSPIN F13C function), whenever the Suffolk County Police Department discovers or recognizes the presence of an unlawful methamphetamine laboratory. For the purposes of intelligence gathering, the following should be considered as evidencing the presence of a clandestine laboratory:

a. Any illicit operation consisting of a combination of apparatus and chemicals determined by trained personnel to either have been used, or are intended to be used, in the manufacture of controlled substances.

b. A seizure of only chemicals, glassware and/or equipment normally associated with the manufacture of a controlled substance, but where there is not evidence that a controlled substance was produced.

c. The location of discarded laboratory equipment, empty chemical containers, waste by-products, pseudoephedrine containers, etc. where an active lab is not discovered.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 09-22

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE ADMINISTRATIVE NOTIFICATION PROCEDURES				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 05/14/09	DATE EFFECTIVE 05/14/09	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 23: TITLE: COMMUNICATIONS

SECTION 5: TITLE: ADMINISTRATIVE NOTIFICATION PROCEDURES

I. PURPOSE

To establish administrative notification procedures to be followed for specific incidents.

II. POLICY

After notifications to investigatory personnel are made, the timely flow of information to other department personnel is critical to allow for the appropriate management of significant incidents. As such, notifications to department managers regarding specific incidents must be made as expediently as possible.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

This section contains guidelines for the proper notifications to be made within the Suffolk County Police Department and to other Suffolk County officials (unless otherwise specifically stated). This section shall not supersede other sections of the Rules and Procedures containing more details regarding the handling of specific incidents. Further, notifications under this section should not be made prior to the appropriate INVESTIGATORY NOTIFICATIONS to investigatory personnel (see Chapter 9, Section 12).

A. General Guidelines - Whenever a notification to the Duty Officer is appropriate, the investigating officer shall confer with a supervisor having investigative responsibility for the incident. The supervisor will then initiate the notification procedure. The Communications Section Duty Officer serves as a coordinator and upon receipt of the information, he/she will ensure that the administrative notifications are made. Notifications to further investigatory personnel, if necessary, shall take priority.

1. Death or Serious Life-Threatening Injury of a member of the Department - In the event of the death or serious life-threatening injury of a sworn or civilian member who is either working or off duty, the Duty Officer will ensure the following notifications are immediately made:

- a. Police Commissioner and Deputy Commissioner.
- b. Chief of Department or designee.
- c. All Division Chiefs. If the Division Chief is unavailable, the Assistant Chief or Deputy Chief of Division shall be notified.
- d. If occurring within the Police District, the Commanding Officer of the precinct of occurrence. If the Commanding Officer is not available, The Executive Officer, or designee, shall be notified.
- e. Commanding Officer of the member. If the Commanding Officer is not available, the Executive Officer, or designee, shall be notified.
- f. Commanding Officer, Internal Affairs Bureau.
- g. District Commander, if on duty.
- h. Additional notifications at the direction of any of the above.
- i. Public Information Section, when authorized by the Commissioner or Deputy Commissioner.
- j. President, or designee, of the member's applicable Labor Union.
- k. Police Chaplain.
- l. Police Surgeon, only in cases of serious physical injury. If death has occurred, the Police Surgeon does not have to be notified.

2. Homicide or Serious Assault - In the event of a homicide or serious assault wherein death is imminent or likely the duty officer will ensure that the following notifications are immediately made after the

appropriate investigatory notifications:

a. Precinct Commander of the precinct of occurrence, and when on duty the District Commander, or if unable to be contacted, Precinct Executive Officer.

b. (1) Chief of Detectives, and at the discretion of the Chief of Detectives;

(a) Chief of Department or the designee of the Chief of Department and at the discretion of the Chief of Department or designee;

(b) Police Commissioner and Deputy Commissioner.

c. Public Information Section.

d. Additional notifications at the direction of any of the above.

3. Weapons Discharge (No Injury) - In the event a member of the Department, on or off duty, regardless of incident location; or any police or peace officer, on or off duty, while within the Suffolk County Police District, discharges a weapon not resulting in personal injury or death, the duty officer will ensure that the following notifications are immediately made after the appropriate investigatory notifications:

a. Platoon Commander of the precinct of occurrence and the District Commander when on duty.

b. Commanding Officer of the Internal Affairs Bureau, EXCEPT for intentional discharges involving the humane destruction of an animal. When an intentional discharge involving the humane destruction of an animal occurs, the duty officer shall notify the Internal Affairs Bureau, and may do so via facsimile.

c. Public Information Section.

d. Additional notifications at direction of above.

4. Weapons Discharge (Personal Injury) - In the event a member of this Department, on or off duty, regardless of incident location; or any police or peace officer, on or off duty, while within the Suffolk County Police District, discharges a weapon resulting in personal injury or death, the duty officer will ensure that the following notifications are immediately made after the appropriate investigatory notifications:

a. Precinct Commander of the precinct of occurrence, and when on duty the District Commander, or if unable to be contacted, the Precinct Executive Officer. If the Precinct Commander or Executive Officer can not be contacted, the Chief of Patrol will be notified, or if unable to be contacted, the Assistant Chief or Deputy Chief of Patrol, and at the discretion of the notified Commander or Chief, the

following will be notified:

(1) Division Chief of command involved and at the discretion of the Division Chief;

(a) Chief of Department or designee, and at the discretion of the Chief of Department or designee.

(b) Police Commissioner and Deputy Commissioner.

b. Commanding Officer of the Internal Affairs Bureau.

c. Commanding Officer of member involved, or if unable to be contacted, the Executive Officer or designee of the Commanding Officer, (only pertains to weapons discharge by members of the Suffolk County Police Department).

d. Additional notifications at direction of any of above.

e. Employee Assistance Section.

f. Public Information Section.

5. Hate Crimes - In the event of a hate crime of a serious nature, the duty officer shall ensure that the following notifications are made without unnecessary delay after the appropriate investigatory notifications:

a. Commanding Officer of the Hate Crimes Unit, or his/her designee.

b. Special Assistant(s) to the Police Commissioner.

c. Precinct Commander of the precinct of occurrence, and when on duty the District Commander, or if unable to be contacted, the Precinct Executive Officer. If the Precinct Commanding Officer or Executive Officer can not be contacted, the Chief of Patrol will be notified, and if unable to be contacted, the Assistant Chief or Deputy Chief of Patrol. Upon a determination that the incident warrants additional notifications, the duty officer shall contact the following, as directed:

(1) Chief of Department or designee, and at the discretion of the Chief of Department or designee:

(a) Police Commissioner and Deputy Commissioner.

(2) Division Chiefs.

6. Hostage Situation - In the event of a hostage situation the duty officer will ensure that the following notifications are immediately made after the appropriate investigatory notifications:

a. Precinct Commander of the precinct of occurrence, and when on duty the District Commander, or if unable to be contacted, the Precinct Executive Officer. If the Precinct Commanding Officer or Executive Officer can not be contacted, the Chief of Patrol will be notified, and if unable to be contacted, the Assistant Chief or Deputy Chief of Patrol.

b. Division Chief of command involved, or Deputy Chief of Patrol or Assistant Chief of Patrol and at his/her or their discretion;

(1) Chief of Department or his/her designee, and at his/her discretion;

(2) Police Commissioner and Deputy Commissioner.

c. Commanding Officer or Executive Officer of the Hostage Negotiation Team.

d. Additional notifications at the direction of any of above.

7. Major Incident - In the event of a major incident not otherwise specified in this section the duty officer will ensure that the following notifications are immediately made after any appropriate investigatory notifications:

a. Precinct Commander of the precinct of occurrence, and when on duty the District Commander, or if unable to be contacted, the Precinct Executive Officer. If the Precinct Commanding Officer or Executive Officer can not be contacted, the Chief of Patrol will be notified, and if unable to be contacted, the Assistant Chief or Deputy Chief of Patrol. Upon and at his or her discretion the following will be notified:

(1) Division Chief or designee of command involved, and at his discretion:

(a) Chief of Department or his/her designee, and at his/her discretion;

1. Police Commissioner and Deputy Commissioner, and at their discretion:

a. Special Assistant(s) to the Police Commissioner

2. District Attorney.

3. Public Information Section.

(2) Commanding Officer of the Internal Affairs Bureau.

b. Additional notifications at direction of any of the above.

8. Incidents with Significant Community Involvement - When an incident occurs which results in an immediate negative community response or has the potential to do so, the investigating officer shall notify the supervisor having investigative responsibility for the incident. The supervisor will then initiate notification to the Special Assistant(s) to the Police Commissioner via the Duty Officer.

9. Other Newsworthy Incidents - In addition to the incidents detailed in this section, the Public Information Section should be notified by the duty officer regarding all potentially newsworthy incidents. Incidents likely to draw immediate and/or intense media attention will be related as soon as possible. Less significant events can be related to the Public Information Section in the morning.

10. Police/Peace Officer, City of New York E.M.S. Employee, or Department Member Arrested or Involved in Serious Incident

a. In the event any member of this Department is arrested by any means, including physical and those accomplished by criminal summons or a field appearance ticket, regardless of incident location or arresting agency, and for all charges with the exception of traffic violations, the member shall immediately notify this Department's duty officer with the following information.

1. Name, rank, shield and squad (if applicable).
2. The offense for which the member was arrested.
3. The location of the arrest.
4. The arresting agency.

b. In the event any police officer or peace officer (as defined in the N.Y.S. C.P.L) of any governmental agency, or any City of New York E.M.S. employee is arrested or involved in a serious incident within the jurisdiction of the Department, this Department's duty officer shall be notified.

c. Upon notification of either of the above two events (a. and/or b.) the duty officer will ensure that the following notifications be made:

1. Precinct Commander of the precinct of occurrence, or if unable to be contacted, Precinct Executive Officer. If the Precinct Commander or Executive Officer can not be contacted, the Chief of Patrol will be notified, or if unable to be contacted, the Assistant Chief or Deputy Chief of Patrol, or in the case of Subsection 10 a., the member's Commanding Officer, or if unable to be contacted, the Executive Officer or designee of the Commanding Officer or Division Chief or his designee.

2. This Department's Internal Affairs Bureau by either telephone or facsimile machine. When the police/peace officer is from an associated agency, or is a City of New York E.M.S. employee, the Internal Affairs Bureau will notify the employing agency about the arrest or incident, and will serve as the liaison between the Suffolk County Police Department and the

employing agency.

3. Additional notifications at the direction of any of the above.

11. Official Emergency Messages - The Police Department will accept and deliver emergency messages within the Police District. These messages will usually be notifications of death or serious injury or illness which cannot be delivered by other means.

a. Requests for notification by another police agency or municipal agency shall be verified for authenticity by the Communications Section duty officer or patrol supervisor. This verification could be in the form of a teletype or return telephone call, whichever is deemed appropriate.

b. Notifications are to be made in person and orally by a member of the Service. Members of the Service should be sensitive, empathic, and consider using support personnel when making death notifications.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 23: TITLE: COMMUNICATIONS

**SECTION 6: TITLE: DEPARTMENT COMMUNICATIONS SYSTEM,
TELEPHONIC**

I. PURPOSE

To establish proper protocol for use in telephone communications.

II. POLICY

Effective communications depend on prompt response and accurate information exchange. Members of the Department shall exercise both courtesy and attention when engaged in any telephonic communication either within or outside the Department.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Answering Procedures - Members of the Department, when answering any Departmental communication system except radio, will promptly respond by giving the command to which they are attached, their rank and surname. The member calling will promptly identify himself in the same manner. When a member of the Department accepts a message for another member who is not present, accurate information will be taken and passed on so that a reply can be made as soon as possible. If the member

inquired about is going to be absent for an extended period of time (e.g. scheduled days off, vacation, etc.) the absent member's supervisor will be given the message. In cases where the message is of an urgent nature and may require immediate attention, an on duty supervisor of the command or a parent command will be notified forthwith.

1. Communications Section - Members of the Communications Section, when answering telephone complaints from the public, promptly respond by giving their rank and shield number. Civilian operators will answer by giving their operator number.

B. Use of Communications System - So far as possible, departmental business is transacted by means of the departmental communications systems, or as otherwise directed.

C. Misdirected Calls

1. Emergency - A member of the Department receiving an emergency call which is in the jurisdiction of another agency within or near the boundaries of the police district shall:

(a) Record all pertinent information.

(b) Advise the caller the information will be relayed to the appropriate agency for response. Do not refer the caller.

(c) Immediately notify the appropriate agency.

(d) If the other agency is unable to respond or requires assistance, notify appropriate Communications Section dispatcher or duty officer.

2. Non-Emergency - A member of the Department receiving a non-emergency call which is in the jurisdiction of another agency shall refer the caller to the appropriate agency.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 09-24

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE FIELD ACTION / INTERVIEW PROCEDURES				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/11/09	DATE EFFECTIVE 06/11/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 1: TITLE: FIELD ACTION / INTERVIEW PROCEDURES

I. PURPOSE

To establish guidelines for proper conduct and procedures to be followed when conducting field interviews and interrogations in "Stop and Frisk" and "Warrantless Probable Cause Search" situations.

II. POLICY

Field interviews, when properly documented, can provide investigators with information which could assist in developing leads and establishing crime patterns. When conducting these interviews, Department members are reminded to exercise discretion, courtesy and respect for individual civil rights.

III. DEFINITIONS

Stop – To stop a person in a public place and demand their name, address and an explanation of their conduct when an officer reasonably suspects that the person is committing, has committed or is about to commit a specific felony or misdemeanor as defined in the Penal Law. This is a significant interruption of a person's liberty of movement and the duration of the stop must be reasonable. (Note: A person does not have to identify him/herself. (See Kolender v. Lawson 461 US 352, 1983)

Frisk – It is allowable to frisk a person for a deadly weapon or dangerous instrument when an officer reasonably suspects that there is a danger of physical injury from that deadly weapon or dangerous instrument.

Founded (Mere) Suspicion – When an officer has some factual basis, which the officer can describe, for believing that a person is engaging in criminal activity, the officer has Founded Suspicion. The courts frequently refer to such a basis as an "articulable basis" (the ability of the officer to describe the reasons for their action). In a founded suspicion situation, the amount of available information indicative of criminal activity is small and its reliability is low. However, Founded Suspicion is more than a subjective hunch, feeling, or gut reaction.

Reasonable Suspicion/Belief – Reasonable Suspicion/Belief exists when the information known to the officer is of such weight and persuasiveness as to make an officer, depending on the officer's judgment and experience, reasonably suspect that a person may have committed, is committing, or is about to commit a crime. Reasonable/Belief Suspicion is more than Founded Suspicion, and less than Probable cause. The New York Court of Appeals has defined Reasonable Suspicion/Belief of criminal activity as, "The quantum of

knowledge sufficient to induce an ordinary prudent and cautious person under the circumstances to believe criminal activity is at hand”

Probable/Reasonable Cause – According to NYS CPL 70.10(2) “Reasonable Cause to Believe a person committed an offense exists when evidence or information which appears reliable discloses facts or circumstances which are collectively of such weight and persuasiveness as to convince a person of ordinary intelligence, judgment and experience that it is reasonably likely that such offense was committed and that such person committed it.” Or – Specific facts and circumstances within the police officer’s knowledge and of which they had reasonable trustworthy information sufficient in themselves to warrant a person of reasonable caution in the belief that seizable property would be found in a particular place or on a particular person.

Vehicle Stops - Must be based on at least reasonable suspicion of criminal activity or a violation of the V.T.L.

Plain View Doctrine – Allows an officer to seize without a warrant evidence, weapons and/or contraband found in plain view during a lawful observation.

Levels of Street Encounters – The four levels of street encounters as defined by People V. DeBour are:

Level One: Permits a police officer to request information from an individual and merely requires that the request be supported by an objective credible reason, not necessarily indicative of criminality.

Level Two: The common law right of inquiry, permits a somewhat greater intrusion and requires an articulable suspicion that criminal activity is afoot (said greater intrusion can include stopping and pursuing more aggressive and targeted questioning, and focused observation, to develop further basis for elevation to a level three encounter).

Level Three: Authorizes a police officer to forcibly detain an individual, and requires a reasonable suspicion that the particular individual is committing, has committed, or is about to commit a felony or penal law misdemeanor.

Level Four: Arrest, requires probable cause to believe that the person to be arrested has committed a crime.

IV. REFERENCES

- A. 461 US 352 1983
- B. New York State C.P.L. 140.50
- C. New York State Manual for Police

V. RULES AND REGULATIONS

A. The Field Action/Intelligence Report (PDCS 1018) will not be used to record the interview of a person under the age of 16 years. Instead the Juvenile Activity "Blue" Card will be prepared and submitted to the Fugitive/Missing Persons Section.

B. Arbitrary or indiscriminate use of either the Field Action/Intelligence Report or the Juvenile Activity Report shall be avoided.

C. Any stop and/or frisk or warrantless probable cause searches, as defined in this chapter, that are solely reported in memo books and not reported in other Department forms, will be reported in the Field Action/Intelligence Report (1018). No Central Complaint # would be required in such cases .

VI. PROCEDURE

- A. The Field Action/Intelligence Report (PDCS-1018) should be used to report information on persons

whose actions, appearance, presence, etc. are of an unusual or suspicious nature. If an arresting officer believes that important information will not be captured in the standard arrest paperwork a Field Action/Intelligence Report may also be submitted. Upon completion the form shall be forwarded to the member's command, as soon as possible, for review and proper distribution.

B. Stop and Frisk: (Excerpted from New York State Manual for Police).

1. Introduction. Although you do not have reasonable cause to arrest a person, the State law concerning stop and frisk permits you:

a. To stop a person in a public place and demand his name, address and an explanation of his conduct when you reasonably suspect that he is committing, has committed or is about to commit a specific felony or misdemeanor as defined in the Penal Law; and

b. To frisk that person for a deadly weapon or dangerous instrument when you reasonably suspect that you are in danger of physical injury from that deadly weapon or dangerous instrument.

2. Stopping a person. When you decide to stop and temporarily detain a person for questioning;

a. Identify yourself.

(1) If you are not in uniform, show your credentials.

b. Order the individual to stop.

(1) If an individual refuses to obey your order, use no more force than is necessary to stop and temporarily detain that person.

(2) The length of time you temporarily detain an individual for questioning must be reasonable.

3. Frisking a person.

a. No right to frisk exists unless there is a right to stop and all stops will not necessarily result in a frisk.

(1) To frisk, you must also reasonably suspect that you are in real danger of physical injury from a deadly weapon or dangerous instrument.

b. In deciding whether or not to frisk, consider the following factors:

(1) Your prior knowledge of the person's criminal record and reputation for carrying weapons.

(2) The nature of the suspected crime and whether it involved (or usually involves) the use of weapons or violence.

(3) The presence of bulges in the clothing of the person that may be indicative of a concealed weapon.

(4) The presence or absence of additional persons who are being stopped at the same time.

(5) The time of day or night and how well you can observe the whole of the person(s) that was stopped.

c. If you still have any doubt whether or not to frisk a person, in the interest of your safety, always resolve it in favor of conducting the frisk.

d. Limit your frisk to no more than a careful pat-down of the person's outer clothing to allow you to locate any concealed weapon(s).

(1) The frisk authorized by the law does not permit you to conduct a full and complete search of a person -- this is not a search for evidence or contraband.

(2) Nevertheless, it is possible that other property may be found during the course of the frisk. If this other property is contraband, the fruits or instrumentalities of a crime that you have reasonable cause to believe was committed or was about to be committed, you may arrest the person and seize such property as evidence.

(3) You may go into a pocket to take out an object you felt only when you reasonably suspect it to be a deadly weapon or dangerous instrument.

(4) If the person is carrying anything which is easily accessible to him and is capable of concealing a deadly weapon or a dangerous instrument, you may search whatever is in his possession in accord with the same principles of reasonableness that apply to the frisk of the person as set out earlier in this section.

e. Use no more force than is necessary to frisk the person.

4. Frisking a motorist.

a. When you stop a vehicle because of a traffic infraction and you then have a reasonable suspicion that the occupant (s) is armed and that you are in physical danger you may only frisk him for a deadly weapon or a dangerous instrument.

b. In accord with the same principles of reasonableness that apply to the frisk of a person as set out earlier in this section, before allowing the person(s) to reenter the vehicle, you may also search for weapons in any area of the interior of that vehicle

that could be reached by the person(s) when he reenters the vehicle.

C. Warrantless Probable/Reasonable Cause Searches There must be a probable/reasonable (words are interchangeable) cause for a warrantless search to proceed.

1. At the time and place that an officer arrests a person for a crime, an officer may fully and completely search that person and the area immediately surrounding that person to discover the following:

- a. Whether or not a deadly weapon or dangerous instrument is hidden or concealed nearby that could be used against the officer, or someone else, by the arrestee.
- b. Whether or not some item of contraband is hidden or concealed nearby that the arrestee could use in an attempt to escape.
- c. Whether or not there is evidence nearby that the arrestee could conceal or destroy if the arrestee were able to reach it.
- d. For any additional searches, the area or vehicle should be preserved for evidence, and a warrant should be obtained.
- e. Warrantless searches should not be made of a motorist or their vehicle incidental to an arrest for a traffic violation.

2. Exigent circumstances are those circumstances sufficient to excuse an officer, who has Probable Cause and urgency, from the requirement of obtaining a search warrant. Three common threats are:

- a. Danger to life
- b. Danger of escape
- c. Danger of loss or removal of evidence

3. When an officer is in hot pursuit of a person who they have Probable Cause to arrest, knowledge of the person's whereabouts during the pursuit, Probable Cause that the person entered a particular premises and the officer has a need to arrest the person then and there (exigency), an officer should follow the person into the premises and make an arrest and also:

- a. Search the arrestee incident to the arrest.
- b. Conduct a protective sweep of those spaces where a person may be found when a reasonable belief exists that another person may be in the premises who may pose a danger to the officer
- c. An officer should seize any evidence or contraband that is in plain view as well as any weapons or other dangerous instruments.
- d. This situation must be for a violent felon or a DWI suspect, otherwise obtain a warrant for violations, misdemeanors or routine felonies.

