

Louisville Metro Police Department

Standard Operating Procedures



Steve Conrad
Chief of Police

Louisville Metro Police Department

Standard Operating Procedures

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Louisville Metro Police Department

To All Personnel:

The purpose of the Standard Operating Procedures is to explain the organization, policies, and procedures of the Louisville Metro Police Department. Policies are broadly stated principles and values intended to guide members in the performance of their duties in conformity with department objectives. Procedures are methods of performing police activities to achieve an objective. Procedures may be general or specific in nature. Each member shall be familiar with the Standard Operating Procedures Manual and adhere to its directives.

These procedures do not and cannot address every situation that a member may encounter in the performance of his/her law enforcement duties. If a member encounters a situation that is not covered by policy, procedure, or training, the member shall be expected to exercise sound judgment and act in accordance with the Department's Mission Statement and Core Values. There may be times when it is necessary for a member to take action that may not fully comply with a stated policy or procedure. In such situations, the member shall be required to justify the deviation from stated policy or procedure and those actions shall be subject to strict review.

Adherence to these procedures shall ensure the Department's mission to provide professional services, fairly and ethically at all times, to all people, in order to prevent crime, control crime, and promote community involvement on all levels.

Steve Conrad
Chief of Police



Citizen's Bill of Rights



Metro Government was created to serve the people of Jefferson County, not our elected officials. As Mayor, I will ensure that all citizens receive fair, ethical, and equal treatment and guarantee the following rights:

I. CONVENIENT ACCESS

Every citizen has the right to prompt, efficient service from Metro Government. As Mayor, I will work to expand the services available at county government centers and on the Internet to meet the demands of the people of Louisville Metro. It should be easy to do business with Metro Government.

II. TRUTHFUL ANSWERS AND EXPLANATIONS

Every citizen has the right to straightforward and honest information in connection with any significant decision made by the Mayor. I will publish and make available the reasons behind my decisions on all significant public matters.

III. QUALITY CUSTOMER SERVICE

Every citizen has the right to be treated like a valued customer, with dignity and respect. As taxpayers, citizens are customers of Metro Government and are entitled to courteous, professional service from employees who are intent on solving their problems.

IV. TIMELY NOTICE

Every citizen has the right to advance notice of projects and proposals affecting his/her home, business, or neighborhood. As Mayor, I will provide citizens with the knowledge necessary to participate in local affairs.

V. INCLUSIVE AND TRANSPARENT PROCESS

Every citizen has the right to be involved in government and have his/her voice heard at Louisville Metro Hall. As Mayor, I will create a culture of inclusiveness and maintain open communications with the community. In order to understand diverse viewpoints, answer questions, and promote dialogue, I will keep regular open office hours and hold countywide community forums to meet with citizens and business owners and listen to their concerns.

VI. FOCUS ON RESULTS

Every citizen has the right to a team of Metro employees that strives to be the best in the world in job performance. As Mayor, my leadership team will model and set a standard for diversity, joy in work, and the pursuit of continuous and breakthrough improvement.

The purpose of this Bill of Rights is to empower the citizens of Jefferson County to join as equal partners in Metro Government. Together, we have the ability to improve the quality of life for all citizens in every corner of our community. I commit to being your steadfast partner in pursuit of this noble goal.

Mayor Fischer's "Three (3) Pillars"

When Mayor Fischer took office, he established three (3) goals for Louisville. He said that in order to reach our full potential as a great 21st Century city, we must be a city of lifelong learning, a much healthier city, and an even more compassionate city.

All three (3) of these goals, which have come to be known as the three (3) "pillars" of the administration's initiatives, are aimed at both improving the individual lives of residents and building an even more vital, dynamic, and innovative economy.

Our Mission Statement

It is the mission of the Louisville Metro Police Department to deliver professional, effective services, fairly and ethically, at all times, to all people, in order to prevent crime, control crime, and enhance the overall quality of life for citizens and visitors. We will encourage and promote community involvement on all levels to achieve these ends.

Values

Making the Community our Primary Focus

We are committed to a police-community partnership in providing the delivery of police services. We shall accept a leadership role in developing relationships with the citizens of our community that foster mutual trust and open communications.

Ethical Behavior and Accountability

We shall perform our duties with an unwavering commitment to integrity, professionalism, and dependability. We will be accountable for our decisions and actions to those we serve.

Trustworthy

We embrace honesty and openness with the community as vital to securing the public's trust. Without reservation, we will adhere to a code of conduct that promotes truthfulness and straightforwardness.

Respect for All People

We manifest commitment to justice, equal treatment of individuals, tolerance for, and acceptance of, diversity by demonstrating respect for human dignity and rights.

Objectivity

We are committed to the fair and impartial enforcement of all laws. We value treating all persons equitably and without bias, with the highest regard for individual and constitutional rights.

Law Enforcement Code of Ethics

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

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

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

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

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

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

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 1.1
	Effective Date: 02/18/03 Prv. Rev. Date: 01/09/16 Revised Date: 10/10/16
	Accreditation Standards: KACP: 1.2, 17.10, 19.5, 27.6
Chapter: Departmental Organization	
Subject: Jurisdiction	

1.1 JURISDICTION (KACP 1.2)

1.1.1 GEOGRAPHIC JURISDICTION

The jurisdiction of the Louisville Metro Police Department (LMPD) is contained within the geographical boundaries of Jefferson County, Kentucky, as currently incorporated.