4. Vehicle searches, without a warrant, are authorized when Probable Cause exists to believe contraband, a weapon and/or evidence is located in the vehicle.

- a. The search is as thorough as could have been authorized by a magistrate with a warrant and includes the entire vehicle, such as the trunk and any containers found inside the vehicle.

b. The scope of the search is limited only by the nature of the article for which Probable Cause exists.

c. The automobile exception applies to parked vehicles in a public place as well as moving vehicles that are stopped by the police.

d. Probable Cause to search a vehicle may exist in one of two situations. Initially the circumstances that give rise to Probable Cause may be independent from an arrest and may exist before any arrest is made. Some examples of Probable Cause to search a vehicle are:

(1) Plain View: If an officer makes a valid traffic or investigatory stop of a vehicle and observes in Plain View a quantity of drugs or drug paraphernalia, a weapon or ammunition, or evidence of a crime, the officer would have Probable Cause to search the entire vehicle.

(2) Odors: If an officer smells the distinctive odor of drugs, they would have Probable Cause to search the entire vehicle.

(3) Admission: Probable Cause may arise when an occupant tells an officer of evidence or contraband in the vehicle.

(4) B.O.L.O.: An officer observes a vehicle, which matches the description of a “getaway” vehicle used in a crime. The officer has Probable Cause to search the vehicle for a weapon or any evidence of the crime.

(5) Frisk of an Occupant: A lawful frisk of an occupant reveals ammunition. The officer now has Probable Cause that a weapon is in the vehicle.

e. Under the second application, the circumstances which provide Probable Cause to arrest an occupant of a vehicle may also provide Probable Cause to believe that the vehicle contains either evidence of the crime for which the occupant was arrested, a weapon and/or contraband. Under the above circumstances, there must be a nexus between the Probable Cause to search & the crime for which the arrest is made, such as: an officer having Probable Cause to arrest an occupant of a vehicle for a recent burglary would have Probable Cause to believe evidence relating to that crime may be in the vehicle.

5. Vehicle Search Incident to Arrest: Occasionally, an officer will arrest the occupant of a vehicle but will not have Probable Cause to believe the vehicle contains contraband, a weapon, or evidence of a crime. Thus, the officer has neither an independent basis to search the vehicle nor do the circumstances that supply Probable Cause to arrest the occupant supply Probable Cause to search the vehicle. Nonetheless, the officer can conduct a limited search incident to the arrest. It exists to protect against the danger that an arrestee may gain access to a weapon or may be able to destroy or conceal evidence. (Refer to Subsection C, 1. a. thru c. above). Thus, an arrest for a crime authorizes a warrantless search of a vehicle and closed containers contained therein, for a reasonable time and to a reasonable extent when:

a. There is a reasonable belief that the vehicle or its contents may be related to the crime for which the arrest was made

b. A weapon may be discovered

c. Access to a means of escape may be prevented.

d. The search is limited to the passenger compartment and does not include the trunk.

e. This is not an automatic search and unless one of the above circumstances (a. thru c.) is present, there will be no search.

6. Consent Searches – See R&P 24.16.

VII. ACCREDITATION STANDARDS

A. CALEA 42.2.13, 41.2.3, 42.2.12

B. NYSLEAP 50.2, 50.4

VIII. INDEX

Field Action/Interview 24/1

Stop and Frisk 24/1

END

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 2: TITLE: PRELIMINARY INVESTIGATIONS

I. PURPOSE

To establish guidelines for conducting Preliminary Investigations by members of the Force.

II. POLICY

The scope of preliminary investigation by a Uniformed Officer may be very restricted or it may constitute the entire investigation of the crime. In a particular crime, the scope of the preliminary investigation may be limited by investigative policy, and in all cases it is limited by an officer's assignment workload. Consistent with his other responsibilities, an officer should continue a preliminary investigation to the point where the delay in the investigation caused by the report being processed will not materially jeopardize the investigation.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. As primary responders, Patrol Officers will usually perform the preliminary investigation function.

1. The extent of preliminary investigations conducted by Patrol Officers may be influenced by the nature of the incident. Determinant factors may include but be limited to:

a. Seriousness of the crime.

b. Necessity of collecting physical evidence which would require a specialized unit.

B. Patrol Investigation Responsibilities

1. Assigned patrol personnel shall:

a. Proceed to the incident location in a timely, but cautious, manner, being alert for possible suspects or suspect vehicle(s).

b. Upon arrival, aid and comfort the victim and secure the scene to protect physical evidence, if appropriate.

c. Transmit to other police units information of immediate relevance to intercepting a suspect or suspect vehicle.

d. Obtain and record a complete description of property taken; serial number, model, color, identifying marks, value, etc., making every effort to compile as complete a list as possible.

e. Expend that amount of time required to conduct a competent and thorough preliminary investigation, taking into account the character of inquiry appropriate in each case, the immediate demand for performance of other police services and good police judgment.

f. Continue the preliminary investigation until all useful information has been obtained from victim(s), witnesses, neighbors or

other persons present in or near the crime scene area.

g. Perform or cause to be performed all necessary crime scene processing for physical evidence.

h. Promptly notify the responsible Investigative Command(s), when required.

C. Follow-up Investigations

Uniformed Officers may conduct a limited follow-up investigation upon supervisory approval when there is a reasonable chance of apprehending the suspect, when there is a need for obtaining additional information for the preliminary investigation report, or when there are other compelling circumstances. (See Section 3 this chapter).

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP 40.1

VIII. INDEX

Investigations, Follow-up 24/2

Investigations, Preliminary 24/2

END

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 3: TITLE: FOLLOW-UP INVESTIGATIONS

I. PURPOSE

To enumerate those areas which should be considered when conducting follow-up investigations.

II. POLICY

Uniformed Officers may conduct a follow-up investigation when there is a reasonable chance of apprehending the suspect, when there is need for obtaining additional information for the preliminary investigation report, or when there are other compelling circumstances. Uniformed Officers and Detectives should exercise maximum investigative effort when conducting a follow-up to a preliminary investigation.

III. DEFINITIONS

N/A

IV. REFERENCES

Suffolk County Police Department Detective Division
Investigative Guide

V. RULES AND REGULATIONS

A. The investigator's supervisor shall approve all case files prior to their presentation to the District Attorney's Office.

VI. PROCEDURE

A. Follow-up Investigations

1. When a follow-up investigation is

necessary, the investigating officer/detective is advised to consider at a minimum:

a. A review and analysis of all previous reports prepared during the preliminary investigation.

b. Conducting additional interviews as appropriate.

(1) As more names become known from current witnesses and victims, make every effort to contact these people to ascertain what knowledge they may have.

(2) Effect a second contact with victims and/or witnesses in order to obtain any additional information, and to update them regarding progress in the case.

c. Review departmental records for previous contacts and/or cases involving all victims/witnesses and suspects.

d. Consult with preliminary investigators and/or informants.

(1) Original investigators may provide additional information inadvertently omitted in written reports.

(2) Interview informants

e. Ensure that all known physical evidence is collected and invoiced and/or submitted for further testing and evaluation. (Refer to Evidence Procedures in this manual.)

f. Obtain and examine all laboratory reports, ascertain whether or not additional testing/evaluation is required.

g. When appropriate, information regarding a case should be disseminated in accordance with established procedures. (See Release of Information in this manual.)

(1) Supervising officer should be briefed on progress at least weekly.

(2) Briefings with other assigned investigators, regarding major crimes, should be conducted as often as possible at the discretion of the supervising officer.

h. When searches are appropriate, obtain required warrant(s), organize and conduct search. (See Search Warrant in the Detective Division Investigation Guide.)

i. Court Presentation - The assigned investigator is responsible for ensuring that the case is properly prepared for court presentation. (Refer to Testifying in Court in the Detective Division Investigation Guide.)

(1) The investigator may seek assistance in preparing a case, from other investigators, a supervisor, or the District Attorney's Office.

j. When requested by the District Attorney's Office, an assigned investigator with particular expertise in a case, may act as an advisory witness in order to assist in the prosecution.

k. Make every effort to identify and apprehend suspects and when appropriate, make application for arrest warrant.

l. Check for possibility of suspects involvement in other crimes, or under investigation in other cases, and criminal history. (e.g.

VII. ACCREDITATION STANDARDS

- A. CALEA 42.1.6, 42.1.10, 42.1.12, 42.2.1, 42.2.3,
42.2.5, 42.1.16
- B. NYSLEAP 50.1

VIII. INDEX

Investigations, Follow-up 24/3
Investigations, Check List 24/3

END



ORDER NUMBER	09-16
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE
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SUBJECT/TOPIC/TITLE
UNLAWFUL EAVESDROPPING COMPLAINTS

DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 04/14/09	DATE EFFECTIVE 04/14/09	DATE TO BE REVIEWED N/A
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RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 4: TITLE: UNLAWFUL EAVESDROPPING COMPLAINTS

I. PURPOSE

To establish procedures to be followed in those incidents where unlawful eavesdropping is alleged.

II. PURPOSE

The right to privacy is a constitutional right which, when allegedly violated and reported to the Department, will be actively investigated.

III. DEFINITIONS

N/A

IV. REFERENCES

Article 250 of the New York State Penal Law

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Upon receipt of a complaint of unlawful eavesdropping, the member of the Service receiving it shall obtain a Central Complaint Number and record such complaint on a Field Report.

B. If the complainant requests that members of this Department conduct a visual or electronic search to detect eavesdropping devices, and there is reasonable cause to believe that such complainant is the victim of unlawful wiretapping or that such complainant's conversations are being unlawfully recorded or overheard by mechanical devices, the responding officer shall immediately notify the Precinct Detective Squad

in that jurisdiction and forward a copy of the Field Report to that command.

1. Upon notification of such complaint of unlawful eavesdropping, the Precinct Detective receiving it shall verify that reasonable cause exists to believe that unlawful eavesdropping is occurring and if so verified, shall immediately notify the Electronic Investigations Bureau.

C. The Electronic Investigations Bureau, upon receipt of such a complaint shall determine if a visual or electronic search of the complainant's premises by this Department is necessary and feasible. If it is so determined, the commanding officer of the Electronic Investigations Bureau shall submit a request in writing for approval of such search, via Internal Correspondence to the Deputy Police Commissioner, stating the name of the complainant(s), the location of the premises and/or telephone instrument(s), with telephone number(s), and further stating the reason(s) for believing that unlawful eavesdropping is occurring.

D. The Deputy Police Commissioner, upon receipt of such request, shall communicate with the District Attorney in order to solicit his advice and guidance, and thereafter to proceed accordingly.

1. If, after consultation with the District Attorney, the Deputy Police Commissioner is advised that a lawful Court Order has been granted for eavesdropping on the premises or telephone instrument(s) of the complainant, he shall advise the commanding officer of the Electronic Investigations Bureau to take no further action.

2. If it is determined that no Court Order has been granted, the Deputy Police Commissioner may approve that a visual and/or electronic search be conducted for eavesdropping devices on the premises and/or telephone instrument(s) of the complainant by members of the Electronic Investigations Bureau.

E. If during such search, an unlawful eavesdropping device is discovered, then appropriate police action shall be taken by the Electronic Investigations Bureau and the Precinct Detective Squad concerned. In such cases, the Precinct Detective Squad concerned shall be primarily responsible for the submission of necessary follow-up investigative reports.

F. Lawful Eavesdropping Device - If during search, an eavesdropping device is discovered and there is reasonable cause to believe that such device has been lawfully installed by a federal, state or municipal law enforcement agency, then members of the Electronic Investigations Bureau, or any other members having knowledge thereof, shall not divulge the existence of such eavesdropping device to any person other than the commanding officer of the Electronic Investigations Bureau, who shall divulge such information to the Deputy Police Commissioner only.

1. On receipt of information from the commanding officer of the Electronic Investigations Bureau that there is reasonable cause to believe that a lawful eavesdropping device has been installed on the premises and/

or telephone instrument(s) of the complainant by a federal, state or municipal law enforcement agency, the Deputy Police Commissioner shall notify such agency of the complainant's request of this Department to search for said device.

G. Eavesdropping Complaint - In all instances where a complaint is made by any person of unlawful eavesdropping in violation of Article 250 of the Penal Law, all required written reports shall be prepared and submitted by assigned personnel with reference to any action taken. In those instances where a visual and/or electronic search is approved by the Deputy Police Commissioner and conducted by the Electronic Investigations Bureau and when a lawful eavesdropping device installed by another law enforcement agency is discovered, then the facts pertaining to the search for such device shall be included in required written reports but no information as to the existence of an eavesdropping warrant shall be divulged orally to the Deputy Police Commissioner and only to the commanding officer of the Electronic Investigations Bureau.

1. When a complaint is made by any person to a member of this Department in which such person alleges that he is the victim of unlawful wiretapping and there is no reasonable cause to believe that such unlawful wiretapping is occurring, such person shall be referred to the Verizon Telecommunications Company for further action.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 5: TITLE: ACQUIRING NON-PUBLISHED INFORMATION FROM VERIZON TELECOMMUNICATIONS COMPANY

I. PURPOSE

To establish procedures for obtaining non-published information from the Verizon Telecommunications Company.

II. POLICY

Occasionally, restricted information which is not readily available to the public must be accessed as part of an investigation. Procedures for obtaining this information must be adhered to in order to coincide with access safeguards.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. Restricted Access - Members of the Force will utilize this procedure only for Departmental matters.

VI. PROCEDURES

A. Emergency Information Request - When it is necessary for a member of the Force engaged in an investigation/incident of an emergency life threatening nature, to obtain non-published information from Verizon Telecommunications Company, he or she will contact the Communications Section Duty Officer. The following information will be required:

1. Reason information requested;
2. Member's name, rank, command, Central Complaint Number assigned to the investigation or incident and;
3. The information requested.

The Duty Officer will then call the Verizon Security Control Center in Irving, Texas to obtain the information requested. On receipt of the information, it will be relayed to the requestor.

B. Requests Made Via Duty Officer - The Duty Officer will record the event, the requestor's information and result of the request in the Duty Officer's Confidential Log and must notify the Office of the Chief of Detectives as soon as possible.

C. Non-Emergency Information Request - When it is necessary for a member of the Force engaged in an investigation/ incident of a non-emergency nature to obtain non-published information from Verizon Telecommunications Company, the member, through his Commanding Officer, will contact the Investigations Section of the Suffolk County District Attorney's Office, Monday through Friday, between 0900 - 1700 hours, and file a Suffolk County District Attorney Request For Telephone Records (Subpoena Duces Tecum) specifying/providing the following information:

1. Reason information is requested;
2. Member's name, rank, command, Central Complaint Number assigned to the investigation or incident, and;
3. The information requested.

If the Request for Telephone Records is approved by the Office of the District Attorney, the designated staff member of the Suffolk County District Attorney's Office will send a written request to the Verizon Legal Compliance office in New

York City and obtain the information requested. On receipt of the information, it will then be relayed to the requestor.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-24
 08-75

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE HATE OFFENSES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 03/11/08 12/17/08	DATE EFFECTIVE 03/11/08 12/17/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 6: TITLE: HATE OFFENSES

I. PURPOSE

To establish a procedure for reporting and investigating hate incidents.

II. POLICY

The Suffolk County Police Department will aggressively investigate all reported hate offenses within the Department's jurisdiction.

III. DEFINITIONS

A. Hate Offense - All violations of law committed against individuals or property based on a belief or perception regarding race, color, national origin, ancestry, gender, religion, religious practice, age (based on the victim being 60 years old or more), disability or sexual orientation regardless of whether the belief or perception is correct.

B. Hate Offense / Aggravated Harassment First Degree – A person will be charged with this class E felony when their hate offense includes any of the following:

1. Damage to premises primarily used for religious services and/or instruction and the damage to the premises exceeds fifty dollars.

2. Setting on fire a cross in public view.

3. Etches, paints, draws upon or otherwise places and/or displays a swastika or a noose, on any building or other real property, public or private, owned by a person, firm or corporation or any public agency or instrumentality, without express permission of the owner or operator of such building or real property.

C. Hate Offense / Aggravated Harassment Second Degree- A person will be charged with this class A misdemeanor when their hate offense includes any of the following:

1. Communication with another person, anonymously or otherwise, by any form of electronic or written means, in a manner that is likely to cause the receiving person annoyance or alarm.

2. Makes a telephone call, whether or not a conversation ensues, with no purpose of legitimate communication.

3. Strikes, shoves, kicks or otherwise subjects another person to physical contact, or attempts and/or threatens to do the same.

IV. REFERENCES

A. New York State Hate Crimes Act of 2000.

V. RULES AND REGULATIONS

A. Responsibility - It shall be the responsibility of the Hate Crimes Unit to review all offenses and to have primary investigative responsibility for hate offenses, except for incidents involving death or serious physical injury that may result in death. In such cases the Homicide Section or the appropriate Precinct Detective Squad Section shall have primary investigative responsibility. The Hate Crimes Unit shall nevertheless investigate the hate related nature of the incident, and assist the primary investigator(s) as required. The Hate Crimes Unit is charged with and will be responsible for determining at any stage of an investigation if the offense is a hate crime.

1. Requests - Requests for the immediate response of the Hate Crimes Unit to a scene location shall be made via the Duty Officer.

VI. PROCEDURE

A. Responding Officer(s) - When an incident is reported in which a hate motive is either alleged or evident, or when a hate offense is perpetrated against an individual or to property, motivated by a belief or perception regarding race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation, the procedure shall be as follows:

1. a. Request the presence of a supervisor.

b. Preserve the scene.

c. Record the presence of all persons that respond.

d. Notify or cause to be notified the Hate Crimes Unit.

e. Report Preparation - When preparing a Field Report, Incident Report, Supplementary Report, or any other Department report or paperwork for an incident or offense which involves a hate motive, members of the Service shall include in the body of the report a description of the incident and/or crime committed and the hate category (i.e.: race, religion, etc.). If the hate crime is based on perceived sexual orientation, the words "sexual orientation perception" shall be included in the body of the report. Do not include the sexual orientation of hate victims in the report. All hate crimes shall be reported with the appropriate Penal Law article/ sections.

f. Make sufficient number of reports and submit a copy to the responding Hate Crimes Detective or forward copy to the Commanding Officer of the Hate Crimes Unit when a Detective is not responding. Hate incidents which do not rise to the level of an offense and hate offenses in which the victim declines further police action, shall be so noted on the appropriate paperwork with a copy forwarded to the Commanding Officer of the Hate Crimes Unit.

g. Perform whatever other function is necessary to aid the investigation.

2. The line supervisor on the scene shall immediately take charge of the situation until or unless properly relieved and shall ensure that:

a. The Duty Officer is notified of the incident and all known circumstances surrounding the incident.

b. The Hate Crimes Unit is notified.

c. The Crime Scene Section is requested to respond for evidentiary processing and scene documentation.

d. Proper notifications are made to the Precinct Crime Section or Detective Squad.

e. The crime scene is preserved.

f. Required paperwork is completed.

g. Offense is included in the command tour report.

h. Precinct commander is notified of offenses of a serious nature.

3. The Duty Officer shall:

a. Notify the Hate Crimes Unit as outlined in Chapter 23, section 5.

b. Record the incident in the "Duty Officer's Confidential Log".

B. Supporting Command(s) - In instances where the Hate Crimes Unit is the primary investigative Command and in the opinion of the Commanding Officer of the Hate Crimes Unit additional investigative assistance is necessary, he/she shall communicate a request for assistance to the Commanding Officer or designee of the Precinct or Bureau from which assistance is being sought. The Commanding Officer or designee shall then direct that the assistance be provided by members of his/her Command.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 7: TITLE: CONSUMER PRODUCT TAMPERING

I. PURPOSE

To establish a consumer product tampering reporting and investigative procedure.

II. POLICY

N/A

III. DEFINITIONS

A. Consumer product tampering are those acts which violate Sections 145.40 and 145.45 of the New York State Penal Law.

IV. REFERENCES

Sections 145.40 and 145.45 of the New York State Penal Law.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Officer's Responsibility - When a member of the Force receives a valid complaint of a consumer product tampering, he will report that case, within five hours, to the Consumer Product Tampering Data Base (CPTDB) which is maintained by the New York State Police.

1. Notification will be made via NYSPIN through the Teletype Unit and will consist of the following minimum information:

a. Name, rank and command of officer

handling the initial complaint.

b. Central Complaint Number assigned to the incident.

c. Whether or not the Department is requesting State Police assistance.

d. Complainant's name, D.O.B., address and phone number.

e. Type of product.

B. Receipt and Forwarding of Report - Two copies of a Consumer Product Tampering Data Base Case Report, containing all of the data that was initially reported to the Consumer Product Tampering Data Base, will be returned to the Department by the New York State Police and forwarded to the appropriate investigating command.

C. Responsibility of Investigating Officer - The investigating officer will, upon completion of the investigation, complete the Consumer Product Tampering Data Base Case Report, keeping one copy for his Case Jacket and returning one copy by mail to: New York State Police Headquarters, Crime Analysis Unit, State Campus, Building #22, Albany, New York 12226.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 8: TITLE: WEAPONS/HANDGUN INVESTIGATIONS

I. PURPOSE

To assign responsibility for investigations of weapons to the appropriate command.

II. POLICY

Investigations of weapons used in, or suspected of being used in offenses are conducted by the Detective Division. Under certain circumstances, as enumerated below, investigations of weapons may be conducted by commands outside of the Detective Division.

III. DEFINITIONS

A. Firearm - For the purpose of this section shall include all handguns, rifles, shotguns, machine guns or any device which a shot, readily capable of producing death or other serious injury, may be discharged by means of an explosion. (Includes antique pistols.)