The LMPD has the primary responsibility of providing all police services within Jefferson County, Kentucky. The department provides full law enforcement emergency services to the citizens that it serves 24 hours a day, 365 days a year (KACP 17.10, 27.6). Sworn members possess law enforcement authority any time they are within the boundaries of Jefferson County. Officers are authorized to enforce all applicable laws and ordinances within the boundaries of Jefferson County, both on-duty and off-duty.

Officers are authorized to carry concealed deadly weapons under Kentucky Revised Statute (KRS) 527.020(3) and Louisville Metro Code of Ordinances (LMCO) 41.03 and 135.06. This authorization allows both on-duty and off-duty officers to carry an authorized weapon within their jurisdiction (refer to SOP 5.1).

1.1.2 JURISDICTION EXCEPTIONS

Exceptions to SOP 1.1.1 include:

- Incidents occurring within the jurisdiction of the Louisville Metro Department of Corrections (LMDC). Officers assist when requested by competent authority (KACP 19.5).
- Airplane crashes.
- Violations of federal laws whereby federal law enforcement authorities have decided, or are obligated, to exercise jurisdiction.

1.1.3 CONCURRENT STATE JURISDICTION

An officer may assist another Kentucky law enforcement agency in any matter within the other agency's jurisdiction when officially requested. If practical, the request will be forwarded to the Chief's Office for approval. Once officially requested, the officer has full arrest powers in the county where he/she is assisting.

1.1.4 CONCURRENT FEDERAL JURISDICTION

Real property that is leased by the federal government within the geographic jurisdiction of the LMPD is subject to concurrent jurisdiction by the department and federal officers. Real property that is owned by the federal government within the department's jurisdiction is subject to exclusive jurisdiction by federal authorities. An officer should verify the controlling jurisdiction prior to taking official action.

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1.1.5 JURISDICTIONAL CONFLICTS

When a police department of another government within Jefferson County refuses, or is unable, to respond to a police-related matter, the department will respond, take appropriate action, and forward any documentation to the appropriate agency.

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Standard Operating Procedures	SOP Number: 1.2
	Effective Date: 02/18/04 Prv. Rev. Date: 10/30/15 Revised Date: 01/23/17
	Accreditation Standards: KACP: 1.2
Chapter: Departmental Organization	
Subject: Contractual/Mutual Aid Agreements	

1.2 CONTRACTUAL/MUTUAL AID AGREEMENTS (KACP 1.2)

1.2.1 CONTRACTUAL (INTERLOCAL) AGREEMENTS

Each contractual agreement between the Louisville Metro Police Department (LMPD) and another local government is based on a need for service. The Legal Advisor and the Chief of Police, or his/her designee, will review each contractual agreement. The Legal Advisor retains copies of the contractual agreements. Copies of the Small Cities Program Standard Operating Procedures (SOPs) are maintained in the Eighth Division.

1.2.2 SCHEDULING

The Eighth Division Commander designates a commanding officer to act as the Program Administrator. The Program Administrator is responsible for scheduling personnel assignments in accordance with contractual agreements. Any officer wishing to volunteer for this program should contact the Program Administrator, via email.

1.2.3 OFFICER RESPONSIBILITY FOR CONTRACTUAL AGREEMENT DETAIL

Officers working the detail are responsible for all calls for service, within the city to which they are assigned, and shall remain within the boundaries of that city, unless exigent circumstances arise (e.g. 10-30, officer in trouble, officer needs help, etc.). Officers shall perform their duties in accordance with the requirements of the contract, the Small Cities Program SOPs, and the LMPD's SOPs. Officers may enforce state laws and Metro Government Ordinances, but shall not enforce ordinances of lesser jurisdictions, unless expressly authorized by the Chief of Police, or his/her designee. All officers are required to sign an accountability roster to indicate that they have read and understood the procedures regarding small cities. The rosters are maintained in the Eighth Division.

1.2.4 OFFICER RIGHTS

The employment rights of officers assigned under a contract for law enforcement services will not be abridged. Participation in a contracted law enforcement service will not penalize the officer in any way, nor will such assignment threaten his/her employment rights, promotional opportunities, training opportunities, or benefits.

1.2.5 MUTUAL AID AGREEMENTS

The Chief of Police, or his/her designee, has the authority to request assistance from other agencies to assist with law enforcement within the boundaries of Jefferson County, if needed. Agencies such as the National Guard, the Kentucky State Police (KSP), Jefferson County Sheriff's Office (JCSO), or other local law enforcement agencies may be called to assist in a natural or man-made disaster or a civil disturbance that overwhelms the capabilities of the department. The LMPD may also be called to assist other agencies if a natural or man-made disaster or a civil disturbance overwhelms the capabilities of that agency.

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	Accreditation Standards: KACP: 1.2
Chapter: Departmental Organization	
Subject: Contractual/Mutual Aid Agreements	

1.2.6 MUTUAL AID RESPONSES

If an event overwhelms the capabilities of the LMPD, the Chief of Police, in coordination with the Louisville Metro Mayor, will have Louisville Metro Emergency Services contact local law enforcement agencies within Jefferson County to respond to the scene of the disturbance and assist, as needed. If an incident requires the assistance of other municipal (outside of Jefferson County), state (Kentucky or neighboring states), or federal agencies, the request will be routed from Louisville Metro Emergency Services to the Kentucky Division of Emergency Management's Emergency Operations Center.

Officers should not self-deploy to the scene of a natural or man-made disaster or civil disturbance unless specifically requested by MetroSafe, at the request of the Chief of Police. Officers who respond without the proper training and equipment may actually hinder law enforcement efforts. The Incident Commander (IC), or his/her designee, will take the lead in the incident and direct the responsibilities of the appropriate support personnel (refer to SOP 8.36, SOP 12.6, and SOP 12.13).

When MetroSafe is contacted by other Jefferson County law enforcement agencies, MetroSafe will dispatch available personnel to the affected area to assist, as needed. Other agency requests will be sent to Louisville Metro Emergency Services from the Kentucky Division of Emergency Management's Emergency Operations Center. LMPD officers should not self-deploy to an incident without specific instructions. The IC in the affected area's jurisdiction will take the lead in the incident and direct the responsibilities of responding LMPD personnel.

1.2.7 MUTUAL AID TRAINING

The LMPD regularly participates in crowd control training and readiness exercises with mutual aid agencies. This training is coordinated by the Training Division in conjunction with mutual aid agencies.

The LMPD participates in regularly-scheduled tabletop exercises with mutual aid agencies to solidify roles, responses and unify policies associated with a natural or man-made disaster or a civil disturbance.

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<h2>Standard Operating Procedures</h2>	SOP Number: 1.3
	Effective Date: 02/18/04 Prv. Rev. Date: 04/25/14 Revised Date: 07/25/16
	Accreditation Standards: KACP: 3.1, 3.2
Chapter: Departmental Organization	
Subject: Structure and Organization	

1.3 STRUCTURE AND ORGANIZATION

1.3.1 ORGANIZATIONAL STRUCTURE/CHART (KACP 3.1)

The Louisville Metro Police Department (LMPD) utilizes the chain of command principle in which subordinate supervisors report to their bureau/division/section/unit commanders, who in turn, report directly to the Chief of Police. Each organizational component will be under the direct command of only one (1) supervisor. The organizational chart outlines the structure of the department and shows the relationship of components within the entire organization. The organizational chart will be periodically reviewed and updated, as needed.

1.3.2 JOB CLASSIFICATIONS AND DELINEATION OF DUTIES AND RESPONSIBILITIES

The following are available to all personnel through the Louisville Metro Human Resources (HR) Department, Police Merit Board and Civil Service Board:

- Job descriptions (KACP 3.2)
- Classification plans

1.3.3 MONTHLY PERSONNEL RUNDOWNS

Rundown: Summary of all sworn and civilian personnel, including rank, assigned to each division/section/unit.

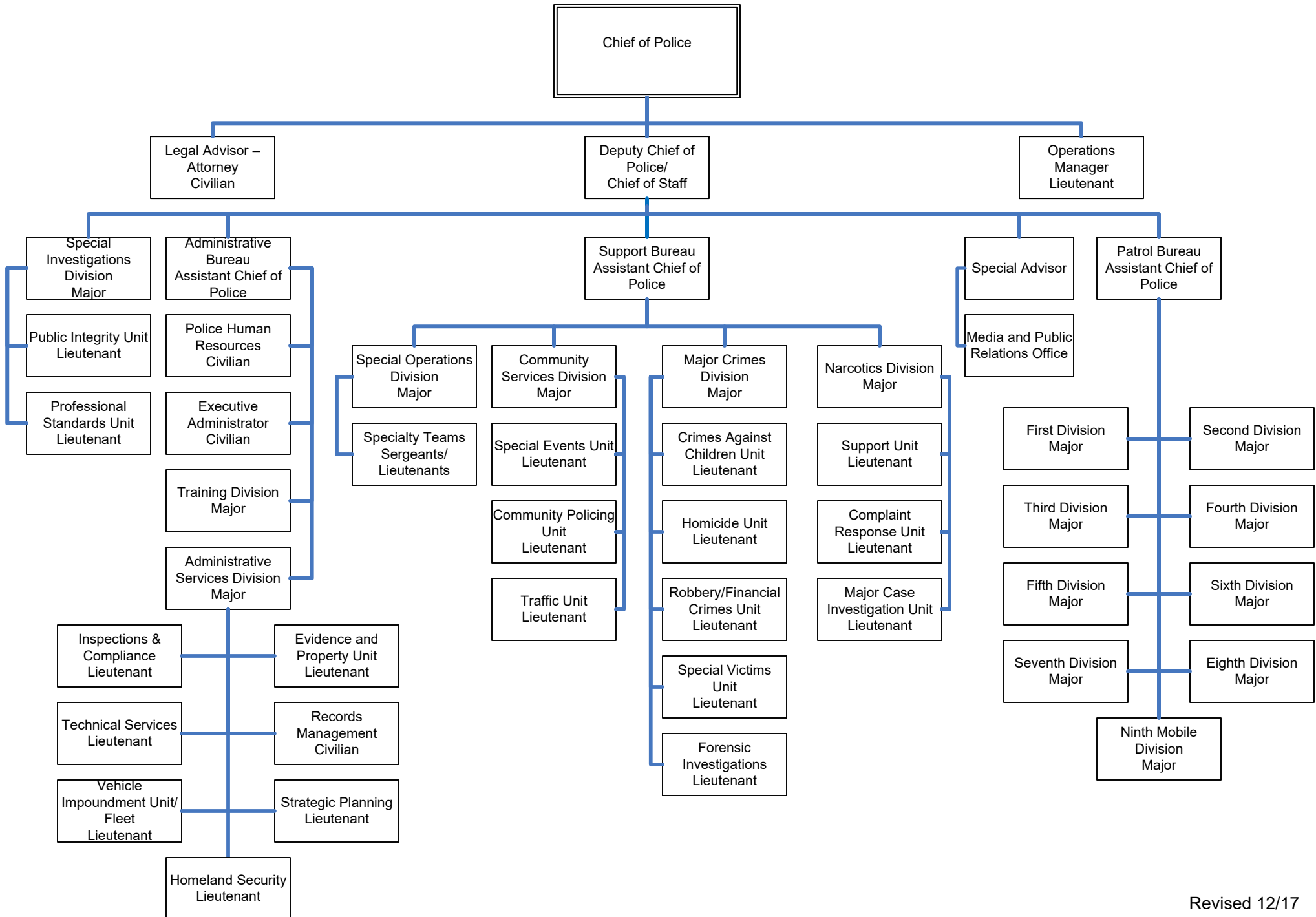
Rundowns for each division/section/unit will be updated on a monthly basis. These updated rundown sheets will be forwarded, via email, to the Police Human Resources (HR) Director, or his/her designee, by the 5th day of each month. The Police HR Director, or his/her designee, will post the rundowns in the appropriate "Division/Section/Unit Monthly Rundown" folder on the LMPD Intranet.