B Found Firearm - For the purpose of this section shall be limited to meaning a firearm belonging to a person's deceased relative.

C. Handgun - Pistol or revolver from which a shot, readily capable of producing death or other serious injury, may be discharged by means of an explosion. Includes antique pistols.

D. Weapons - For purposes of this section shall mean those weapons described in article 265.00 of the New York State Penal Law.

IV. REFERENCES

A. New York State Penal Law, Article 265.00

B. Suffolk County Police Department Rules and Procedures Chapter 5, Section 10; Chapter 9, Section 8 and Chapter 24, Section 9.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

(Specific subsections of Chapter 5, Section 10 titled, Firearms Discharge Procedures and Chapter 9, Section 8 titled, Gun Call Guidelines are repeated here for continuity.)

A. Weapons offenses whether classified as felonies, misdemeanors or violations, are within the Detective Division's scope of responsibility for investigation and firearms tracing.

B. The Pistol Licensing Bureau may be required to trace firearms under provisions outlined in Chapter 24, Section 9, entitled Firearms Tracing Request. This Bureau may also take possession of and conduct an investigation on handguns under the following circumstances:

1. Handguns surrendered by and/or confiscated from holders of an active, canceled or expired pistol license.

2. Handguns surrendered by family members, other interested parties, or the estate of a deceased pistol license holder.

3. Handguns surrendered by family members, of a licensee that has an active, canceled or expired pistol license.

4. Handguns purchased out of state by a pistol license holder.

5. Handguns transported into New York State

by a person who has recently changed their residence to New York State.

6. Handguns surrendered by and/or confiscated from a gun dealer or gunsmith.

C. Handgun Incidents - Members of the Force will notify the Pistol Licensing Bureau within three (3) days of all incidents involving handguns, the loss, theft, or surrender of a licensed firearm, or any incident involving a pistol licensee which might reflect on the suitability of the licensee to possess a pistol license. A copy of any relevant paperwork will be forwarded to the Pistol Licensing Bureau giving all details of the incident. Notifications to the Pistol Licensing Bureau may be initially made via facsimile machine at 852-6670.

D. Nuisance Weapons - Whenever a nuisance weapon or a weapon, instrument, or appliance, which has not been registered in this or any other state, comes into the possession of any member of the Force under any circumstances (i.e., gift, purchase, arrest or confiscation) it will be the responsibility of that member to surrender the weapon and report the circumstances under which the weapon was received. A copy of the member's report will be forwarded to the Chief of Support Services, Chief of Detectives, and Pistol Licensing Bureau.

E. Invoicing and Evaluation of Firearms - Any firearm, including any weapon designed for or capable of firing a projectile commonly known as a bullet or slug, coming into the possession of this Department shall be forwarded as follows:

1. All firearms used or suspected of being used in the commission of an offense, where scientific testing is necessary to provide evidence for the prosecution of a defendant or aid the investigation of an offense, shall be evaluated by the investigating officer to determine the appropriate analysis or testing.

a. If the investigating officer deems it necessary or desirable that the firearm be processed for latent fingerprints, then the weapon shall be

properly invoiced, utilizing a Property Section Invoice (PDCS-4201) and attached Evidence Analysis Request (PDCS-3220-9), and shall first be forwarded directly to the Identification Section.

b. The Identification Section, upon completion of the latent fingerprint examination, shall forward the firearm with the appropriate invoice and analysis request to the Crime Laboratory for fireability and other scientific testing before being consigned to the Property Section.

c. If, in the opinion of the investigating officer, latent fingerprint examination is unnecessary or not desired, then the firearm, properly invoiced, shall be forwarded to the Crime Laboratory for scientific testing before being consigned to the Property Section.

2. Unattended firearms or, any firearm that, under the circumstances in which it is found, appears suspicious shall be considered evidentiary in nature and shall be evaluated by the investigating officer to determine the appropriate analysis or testing.

a. If the investigating officer deems it necessary or desirable that the firearm be processed for latent fingerprints, then the weapon shall be properly invoiced, utilizing a Property Section Invoice (PDCS-4201) and attached Evidence Analysis Request (PDCS-3220-9), and shall first be forwarded directly to the Identification Section.

b. The Identification Section, upon completion of the latent fingerprint examination, shall forward the firearm with the appropriate invoice and analysis request to the Crime Laboratory for fireability and other scientific testing before being consigned to the Property Section.

c. If, in the opinion of the investigating officer, latent fingerprint examination is unnecessary or not desired, then the firearm, properly invoiced, shall be forwarded to the Crime Laboratory for scientific testing before being consigned to the Property Section. If there is any doubt about the history of the firearm, it shall be forwarded to the Crime Laboratory.

3. Firearms of the following type, absent extenuating circumstances, shall be properly invoiced and sent directly to the Property Section:

a. Firearms used in the commission of an offense where no scientific testing is necessary (e.g., firearms used to menace an individual, firearms used in violations of Environmental Conservation Law, etc.)

b. Found Firearms.

c. Firearms registered or legally possessed which are voluntarily surrendered. Surrendered weapons include new guns from out of state, safe guarding, expired permits, permit holders with other charges and guns legally possessed (shotguns and rifles) but seized during search warrant raids.

VII. ACCREDITATION STANDARD

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Found Firearms 24/8
Handgun Investigations 24/8
Weapons Investigations 24/8
Firearms Analysis and Testing 24/8
Handgun Analysis and Testing 24/8

END

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 9: TITLE: FIREARMS TRACING REQUEST

I. PURPOSE

To establish procedures for the proper tracing of Firearms which come into the possession of the Suffolk County Police Department.

II. POLICY

It shall be the policy of the Suffolk County Police Department to trace all firearms which come into the possession of this Department, except those legally possessed firearms which are voluntarily surrendered to this department for safekeeping and those firearms legally possessed by a licensed permit holder, which are removed from the permit holder because of suspension and/or revocation of said permit. It shall be this Department's policy to trace these firearms through the Bureau of Alcohol, Tobacco and Firearms (ATF), and to supply required information to the New York State Police Criminal Gun Clearinghouse (NYSP CGC) through the Receiving, Dispatching and Teletype Unit.

III. DEFINITIONS

A. Firearm - For the purpose of this section firearms will include all handguns, rifles, shotguns, machine guns or any other device which a shot, readily capable of producing death or other serious injury, may be discharged by means of an explosion. (Includes antique pistols.)

B. Permit - For the purpose of this section permit will include all pistol permits, including carrying permit, target permit, dealer permit or gunsmith permit.

C. Trace - The systematic tracking of firearms and explosives from manufacturer to purchaser and/or

possessor, for the purpose of aiding law enforcement officials in identifying suspects involved in criminal violations, establishing stolen status and proving ownership. This trace is conducted by the ATF.

IV. REFERENCES

New York State Executive Law Section 230
New York State Penal Law, Article 265.00
Title 18 United States Code, Chapter 44

V. RULES AND REGULATIONS

A. Whenever a firearm comes into the possession of the Police Department the investigating officer shall complete a Firearms Tracing Request form (PDCS 3028).

B. A Firearm Tracing Request is not required under the following circumstances:

- 1) Firearms that are legally possessed, which are voluntarily surrendered to this Department for safekeeping and/or destruction.
- 2) Firearms legally possessed by a licensed permit holder or dealer, which are removed from the permit holder because of suspension and/or revocation of said permit.

C. To ensure that the correct information is entered into the database, the Firearms Tracing Request must be completed in it's entirety. (If the trace request originates from the Pistol Licensing Bureau, and such trace is non-criminal in nature, the Firearm Possessor/ Associate Information portion of the form must be left blank. This will prevent the ATF from entering the possessor's pedigree information into the database for firearms categorized as suspicious, but non-criminal, in nature.) If a question does not apply or the information is unknown enter N/A or Unk in the appropriate boxes. If the original Firearms Tracing Request was completed without the serial number, due to defacement, and the Suffolk County Crime Laboratory was later able to restore the serial number, the investigating officer must notify

ATF by forwarding a copy of the laboratory results along with a copy of the original Firearms Tracing Request.

D. Members of the Force shall complete a separate Firearm Tracing Request form for each firearm recovered.

VI. PROCEDURES

A. Determine whether the firearm is stolen - Once a firearm comes into possession of the Suffolk County Police Department, the investigating officer shall conduct a NYSPIN check to determine if the firearm is reported stolen. If the firearm is reported stolen, the Receiving, Dispatching and Teletype Unit must be notified of the recovery.

B. Firearms Tracing Request:

1. If this is an URGENT trace, such as a firearm used in a homicide or any other high profile crime and the trace is needed to further the investigation, check the urgent box. Call the duty officer for the ATF contact number to submit the urgent trace.

2. If the firearm was recovered in an undercover operation and you do not want the retail dealer notified, check undercover investigation box. The firearm trace information will only be entered into the law enforcement database.

3. Check all appropriate boxes on firearm information. If the firearm is believed to have been used in a crime, the NYSP CGC must be notified through the Receiving, Dispatch and Teletype Unit. "Believed to have been used in a crime" shall also include firearms which are illegally possessed or any questionable guns, such as those found in a public place. Checking this box will also instruct the ATF to send a copy of the trace results to the NYSP CGC.

4. Firearms Description box must be completed in full.

a) Type should indicate revolver, semi-auto, derringer, rifle, assault rifle, shotgun, machine gun, etc.

b) If the serial number is obliterated or defaced

please write unknown in the Serial Number box.

c) If the firearm is made outside the United States, the Country of Origin and Importer MUST be completed on the form. All firearms imported after 1968 are required to have the importer's information imprinted on the frame of the firearm. If no importer information is imprinted on the firearm, write "None Found" in the Importer Section. Without

Importer information, the foreign made gun cannot be traced.

d) If the firearm was licensed to the possessor please check the appropriate box. If the firearm is a rifle or shotgun and no license is required, check the Not Applicable box.

5. If the tracing request is associated with a criminal investigation, complete the possessor's pedigree information. If the subject was arrested, input the Penal Law Section or other section of law, when appropriate. When a non-criminal request is initiated by the Pistol Licensing Bureau, this section must be left blank.

6. Complete the recovery location boxes in full including any apartment numbers and ZIP CODES.

7. Circle the appropriate crime code within the Crime Involvement Section.

8. Fill out the Detail Section to describe how the firearm came into the possession of the Police Department. When a non-criminal request is initiated by the Pistol Licensing Bureau, enter only "Found and Surrendered - Invoiced to SCPD Property Section in the Detail Section.

C. Notification to ATF - The investigating officer shall fax a copy of the completed trace request to the ATF Field Office, located in Melville, to conduct the trace. ATF, along with the NYSP CGC, will maintain a database on reported firearms. This database will include, but is not limited to, types of firearms recovered, location of recoveries and, when applicable, possessor's information. This database will help identify firearms trafficking patterns. This information will then be made

available to this Department and the investigating officer. The ATF shall also maintain records of individuals who purchase more than one handgun within a five-day period and information regarding the purchasers and the firearm dealers where the recovered firearms originated.

D. Notification to New York State Police - If the firearm is believed to have been used in a crime, the Receiving, Dispatching and Teletype Unit must be contacted by calling them directly. The Receiving, Dispatching and Teletype Unit will supply the NYSP CGC with the required information through the NYSPIN computer system.

E. Distribution - The investigating officer will retain the 2nd copy (Pink) for the command case file. The original (White) and the 1st copy (Canary) will be forwarded to the Chief of Detectives Office for distribution. The Chief of Detectives office will forward the original (White) to Central records and the 1st Copy (Canary) will be forwarded to the ATF.

F. Tracing Results -

1. ATF will forward the completed results of the trace to the requesting officer.
2. The NYSP CGC will forward the results of the check through the NYSPIN Computer system. These results will be received through the Suffolk County Police Teletype, Receiving and Dispatching Unit and forwarded to the investigating officer.

VII. ACCREDITATION STANDARD

N/A

VIII. INDEX

Criminal Gun Clearinghouse (CGC), 24/9
Firearms Tracing Request, 24/9

END



ORDER NUMBER 06-75
 06-81

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE IDENTITY THEFT AND UNLAWFUL POSSESSION OF PERSONAL IDENTIFICATION INFORMATION OFFENSES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 11/02/06 12/07/06	DATE EFFECTIVE 11/02/06 12/07/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 10: TITLE: IDENTITY THEFT & UNLAWFUL POSSESSION OF PERSONAL IDENTIFICATION INFORMATION OFFENSES

I. PURPOSE

To establish procedures regarding the investigation of Identity Theft and Unlawful Possession of Personal Identification Information offenses.

II. POLICY

The Suffolk County Police Department shall ensure that incidents of Identity Theft and Unlawful Possession of Personal Identification Information are properly investigated, and that assistance is provided to victims through appropriate referrals.

III. DEFINITIONS

Identity Theft - When a person knowingly and with intent to defraud assumes the identity of another person by presenting himself or herself as that other person, or by acting as that other person or by using personal identifying information of that other person, and obtains goods, money, property or services or uses credit in the name of such other person or causes financial loss to such person or to another person or persons, or commits a class A misdemeanor or higher level crime.

Personal Identifying Information - A person's name, address, telephone number, date of birth, driver's license number, social security number, place of employment, mother's maiden name, financial services account number or code, savings account number or code, checking account number or code, brokerage account number or code, credit card number or code, debit card number or code, automated teller machine number or code, taxpayer identification number, computer system password, signature or copy of a signature, electronic signature, unique biometric data that is a fingerprint, voice print, retinal image or iris image of another person, telephone calling card number, mobile identification number or code, electronic serial number or personal identification number, or any other name, number, code or information that may be used alone or in conjunction with other such information to assume the identity of

another person.

Unlawful Possession of Personal Identification Information - When a person knowingly possesses the personal identification information (defined above) of another person knowing such information is intended to be used in furtherance of the commission of a crime of Identity Theft.

IV. REFERENCES

Sections 190.77, 190.78, 190.79, 190.80, 190.81, 190.82 and 190.83 of the New York State Penal Law

Section 20.40 subdivision 4. (1) of the New York State Criminal Procedure Law

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Members shall familiarize themselves with Identity Theft and Unlawful possession of Personal Identification Information offenses specified in the New York State Penal Law. Also, members should be aware of jurisdictional requirements for such offenses specified in the New York State Criminal Procedure Law.

1. As per the New York State Criminal Procedure Law Section 20.40, subdivision 4. (1), an offense of Identity Theft or Unlawful Possession of Personal Identification Information may be prosecuted in:

- a. Any county in which part of the offense took place regardless of whether the defendant was actually present in such county; or
- b. The county in which the person who suffers financial loss resided at the time of the commission of the offense; or
- c. The county where the person whose personal identification information was used in the commission of the offense resided at the time of the commission of the offense.

B. Upon receipt of a complaint of Identity Theft or Unlawful Possession of Personal Identification Information, the responding member shall determine if jurisdictional requirements specified in Paragraph A. 1. above are satisfied. If not, the responding member shall ensure that a referral is made to the victim regarding the appropriate law enforcement agency that has jurisdiction for the incident. If jurisdictional requirements are satisfied, the responding member shall conduct a preliminary investigation, obtain a Central Complaint Number and record the complaint on an Incident Report (PDCS-1099a). Also, the member conducting the preliminary investigation shall have the complainant execute an Identity Theft or Unlawful Possession of Personal Identification Information

1. The member conducting the preliminary investigation should advise the victim to notify the appropriate agencies (i.e., credit card company, Social Security Administration, etc.) regarding the compromised personal identification information of the victim.

C. The member conducting the preliminary investigation shall contact the Identity Theft Unit (command 3211) at 852-6821 and provide details of the Identity Theft or Unlawful Possession of Personal Identification Information incident. If no member of the Identity Theft Unit is available, the member conducting the preliminary investigation shall leave a voice-mail message containing pertinent details of the incident. Also, the member conducting the preliminary investigation shall ensure that copies of the Incident Report and the Identity Theft or Unlawful Possession of Personal Identification Information Supporting Deposition are faxed to the Identity Theft Unit at 852-6820.

1. The command of the member conducting the preliminary investigation shall ensure that the necessary Incident Reporting System entries are performed, and shall also ensure that the Incident Report and the Supporting Deposition are forwarded to the Identity Theft Unit in a prompt manner.

D. If a summary arrest is made of a subject for an Identity Theft or Unlawful Possession of Personal Identification Information offense by a Patrol Division member, the arresting officer shall notify the Identity Theft Unit. If Identity Theft Unit personnel are not available, the arresting officer shall leave a voice-mail message. Arrests for non-felony offenses may be processed by the arresting officer. Arrests for felony offenses shall be processed by a member of the Identity Theft Unit, or by a member of the Precinct Detective Squad if Identity Theft Unit personnel are not available. If the arrest is not processed by a member of the Identity Theft Unit, the member processing the arrest shall ensure that copies of documents pertaining to the incident and the arrest are faxed to the Identity Theft Unit.

E. If an investigation performed by a Precinct Crime Section or a Precinct Detective Squad reveals matter that involves an Identity Theft or Unlawful Possession of Personal Identification Information offense, the Precinct Crime Section or the Precinct Detective Squad may conduct the necessary investigation. However, the investigating command shall ensure that the Identity Theft Unit is notified of the investigation, and shall ensure that a copy of the Incident Report is faxed to the Identity Theft Unit.

F. Except as specified in Paragraph E. above, the Identity Theft Unit shall conduct all follow-up investigations for Identity Theft and Unlawful Possession of Personal Identification Information offenses. Also, the Identity Theft Unit shall maintain a database for all Identity Theft and Unlawful Possession of Personal Identification Information offenses occurring within the Police District, and shall act as a liaison between the Department and other law enforcement agencies and commercial entities

so as to enable the coordination of investigations.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

Identify Theft 24/10

Unlawful Possession of Personal Identification Information 24/10

Identity Theft Unit 24/10

END

RULES AND PROCEDURES

CHAPTER 24: TITLE; INVESTIGATIVE OPERATIONS

SECTION 11: TITLE: UNIDENTIFIED FOUND PERSONS/BODIES

I. PURPOSE

To establish a procedure for the appropriate handling and investigation of unidentified found persons and unidentified dead bodies.

II. POLICY

It is the policy of the Suffolk County Police Department to assist in uniting unidentified found persons with their families/legal guardians, and/or if needed, to provide them with medical or psychiatric care.

III. DEFINITIONS

Unidentified found person.

A. A person who is unable to identify him/herself due to amnesia, etc.

B. A juvenile/child who is abandoned or whose relatives/legal guardian cannot be located or are unknown.

C. Unidentified dead bodies.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Preliminary Investigation(s) - A police officer who receives a complaint or encounters an unidentified found person shall, after providing and/or ascertaining if the individual is in need of immediate medical or psychiatric care shall perform one or more of the following:

1. Question found person for possible information.

2. Check person or clothing for identification, medical alert tags or bracelets.

3. Check houses or establishments within immediate vicinity of where the subject was found.

4. Notify/check with the Fugitive/Missing Persons Section between 0900 hours and 0100 hours.

5. Check with the Teletype Unit for a possible missing or lost person alarm (File 6) for a person meeting the description of the individual. If no alarm is active and the unidentified person gives his/her consent or is physically or mentally unable to consent have the Teletype Unit enter information outlined in State of New York Unidentified Person Data Collection Guide (DCJS 1507) into New York State Unidentified Person File System. All replies shall be directed to the precinct of occurrence and the Fugitive/Missing Persons Section (852-6340 or 6197).

6. Check with local medical and psychiatric hospitals or Alzheimer organizations.

7. If the person is under arrest for a printable offense or if not, if he/she agrees to be fingerprinted, take his/her fingerprints on a D.C.J.S. INQUIRY card and, if between 0900 and 0100 hours, hand carry same to the Identification Section for a computerized fingerprint search.

8. If the person appears to pose a threat to himself or others, attempt to have him/her evaluated

for possible committal to a psychiatric facility.

9. If person does not appear to pose a risk or harm to himself or others, contact the Department of Social Services for temporary lodging/assistance.

10. Child Protective Services will be notified for all juveniles and/or those individuals who appear to be juveniles.

11. When the person is identified during the tour of duty of the assigned officer only a Field Report need be prepared. The report shall detail as much outcome of the incident. A copy of the report shall be forwarded to the Fugitive/Missing Persons Section.

12. When the person remains unidentified and the case is to be further investigated by the Fugitive/Missing Persons Section, a supplementary report detailing all the steps taken will be prepared including the name of the Fugitive/Missing Persons Section officer notified. A copy of the report shall be faxed to the Teletype Section for delivery to the Fugitive/Missing Persons Section.

B. Continuing Investigation(s)

1. Fugitive/Missing Person Section - It shall be the responsibility of the Fugitive/Missing Persons Section to complete and forward "State of New York Unidentified Person Data Collection Guide", DCJS 1507, to DCJS/N.C.I.C. via NYSPIN on all living unidentified person(s).

2. Homicide Squad - In cases of deceased unidentified person(s) the Homicide Squad, in conjunction with the Medical Examiner's Office, shall complete the "State of New York Unidentified Person Data Collection Guide, DCJS 1507", and forward same as noted above.

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP

VIII. INDEX

Unidentified Found Person(s) 24/11
Found Person(s), Unidentified 24/11
Unidentified Dead Bodies 24/11
Dead Bodies, Unidentified 24/11

END



ORDER NUMBER 07-65

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE KIDNAP INVESTIGATIVE TEAM (K.I.T.)			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 08/02/07	DATE EFFECTIVE 08/02/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 12: TITLE: KIDNAP INVESTIGATIVE TEAM (K.I.T.)

I. PURPOSE

To provide for the special response to and investigation of kidnapping incidents where a demand or threat exists regarding the safety and well-being of the person(s) abducted.

II. POLICY

Kidnapping incidents where a demand or threat has been made affecting the safety or well being of the person(s) abducted will be assigned to the Kidnap Investigative Team (K.I.T.).