These monthly rundowns include a list of all personnel in the division/section/unit and a summary of the following:

- Number of personnel per unit or assignment
- Total number of officers and detectives
- Number of commanding officers per rank (e.g. majors, lieutenants, sergeants, etc.)
- Total number of commanding officers
- Total number of sworn personnel
- Number of personnel unavailable for duty
- Number of civilian personnel
- Grand total of personnel assigned
- Grand total of personnel available for duty

If significant personnel changes occur at any other time during the month, the rundown will be updated at that time and forwarded, via email, to the Police HR Director, or his/her designee.

Louisville Metro Police Department Organizational Chart



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<h2>Standard Operating Procedures</h2>	SOP Number: 1.4
	Effective Date: 02/18/04 Prv. Rev. Date: 08/10/15 Revised Date: 02/08/16
	Accreditation Standards: KACP: 2.1, 4.1, 8.1, 8.3
Chapter: Departmental Organization	
Subject: Chief of Police	

1.4 CHIEF OF POLICE

1.4.1 RESPONSIBILITIES

The Chief of Police is appointed by the Louisville Metro Mayor and reports directly to the Mayor.

The Chief of Police is empowered as the highest authority in the department. Per Louisville Metro Ordinance 36.02, the Chief of Police has the ultimate control over all aspects of departmental operations and command authority over all bureaus, divisions, sections, units, squads, groups, teams, or any other components of the department (KACP 4.1). Additionally, the Chief of Police is responsible for all fiscal matters of the department (KACP 8.1, 8.3).

The Chief of Police directly supervises the following personnel:

- Deputy Chief of Police/Chief of Staff (refer to SOP 1.5)
- Legal Advisor
- Operations Manager

In the event of an extended absence, the Chief of Police will designate, in writing, an “acting authority.”

1.4.2 LEGAL ADVISOR (KACP 2.1)

The Legal Advisor provides general legal advice to the department and acts as a liaison between the department and the Jefferson County Attorney’s Office.

1.4.3 OPERATIONS MANAGER (Lieutenant)

The Operations Manager is appointed by the Chief of Police and reports directly to the Chief of Police, or his/her designee.

The Operations Manager directs the daily operations of the Louisville Metro Police Department’s (LMPD’s) Executive Office of the Chief and the physical operations of LMPD Headquarters. The Operations Manager coordinates the activities of the following:

CAREER BENEFITS OFFICER (CBO) (Officer/Sergeant)

The CBO is appointed by the Chief of Police and reports to the Operations Manager. The CBO acts as a liaison between departmental members and external retirement/benefits agencies. Some of the functions in which the CBO assists members include, but are not limited to, the following:

- Coordinating and providing guidance related to benefits for both active and retired members.
- Assisting recruits by informing them of pensions, benefits, and deferred compensation programs.
- Assisting in the retention of members by providing benefits information, education, and career expectations.

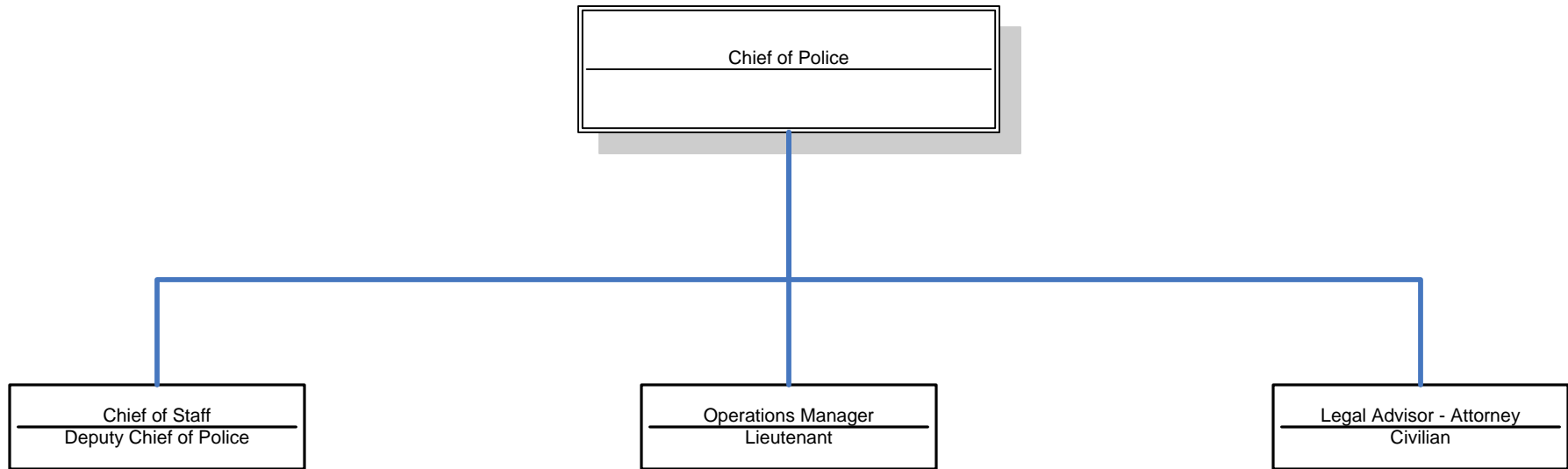
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	Revised Date: 02/08/16
Chapter: Departmental Organization	Accreditation Standards: KACP: 2.1, 4.1, 8.1, 8.3
Subject: Chief of Police	

1.4.3 OPERATIONS MANAGER (CONTINUED)

- Acting as a liaison between the County Employees Retirement System (CERS) and all members of the department. This includes interpreting new laws and bills that affect members' benefits and/or pensions.
- Assisting members who are eligible for disability retirement.

Louisville Metro Police Department Chief's Office Organizational Chart



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<h2>Standard Operating Procedures</h2>	SOP Number: 1.5
	Effective Date: 02/18/04 Prv. Rev. Date: 02/25/16 Revised Date: 12/10/17
	Accreditation Standards: KACP: 3.3, 4.2
Chapter: Departmental Organization	
Subject: Chief of Staff	

1.5 CHIEF OF STAFF

1.5.1 DEPUTY CHIEF OF POLICE/CHIEF OF STAFF (Colonel)

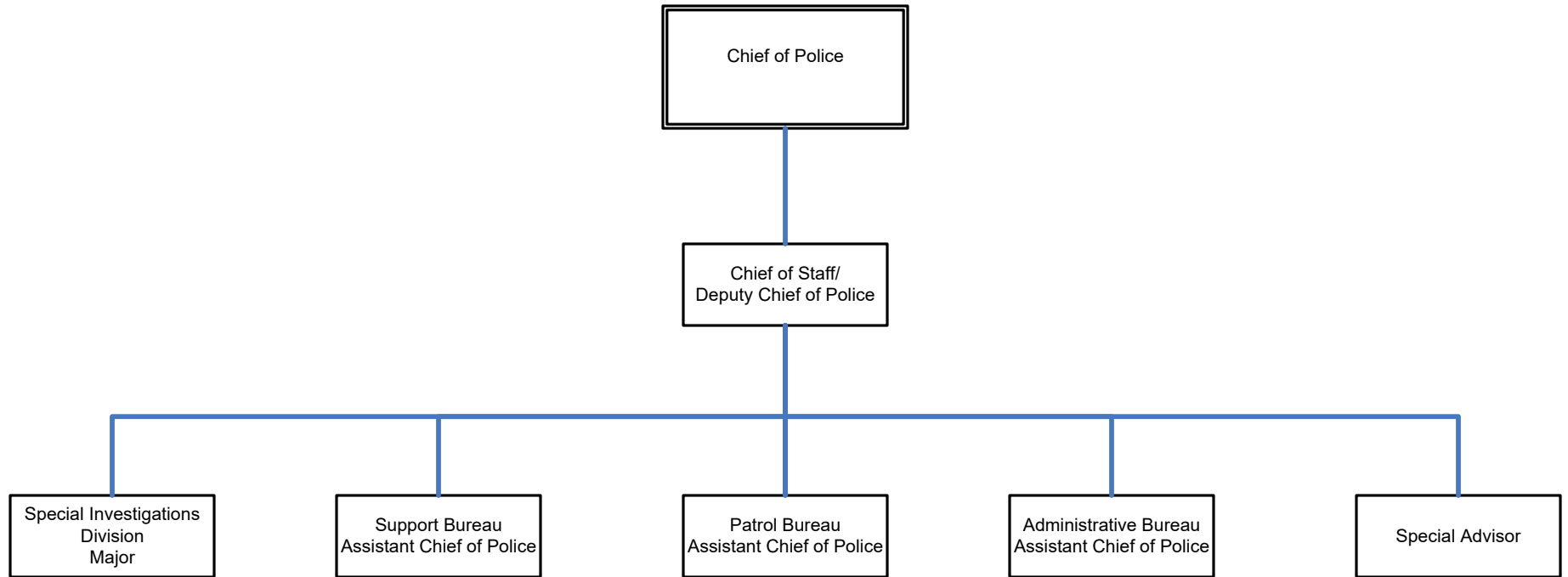
The Deputy Chief of Police/Chief of Staff is appointed by, and reports directly to, the Chief of Police. When mandated by the Chief of Police, the Deputy Chief of Police/Chief of Staff may assume all responsibilities as the department's chief executive officer (CEO) (KACP 4.2).