III. POLICY

Kidnap Investigation Team - A team comprised of a detective lieutenant as the commanding officer, supported by detective supervisors and detectives as designated by the Chief of Detectives.

IV. REFERENCES

New York State Penal Law Sections 135.20 and 135.25.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Notification - When a reported kidnapping incident warrants the activation and response of the Kidnap Investigative Team, the responding Officer will notify the Precinct Detective Squad directly. If a direct notification is not possible the officer will contact the Precinct Desk Officer, who will make notification. Between the hours of 0100-0900 an Officer will contact the Precinct Desk Officer. The Precinct

Desk Officer will notify the Standby Detective. If any notifications cannot be made the Communications Section Duty Officer will be contacted to perform a call-out. When notified, the Standby Detective will make the proper notifications.

B. In all instances the notified personnel will:

1. Coordinate the timely re-contacting of the complainant and will verify the necessity for K.I.T. response.

2. Initiate K.I.T. activation and response when warranted.

NOTE: Unless otherwise directed no marked units will be dispatched to the scene and radio communications should be limited.

C. Upon completion of the initial investigation by K.I.T., utilization of the Amber Alert System shall be considered if appropriate.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

Add: Kidnap Investigative Team (K.I.T.) 24/12

Investigations: Kidnapping 24/12

Amber Alert: 24/12, 24/13

END



TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE AMBER ALERT PROCEDURE				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 05/04/07	DATE EFFECTIVE 05/04/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 13: TITLE: AMBER ALERT PROCEDURE

I. PURPOSE

To provide for the special response to and investigation of incidents of abduction where the abducted person is 17 years of age or younger, and police have reasonable cause to believe the child is in imminent danger of serious bodily harm or death due to the actions of another, or due to a proven mental or physical condition.

II. POLICY

Incidents involving the abduction of a child shall be assigned to the Kidnap Investigative Team (K.I.T.).

III. DEFINITIONS

Child- For purposes of this section, a child is a person 17 years of age or younger.

Kidnap Investigative Team (K.I.T.) - A team comprised of a detective lieutenant as the commanding officer, supported by detective supervisors and detectives as designated by the Chief of Detectives.

New York State Police Communications Section (NYSP COMSEC)- The division of the New York State Police that is responsible for gathering the applicable information on abducted children from police agencies throughout New York State and subsequently issuing an AMBER Alert when appropriate.

AMBER (America's Missing: Broadcast Emergency Response) Alert - A mechanism for rapid and widespread public dissemination of information in the incidence where police have reasonable cause to believe that a child 17 years of age or younger has been abducted, and police believe the child is in imminent danger of serious bodily harm or death due to the actions of another, or due to a proven mental or physical condition. This program is an investigative resource, which broadcasts details to the public on participating radio and television stations. The intention of the program is to facilitate, through widespread public assistance, the

rapid recovery of a young child.

In order for an incident to qualify for an AMBER Alert, the following criteria must be met:

- a. A preliminary investigation MUST be conducted.
- b. Abducted person is 17 years of age or younger.
- c. Police believe that the child is in imminent danger of serious bodily harm or death, due to the actions of another, or due to a proven mental or physical condition.

NYS AMBER Alert Authorization to Publicize form - Document through which a parent or legal guardian grants permission to publicize information pertinent to the disappearance of a child.

AMBER Alert Submission form - Document which is used by local law enforcement to request initiation of an AMBER Alert through the New York State Police Communications Section (COMSEC).

Missing Child/College Student Alert - is an alternative alert system available when a missing child or college student is deemed to be endangered, but the case does not meet AMBER Alert activation criteria. Under the Missing Child/College Student Alert, information can be distributed electronically to every police agency in New York State, New York State Thruway travel plazas and toll barriers, broadcasters, Alert subscribers, and others within minutes. Information is also placed on the New York State Division of Criminal Justice Services website. Unlike an AMBER Alert, Emergency Alert System (EAS) messages interrupting radio/television programming are not used to disseminate a Missing Child/College Student Alert and station managers decide if and when to broadcast information.

IV. REFERENCES

New York State Penal Law Sections 135.05, 135.10, 135.20, 135.25, 135.45 and 135.50.

Rules and Procedures Chapter 24, Section 12.

New York State AMBER Alert: Law Enforcement Guidelines and Activation Forms, June 2004

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. For all instances of a child's reported abduction, the Duty Officer shall coordinate the appropriate patrol response to the incident.

B. When a reported abduction of a child is verified, the Detective Squad of occurrence and the Kidnap Investigative Team (K.I.T.) shall be notified by the Duty Officer. Communication of the particulars of the incident to these units shall be made as per K.I.T. call-out guidelines.

C. K.I.T. personnel shall determine if the incident qualifies for issuance of an AMBER Alert. The AMBER Alert shall only be initiated by authorization from one of the following individuals listed below according to the following priority:

- 1st K. I. T. Commanding Officer
- 2nd K. I. T. Commanding Officer's designee
- 3rd Precinct Detective Bureau Commanding Officer
- 4th Deputy Chief of Detectives or above

D. In an incident in which an AMBER Alert is to be issued, K.I.T. personnel shall ensure that:

1. An NCIC missing person entry (File 6) of involuntary, endangered, or disability is submitted.
2. A NYSPIN File 11A (abduction message) is submitted.
3. A NYS AMBER Alert Authorization to Publicize form is completed.
4. An AMBER Alert Submission form is completed. (This form must include the name and telephone number of a contact person to receive COMSEC verification of the authenticity of the request and the telephone number to be used in public broadcasts to receive incoming calls/leads)
5. COMSEC staff is contacted at (518) 457-6811 to advise them that an AMBER Alert request is being sent via fax.
6. The NYS AMBER Alert Authorization to Publicize and the AMBER Alert Submission forms are faxed to COMSEC at (518) 457-3207.
7. The Communications Section Duty Officer, Crime Stoppers Section, and the Public Information Section are notified prior to the release of the AMBER Alert.
8. Any available photographs or digital images of the child and abductor (if known) are obtained as soon as possible. Digital images should be submitted in the highest resolution possible (preferably 300 dpi) and in a commonly used format (i.e., .jpeg, .tif, .png, .pdf). Digital images should be submitted to the following e-mail addresses:
 - (a) missingchildren@dcjs.state.ny.us
 - (b) commop@troopers.state.ny.us
9. Updates are submitted to COMSEC on additional AMBER Alert Submission forms calling attention to any information in conflict with initial submittal.
 10. In the event the child is recovered or the case is determined to no longer qualify for the AMBER Alert, COMSEC must be notified immediately, in writing, so that a cancellation may be broadcast.

E. The Duty Officer shall notify other adjoining agencies prior to the release of the AMBER Alert.

F. The Duty Officer shall ensure that Department-wide notifications of the AMBER Alert are made by the Communications Section to on-duty personnel via radio, Mobile Data Computer, or other means.

The following individuals shall also be notified that an AMBER Alert has been issued:

1. Police Commissioner
2. Chief of Department
3. All Division Chiefs

4. District Commander (when on duty)
5. Commanding Officer of the Precinct of Occurrence or if unable to contact, Precinct Executive Officer.

G. In a situation where the New York State Police Communications Section (COMSEC) determines that the event under investigation does not meet the stringent AMBER Alert activation criteria, the Kidnap Investigative Team (K.I.T.) member who initially contacted COMSEC shall advise the K.I.T. Commanding Officer of COMSEC's decision and their referral to the alternative alert system. If the Commanding Officer of K.I.T. is unavailable, the notifying K.I.T. member shall proceed as directed under Procedures section VI. C. described above to obtain authorization to utilize the alternative alert system. This system is known as the Missing Child/College Student Alert and is explained above within the Definitions section. The primary component for the authorizing member of the Service considering the immediate utilization of the Missing Child/College Student Alert shall be the existence of reasonable cause to believe that a missing child/college student has been abducted. If there is a lack of reasonable cause to believe that an abduction has occurred, the K.I.T. Commanding Officer or other appropriate member of the Service as detailed in subdivision VI. C. shall refer the case to the Commanding Officer of the Fugitive/Missing Persons Section or the Commanding Officer's designee in the Fugitive/Missing Persons Section. If the abduction factor is present, the notifying K.I.T. member shall be granted authorization for the alert.

1. Such notifying K.I.T. member, in abduction cases, or the Fugitive/Missing Persons Section Commanding Officer/designee, in those non-abduction cases where it is determined that an alert is appropriate, requests the Missing Child/College Student Alert by contacting the New York State Division of Criminal Justice Services' (NYS DCJS) Missing and Exploited Children Clearinghouse (MECC) at 1-800-FIND-KID or (518) 457-6326. The MECC fax number is (518) 457-6965.

2. Such notifying K.I.T. member or the Fugitive/Missing Persons Section representative, when advised by his/her Commanding Officer or designee, shall supply the information requested by the MECC personnel and ensure the following tasks are completed:

- a. An NCIC missing person entry (File 6) of involuntary, endangered, or disability is submitted.
- b. A NYSPIN File 11A (abduction message), if applicable, is submitted.
- c. The Communications Section Duty Officer, Crime Stoppers Section, and the Public Information Section are notified prior to the release of the Missing Child/College Student Alert.
- d. Any available photographs or digital images of the child and abductor (if known and applicable) are obtained as soon as possible. Digital images should be submitted in the highest resolution possible (preferably 300 dpi) and in a commonly used format (i.e., .jpeg, .tif, .png, .pdf). Digital images should be submitted to the following e-mail addresses:
 - (1) missingchildren@dcjs.state.ny.us
 - (2) commop@troopers.state.ny.us
- e. Updates are supplied to the Missing and Exploited Children

Clearinghouse (MECC) calling attention to any information in conflict with the initial submittal or any new information that is pertinent to the case.

H. The Duty Officer shall notify other adjoining agencies prior to the release of the Missing Child/College Student Alert.

I. The Duty Officer shall ensure that Department-wide notifications of the Missing Child/College Student Alert are made by the Communications Section to on-duty personnel via radio, Mobile Data Computer, or other means.

The following individuals shall also be notified that a Missing Child/College Student Alert has been issued:

1. Police Commissioner
2. Chief of Department
3. All Division Chiefs
4. Commanding Officer of the Precinct of Occurrence or if unable to contact, Precinct Executive Officer.

J. In the event the victim is recovered or the case is determined to no longer qualify for the Missing Child/College Student Alert, the Missing and Exploited Children Clearinghouse must be notified immediately, in writing via a fax, so that a cancellation may be broadcast.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

AMBER Alert 24/13

Missing Child/College Student Alert 24/13

END



ORDER NUMBER 07-66

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE GANG SUPPRESSION INITIATIVE			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 08/02/07	DATE EFFECTIVE 08/02/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 14: TITLE: GANG SUPPRESSION INITIATIVE

I. PURPOSE

To establish guidelines for the investigation and reporting of illegal street gang activities by members of the Service.

II. POLICY

The reduction of illegal street gang activity is the responsibility of every member of the Department. It will be the policy of the Suffolk County Police Department to maintain an aggressive and proactive enforcement effort and to take every lawful action to suppress these activities.

III. DEFINITIONS

A. Street Gang - A group or association of three or more persons who may have a common identifying sign, symbol or name and who individually or collectively engages in or has engaged in criminal activity.

B. Gang Related - This term characterizes a crime or delinquent act as a gang incident when the suspect, offender or victim is a gang member, regardless of gang motivation or circumstances. Usually any serious criminal act, especially of a violent, predatory or drug trafficking nature in which a gang member is involved, can be classified as a gang incident. For example, the crime of a gang member who steals from a store, even though the act has nothing directly to do with his gang membership, would be classified as a "Gang Related" incident.

C. Gang Motivated - Relates to an incident which grows strictly out of gang interest and/or purposes by at least one of the participants in the activity, (e.g., a robbery for the purposes of obtaining money for the gang treasury).

D. Gang Incident - An activity which is directly related to a gang function, motivation, or a particular circumstance. Membership in a gang by either the suspect or a victim does not, in and of itself, make the activity a "Gang Incident".

E. Street Gang Member - A person may be considered a "Gang Member" under the following conditions:

1. The individual admits to membership in a gang; or
2. The individual is identified as a gang member by a parent or a guardian.

OR under any two (2) of the following conditions:

1. The individual is identified as a gang member by a reliable informant.
2. The individual is identified as a gang member by an informant or other individual of unknown reliability and this identification is corroborated by independent information.
3. The individual is in possession of gang related documents or paraphernalia to include but not limited to: gang rules, drawings, photographs, videotapes, gang writings, graffiti, or jewelry containing gang symbols or names.
4. The individual is named as a member in a gang document, graffiti, or writing.
5. The individual is arrested more than once in the company of an identified gang member.
6. The individual has a gang tattoo, marking or brand on his/her body.
7. The individual was encountered or photographed in the company of confirmed gang members four (4) or more times.
8. The individual wears gang colors, gang clothing, gang jewelry or other paraphernalia in such a way that indicates gang affiliation.
9. The individual attends a gang meeting or function.
10. The individual uses hand signs or symbols associated with gang membership.

Notes:

- a. When an individual meets one of the conditions listed above, but not in sufficient numbers or combinations to identify the person as a gang member, the incident shall be recorded on a standard Field Interview/Intelligence Report (PDCS-1018).
- b. Nothing contained in the criteria stated above shall be so strictly construed as to substitute the evaluating officer's good judgment in light of the facts and circumstances surrounding each incident. In all cases the officer should reasonably believe an individual has met the conditions listed.

IV. REFERENCES

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. All members of the Department are responsible for the accurate reporting of an individual's status as a member of a criminal street gang. The reporting of a subject as a gang member shall be done by the use of the Field Interview/Intelligence Report, (PDCS-1018), "gang association" caption of the Arrest Worksheet, (PDCS-1086), and Internal Correspondence, (PDCS-2042). It is the reporting officer's responsibility to confirm that an individual meets the definition of a "gang member" (as defined in this order) prior to reporting that individual as a gang member. This does not preclude the officer from noting any suspicious circumstances on an unconfirmed or suspected gang member on a Field Interview/Intelligence Report (PDCS-1018).

1. Patrol Division - The primary responsibility for the prevention of street crimes and maintaining a pristine quality of life in our communities will rest with the Patrol Division. Each Precinct Commander will assign three (3) Precinct Crime Section (PCS) Officers (one from each team) who will be responsible for maintaining the Precinct Gang Book, and four (4) Police Officers from the Precinct C.O.P.E. Unit. Additionally, one (1) Officer from Bellport Against Drugs will be included. This involves 18 PCS Officers from 6 precincts and 29 Uniformed Officers from the seven precincts, totaling 47 Officers from the Patrol Division. The designated officers will be trained in gang recognition, dynamics, culture, criminal enterprise and graffiti interpretation.

2. Detective Division - Precinct Detective Squad Commanding Officers will ensure that all gang incidents handled by squad detectives are tracked and recorded by a detective designated as the "gang detective." The designated detective will maintain liaison with his counterparts in the Patrol and Criminal Intelligence Section.

3. Criminal Intelligence Section (CIS) - CIS will be the central repository of all street gang related intelligence. Each command will forward all gang intelligence to CIS as soon as possible, but in no circumstance later than one business day. The Criminal Intelligence Section will be the Department's liaison with Federal and Regional Agencies as they pertain to Street Gang Intelligence. The Commanding Officer of the Criminal Intelligence Section will provide the Police Commissioner with a monthly report on Gang Intelligence. The CIS Commanding Officer will notify the precinct Commanding Officers of any trends or potential incidents that he/she should be cognizant of.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

Gang Suppression Initiative 24/14

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
DEPARTMENT DIRECTIVE
PDCS-2008a

ORDER NUMBER 05-89

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE SEXUAL ASSAULT VICTIM PROCEDURES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 09/30/05	DATE EFFECTIVE 09/30/05	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 15: TITLE: SEXUAL ASSAULT VICTIM PROCEDURES

I. PURPOSE

To establish procedures for the examination of sexual assault victims and the collection of evidence by trained Sexual Assault Nurse Examiners and/or Emergency Room personnel.

II. POLICY

It is the policy of the Suffolk County Police Department to thoroughly investigate all incidents of sexual assault. In those incidents where a forensic examination is necessary and/or required, such examinations shall be conducted by Sexual Assault Nurse Examiners (SANE), whenever feasible. If a SANE examination is not feasible, the examination will be conducted by appropriate Emergency Room medical personnel.

III. DEFINITIONS

Sexual Assault Nurse Examiner (SANE) - A Registered Nurse, Physician's Assistant, or Medical Doctor who has been trained as a Sexual Assault Nurse Examiner and has successfully completed a Suffolk County Police Department background investigation.

SANE Center - A designated hospital to which a SANE will respond to conduct an examination of a sexual assault victim. For sexual assaults that occur in the First, Second, Third or Fourth Precincts, the designated SANE Center is Good Samaritan Hospital SANE Cottage, located on Beach Drive, adjacent to Good Samaritan Hospital, in West Islip. The designated SANE Centers for sexual assaults occurring in the Fifth, Sixth or Seventh Precincts is located within Mather Hospital, North Country Road, Port Jefferson, and within Central Suffolk Hospital, Commerce Drive, Riverhead (see Security at each location for directions to the SANE Room).

Sexual Offense Evidence Collection Kit - An evidence kit provided by the New York State Division of Criminal Justice Services for the collection and documentation of forensic evidence from the victim of a sexual assault.

Sexual Assault Blood and Urine Collection Kit - A specially prepared collection kit designed to collect blood and urine from the victim of a sexual assault in order to identify the presence of GHB, Rohypnol or other drug used in a drug-facilitated sexual assault. The Suffolk County Toxicology Laboratory prepares these kits and each contains a distinct serial number and expiration date. Note: These kits are separate and distinct from DWI Blood Kits.

Colposcope - A magnifier that allows for the examination of the vaginal and anal areas for trauma and trace evidence, e.g., hairs, fibers, foreign matter, etc. The colposcope videotapes the examination and can print digitized images of specific sites for evidentiary purposes.

IV. REFERENCES

New York State Penal Law Articles 120 and 130.

Rules and Procedures Chapter 14, Sections 1 and 2; Chapter 20, Section 3.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Sexual Assault Procedures - If, at anytime during the investigation, the investigating detective determines that the assistance of the Crime Scene Section, Identification Section, Crime Laboratory, or other command is required, he/she shall make the necessary notifications.

1. When a detective is assigned to investigate a sexual assault, he/she will determine if a Sexual Offense Evidence Collection Kit is necessary or required. The New York State Department of Health in conjunction with the Division of Criminal Justice Services recommends that a forensic examination be performed on a victim of a sexual crime within 96 hours of the assault.

2. If during the course of an investigation, the investigating detective suspects that the sexual assault was facilitated by the use of GHB, Rohypnol or other drug, he/she will direct that a Sexual Assault Blood and Urine Collection Kit is completed. The Sexual Assault Blood and Urine Collection Kit shall only be used when the investigating detective suspects that a drug-facilitated sexual assault occurred.

3. Whenever feasible, victims of sexual assault shall be examined at the appropriate SANE Center.

4. If it is not feasible for the victim to respond to a SANE Center, the investigating detective shall respond to the medical facility where the victim has responded or been transported, and

direct the attending physician to complete a sexual assault examination utilizing the Sexual Offense Evidence Collection Kit, and if necessary, the Sexual Assault Blood and Urine Collection Kit.

B. SANE Procedure - If the sexual assault examination is to take place at a SANE Center, the following procedures shall be followed:

1. Request that the Duty Officer notify a SANE to respond to either Good Samaritan SANE Center, Mather SANE Center, or Central Suffolk SANE Center, depending upon the precinct of occurrence.
2. If a SANE is already on duty conducting a SANE examination for a separate sexual assault investigation at one of the designated SANE Centers, the investigating detective and victim will respond to that Center regardless of the precinct of occurrence.
3. SANE's are only authorized to respond to the designated SANE Centers and are not available for use at other hospitals.
4. The investigating detective will arrange for the victim's transportation to the appropriate SANE Center and will remain at the Center until the examination is completed. The victim and/or the SANE are not to be left alone at the SANE Center without police presence.
5. If responding to the Mather or Central Suffolk SANE Center, the victim must first be screened at the Hospital Emergency Room, and then be taken to the SANE Room. The investigating detective shall escort the victim between the Emergency Room and the SANE Room whenever the victim moves from one location to the other.
6. Upon arrival at the appropriate SANE Center, the investigating detective will meet with the SANE and provide him/her with adequate information in order to properly conduct an examination of the victim. If necessary, the investigating detective will provide the SANE with a Sexual Offense Evidence Collection Kit.
7. If the investigating detective and/or SANE suspect that the sexual assault was drug-facilitated, then the SANE will be provided with a Sexual Assault Blood and Urine Collection Kit.
8. Once the SANE has begun the examination, the investigating detective is not to interrupt the examination, except for serious emergencies.
9. Upon completion of the examination, the SANE and the investigating detective shall confer as to the forensic value of the SANE examination results. The SANE shall provide the investigating detective with the following:
 - a. Victim's packaged clothing.
 - b. Photographic film, if pictures were taken by the SANE.
 - c. Colposcope videotape, if any, to be forwarded to Property Section.
 - d. Colposcope photographs, marked for identification purposes by the SANE, to be forwarded to Property Section.
 - e. If utilized, completed and sealed Sexual Offense Evidence

Collection Kit.

f. If utilized, completed and sealed Sexual Assault Blood and Urine Collection Kit.

g. Originals of all reports.

h. Completed Suffolk County Finance Voucher for services rendered, to be forwarded to Special Victims Section.

10. The investigating detective will prepare the necessary reports for invoicing any evidence received from the SANE as a result of the examination. The investigating detective shall ensure that the Sexual Offense Information Questionnaire, (PDCS-1003), Evidence Analysis Request, (PDCS-3220-9), and Property Section Invoice Receipt, (PDCS-4201) are properly completed. These forms will accompany, if utilized, the Sexual Offense Evidence Collection Kit and/or Sexual Assault Blood and Urine Collection Kit to the Crime Lab.