The Deputy Chief of Police/Chief of Staff coordinates the activities of the following (KACP 3.3):

- Patrol Bureau
- Administrative Bureau
- Support Bureau
- Special Investigations Division (SID)
- Special Advisor

Louisville Metro Police Department

Chief of Staff Organizational Chart



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Standard Operating Procedures	SOP Number: 1.6
	Effective Date: 02/18/04
	Prv. Rev. Date: 01/11/15
	Revised Date: 09/27/15
Chapter: Departmental Organization	Accreditation Standards: KACP: 3.3, 4.2
Subject: Patrol Bureau	

1.6 PATROL BUREAU

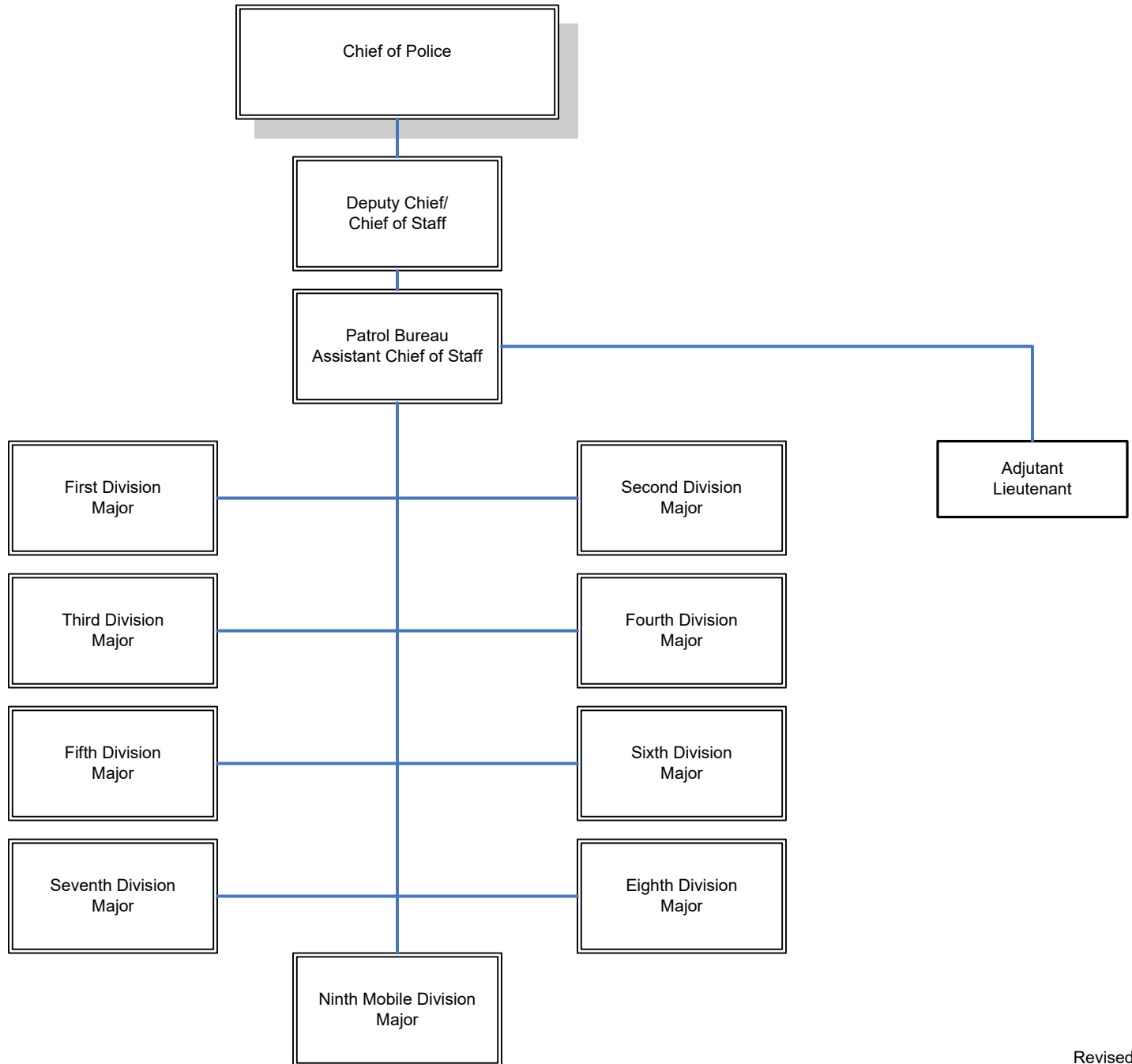
1.6.1 ASSISTANT CHIEF OF POLICE/PATROL BUREAU (Lieutenant Colonel)

The Assistant Chief of Police/Patrol Bureau is appointed by the Chief of Police and directly reports to the Deputy Chief of Police/Chief of Staff. When mandated by the Chief of Police, the Assistant Chief of Police/Patrol Bureau may assume all responsibilities as the department's Chief Executive Officer (CEO) (KACP 4.2).