11. It is the responsibility of the investigating detective to determine when it is most appropriate to take a statement from the victim. The investigating detective should consider that delaying the SANE examination might result in the loss of evidence. Every effort should be made to have the victim examined as quickly as circumstances allow.

12. Upon completion of the SANE examination, the investigating detective shall ensure the victim's safe transportation back to the squad and/or residence.

VII. ACCREDITATION STANDARDS

N/A

VIII. INDEX

Colposcope 24/15

SANE 24/15

SANE Center 24/15

Sexual Assault Blood and Urine Collection Kit 24/15

Sexual Assault Nurse Examiner (SANE) 24/15

Sexual Assault Victim Procedures 24/15

Sexual Offense Evidence Collection Kit 24/15

Sexual Offense Information Questionnaire 24/15

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 07-24

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE CONSENT SEARCHES					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 04/18/07	DATE EFFECTIVE 04/18/07	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 24: TITLE: INVESTIGATIVE OPERATIONS

SECTION 16: TITLE: CONSENT SEARCHES

I. PURPOSE

To provide guidance to members of the Service when considering the use of a consent search.

II. POLICY

It is the policy of the Suffolk County Police Department to take all steps reasonably and legally necessary to effect the enforcement of the State, County and Federal provisions of the Penal Law and protect life and property. Recognition of the citizenry's fundamental Fourth Amendment protection against unreasonable searches and seizures is essential to the successful completion of the Department's mission.

III. DEFINITIONS

Search - A search is any Governmental action that invades a person's reasonable expectation of privacy, (Katz v. U.S.).

IV. REFERENCES

PDCS-7496, C.P.L. Search and Seizure, and PDCS-7598, Search and Seizure Supplemental Material.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. General Guidelines - Evolving Court decisions concerning Search and Seizure law make it difficult to provide detailed guidelines. Therefore, knowledge of the basic rules and exceptions to the Fourth Amendment is essential for any law enforcement officer. Consent searches, when properly conducted and documented, can be a valuable resource for the

law enforcement professional.

B. Founded Suspicion of Criminality - Consent is a waiver of a person's Fourth Amendment rights. Members of the Service are reminded that an Officer seeking consent to search a person's property may only do so, at the minimum, based upon "founded suspicion of criminality," (People v. Hollman and People v. Saunders, New York State Court of Appeals 1992). Officers must be able to specifically articulate all factors which contributed to the Officer's founded suspicion that criminal activity was afoot at the time consent to search was obtained from an individual.

C. Valid Consent - A person's consent to search his or her property must be given voluntarily, unequivocally and specifically. The person giving consent must have the actual or apparent authority to do so and the search must be limited to the scope of the consent.

1. If consent is rescinded, the Officer must terminate the search unless separate articulable grounds other than consent exist, such as the plain view doctrine or in the case of a motor vehicle, probable cause to believe contraband exists in the vehicle.

2. Courts have recently held that generalized consent to search excludes "destructive" searches unless the destruction was particularized in the consent given. Unless separate articulable grounds other than consent exist, the Officer should ask for additional consent to conduct a "destructive" search.

D. Factors Affecting Voluntariness - The key element to a consent search is that the consent must be voluntary. If consent is obtained under duress, threat or intimidation, it is not voluntary and thus not valid. Numerous factors can impact upon the voluntariness of the consent. No solitary factor will determine the voluntariness of the consent and the Courts will generally look at the totality of the circumstances.

E. Use of Form PDCS-1067, Permission To Search - Form PDCS-1067, Permission To Search, shall be completed whenever a member of the Service conducts a search based on consent, regardless of whether the consent is provided verbally or in writing. A Central Complaint number is required to complete this form and will normally be the complaint number already assigned to an underlying incident. In those cases where there is no underlying Central Complaint number, a complaint number shall be drawn entitled "Consent Search." When a consent search is performed and there is no further police action taken, the investigating Officer may "10-60" the call. Although verbal consent to search is legally sufficient, investigating Officers shall attempt, whenever practical, to obtain written consent on Form PDCS-1067, prior to initiating the consent search. Members of the Service shall be cognizant of the fact that the presence of written consent will not be the sole factor under review when a Court is asked to determine the validity of the consent. The following special circumstances may be encountered by an investigating Officer:

1. If the person having the authority to consent declines to sign Form PDCS-1067, yet continues their verbal consent, the investigating Officer shall complete the form and enter in the

signature (consenting party) portion of the form, "Declined to sign, but consented verbally," with the appropriate date and time of consent.

2. If, under the circumstances, it is not practical to obtain written consent and verbal consent has been provided, the investigating Officer shall complete Form PDCS-1067 and enter in the signature (consenting party) portion of the form, "Consented verbally," with the appropriate date and time of consent.

3. If the person having authority to consent refuses such consent and no other articulable grounds exist to justify a search, the investigating Officer, if required to maintain a Memorandum Book, shall make a Memorandum Book entry to document the refusal. Form PDCS-1067 is not required to be submitted, since a search was never conducted. If the investigating Officer is not required to maintain a Memorandum Book, case notes shall be made to document the refusal. If case notes are not generated or maintained, then the investigating Officer will advise his or her supervisor of the circumstances.

4. If a search was started based on consent and that consent is subsequently rescinded, absent any other articulable grounds, the Officer must terminate the search. Under these circumstances, completion of Form PDCS-1067 will be required.

F. Documentation - Investigating Officers will document all details relating to obtaining a valid consent to search. These additional details shall be recorded in a Memorandum Book entry or in case notes.

G. Supervisory Review and Data Entry - All completed Forms 1067 will be reviewed by a supervisor. Appropriate data entry for all completed Forms 1067 will be made by the reporting/investigating command.

VII. ACCREDITATION STANDARDS

- A. CALEA
- B. NYSLEAP

VIII. INDEX

Consent Search 24/16
Search: Consent 24/16

END

RULES AND PROCEDURES

CHAPTER 25: TITLE: SPECIAL INVESTIGATIONS AND OPERATIONS

SECTION 1: TITLE: SPECIAL INVESTIGATIONS

I. PURPOSE

To establish in the Department the functions relating to the enforcement of vice related offenses and to direct dissemination of intelligence information regarding organized criminal behavior to the commands charged with the investigation of such activity.

II. POLICY

It is the responsibility of every member of the Department to reduce the influence of persons involved in vice and organized crime and to suppress the spread of vice activities in our community. The Department will maintain aggressive enforcement action against all forms of vice and organized crime.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Vice, Gambling and Drugs

1. It is a function of the Department and the responsibility of all members of this Department to take every lawful means to suppress all forms of

commercialized vice including but not be limited to:

- a. Prostitution
- b. Gambling
- c. Obscenity
- d. Illegal use and distribution of drugs

2. All information concerning alleged vice, gambling, obscenity or illegal drug use and/or distribution is forwarded on Internal Correspondence (PDCS 2042) to the Chief of Detectives, who is responsible for the coordination and overseeing of the vice control enforcement.

- a. Copies of the Internal Correspondence will be forwarded to the commanding officer of the appropriate detective command and the commanding officer of the District Attorney's Section.

- b. In all drug associated or related incidents where a Field Report is required it shall be the reporting officer's responsibility to complete an additional copy of the Field Report and forward same to the Narcotics Section.

B. Organized Crime

1. When a Department member suspects that criminal activity or an individual is associated with an organized crime group, that member may make direct telephone notification to the Criminal Intelligence Section. The member should then prepare an Internal Correspondence (PDCS 2042) outlining the information and forward a copy through the chain of command to both the Criminal Intelligence Section and the District Attorney's Section.

2. If a member of the Department is unsure as

to whether the criminal activity is "organized" or if the conditions or individuals involved are merely suspicious and not identifiably criminal, the member should submit, through normal channels, a Field Interview/Observation Report.

VII. ACCREDITATION STANDARDS

A. CALEA 43.1.1, 43.1.2, 43.1.3, 43.1.4,
43.1.5,
43.2.1, 43.2.3, 43.2.10, 43.2.11, 43.2.12

B. NYSLEAP 50.7, 55.5

VIII. INDEX

Organized Crime 25/1
Vice, Gambling, Drugs 25/1
Drug Addicts 25/1
Narcotics 25/1
Pornography/Obscenity 25/1

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
 ACCREDITED LAW ENFORCEMENT AGENCY
 DEPARTMENT DIRECTIVE
 PDCS-2008a

ORDER NUMBER 08-13

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE INVESTIGATIVE TASK FORCE					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 01/18/08	DATE EFFECTIVE 01/18/08	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 25: TITLE: SPECIAL INVESTIGATIONS AND OPERATIONS

SECTION 2: TITLE: INVESTIGATIVE TASK FORCE

I. PURPOSE

To establish guidelines for outlining the activities of an investigative task force.

II. POLICY

Occasionally, it becomes necessary to create a task force in order to combat or investigate a particular criminal activity. A task force, whether internal or in a mutual effort with other agencies, should adhere to the same general criteria for control and evaluation.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

VI. PROCEDURE

A. When the decision has been made to utilize an investigative task force, the assigned coordinator should consider at least the following criteria:

1. Identify the purpose of the task force;
2. Define the authority and responsibility within the task force;
3. Establish accountability;
4. Identify available resources;
5. Evaluate results of the task force efforts, and
6. Determine the need for continuation.

VII. ACCREDITATION STANDARDS

- A. CALEA 42.2.11
- B. NYSLEAP 50.1

VIII. INDEX

Task Force, Investigative 25/2
Assist to Associated Agencies 25/2

END



ORDER NUMBER	09-17
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TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE SURVEILLANCE AND INTELLIGENCE EQUIPMENT			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 04/14/09	DATE EFFECTIVE 04/14/09	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 25: TITLE: SPECIAL INVESTIGATIONS AND OPERATIONS

SECTION 3: TITLE: SURVEILLANCE AND INTELLIGENCE EQUIPMENT

I. PURPOSE

To establish procedures for the requisition and use of surveillance and intelligence equipment.

II. POLICY

Surveillance, whether visual or electronic, shall be conducted with due regard to an individual's right to privacy. Department operations involving the use of surveillance and intelligence equipment shall not be initiated in an arbitrary or capricious manner. On occasions when specialized equipment is needed to further investigations involving surveillance or intelligence gathering, members of the Service should exercise discretion and recognize the importance of meeting privacy, confidentiality and public disclosure laws.

III. DEFINITIONS

N/A

IV. REFERENCES

Article 700, New York State Criminal Procedure Law

V. RULES AND REGULATIONS

A. Surveillance and intelligence equipment.

1. Use and care of specialized surveillance and intelligence gathering equipment is also subject to Rules and Procedures Chapter 4, section 3 titled Department Property and Equipment.

2. Equipment shall be utilized only in accordance with state and federal law.

VI. PROCEDURES

A. Surveillance and intelligence equipment.

1. All electronic surveillance equipment purchased by the Suffolk County Police Department shall be assigned to the Electronic Investigations Bureau. The commanding officer shall be responsible for the inventory and control of such equipment. Furthermore, the Electronic Investigations Bureau shall be responsible for the following:

a. Evaluate all independent requests to purchase or replace electronic surveillance equipment. Additionally, the Electronic Investigations Bureau shall be responsible to recommend the purchase of new or replacement equipment. All evaluations and recommendations shall be submitted to the Chief of Department for approval or disapproval.

b. Maintain an updated inventory of each piece of electronic surveillance equipment, its record of maintenance and its present location.

c. Responsibility for equipment maintenance and storage rests with the commanding officer of the Electronic Investigations Bureau.

2. Requesting use;

a. A member of the Service requesting the use of electronic surveillance equipment shall submit an Internal Correspondence, PDCS 2042, to his or her commanding officer detailing the specific objective and type or piece of equipment required.

b. The commanding officer shall review the request and either approve or disapprove the request. If approved, the request shall be forwarded directly to the commanding officer of the Electronic Investigations Bureau.

c. The commanding officer of the Electronic Investigations Bureau shall, upon receipt of the request to use electronic surveillance equipment, evaluate the request based on the equipment's appropriateness to the task, the feasibility of successfully accomplishing the objective, etc.

3. Orientation

a. Prior to the issuance of electronic surveillance equipment, the Electronic Investigations Bureau shall ensure that the member to whom it is assigned is knowledgeable in the operation of said equipment.

4. Members of the District Attorney's Section, utilizing equipment under the control of the office of the District Attorney, will adhere to internal procedures promulgated by the District Attorney.

VII. ACCREDITATION STANDARDS

A. CALEA 43.2.9

B. NYSLEAP 6.3, 6.4

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 25: TITLE: SPECIAL INVESTIGATIONS AND OPERATIONS

SECTION 4: TITLE: COVERT OPERATIONS GUIDELINES

I. PURPOSE

To establish guidelines for planning and conducting surveillance, undercover and decoy operations.

II. POLICY

Investigations of a sensitive nature frequently require the use of undercover, surveillance and decoy techniques and are essential to detecting, preventing and prosecuting offenses related to vice and organized crime. These techniques inherently involve an element of deception, and may require cooperation with persons whose motivation and conduct are open to question, and so should be carefully considered and monitored.

III. DEFINITIONS

Drug Enforcement Administration Investigation Manual New York State Manual for Police
Suffolk County Police Department Detective Division Investigation Guide

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Surveillance; Operations should be conducted in accordance with the Detective Guide sections titled

"Surveillance" and "Eavesdropping Warrants". Additionally, assistance may be provided by consulting the New York State Manual for Police, Section 5D and appendix 5-A, and the Drug Enforcement Administration Investigations Manual (DEA), chapter 8.

1. Operations should include a provision for:

a. Analyzing crimes and victims;

b. Identifying and analyzing probable offenders and their habits, associates, vehicles, methods of operation, or by other pertinent information;

c. Familiarizing the officer with the neighborhood or target area;

d. Determining operational procedures for observation, arrests and "tails";

e. Supplying officers with expense funds if required;

f. Establishing means of communication;

g. Selecting equipment and/or vehicles;

h. Providing relief; and

i. Determining legal ramifications.

B. Undercover; Operations should be conducted in accordance with the Detective Guide Sections titled "Surveillance", "Narcotics Investigations", "Tactical Plan-General", and "Gambling". Additional assistance may be provided by consulting the New York State Manual for Police, Section 5D, and the "D.E.A. Investigations Manual", chapter 10.

1. Operations should include provisions for:

- a. identifying and analyzing suspects;
- b. making contacts with suspects;
- c. analyzing neighborhood or target area where officers will work;
- d. supplying officers with false identity and necessary credentials;
- e. maintaining confidentiality of officer's false identity;
- f. supplying expense funds;
- g. supplying officers with equipment;
- h. establishing means for routine and emergency communication;
- i. determining legal ramifications;
- j. providing guidelines for arrest;
- k. providing backup security for officers; and
- l. providing for close supervision.

C. Decoys; Operations may be conducted, but must employ tactics which would not constitute entrapment as defined in the New York State Penal Law, Article 40.05.

1. Additionally, operations should encompass the following factors;

- a. analyzing victims, crimes and crime locations;
- b. disguising officers to resemble victims;

c. determining the number of backup officers for security and protection;

d. developing operational procedures, such as, observation and arrest;

e. determining legal ramifications;

f. establishing communications;

g. identifying participating personnel;

h. notifying commanding officer of patrol responsible for target area;

i. providing close supervision.

VII. ACCREDITATION STANDARDS

A. CALEA 43.2.14, 43.2.15, 43.2.16

B. NYSLEAP - N/A

VIII. INDEX

Covert Operations 25/4

Undercover Operations 25/4

Decoy Operations 25/4

Surveillance Operations 25/4

END

RULES AND PROCEDURES

CHAPTER 25: TITLE: SPECIAL INVESTIGATIONS AND OPERATIONS

SECTION 6: TITLE: BACKGROUND INVESTIGATIONS/LICENSING AND CRIMINAL

I. PURPOSE

To enumerate the procedures available for use when conducting background investigations.

II. POLICY

Criminal investigations frequently involve background investigations of persons, particularly as they relate to white collar crime, organized crime and vice activities. Additionally, the licensing of certain businesses and pistol applications also require background investigations. These investigations should be conducted discreetly and with special precautions.

III. DEFINITIONS

N/A

IV. REFERENCES

Suffolk County Police Department Detective Division
Investigation Guide

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. When conducting background investigations, members of the Force should:

1. Identify the purpose of the investigation.

2. Identify potential sources of information and investigative techniques.

a. To assist in identifying potential sources of information and investigative techniques members of the Force should familiarize themselves with the Detective Division Investigation Guide, section titles:

- (1) Gambling
- (2) White collar crime
- (3) Sources of information
- (4) Specimen guide to sources of information

3. Process the information received.

a. Background information collected during an investigation which is not directly utilized in a criminal case should be classified as intelligence information, processed as such and forwarded to the appropriate command (e.g. Criminal Intelligence Section, District Attorney Section).

4. Control the distribution of related records.

a. Information of a sensitive or confidential nature shall not routinely be disseminated but may be released to members of the Force on a need to know basis.

5. Purge records in accordance with New York State Records Retention and Disposition Schedule.

VII. ACCREDITATION STANDARDS

- A. CALEA 42.1.14
- B. NYSLEAP 50.7

VIII.

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Background Investigations 25/6

Licensing/Criminal Background Checks 25/6

END

RULES AND PROCEDURES

CHAPTER 25: TITLE: SPECIAL INVESTIGATIONS AND OPERATIONS

SECTION 7: TITLE: VICE/ORGANIZED CRIME COMPLAINTS

I. PURPOSE

To establish guidelines for the duties, functions and goals involved in the investigation of vice and organized crime.

II. POLICY

It is the responsibility of all members of the Department to take every lawful means to suppress all forms of commercialized vice, gambling and the illegal use and distribution of drugs. The Detective Division is responsible for the investigation of narcotics and gambling offenses and in conjunction with the District Attorney Section gathers evidence leading to the arrest and prosecution of persons involved in organized crime, vice and gambling in Suffolk County.

III. DEFINITIONS

Vice Activity - Immoral habits that may threaten the peace and dignity of society. It may include, but is not limited to, illicit sexual activity, narcotics and dangerous drugs, gambling and alcohol.

Organized Crime - Any united element of criminal activity so structured as to operate as a complete unit.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

Vice or organized crime complaints will be recorded on the appropriate Department form(s) and a central complaint number will be assigned. The report(s) will be submitted to the Chief of Detectives who coordinates and/or oversees vice and organized crime enforcement.

Evaluation Criteria

Prior to instituting an active vice/organized crime investigation, the investigator should attempt to answer the following questions in order to determine whether a complaint shall be actively worked or filed.

1. Is the original information valid?
2. What is the criminal nature of the problem?
3. Is it cost effective?
4. What investigative techniques can be used?
5. Do we have the resources?

NOTE: If a Department member is unsure as to whether criminal activity is "organized", or if the conditions or individuals involved are merely suspicious and not identifiably criminal, he/she will prepare a Field Interview/Observation Report (PDCS 1018).

VII. ACCREDITATION STANDARDS

- A. CALEA 43.1.4, 43.1.6, 43.2.1, 43.2.12
- B. NYSLEAP 50.1, 50.7

VIII. INDEX

Vice and Organized Crime Complaints 25/7

END

RULES AND PROCEDURES

CHAPTER 25: TITLE: SPECIAL OPERATIONS AND INVESTIGATIONS

SECTION 8: TITLE: STATE LIQUOR AUTHORITY

I. PURPOSE

To establish a State Liquor Authority inspection and reporting procedure.

II. POLICY

In order to promote compliance with New York State Alcoholic Beverage Control Laws the Department will conduct inspections of licensed premises and report its findings to the State Liquor Authority.

III. DEFINITIONS

S.L.A. - New York State Liquor Authority

IV. REFERENCES

Alcoholic Beverage Control Laws

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. The responsibility for liaison with the State Liquor Authority rests with the Chief of Patrol's Office.

B. Licensed Premises Inspections - The responsibility for the administration of the inspection of licensed premises will be with the precinct or Marine Bureau commander. Each licensed premise will be inspected not less than once every calendar year. At scheduled intervals the Precinct Crime Section will assign an S.L.A. Uniform Checklist to the appropriate uniform

patrol sergeant. The exact hour and day the premises will be inspected will be left to the discretion of the assigned patrol sergeant but must be accomplished within ten (10) working days of the assigned inspection. If the inspection reveals further inspection is necessary, the Precinct Crime Section will conduct any follow-up investigation. If during an inspection a patrol sergeant issues a warning instead of a referral for a violation, it will be the responsibility of the patrol sergeant to re-check the premises to see that the situation has been rectified.

1. For each licensed premise inspected, the patrol sergeant will submit an S.L.A. Checklist to the Precinct Crime Section supervisor or Marine Bureau commander. Any time an incident occurs at or within a licensed premise, a copy of the Field Report will be forwarded to the Precinct Crime Section or Marine Bureau commander for inclusion in the licensed premise file.

C. Licensed Premises List - Each precinct (including Marine Bureau) shall establish and maintain a listing of licensed premises that are within their respective commands.

1. The list shall be recorded on a licensed premises checklist.

2. The list will be in alphabetical order by trade name of premises.

3. The date of the inspections will be recorded next to the premise name in the appropriate box on the form.

D. It will be the responsibility of the precinct commander or the Marine Bureau commander to review the S.L.A. Checklist and referral forms. A copy of the S.L.A. Checklist will be forwarded to the Criminal Intelligence Section and referrals will be forwarded to the Chief of Patrol's Office.

E. The Marine Bureau will perform scheduled premises

checks and maintain files. If further investigation is required, the appropriate Precinct Crime Section will be used.