The Assistant Chief of Police/Patrol Bureau coordinates the activities of the patrol divisions (KACP 3.3).

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Patrol Bureau Organizational Chart



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Standard Operating Procedures	SOP Number: 1.7
	Effective Date: 02/18/04 Prv. Rev. Date: 11/12/17 Revised Date: 02/25/18
	Accreditation Standards: KACP: 3.3, 4.2, 13.1, 19.6, 19.7, 22.1
Chapter: Departmental Organization	
Subject: Support Bureau	

1.7 SUPPORT BUREAU

1.7.1 ASSISTANT CHIEF OF POLICE/SUPPORT BUREAU (Lieutenant Colonel)

The Assistant Chief of Police/Support Bureau is appointed by the Chief of Police and reports to the Deputy Chief/Chief of Staff. When mandated by the Chief of Police, the Assistant Chief of Police/Support Bureau may assume all responsibilities as the department's Chief Executive Officer (CEO) (KACP 4.2).

The Assistant Chief of Police/Support Bureau coordinates the activities of the following (KACP 3.3):

- Major Crimes Division
- Community Services Division
- Special Operations Division
- Narcotics Division

1.7.2 MAJOR CRIMES DIVISION COMMANDER (Major)

The Major Crimes Division Commander is appointed by the Chief of Police and reports directly to the Assistant Chief of Police/Support Bureau.

The Major Crimes Division Commander is responsible for planning the department's response to unusual criminal activities and coordinating the activities of the following personnel (KACP 3.3):

ADMINISTRATIVE ASSISTANT (Sergeant)

The Administrative Sergeant's responsibilities include, but are not limited to, maintaining the daily operational status of the Major Crimes Division. The Administrative Sergeant oversees special projects for the division and reports directly to the division commander.

CRIMES AGAINST CHILDREN UNIT (CACU)

The Crimes Against Children Unit (CACU) is divided into three (3) squads:

- **Sexual Abuse Squad:** Investigates all sexual abuse cases involving juveniles, except when the victim is 16 or 17 years of age and the perpetrator is not a caretaker.
- **Physical Abuse Squad:** Investigates all reported cases of child abuse in which the victim is a juvenile and a parent or other caretaker inflicts the injury.
- **Internet Crimes Against Children Squad:** Investigates crimes perpetrated against juveniles, involving the use of a computer or other electronic means.

HOMICIDE UNIT

The Homicide Unit is divided into three (3) squads:

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Chapter: Departmental Organization	
Subject: Support Bureau	

1.7.2 MAJOR CRIMES DIVISION COMMANDER (CONTINUED)

- **Homicide Squad:** Investigates homicides, shootings, critical assaults, suicides, suspicious deaths, kidnappings for ransom, or missing persons suspected of being victims of violent crimes, who cannot be located. This unit also investigates train vs. pedestrian accidents when the pedestrian is killed or death is imminent.
- **Cold Case Squad:** Investigates unsolved homicide cases that are at least two (2) years old or are considered "cold" by the Homicide Unit Commander, or his/her designee.
- **Missing Persons Squad:** Investigates all missing person reports, with the exception of kidnappings for ransom or the victims of suspected violent crimes who cannot be located.

ROBBERY/FINANCIAL CRIMES UNIT

The Robbery/Financial Crimes (RFC) Unit is divided into two (2) squads:

- The **Robbery Squad:**
 - Investigates all first and second degree robberies of retail businesses, operating from a permanent structure, when the intent of the suspect is to commit a robbery in order to obtain money or property from the business. The Robbery Squad also investigates first and second degree robberies of employees making bank drops or deposits, when a suspect commits the robbery in order to obtain the money being deposited from the business.
 - Investigates all first and second degree robberies of mobile food trucks. This does not include itinerant vendors (e.g. neighborhood ice cream trucks and pushcart vendors), vendors with barbeque smokers on trailers, or temporary food service set up for fairs or festivals (e.g. tents, trailers or kiosks).
 - Investigates first and second degree robberies of financial institutions (e.g. banks and credit unions), pharmacies, armored cars, or armored car couriers in the performance of their duties.
 - Investigates, upon direction from the Major Crimes Division Commander, first degree street robberies that involve the same perpetrator(s) and span multiple divisions.

The Robbery Squad does not investigate robberies of delivery drivers not occurring on the premises of the business or incidents that begin as shoplifting.

- The **Financial Crimes Squad** investigates crimes involving forged or counterfeit checks, possession of forgery devices, identity thefts, consumer fraud, business fraud, embezzlement, and pigeon drops.

SPECIAL VICTIMS UNIT (SVU)

The Special Victims Unit (SVU) is divided into three (3) squads:

- **Domestic Violence (DV) Squad:** Investigates felony domestic/dating violence and abuse incidents. The Domestic Violence Squad will also follow-up on misdemeanor domestic/dating violence and abuse incidents where beat officers have not made an immediate arrest (refer to SOP 8.6).
- **Sex Crimes Squad:** Investigates all felony sexual assaults involving adult victims and all felony sexual assaults involving victims 16 years of age or older, where the perpetrator is not serving as a caretaker for the victim.