F. All precinct detective squads and uniform personnel initiating a referral shall send it to the precinct or Marine Bureau commander. The commander will make a copy of the referral for the premises file and send the originals to the Chief of Patrol's Office. Other Department sections and units will send referrals directly to the Chief of Patrol's Office. The Chief of Patrol will keep the pink copy for the State Liquor Authority file and forward the other copies to the State Liquor Authority. The Chief of Patrol will make a copy of these referrals and send them to the precinct or Marine Bureau commander to be included in the Premises File.

G. When an Order of Suspension is received from the State Liquor Authority, the Chief of Patrol will make a copy for the S.L.A. file and forward the original to the precinct or Marine Bureau commander where the premises are located. The commander will advise the supervisors who patrol the area where the premise is located to check for compliance with the order.

1. Letters of complaint received from the State Liquor Authority will be forwarded by the Chief of Patrol to the precinct or Marine Bureau commander where the premises are located. A copy of the letter will be placed in the S.L.A. file. The Precinct Crime Section will conduct an investigation of the complaint and submit an Internal Correspondence to the commanding officer detailing the findings of the investigation. This correspondence will be forwarded to the Chief of Patrol's Office who will initiate a response to the S.L.A. based upon the findings of the investigation.

H. When a notice of an S.L.A. hearing is received by the Chief of Patrol it will be forwarded to the member's commanding officer whose responsibility it will be to notify the member of the hearing. A copy of the notice will be maintained in both the Premise File and the S.L.A. File.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 25: TITLE: SPECIAL OPERATIONS AND INVESTIGATIONS

SECTION 9: TITLE: GAMES OF CHANCE INSPECTIONS

I. PURPOSE

To establish games of chance inspections.

II. POLICY

In order to promote compliance with the New York State General Municipal Law, the Department will conduct inspections of all licensed games of chance.

III. DEFINITIONS

N/A

IV. REFERENCES

Article 9A and 14H of the New York State General Municipal Law.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Chief of Patrol's Office - All games of chance licenses issued by towns/villages within the Police District received shall be forwarded to the Office of the Chief of Patrol. The Chief of Patrol or his designee shall, upon receipt of a valid games of chance license issued to a qualified organization, forward a copy of the license, along with a copy of the license application and other relevant paperwork, to the commanding officer of the appropriate precinct or the Marine Bureau responsible for patrolling the area where the games of chance are to be held.

1. The responsibility for liaison with town/village clerk's office and the State Racing and Wagering Board lies with the Chief of Patrol or his designee.

B. Inspections - The commanding officer of the appropriate precinct or the Marine Bureau shall direct that the licensed games of chance be inspected in accordance with the following Department policy of a mandatory inspection on the first day of the license period; and when personnel availability permits on subsequent days, when the license period is for more than one day.

(A license period can be for one day or for any number of consecutive days, not to exceed 12 days.)

The commanding officer shall delegate supervision of the task of inspecting the games of chance to the commanding officer of the Precinct Crime Section or Barrier Beach Section, respectively. The appropriate section commanding officer shall assign a member of his/her command to perform the inspection.

1. Reports Required - The assigned officer will draw a Central Complaint Number and complete a Field Report, PDCS 1053; and a Games of Chance Inspection Report, PDCS 1170, on the initial inspection date of a license. Subsequent days of operation during the license period, whether or not inspections are performed, shall be recorded on the same Games of Chance Inspection Report up to a limit of five (5) consecutive days. If additional inspections are conducted, or additional room is needed to record violations or details, a Continuation Report will be utilized for this purpose.

2. Unlicensed games shall be referred to the District Attorney's Office for further action. Notification shall be accomplished by the officer observing the unlicensed game, completing a Games of Chance Inspection Report and, without unnecessary delay, forward a copy to the Office of the District

Attorney.

3. Any violation of law or regulation governing the operation of games of chance shall be noted on the Games of Chance Inspection Report by the inspecting/observing officer. A copy of which shall be sent, without unnecessary delay, to the State Racing and Wagering Board.

4. It shall be the responsibility of the commanding officer of the Precinct Crime Section or the Barrier Beach Section to forward copies of the Games of Chance Inspection Report and Continuation Reports (when prepared) as noted on the form.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 05-118

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE		
SUBJECT/TOPIC/TITLE SEX OFFENDER REGISTRATION ACT				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 12/20/05	DATE EFFECTIVE 12/20/05	DATE TO BE REVIEWED N/A	

RULES AND PROCEDURES

CHAPTER 25: TITLE: SPECIAL INVESTIGATIONS AND OPERATIONS

SECTION 10: TITLE: SEX OFFENDER REGISTRATION ACT

INTRODUCTION

The Sex Offender Registration Act, Article 6-C of the Correction Law, commonly known as "Megan's Law", establishes a centralized state database (the registry) which contains information about sex offenders, including their whereabouts and level of risk of re-offense. The purpose of the Act is to require convicted sex offenders to register with the Division of Criminal Justice Services (DCJS) upon discharge, parole, or release from any state or local facility, hospital or institution and to allow access and dissemination of certain information to the public. In addition, annual registration requirements allow law enforcement agencies and the State to monitor the whereabouts of sex offenders for investigative purposes. Sex offenders are categorized in the Registry by their risk of re-offense: level 1 (low risk), level 2 (moderate risk), and level 3 (high risk). Level 3 offenders are deemed to be "sexually violent predators". Level 1 and level 2 offenders are required to register with DCJS annually for a period of ten (10) years from the initial date of registration. Level 3 offenders are required to register with DCJS annually and personally verify their address with the local law enforcement agency quarterly for a minimum of ten (10) years from the initial date of registration.

I. PURPOSE

To set forth procedures for the Department as to conform with the mandates for a local law enforcement agency under the Sex Offender Registration Act (1994) for the Suffolk County Police District.

II. POLICY

Community protection against criminal activity is a fundamental objective of the Department. Although criminal activity cannot be totally eradicated, the Department makes every possible effort to reduce it, working in conjunction with the community. An informed community

is paramount to the Department's success. The Sex Offender Registration Act empowers the community to learn of convicted sex offenders that are residing in their community and allows the public to make informed decisions to help protect themselves and their families. It shall be the policy of the Suffolk County Police Department to assist in every reasonable and responsible way in the community's efforts to access the data contained in the statewide Sex Offender Registry.

III. DEFINITIONS

Registry - is the state database containing information of the registered sex offenders maintained by DCJS that is accessible by the public special telephone number (1-900-288-3838).

Risk Level - each registered sex offender has a risk of re-offense classification, as determined by the Board of Examiners of Sex Offenders, and is designated:

- a) Level 1 (low risk of re-offense), or
- b) Level 2 (moderate risk of re-offense), or
- c) Level 3 (high risk of re-offense). Level 3 offenders are deemed to be "sexually violent predators".

Sexually Violent Predator Subdirectory - a listing of statewide level 3 offenders that is distributed annually by DCJS to local law enforcement agencies. Public access must be permitted by the recipient law enforcement agency upon receipt of a written request which expresses the purpose for such access.

IV. REFERENCES

NYS Corrections Law Section 168 et seq.
Suffolk County Law #41-2004

V. RULES AND REGULATIONS

A. Except as otherwise stated in this section, no information on registered sex offenders may be disseminated by department personnel in response to an inquiry from the public. Such information is available to the public from organizations to which the department has sent community notifications, by review of the DCJS registry level 3 subdirectory, or by calling the special DCJS 800 telephone number.

VI. PROCEDURES

A. Notifications from DCJS - All Sex Offender Information Forms sent by DCJS shall be received and maintained by the Special Victims Section. Special Victims Section personnel shall enter the information contained in each Sex Offender Information Form, into the Special Victims Section Database. Authorized personnel shall use the database for monitoring and investigative purposes. The Special Victims Section personnel upon completing the input of the initial notification from DCJS, shall mail a certified letter addressed to the named offender to advise him/her of their obligations under the Sex Offender Registration Act as required by their level and designation.

B. Public Access for the Sex Offender Registry - There are several ways for the public to access Registry information:

1. A DCJS telephone service 1-800-262-3257 is available to the general public 24 hours a day, 7 days a week. If the person inquired about is on the Registry, the caller will be advised accordingly and receive additional information depending on the offenders risk level. A search can be conducted only if the caller has the name of the offender and at least one of the following identifiers: the offender's street address and apartment; the offender's date of birth; the offender's social security number; or the offender's driver's license number. To request information, a caller must be at least 18 years of age and must provide his or her name, address, and telephone number.

2. Internet information regarding high-risk sex offenders (Level 3) may be accessed through the DCJS website at www.criminaljustice.state.ny.us The Sex Offender Registration Act presumes that this information will be used responsibly to promote public safety. Persons or entities receiving Registry information may disseminate said information to others at their discretion. The information may not be used to commit a crime against a person listed on the Registry or to engage in illegal discrimination or harassment against such person.

3. After a community notification is released, the vulnerable entities may responsibly disseminate the information in whole, or in part, at their discretion. The public may contact the vulnerable entity that disseminated the information for additional information.

C. Appearance of Sex Offenders - When an individual under the auspices of the Sex Offender Registration Act appears at a police facility to register, make a 90 day address verification, or make a change of address notification, the following procedures shall apply:

1. Sex Offender Appears to Register or a Sex Offender Appears to Register Locally from another State - Any individual convicted of a sex offense in New York State that appears at a police facility for the purpose of registering as a sex offender shall be instructed to report to his/her probation/parole officer for the purposes of completing his/her Sex Offender Registration Form. In addition, the sex offender will be directed to the Precinct Detective Squad where a DCJS Sex Offender Change of Address Form (DCJS - 3231) will be completed by the Squad Detective and signed by the offender. This form will be immediately forwarded to the Special Victims Section. No identification or proof of address is required at this time.

NOTE: Under the Sex Offender Registration Act, completion of the Sex Offender Registration Form (DCJS-3230) cannot be accomplished at a police facility.

2. Sex Offender Appears for Change of Address - Any sex offender appearing at a police facility to report any change of registered information shall be directed to the Precinct Detective Squad to complete the New York State

Sex Offender Change of Address Form (DCJS-3231). The precinct squad shall maintain an adequate supply of said forms. The precinct squad detective shall complete this form and the offender shall sign it. The offender will receive the pink copy. The white and yellow copies shall be immediately forwarded to the Special Victims Section. The green copy shall be filed at the detective squad. No identification or proof of address is required at this time. The Special Victims Section shall retain and file the yellow copy of the form and forward the white copy of the Change of Address Form to the DCJS within 2 calendar days of receipt. The Special Victims Section shall amend the Department's database as necessary.

NOTE: If the offender plans to attend, enroll, or be employed by an institution of higher education, he/she must report any change of residence, albeit temporary, to the DCJS on a DCJS Sex Offender Change of Address Form.

3. Sex Offender Appears for Address Verification - A sex offender designated as a sexual predator assigned a level 3 risk assessment must personally verify his or her address with the Precinct Detective Squad for the area in which he/she lives every ninety (90) calendar days. The Special Victims Section will notify the sex offender of his/her initial date of address verification. An Appearance Date Report shall be generated by the Special Victims Section and sent to each Precinct Detective Squad monthly. When the sex offender appears for such purpose, the squad detective shall complete the SCPD Sex Offender Periodic Address Verification Form (PDCS-3334). The sex offender shall then be instructed to sign the form in the appropriate space, thereby acknowledging his/her awareness of the next scheduled appearance. The precinct detective accepting the form shall then immediately forward the completed white copy to the Special Victims Section. If any change of address is indicated on the Sex Offender Periodic Address Verification Form, a New York State Sex Offender Change of Address Form shall also be completed in accordance with the procedures set forth in subsection C.2. The Special Victims Section shall maintain a file of all Sex Offender Periodic Address Verification Forms and a computerized database file of all appearances for address verification.

D. Community Notifications - The Special Victims Section and the Commanding Officers of each patrol precinct shall compile and maintain an up to date listing of vulnerable entities, School Districts (administrative offices and P.T.A), Neighborhood Watch groups, Day Care Centers, Civic Associations, Community Centers, nursery schools, private schools, nursing homes, home health care agencies, and any other organization that may have a population that is vulnerable to the presence of a convicted sex offender. The listing shall be categorized by hamlet and shall be updated annually or upon it becoming known of any change. The listing shall be furnished to the Special Victims Section, and Special Victims Section personnel shall enter the listing into the Department's sex offender vulnerable entity database.

1. Community Notification Information that may be disseminated by the Department to a vulnerable entity is as follows:

a. Level 1 Offenders - no information regarding level 1 offenders may

be disseminated to any population.

b. Level 2 Offenders - information regarding level 2 offenders may include name, date of birth, pedigree information, hamlet of residence and/or 5-digit zip code, photograph, and background information, including crime of conviction, modus operandi, type of victim targeted, the name and address of any institution of higher education in which the offender is enrolled, attends, or resides in, employment address, and the description of any special conditions imposed on the offender. Any entity receiving such information may disclose or further disseminate such information at its discretion. When community notifications are made the appropriate Precinct Commanding Officer shall be advised by the Commanding Officer of the Special Victims Section.

c. Level 3 Offenders and Designated Sexual Predators - Information regarding level 3 offenders and designated sexual predators may include the offender's name, date of birth, pedigree information, exact address, photograph, background information including crime of conviction, modus operandi, type of victim targeted, the name and address of any institution of higher education in which the offender is enrolled, attends or resides in, employment address, and the description of special conditions imposed on the offender. Any entity receiving such information may disclose or further disseminate such information at its discretion.

d. Personal Residential Notification - When Level 3 community notifications are made the appropriate Precinct Commanding Officer shall be advised by the Commanding Officer of the Special Victims Section. The Precinct Commanding Officer shall designate a precinct supervisor to make personal notifications of the offender's residence. The notifications shall be made to the two dwellings contiguous to all sides of the offender's residence. Apartment complex notifications shall involve two apartments on all sides of the sex offender's dwelling. Judgment may be exercised by the supervisor to expand or reduce the area of notification based on the configuration of the dwelling. If the sex offender resides in a house that contains more than one residence, each residence shall receive notification. In all cases, the precinct supervisor shall report via internal correspondence the names and addresses of individuals so notified. Said correspondence shall be forwarded through the Precinct Commanding Officer to the Special Victims Section. Additionally the Precinct Commanding Officer shall review the sex offender's information to determine if any additional vulnerable entities within the precinct should be notified.

e. Personal Employment Notification - Personal Employment notifications will be made for **Level 3 sex offenders**. The appropriate Precinct Commanding Officer shall be advised by the Commanding Officer of the Special Victims Section. The Precinct Commanding Officer shall designate a precinct supervisor to make such personal notifications. The notifications shall be made to the two dwellings/buildings contiguous to all sides of the offender's residence/place of employment (in the case of an apartment/commercial complex the

notification should involve two apartments/offices on all sides of the sex offender's dwelling/place of employment - judgment may have to be exercised by the supervisor to expand or reduce the area of notification based on the configuration of the dwellings/buildings or proximity of vulnerable entities).

NOTE: If there are no vulnerable entities surrounding the sex offenders place of employment, personal notifications do not have to be made.

The Commanding Officer of the Special Victims Section shall advise Special Victims Section personnel of any additional vulnerable entities to be added to the database. The Special Victims Section shall send out notification letters to said additional vulnerable entities. Precinct Commanding Officers shall ensure that sector car operators receive a copy of the sex offender's information for community notifications that were made within their patrol area. Further, all sworn personnel shall have access to the information contained in the Department's Sex Offender Database for investigative purposes only.

When a Precinct Commanding Officer or Executive Officer is queried by a member of the public, the Precinct Commanding Officer or Executive Officer shall have the authority to make a judgment based on the intention(s) of the inquirer, the vulnerability of the public or entity, the nature of the sex offense, and the type of victim targeted. The Precinct Commanding Officer or Executive Officer may release appropriate information regarding a registered sex offender to an entity or member of the public making an inquiry. A record shall be maintained within the command of any release of such sex offender information. The Precinct Commanding Officer and Executive Officer have the option to refer inquiries from the public to the DCJS 800 number, the DCJS website, or local entities that may have received a community notification from the Special Victims Section.

E. Sex Offender Fails To Register or Re-Register - All sex offenders who are required to initially register upon their release after conviction are also required to re-register with the DCJS annually for the duration of their registration term. DCJS personnel will notify the Special Victims Section when an offender fails to initially register or re-register with the DCJS as required. Upon receipt of such notification, the Special Victims section shall locate the sex offender.

F. Sex Offender Fails To Verify Address - Level 3 offenders designated as "sexual predators" are required to personally appear at their local police agency every 90 calendar days to verify their address. Precinct Detective Squads are required to notify the Special Victims Section immediately when any offender who has failed to report to personally verify his/her address according to the schedule specified on the Appearance Date Report. Special Victims Section personnel shall monitor all 90-day address verification activity, and shall be responsible for the investigation or the arrest of those offenders who have failed to appear.

G. Sex Offender Fails to Notify Change of Address - All registered

sex offenders are required to notify DCJS in writing of their change of address within ten (10) days of relocation. Special Victims Section personnel shall be responsible for the investigation and/or arrest of a registered sex offender who has not complied with this section.

VII. ACCREDITATION STANDARD REFERENCES

NYSLEAP

VIII. INDEX

Megan's Law 25/10

Sex Offender Registration Act 25/10

END



POLICE DEPARTMENT COUNTY OF SUFFOLK
DEPARTMENT DIRECTIVE
PDCS-2008a

ORDER NUMBER 05-37

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE COMMUNITY RELATIONS FUNCTION					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT			DATE ISSUED 04/01/05	DATE EFFECTIVE 04/04/05	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 26: TITLE: COMMUNITY RELATIONS

SECTION 1: TITLE: COMMUNITY RELATIONS FUNCTION

I. PURPOSE

To establish responsibility and objectives of the community relations function.

II. POLICY

While modern society requires a police service, such a service can be effective only with the support and confidence of the public it serves. The willing and practiced participation of the people in the enforcing of law and maintaining social order is essential. This cooperation is achieved through the community relations function.

III. DEFINITIONS

Community Relations - is the positive interaction between the people and the police and represents their unity and common purpose.

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. COMMUNITY RELATIONS FUNCTION

1. The community relations function shall be the responsibility of the Recruitment and Community Outreach Bureau.

2. The Recruitment and Community Outreach Bureau shall act as a liaison between the Department and community groups and/or leaders and

will also implement and coordinate projects pertaining to community issues.

3. The Community Oriented Police Enforcement (COPE) Sections shall meet with local community groups and leaders, maintain an open line of communications and carry-out community relations policies consistent with those established by the Recruitment and Community Outreach Bureau.

B. DEPARTMENT PERSONNEL

1. It is the responsibility of every member of the Department to promote good community relations.

2. Every member of the Department will conduct him/herself in a manner that fosters respect for the individual member and generates support and approval of the public for the Department.

3. The Department is fully committed to correcting actions, practices and attitudes which may contribute to community tensions and grievances. (e.g., Community Anti-Bias Advisory Committee)

a. The Police Academy Bureau will assist in recruit level training of police personnel in the promotion of good community relations.

b. The Bureau, through channels and on an as needed basis, alert Department members to changing community perceptions of police actions.

C. COMMUNITY RELATIONS OBJECTIVES

1. The Department's objective is to establish and maintain a liaison with community groups and organizations. Through interaction with these groups, necessary information may be exchanged for the purposes of developing a written plan used in;

a. Developing community relations policies for the Department;

b. Publicizing Department problems and successes via:

(1) Crime Stoppers Section

(2) C.O.P.E.

(3) Interpersonal contact between all officers and the public.

c. Receiving information from citizens;

d. Educating the public about the functions and operations of the Department;

e. Obtaining input from community groups to ensure that the Department is responding to the needs of the community and

identifying training needs of the Department. Input may be obtained through a variety of sources including but not limited to:

(1) Schools

(2) Elected officials and boards

(3) Civic and business associations

(4) Groups established by the Department where none exist.

(5) Surveys

2. Education Programs - The Department will provide programs to educate the public on police functions and current police/safety subjects. These will include:

a. Drug Abuse Resistance Education (D.A.R.E.) Program

b. Student Intern Program

c. Police Museum

VII. ACCREDITATION STANDARDS

A. CALEA - 54.2.3, 54.2.8, 54.2.10

B. NYSLEAP - 29.1, 29.2

VIII. INDEX

Community Programs 26/1

Community Relations 26/1

Recruitment and Community Outreach Bureau 26/1

END



ORDER NUMBER 08-41
 08-62

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER		SIGNATURE	
SUBJECT/TOPIC/TITLE NEWS MEDIA					
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/16/08 10/14/08	DATE EFFECTIVE 06/16/08 10/14/08	DATE TO BE REVIEWED N/A	

RULES

AND PROCEDURES

CHAPTER 26: TITLE: COMMUNITY RELATIONS

SECTION 2: TITLE: NEWS MEDIA

I. PURPOSE

To establish guidelines for the release of information to the news media.

II. POLICY

The Suffolk County Police Department will maintain an atmosphere of openness with the public and the news media limited only by mandates of law and the requirements of current criminal investigations. As a public agency, we welcome legitimate inquiries. All personnel are encouraged to cooperate with members of the media consistent with the procedures contained herein. An informed public is better equipped to deal with current patterns of activity in the County and to evaluate the efforts of its Police Department. Committed, as we are, to informing the public through the news media about events involving the Department, it is also our responsibility to ensure that the dissemination of information will not interfere with the rights of victims, or hinder an investigation or a defendant's right to a fair trial. Members must be confident that the release of information, relative to these occurrences, is not prejudicial to the administration of justice.

III. DEFINITIONS

N/A

IV. REFERENCE

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Public Information Section

1. The Public Information Section disseminates information to the public through the news media and acts as liaison between the Department and the news media. Representatives of the media, upon establishing their identity, may be advised of current news and are assisted in gathering news information equally to all media outlets. Information is not, and shall not be, withheld or delayed in order to favor any particular news media representative or agency.

2. The Director of Public Information, or a designated member of the director's staff, is authorized to assist the news media in resolving problems of mutual concern. Additionally, the Director of Public Information, or designee, responds to the scene of serious police incidents to assist Department members and the news media in fulfilling their joint expectations. Requests for on-scene assistance from the Public Information Section or questions in reference to Department policy concerning the media shall be directed to the Public Information Desk.

3. When an event is of such an extraordinary or unusual nature as to evoke general community interest, the Public Information Section, as well as all supervisory personnel of this Department, shall be cognizant of the role and responsibility of the media to obtain information for dissemination to the public. Therefore, all officers-in-charge shall make available to members of the media information pertaining to newsworthy incidents, including the release of information at crime scenes which will not jeopardize the successful conclusion of the investigation or the rights of any individuals. To the extent possible, there shall be only one official spokesperson for the Department in order to ensure the flow of accurate information, to guard against conflicts and/or misinformation being circulated, and to avoid the confusion that can take place at a major scene.

B. Release of Information

1. The scope and content of each release of information, whether written or oral, must be determined according to the facts of each situation. Generally, a description of the circumstances which is not privileged and which will not prejudice the safety of victims or witnesses, or the rights of suspects, will be made.

2. Frequently, due to public expectations and because of accessibility, members of the Service are called upon to supply information both related and unrelated to the law enforcement function. All media inquiries that are not related to an issued press release or a developing situation must be immediately referred to the Public Information Section or the Director of Public Information for clearance, unless other specific arrangements have been made with the Director of Public Information. Upon receiving clearance, members of the Service should appropriately answer questions or refer media representatives to the proper individual or agency for such answers. Members of the Service who are in possession of sufficient facts may supply information on non-criminal matters (i.e. life saving efforts, accidents, traffic problems, etc.). Requests for information on criminal matters or investigations

shall only be answered by the member of the Service in charge of the investigation or his/her designee. Questions pertaining to Department policy shall be referred to a Division Chief through the Public Information Section. Members of the Service shall be open in dealings with the public and unless there is reason to withhold information consistent with these guidelines, members of the Service shall supply the requested information. Members of the Service shall not represent as fact, that which is opinion and shall not express personal opinions while speaking as a representative of the Department.

3. In all deaths the identity of the deceased shall be withheld from the media until the next of kin has been notified or until a reasonable effort has been made to contact next of kin.

4. Whenever an in-custody death occurs, or in any situation where a member of the Service is involved in an incident related to or resulting in the death of a subject, information regarding the involved member shall be released to the news media only at the direction of the Police Commissioner or the Police Commissioner's designee. Additionally, any information released shall be limited to the member's age, race, command assignment, number of years of service, and the number and type of substantiated complaints made against the officer.

5. All Freedom of Information Law (FOIL) requests and requests for statistics received by the Department from members of the media must be forwarded to the Director of Public Information. The Director of Public Information will also receive copies of the requested information prior to release.

6. All efforts to contact the media about an initiative a command would like to have covered by the media must first be cleared by the Director of Public Information.

C. "Newsworthy" Incidents

1. The following types of incidents are considered newsworthy and shall be reported to the Public Information Desk.

- a. Robbery, kidnapping and other major crimes.
- b. Arrests made in major investigations.
- c. Missing children under 10 years of age.
- d. Serious automobile crashes (death, serious injury, extensive traffic delays, helicopter medical evacuation from scene, etc.)
- e. Incidents resulting in accidental deaths or serious injuries (example: industrial accidents, boating accidents, etc.)
- f. Suicides (so that the Public Information Section can advise that it is a "suicide" which usually minimizes the media interest).

- g. All homicides and attempted homicides.
- h. Natural deaths if deceased is a public figure or a famous person.
- i. Police shooting incidents which result in injury.
- j. Fires causing considerable damage, or involving structures of community or historical significance.
- k. Rescues made by members of the Department.
- l. Details of any other event or occurrence of unusual nature (explosions, riots, mass arrests, bombing, hazardous material spill, cave ins. floods, found or detonated explosive devices, etc.).
- m. Details of human interest stories or other items not considered "hard news": e.g., humorous animal stories involving police, stories with seasonal theme, etc.

D. Notification to the Public Information Section

1. Precinct platoon commanders shall, without unnecessary delay, transmit details of all newsworthy items to the Public Information Desk. Supplementary information/updates shall be provided to the Public Information Desk, when conditions permit, with such additional details as may be released. However, if the Detective Division assumes control of a scene, information regarding the scene or investigation shall only be released by the detective supervisor or the detective-in-charge.

2. The detective supervisor or the detective-in-charge of an investigation shall ensure that prompt and timely notification of the details of all cases of a newsworthy nature coming to their attention are reported to the Public Information Desk, unless notification will compromise the investigation. Supplementary information/updates shall be provided to the Public Information Desk, when conditions permit, with such additional details as can be released.

3. Communications Bureau Duty Officers shall notify the Public Information Desk, without unnecessary delay, when a newsworthy event or occurrence comes to their attention.

4. Ranking patrol or detective supervisor present and/or in charge of a major police incident or investigation shall ensure that the Public Information Desk has been notified.

5. Investigations for other law enforcement agencies e.g., homicides, will be reported to the Public Information Desk, without unnecessary delay, by the detective supervisor responsible for the investigation.

6. Patrol division supervisors and members of the Public Information Section will not release information on cases being

investigated by the Detective Division without the clearance of the detective-in-charge of the investigation, or the ranking detective supervisor.

7. When significant new information, or information which is substantially different from what was included in the original news release is released to a member of the media, the Public Information Section shall be notified to determine if an updated news release is required.

E. Preparation and Issuance of News Releases

1. The Police Commissioner shall be named as the issuing authority on all news releases. The officer-in-charge of a newsworthy incident or in the case of a criminal investigation, the investigative supervisor or detective-in-charge, is responsible to ensure that sufficient factual information for a news release is provided to the Public Information Section, who will prepare the release. If the investigating Command so desires, the final draft will be sent to them for approval. Format and style are the responsibility of the Public Information Section.

F. Release of Information in Joint Operations

1. When officers of this Department are working in conjunction with other law enforcement or public service agencies, it shall be the responsibility of the agency in control of the investigation/incident to release information to the news media. When the agency in control of the investigation/incident is the Suffolk County Police Department, the release should be coordinated with the Public Information Section. To ensure unity of effort and harmonious working relationships, each agency involved in the joint operation should agree, at the appropriate time, as to who will handle news releases.

G. Requests for Interview by the News Media

1. No member of the Department shall speak to the media about a developing situation before first contacting the Public Information Section (PIS) or its Director. Commands will fully apprise the Director of Public Information or PIS about a developing situation as early as possible so they can facilitate media requests and assist the requesting command with media relations. After the Director or PIS has been notified of the situation, the Command may field media inquiries. Unless there are legitimate reasons relating to an ongoing police operation, all commands shall make every effort to prepare a news release pertaining to a developing situation as expeditiously as possible.

a. Members of the Department who are interviewed by a representative of the news media shall, without unnecessary delay, notify the Public Information Section of the occurrence and content of the interview. Between 2300 and 0700 hours, this notification will be given to the Duty Officer. The Public Information Section or Duty Officer will determine if the content of the interview requires notification of the Police Commissioner and will make said

notification accordingly.

2. Requests from the news media for in-studio interviews, special feature stories, etc., will be approved by appropriate Commanding Officers. Prior to the Commanding Officer's approval, the Director of Public Information will be notified of, and when applicable, coordinate these requests.

H. News Media Access at Incident or Crime Scenes

1. Media representatives who possess and display, in a prominent manner, a valid Suffolk County Police News Media Identification Card, or a Nassau County or New York City Police Press Pass, may be granted access to scenes beyond the outer perimeter contingent upon the following guidelines:

a. The bearer of the card, upon the approval of the police officer-in-charge, may pass outer perimeter lines at accident scenes.

b. At major crime scenes, the ranking patrol or detective supervisor in charge of the scene may direct members of the media to a designated media area inside the outer perimeter. News media personnel are not to be permitted inside the designated inner perimeter of a crime scene.

c. When members of the Department are in control of a private dwelling, private area, or other areas generally not opened to the public, permission must be obtained from the person having authority over such premises, as well as from the officer-in-charge, before members of the media are permitted on/in the property.

d. News media representatives shall not be allowed to enter areas of extreme and imminent danger (example: immediate vicinity of a burning propane tanker) if in the opinion of on scene supervisors any required rescue or protection of such media representatives would endanger the lives of police or other emergency personnel, or otherwise interfere with the operation.

I. Police/News Media Conflicts

1. The Director of Public Information, or the director's designee, shall be responsible for resolving the concerns of members of the Department and news media employees that arise in the interaction of two disciplines.

2. Complaints from employees of the Department, concerning the news media conduct shall be brought to the attention of the Director of Public Information through the employee's chain of command. The Public Information Section shall investigate the allegation and, if necessary, shall discuss the matter with the media representative or his/her organization. The Public Information Section will advise the concerned Department employee in a timely manner.

J. Guidelines/Release of Information Regarding Criminal Cases

1. The following guidelines, based upon the recommendations of the New York Fair Trial Free Press Conference, shall be adhered to by members of the Department.

a. The following information should be released:

(1) Prior to Arrest - When a crime is believed to have been committed, pertinent facts relating to the crime itself may be made available. The details of investigative procedure will not be disclosed, except to the extent necessary to assist in the apprehension of the suspect, to warn the public of any dangers or to otherwise aid in the investigation.

(2) After Arrest:

(a) Members may release the accused's name, age, residence, employment, marital status and similar background information. The identity of juvenile offenders (J.O.) will be released only upon the approval of the commanding officer of the processing Detective command, or his designee.

(b) Members may release the substance of the text of the charge, such as complaint, indictment, information, and where appropriate, the identity of the complainant.

NOTE: Names of complainants who are under 16 years of age WILL NOT be released.

(c) Members may release the identity of the investigating and arresting agency and the length of the investigation.

(d) Members may release the circumstances immediately surrounding the arrest, including the time and place of arrest, resistance, pursuit, possession and use of weapons and a description of items seized at the time of arrest.

b. The following information should not be released:

(1) Do not reveal any information regarding the fact that the arrestee led officers to weapons, money or other material evidence.

(2) Do not reveal any information regarding the arrestee taking any tests or refusing to take any test, such as a Polygraph test, except you may do so when the arrest is for DWI or DWAI (drugs).

NOTE: You may reveal whether or not the arrestee submitted to any chemical tests, or refused to submit to such tests, but do not release results of chemical tests except to the arrestee and his or her legal counsel.

(3) Do not release any information about the existence or contents of any confession, admission statements, or alibi given by

the arrestee or his or her refusal to make a confession, admission, statement or alibi.

NOTE: On major felony arrests (homicides, etc.) we will release some information if such becomes available to the media as a public record at arraignment (i.e., confession is attached to court information).

(4) Do not discuss your opinion of the guilt or innocence of the arrestee.

(5) Do not release the identity of any prospective witness or comment on his/her credibility or anticipated testimony.

(6) Do not release any information that is speculative, such as the possibility of a plea to guilty to the offense charged, or a plea to a lesser offense, or any other disposition.

(7) Do not release the names of any civilian complainants initiating the charges when this may pose any danger to the complainants.

(8) Do not release the name of the victim of a sex crime.

(9) Do not pose an arrestee for news media representatives to videotape or take still pictures.

NOTE: Media may take pictures or video in any public place: e.g., prisoner walking from precinct to prisoner van.

(10) Do not refer to the arrestee as a "known gangster", "depraved character" or by any other derogatory term.

K. Guidelines for Release of Photographs to News Media

1. Release Policy - Under normal circumstances, the release of photographs of arrestees to the news media is permissible unless:

a. The release is premature in that distribution of the photograph to the media may compromise victim(s) or witness(es) identification of the accused in a line-up.

b. The release poses a potential threat to anyone's safety.

c. The release has the potential to jeopardize an active investigation.

d. The photographic negative(s) of the arrestee are unavailable for reproduction. Photographic negative(s) are not available if they are not yet in the possession of the Identification Section, or if the arrestee's records may not be lawfully released.

2. Priority Change - The Police Commissioner may authorize a change in priority to facilitate the processing of requests for photographs from the media, if he deems it necessary.

3. Public Information Section Involvement - All requests for photographs of arrestees by a media representative will be handled by the Public Information Section. All other requests for photographs shall be handled by the Identification Section.

4. Release Procedure

a. Upon request by a media representative for a photograph of an arrestee, the Public Information Section shall ensure that the tenets of the Freedom of Information Act are adhered to.

b. Regardless of the number of representatives from each media organization requesting a photograph, only one from each firm shall be routinely provided with a photograph upon request.

c. In answering the request, the Public Information Section shall contact the commanding officer of the appropriate investigating officers/detectives to determine whether the release of requested photograph(s) would interfere with an ongoing investigation.

d. If no impediments to the release of the photograph(s) are found, the Public Information Section shall contact the commanding officer of the Identification Section, or his designee. The Public Information Section will advise of any deadlines that must be met by the media representative and inquire as to when the photograph(s) can be ready for release.

e. The commanding officer of the Identification Section, or his designee, will advise the Public Information Section of any delays anticipated in fulfilling the request by the media deadline. An estimate as to when the photograph(s) will be ready for release shall be provided.

f. If the Identification Section cannot provide the requested photograph(s) by the media deadline, the Public Information Section will inform the media representative and advise them of the estimated time of release.

g. The Public Information Section shall attempt to arrange for a compatible release time or date in the event that the Identification Section does not anticipate meeting the media deadline.

h. If the anticipated photographic release time is compatible with the media representative's deadline, a Request for Photos form (PDCS 3230-4) will be completed to initiate processing. The Public Information Section shall fill out the form, additionally noting the requestor's name, media organization affiliation, business mailing address, and phone number(s) where the requestor can be reached. This form shall be forwarded to the Identification Section for processing.

i. Identification Section staff members must ensure that current records are consulted to ascertain that the existing materials

concerning the arrestee may be lawfully released.

j. If, at any time during the processing of the request, the Identification Section discovers any bars to provision of the photograph(s), the commanding officer of the Identification Section, or his designee, shall promptly notify the Public Information Section of the hindrance.

k. Negatives of photographs requested by the media that are available for reproduction in the Identification Section shall be located, reproduced, and re-filed with the white copy of the Request for Photos form retained per for guidelines in the Identification Section's files.

l. If more than one photographic negative of an arrestee may be lawfully released, only the single most recently taken image shall be reproduced. In the event that a set of photographic negatives from the most recent date exists, the commanding officer of the Identification Section shall choose one to reproduce for the media.

m. The Public Information Section shall retain and file the yellow copy of the Request for Photos form returned with the photographs for the media. These copies shall be kept in a file within their office for a period of time determined by the commanding officer.

L. Release of Prior Criminal Records

1. Prior criminal convictions are matters of public record and are available to the news media. News media representatives should request such records from the Public Information Section. The Public Information Section will coordinate with the investigating command before release of such information.

M. Information from Central Records

1. Information released from the Central Records Section is only released as outlined in the procedures applying to that section.

N. Duty Officer Notification

1. The Duty Officer at the Communications Section is informed of all newsworthy data as is practical as outlined in section J.

O. Press Cards

1. Authorized news media representatives are issued press cards by the Department. When not known, they are required to identify themselves by this means. The press cards issued by the police departments of the City of New York and Nassau County are acceptable by this Department as authorized news media representative identification.

VII. ACCREDITATION REFERENCE

A. CALEA 54.1.1, 54.1.2, 54.1.3, 54.1.4, 54.1.5.
54.1.7, 54.1.9, 54.1.10, 54.1.11

B. NYSLEAP 28.1, 28.2, 28.3

VIII. INDEX

Release of Information, Media 26/2

Press Releases 26/2

Press Cards 26/2

Newsworthy Incidents/Notification 26/2

END



ORDER NUMBER 08-49

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE STUDENT INTERNSHIP PROGRAM				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 06/26/08	DATE EFFECTIVE 06/26/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 26: TITLE: COMMUNITY RELATIONS

SECTION 3: TITLE: STUDENT INTERNSHIP PROGRAM

I. PURPOSE

To establish procedures for Department participation in the Suffolk County Student Intern Program.

II. POLICY

Suffolk County has established the student internship program to assist college and high school students in furthering their education and experience in various fields of study. The Department, as a County agency, is a participant in this program and offers unique opportunities for students with interest in the field of criminal justice to observe the operations of a law enforcement agency.

III. DEFINITIONS

Student Intern - A graduate or undergraduate college student or a high school student working for or observing County agencies for academic credit and/or experience. Such student is usually unsalaried, unless eligible for federal work-study financial aid.

IV. REFERENCES

Suffolk County Standard Operating Procedure B-06.

V. RULES AND REGULATIONS

A. Student interns assigned to the Department shall not perform or assist in performing any police related function, including clerical functions such as filing or typing.

B. Interns assigned to patrol commands shall not be permitted to ride along with patrol officers. However, with the approval of the precinct commander and patrol supervisor, student interns may ride with patrol supervisors.

VI. PROCEDURE

A. The commanding officer of the Police Academy Bureau shall be responsible for coordination of the Department's student intern program, including the selection and placement of interns, and any pertinent record keeping which may be involved. Any questions, problems, or requests reference student interns should be directed to the Police Academy Bureau.

B. Departmental procedures involving student interns shall be as follows:

1. The County Executive's Office will assign a potential student intern to the Department. In some cases, a potential student intern may contact the Police Academy Bureau directly. If a student contacts the Department directly, a notification shall be sent to the Internship Program Coordinator in the County Executive's Office. Also, students who enter the program through the Department must complete a Student Intern Registration Form (SCEX form 105) and submit the form to the County Executive's Office.

2. All candidates for a student internship with the Department must complete a liability waiver and obtain a doctor's note confirming good health. These will be submitted to and filed by the Police Academy Bureau. If the student intern is a minor, then a parent or guardian must sign the liability waiver. The Applicant Investigation Section shall conduct the background interview and background check on all student intern candidates. The criteria for internship should be similar to the criteria for hiring of employees by the Department. The final decision as to the selection of interns rests with the discretion of the commanding officer of the Police Academy Bureau.

3. Student interns who meet all requirements will be assigned, on a daily rotating basis, to the various participating commands in the Department, until they fulfill the 120 hour (40 hours for high school students) requirement. An Internal Correspondence shall be sent to the commanding officer of each command advising them that a student intern is to be assigned to them, the scheduled times, and any other pertinent information. When student interns complete their required time at each command each day, the working supervisor will initial the student intern's timesheet, confirming the intern's attendance. These sheets will be submitted to the Police Academy Bureau upon completion, in order to confirm that the student intern has met the attendance requirement.

4. All student interns who satisfactorily complete the required hours will receive a letter from the Commissioner verifying their completion of the program. It is the intern's responsibility to contact their respective schools to receive credit. Any student intern who displays behavioral or attendance problems may be dropped from the program, at the discretion of the commanding officer of the Police Academy Bureau. If this occurs, the Internship Program Coordinator in the County Executive's office shall be notified by the commanding officer of the Police Academy Bureau.

VII. ACCREDITATION STANDARD REFERENCES

N/A

VIII. INDEX

END



ORDER NUMBER 08-28
 08-29

TYPE DEPARTMENT GENERAL ORDER	AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE FILM PRODUCTION GUIDELINES			
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT	DATE ISSUED 03/11/08 03/28/08	DATE EFFECTIVE 03/11/08 03/28/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 26: TITLE: COMMUNITY RELATIONS

SECTION 4: TITLE: FILM PRODUCTION GUIDELINES

I. PURPOSE

To establish procedures for Department personnel in addressing requests from film production companies for Suffolk County Police Department services.

II. POLICY

It is the policy of the Suffolk County Police Department to assist film production companies with requests for police services.

III. DEFINITIONS

N/A

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

A. It will be the decision of the Chief of Department, or his/her designee in the absence of the Chief of Department, to provide, or not to provide, police personnel to assist and monitor film production companies while filming in public areas of Suffolk County.

B. Any officers detailed pursuant to a film production request are the sole employees of the Suffolk County Police Department and as such shall not appear on film as part of the actual production.

C. Officers assigned to film production details are to perform police related duties only (including, but not limited to traffic control, pedestrian and crowd control).

D. Officers assigned to film production details shall take appropriate police action whenever criminal activity is observed or when

their assistance is required by the general public.

VI. PROCEDURES

A. Requests for Police Services by Film Production Companies

Any person, corporation, firm or organization desiring Suffolk County Police Department services for film production purposes will complete an online Suffolk County Production Request Form, which can be accessed at: <http://www.suffolkcountyfilmcommission.com/scr.public.production.request.asp>

The completed form will then be forwarded by the Suffolk County Office of Film and Cultural Affairs to the Office of the Chief of Department.

Said request made by a representative of the film production company must be made in a timely manner prior to the start of filming and should include:

- Filming schedule
- All locations of filming and approximate daily filming times

B. Equipment and Facilities

1. Police Department equipment or the interior of police facilities will not be made available to production companies without the approval of the Chief of Department or his/her designee. Arrangements may be made through the Office of the Chief of Department to take still photographs of equipment and facilities so that reproductions can be made.

2. Patches and uniforms from the Suffolk County Police Department shall not be provided without approval from the Office of the Chief of Department.

C. Posting Regulations - In the event that a roadway needs to have restricted parking, the following guidelines will be followed:

1. All posting for no parking must have prior approval from the Office of the Chief of Department.

2. No parking signs must be posted at the filming location no later than 24 hours prior to the start of filming.

3. No parking signs that meet the Suffolk County Police Department's specifications will be provided by the film company.

4. The parking of production equipment overnight may be restricted in certain areas, i.e. residential neighborhoods.

5. When filming is complete at a location, the officers shall remain until the police mission is completed. The release of the officers shall be determined by the officer in charge and not by any member of the film production crew.

D. Hours of Filming

1. Filming in residential areas is restricted between the hours of 10:00 PM and 7:00 AM without permission from the Office of the Chief of Department. This applies to the arrival of the cast, crew and equipment.

2. Filming in commercial areas may be restricted and will be determined by the Office of the Chief of Department.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

Film Production 26/4

Motion Pictures 26/4

END



ORDER NUMBER 08-58

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE CHILD ABUSE AND NEGLECT				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 09/10/08	DATE EFFECTIVE 09/01/08	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 27: TITLE: JUVENILE PROCEDURES

SECTION 1: TITLE: CHILD ABUSE AND NEGLECT

I. PURPOSE

To inform members of state mandates, Department procedures and general information regarding suspected or reported incidents of child abuse and neglect. This includes reporting and emergency removal.

II. POLICY

It shall be the policy of the Suffolk County Police Department to report every incident of suspected child abuse or neglect known to the Department and to take any other appropriate measure to protect a child's life and health. This shall include, when necessary, the taking or keeping of a child in protective custody if there is reasonable cause to believe that the child is in imminent danger and, when appropriate, the arrest of the person or persons responsible for harming the child.

III. DEFINITIONS

Neglected Child - A neglected child is a child less than eighteen (18) years of age whose physical, mental or emotional condition has been impaired as a result of the failure of his or her parent(s) or other person legally responsible for his or her care to exercise a minimum degree of care:

In supplying the child with adequate food, clothing, shelter or education in accordance with the provisions of Part One of Article 65 of the Education Law, or medical, dental, optometrical or surgical care, though financially able to do so or offered financial or other reasonable means to do so,

or

In providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to be inflicted harm, or a substantial risk thereof, including the infliction of excessive corporal punishment; or by using a drug or

drugs; or by using alcoholic beverages to the extent that he loses self control of his actions; or by any other acts of similarly serious nature requiring the aid of the court,

or

Who has been abandoned by his parents or other person legally responsible for his care.

Abused Child - An abused child is a child less than eighteen (18) years of age whose parent(s) or other person legally responsible for his care:

Inflicts or allows to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ,

or

Creates or allows to be created a substantial risk of physical injury to such child by other than accidental means which would be likely to cause death or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ,

or

Commits or allows to be committed, a sex offense against such child, as defined in the Penal Law; allows, permits or encourages such child to engage in promoting prostitution in the first, second, or third degree as defined in the Penal Law; commits incest as defined in the Penal Law; or allows such child to engage in acts or conduct described in Article 263 (Sexual Performance by a Child) of the Penal Law provided, however, that the corroboration requirements contained in the Penal Law and the age requirement for the application of Article 263 of such law shall not apply to proceedings under Article 10 (Child Protective Proceedings) of the Family Court Act.

Imminent Danger - The following situations may constitute imminent danger and may call for the emergency removal of a child. However, these examples are not meant to be all-inclusive but are presented as a guide to help understand the meaning of the phrase "imminent danger" as presented by the New York State Division of Criminal Justice Services:

The maltreatment in the home, present or potential, is such that a child could suffer permanent damage to body or mind if left there.

Although a child is in immediate need of medical or psychiatric care, the parent(s) refuse to obtain it.

A child's physical and/or emotional damage is such that the child needs an extremely supportive environment in which to recuperate and it is

assessed that the child's home would be inadequate.

A child's sex, age or physical or mental condition renders the child incapable of self-protection and for some reason constitutes a characteristic the parents find completely intolerable.

Evidence suggests that the parents are torturing the child or systematically resorting to physical force which bears no relation to reasonable discipline.

The physical environment of the home presents an immediate threat to the health and safety of the child.

Evidence suggests that parental anger and discomfort with the investigation will be directed toward the child in the form of severe retaliation against him or her.

Evidence suggests that one or both of the parents are so out of touch with reality that they cannot provide for the child's basic needs.

Evidence suggests that the parent's physical condition poses a threat to the child.

The parents have a history of keeping the child at home and away from peers, school or other outsiders.

The parent or parents abandon the child.

Good Faith - Good faith is defined as acting in the discharge of your duties, within the scope of your employment, provided that your actions did not result from willful misconduct or gross negligence.

Mandated Reporters - Mandated reporters are those individuals who must report, or cause a report to be made, whenever they have reasonable cause to suspect that a child coming before them in their professional or official capacity is abused or maltreated, or when they have reasonable cause to suspect that a child is an abused or maltreated child where the parent, guardian or custodian or the person legally responsible for the child comes before them in their professional or official capacity and states from personal knowledge, facts, conditions, or circumstances which, if correct, would render the child an abused or maltreated child.

IV. REFERENCES

Social Services Law, sections 415, 416, 417, 419, 420, 422.4
(A) (B).

FCA, Article 10 (Child Protective Proceedings)

V. RULES AND REGULATIONS

The procedures that follow set forth the requirements that are rules and, as such, must be observed by all members of the Service.

VI. PROCEDURES

A. Child Abuse and Neglect

1. Reporting of Child Abuse and Neglect - Members of the Service are required by New York State Law to report every case of suspected child abuse or neglect that comes to their attention (as per section 413 of the Social Services Law). Therefore, a member of the Service shall immediately report (unless circumstances prevent such report, then without unnecessary delay) any incident of suspected child abuse or neglect.

Members will telephone the New York State Department of Social Services Child Abuse and Maltreatment Register (as per section 415 of the Social Services Law) at the statewide toll free State Central Register telephone number (800) 635-1522 (as per New York State Department of Social Services regulations, this telephone number is for mandated reporters only and is not to be given to civilians for use. Civilians may report suspected child abuse or neglect by calling toll free (800) 342-3720).

After the above notification, the member of the Service shall prepare a written report utilizing the New York State Department of Social Services form titled Report of Suspected Child Abuse or Maltreatment. This form shall also be forwarded within forty-eight (48) hours to the Suffolk County Department of Social Services, Child Protective Services. In addition, the New York State Domestic Incident Report (DCJS-3221) must be properly completed by addressing the applicable boxes with the following headings:

- a. "Other Agencies involved with the parties or incident"
- b. "Is there reasonable cause to suspect a child may be the victim of abuse, neglect, maltreatment or endangerment?"

2. Removal of A Child

a. A member of the Service may remove a child without a court order when the child appears to suffer from abuse or maltreatment and immediate removal is necessary to avoid imminent danger to the child, and there is not enough time to apply for a court order (as per section 417 of the Social Services Law).

b. If a member of the Service reasonably suspects that a child may be abused or maltreated, they may consult with the State Central Register to determine whether the child is the subject of a previously indicated report of abuse or neglect, but only if this information is needed to determine whether to place the child in protective custody (as per section 422.4 (A) (B) of the Social Services Law).

c. A member of the Service who makes such a removal shall immediately notify (unless circumstances prevent such report, then without unnecessary delay) the State Central Register ((800) 635-1522) and a supervisor.

(1) Coinciding with a removal, written notice (as per section 1024 (iii) of the Family Court Act) must be given to the parent or other person legally responsible for the child. Ordinarily, a member of the Suffolk County Department of Social Services prepares and gives the written notice (as well as filing an affidavit of service with Family Court) in accordance with the provisions of the Family Court Act. If, for any reason, this does not occur, it is the responsibility of the member of the Service making the removal to comply with all of the provisions of section 1024 (Emergency removal without court order).

3. Immunity from Liability - Members of the Service who in good faith (as defined in section III of this order) report suspected child abuse or neglect, or remove a child, shall have immunity from any liability, civil or criminal (as per section 419 of the Social Services Law).

4. Failure to Report - Members of the Service are mandated reporters, therefore, a member of the Service who willfully fails to report a case of suspected child abuse or maltreatment may be guilty of a Class A misdemeanor and may be civilly liable for damages caused by the failure to report (as per section 420 of the Social Services Law).

5. Medical Treatment - In any removal of an abused or neglected child, if medical attention is required and permission cannot be obtained from the parents, a physician, judging an emergency exists, may treat a child without consent. If no emergency exists but treatment is needed, approval may be obtained from the Commissioner of Social Services, Commissioner of Health or the Family Court.

6. Assistance to Child Protective Services (CPS) - Recent amendments to New York State Social Services Law and the New York State Family Court Act have added certain protections for alleged victims of child abuse. CPS Investigators now have a means to obtain an order to enter the premises under certain circumstances.

a. If the CPS Investigator has requested law enforcement assistance, members of the Service shall honor that request. While the request for an order is being made by CPS, members of the Service shall remain outside the premises where the child or children are or believed to be present.

b. While the request for an order is being made by CPS, members of the Service shall not enter the premises where the child or children are believed to be present without a search warrant or unless exigent circumstances dictate otherwise.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

Add: Emergency Removal of Child 27/1 VI. A.2.
Removal of Child 27/1 VI. A.2.
Child Abuse and Neglect Procedures 27/1
Child Maltreatment 27/1 III.
Child Neglect 27/1 III.
Neglect of Children 27/1 III.
Maltreatment of Children 27/1 III.
Abuse of Children 27/1
Child Protective Services 27/1
State Central Register 27/1 VI. A.1., 2.b., 2.c.
Child Abuse and Maltreatment Register 27/1 VI.
A.1.,

2.b,2,c.

END

RULES AND PROCEDURES

CHAPTER 27: TITLE: JUVENILE PROCEDURES

SECTION 2: TITLE: CRIMINAL OFFENSES

I. PURPOSE

To provide procedures for the proper handling of criminal incidents involving juveniles.

II. POLICY

A member of the Force may take into custody a juvenile over the age of seven and less than sixteen years, if said juvenile commits any act that would constitute a crime if it were committed by an adult.

III. DEFINITIONS

The arrest procedures as outlined in Article 140 of the Criminal Procedure Law apply also to juveniles except that the word crime is construed in its strictest sense to mean felony or misdemeanor.

IV. REFERENCES

- A. New York State Criminal Procedure Law, Article 140.
- B. New York State Family Court Act.

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Criminal Offense - When a member of the Force takes into custody, a juvenile who commits an act that would constitute a crime, if committed by an adult, or if said

juvenile has been legally turned over to his custody by a private person, he will notify the juvenile's parents or legal guardian responsible for his care. The officer will notify the appropriate Precinct Detective Bureau Squad or the applicable Detective command when a juvenile is arrested for a crime outside the scope of the Precinct Detective Bureau. The Precinct Detective Bureau or the applicable Detective command will process the juvenile, when it has been determined the youth is actually under sixteen (16) years of age at the time of arrest, or was under sixteen (16) when the offense was committed. When the offense is one that would be referred to the Detective Division if the juvenile were an adult, a Precinct Detective Bureau Squad Detective will be advised by the reporting officer.

1. Holding Juveniles - All juveniles will be placed in the court designated room within the precinct set aside for the reception of juveniles. Under no circumstances should a juvenile be taken to locations such as the uniform squad room or detective squad room. A juvenile will not be placed in the company of any adult offender.

2. Questioning of Juveniles - Miranda warnings will be given only after every reasonable effort to notify a parent or legal guardian of the arrest has been expended. Best efforts must be made in attempting to notify the parent or guardian of the arrest, and the police are required to allow a reasonable time period for their arrival, before initiating the juvenile's interrogation. (Officers must document their efforts to give such notice.) Upon arrival of a parent or guardian, Miranda warnings will be given to both the juvenile and the adult. Should the parent or guardian not arrive within a reasonable period of time, Miranda warnings must be administered to the juvenile prior to any questioning.

3. Decisions to Question Juveniles Without Parental Presence - The propriety of an officer's decision to question the juvenile without his or her parent(s) or legal guardian(s) will depend upon the

relevant factors present, i.e.: 1) age, mental capacity and level of maturity of the juvenile; 2) seriousness of the offense; and 3) other factors that show a compelling need to question the juvenile in the absence of a parent/legal guardian. In a determination of admissibility, the presence or absence of a parent during questioning is not in and of itself determinative, but is merely one factor which the court must consider. All of the rules of evidence and due process apply to juvenile offenders.

4. A person who is actually or apparently over the age of ten (10) and under the age of sixteen (16) may be detained in a detention cell used for adults only when approval to do so is granted by the State Division for Youth* and the juvenile is kept secluded from adults.

5. No person, regardless of age, who is arrested for a crime that was committed when they were under sixteen (16) years of age, will be detained in a detention cell

used for adults unless approval to do so is granted by the State Division for Youth.*

* Such approval will be determined on a case by case basis.

B. Juvenile Offender Lodging - The Precinct Detective Bureau or the applicable Detective command processing the juvenile is responsible for pre-arraignment transportation of all juvenile offenders to a facility designated by the State Division of Youth as a facility for the reception of children, when court is not in session, and will deliver them to District Court for arraignment. A photocopy of the arrest package will accompany the juvenile to the detention facility.

C. Fingerprinting and Photographing Juvenile Offenders - A youth charged as a Juvenile Offender will be fingerprinted and photographed as an adult by the processing officer. In addition to the full adult set of fingerprints, one juvenile set of prints will also be completed. The juvenile set of

prints will be sent to D.C.J.S. via existing established procedures. The adult fingerprint card will be the card utilized for facsimile transmissions.

1. Juvenile Offenders will be listed on the Precinct Transmittal Sheet indicating the court where they are to be arraigned.

2. The Identification Section will be responsible for the retention and storage of fingerprints and photographs for persons charged as Juvenile Offenders.

3. In the event a youth charged as a Juvenile Offender is remanded from Criminal Court to Family Court as a juvenile delinquent, all fingerprints and photographs will be handled in accordance with provisions of the Family Court Act.

D. Juvenile Violations - An act committed by a juvenile that would constitute a violation if committed by an adult may not be the basis for a Juvenile Delinquency Proceeding, and therefore, the juvenile SHOULD NOT BE TAKEN INTO CUSTODY.

1. Under extreme conditions a juvenile may be taken into protective custody for his protection or the protection of others. The juvenile in custody will either be transported to his place of residence, if such residence is within the precinct of assignment, and left in the custody of his parent, legal guardian or a responsible relative; or when the juveniles' place of residence is outside the precinct's boundaries, the officer will transport the juvenile to the precinct and the juvenile will be placed in the designated Juvenile Room under proper supervision. The juvenile's parent or legal guardian will be contacted and directed to respond. In all cases a Field Report, a blue Juvenile Activity Card, and if needed, a Supplementary Report, will be prepared by the officer. In the event that a parent or legal guardian is not available, the Child Protective Services Bureau of the Department of Social Services will be contacted in order to take custody of

the juvenile until a parent or legal guardian can be contacted. Liaison may be made with the Fugitive/Missing Persons Section for further guidance.

VII. ACCREDITATION STANDARD REFERENCES

- A. CALEA
- B. NYSLEAP

VIII. INDEX

N/A

END



ORDER NUMBER 06- 19

TYPE DEPARTMENT GENERAL ORDER		AUTHORITY RICHARD DORMER POLICE COMMISSIONER	SIGNATURE	
SUBJECT/TOPIC/TITLE PERSONS IN NEED OF SUPERVISION/PINS				
DISTRIBUTION ALL MEMBERS OF THE DEPARTMENT		DATE ISSUED 02/15/06	DATE EFFECTIVE 02/15/06	DATE TO BE REVIEWED N/A

RULES AND PROCEDURES

CHAPTER 27: TITLE: JUVENILE PROCEDURES

**SECTION 3: TITLE: PERSONS IN NEED OF SUPERVISION
 (P.I.N.S.)**

I. PURPOSE

To apprise members of the restrictions and proper handling of PINS cases and the availability of diversionary services through the Suffolk County Probation Department.

II. POLICY

Section 724 (PINS) of the Family Court Act has been modified. As of November 1, 2005 a PINS petition can no longer be directly presented to a Family Court Judge by the parent/guardian of a child under the age of 18 or the child's school district. In conformance with the Family Court Act, the Suffolk County Probation Department has been designated as the "Lead agency" and as such, is the only agency that can file a PINS petition. A PINS petition will only be filed in extreme cases, after diversionary services provided by the Probation Department have failed. This will greatly reduce the number of PINS warrants that members of the Service will encounter.

III. DEFINITIONS

A. Non-Secure Detention Facility - A temporary lodging facility to which all PINS warrant cases that require lodging must be transported to. The Officer/Detective shall complete Affidavit: Non-Secure Detention Facility, **PDCS-5601**, upon transporting a child to a non-secure facility. The primary non-secure facility in Suffolk County is Hope for Youth in Amityville, (631) 841-1650. Lodging in a non-secure detention facility for any other non-PINS reason (e.g. unable to contact parent/guardian) must first be arranged through the Suffolk County Response 24 hour law enforcement hotline at (631) 751-6069. Suffolk County Response may have more appropriate lodging for the situation (i.e. respite lodging).

B. Diversionary Services - Alternatives for Youth (AFY) are

diversionary services provided to eligible families by the Suffolk County Department of Probation (see the Child referral Form **PDCS- 5600** for contact information). The diversionary services include; immediate crisis intervention, family intervention plans, peer support and parent training.

C. Child - Under Section 724 (PINS) of the Family Court Act, a person under the age of 18 is considered a child.

IV. REFERENCES

A. New York State Family Court Act

V. RULES AND REGULATIONS

N/A

VI. PROCEDURE

A. Any request by a parent/guardian to initiate a PINS petition must be directed to the Suffolk County Department of Probation. The requestor shall be given the Child Referral Form, **PDCS-5600**, which advises the parent/guardian of their right to seek diversionary services and provides the contact information for the Probation Department.

B. PINS warrants will continue to be processed by the Precinct Detective Squad. When lodging is required a non-secure detention facility will be utilized as described above.

VII. ACCREDITATION STANDARD REFERENCES

A. CALEA

B. NYSLEAP

VIII. INDEX

N/A

END

RULES AND PROCEDURES

CHAPTER 28: TITLE: CRIME PREVENTION

SECTION 1: TITLE: CRIME PREVENTION FUNCTION

I. PURPOSE

To provide guidelines demonstrating the commitment of the Suffolk County Police Department to maintaining an effective crime prevention capability, providing specialized crime prevention services to the community.

II. POLICY

The Department and its members are responsible for interacting with the community to generate mutual understanding so that there may be public support for crime prevention. Community involvement is essential to facilitate a flow of information between the public and the Department to assist in the identification of problem areas and to inform the public of crime statistics and trends. Additionally, knowledge of the community is necessary so that each Department employee may be instilled with a sense of concern for the crime problems and law enforcement needs in his assigned area of responsibility.

III. DEFINITIONS

Crime prevention is more than just another theory. It is the practical application of law enforcement with a pro-active approach to crime. Traditionally, law enforcement has dealt with crime reactively. Crime prevention is: "The anticipation, recognition, and appraisal of a crime risk, and the initiation of action to remove or reduce it."

IV. REFERENCES

N/A

V. RULES AND REGULATIONS

N/A

VI. PROCEDURES

A. Crime Prevention Function

1. The Crime Prevention Function shall be the responsibility of all Department members.

a. Department members shall familiarize themselves with current Department Crime Prevention Programs.

(1) When appropriate, Department members should advise the public of existing Department Crime Prevention Programs.

B. Programs

1. Crime Prevention Programs - As the need arises and when resources are available the Department will develop and operate programs to promote safety and crime prevention. These programs may include:

a. Neighborhood Watch Coordination

b. Personal Safety

c. Operation I.D.

d. Traffic Safety Patrol Assistance Program

e. Halloween Safety

f. Juvenile Delinquency Prevention and Control

g. Additional Programs when appropriate

VII. ACCREDITATION STANDARDS

A. CALEA

B. NYSLEAP 29.3

VIII. INDEX

Crime Prevention Programs 28/1

Crime Prevention Function 28/1

END

CHAPTER 16, SECTION 4

ARREST OR DETENTION OF NON-U.S. CITIZENS OR
PERSONS WITH DUAL CITIZENSHIP

EXHIBIT TO DEPARTMENT GENERAL ORDER 08-25



Consular Notification and
Access Reference Card
Instructions for Arrests and
Detentions of Foreign
Nationals

This card summarizes for law enforcement officials the basic consular notification procedures to follow upon the arrest or detention of a foreign national. For more detailed instructions and legal material, see the Department of State publication *Consular Notification and Access*. The complete publication is available at: <http://travel.state.gov/consnotif.html>.

Questions may also be addressed to:

Office of Policy and Public Affairs
CAVR, Room 4800
Bureau of Consular Affairs
U.S. Department of State
Washington, DC 20520
Telephone: (202) 647-4413
Fax: (202) 736-7850
E-mail: caavrt@state.gov

Urgent after-hours inquiries may be
directed to (202) 647-1512
(State Department Operations Center)

Mandatory Notification Countries

Algeria	Malta
Anguilla and Barbuda	Mauritius
Armenia	Moldova
Azerbaijan	Mongolia
Bahamas, The	Nigeria
Barbados	Philippines
Belarus	Poland*
Belize	Romania
Brunei	Russia
Bulgaria	Saint Kitts and Nevis
China†	Saint Lucia
Costa Rica	Saint Vincent/Grenadines
Cyprus	Seychelles
Czech Republic	Sierra Leone
Dominica	Singapore
Fiji	Slovakia
Gambia, The	Tajikistan
Georgia	Tanzania
Ghana	Togo
Grenada	Trinidad and Tobago
Guayana	Tunisia
Hong Kong	Turkmenistan
Hungary	Turvalu
Jamaica	Ukraine
Kazakhstan	United Kingdom‡
Kiribati	U.S.S.R.‡
Kuwait	Uzbekistan
Kyrgyzstan	Zambia
Malaysia	Zimbabwe

†Not for United Republic of China (Taiwan) passport holders.
‡Mandatory for permanent residents only.
*GC includes Anguilla, British Virgin Islands, Bermuda, Bonaire, and the
Turks and Caicos Islands (previously carry US passports).