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Chapter: Departmental Organization	
Subject: Support Bureau	

1.7.2 MAJOR CRIMES DIVISION COMMANDER (CONTINUED)

- **Crimes Against Seniors Squad:** Investigates abuse, neglect, and financial exploitation of persons who are 60 years of age and older or at-risk adults who are being victimized primarily because of their age.

FORENSIC INVESTIGATIONS

Forensic Investigations consist of the following support personnel:

- **Crime Scene Unit (CSU):** Assists officers or Police Report Technicians (PRTs) at crime scenes by photographing, preserving, collecting, processing, packaging, and transporting evidence.
- **Latent Print Squad:** Assists officers and CSU technicians with the photographing, preserving, analyzing, and processing of latent fingerprint evidence. The Latent Print Squad also evaluates latent evidence for entry into the Integrated Automated Fingerprint Identification System (IAFIS) and the Automated Fingerprint Identification System (AFIS) maintained by the Kentucky State Police (KSP).
- **Video Forensics and Analysis Squad (VFAS):** Provides support for all departmental members, which include conducting forensic video analysis of surveillance video seized from crime scenes and the videotaping of major crime scenes. The VFAS is also responsible for taping training exercises, special events, and other activities as deemed necessary by the Chief of Police.
- **Polygraph Squad:** Provides support to investigative units by conducting polygraph investigations and also conducts pre-employment polygraph examinations (KACP 13.1).
- **Photo Lab:** Processes all film and digital images taken by the department and surrounding law enforcement agencies. Their other duties include producing photo identification cards for departmental members and photographing special events as assigned by the Chief of Police.
- **Transcribers:** Produce written documents from audio recordings of dictated investigative letters, interviews, and telephone recordings.
- **Foreign Language Transcribers:** Produce written documents of foreign language translations from audio recordings of interviews, telephone recordings, and investigative letters.

KENTUCKY REGIONAL COMPUTER FORENSICS LABORATORY (KRCFL)

The Kentucky Regional Computer Forensics Laboratory (KRCFL) provides high quality digital forensic services and assistance to any law enforcement agency with jurisdiction in the state of Kentucky, including the seizure and examination of computers, computer systems, computer media, and cell phones. The KRCFL also assists in writing and executing search warrants involving digital evidence.

1.7.3 COMMUNITY SERVICES DIVISION COMMANDER (Major)

The Community Services Division Commander is appointed by the Chief of Police and reports directly to the Assistant Chief of Police/Support Bureau.

The Community Services Division Commander coordinates the activities of the following sections/units (KACP 3.3):

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Chapter: Departmental Organization	Accreditation Standards:
Subject: Support Bureau	KACP: 3.3, 4.2, 13.1, 19.6, 19.7, 22.1

1.7.3 COMMUNITY SERVICES DIVISION COMMANDER (CONTINUED)

SPECIAL EVENTS UNIT

The Special Events Unit facilitates the planning and implementation of public events. The Special Events Unit reviews all permits filed with Louisville Metro Government and determines the amount of assistance that the department may provide.

TRAFFIC UNIT

The Traffic Unit responds to, and investigates, collisions involving fatalities, life-threatening injuries, or collisions on the interstates (KACP 22.1).

COMMUNITY POLICING UNIT

The Community Policing Unit has the primary responsibility of enhancing the department's community policing initiative by building public trust and addressing crime issues. The Community Policing Unit is made up of the following:

- **Community Policing Officers:** Community Policing Officers work on a comprehensive plan with community organizations to reduce crime through partnerships, problem solving, and non-enforcement strategies.
- **Volunteers in Police Service (VIPS):** Provides volunteer civilian support to any unit within the department during non-enforcement operations and provides on-site assistance during major events.
- **Citizens Police Academy (CPA):** Provides education to the public, both at the adult and youth levels, regarding police-related services. Adult graduates of the CPA may apply for membership to the CPA Alumni Association.
- **Police Athletic League (PAL):** Provides organized, educational, and sports-related activities for youths.
- **Explorer Program:** Provides opportunities for area youths to learn about law enforcement through classroom presentations and practical exercises.
- **Specialty Vehicles:** Schedules the department's show vehicles including the 574-LMPD Crime Tip Car (Mustang), the Crime Buster Car (Crown Victoria), and the static helicopter display.
- **Neighborhood Watch:** Coordinates neighborhood watches around the Louisville Metro area.
- **School Resource Officers (SROs):** Per Kentucky Revised Statute (KRS) 158.441, uniformed assignment with specialized training to work with youth at a school site. The SRO will be employed through a contract between the department and Jefferson County Public Schools (JCPS) (refer to SOP 8.52).
- **Police Chaplains:** Provides crisis intervention and value-based guidance services for departmental members and also responds to requests to provide citizens with similar services in a time of personal tragedy.

1.7.4 SPECIAL OPERATIONS DIVISION COMMANDER (Major)

The Special Operations Division Commander is appointed by the Chief of Police and reports directly to the Assistant Chief of Police/Support Bureau.

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1.7.4 SPECIAL OPERATIONS DIVISION COMMANDER (CONTINUED)

The Special Operations Division Commander coordinates the activities of the following sections/units (KACP 3.3):

SPECIALTY TEAMS/UNITS SECTION

The Specialty Teams Section coordinates the implementation of the following specialty teams and units:

- **Air Unit:** Provides aerial surveillance, search and apprehension duties, and rescue services.
- **River Patrol Unit:** Provides waterborne services on the Ohio River and its tributaries.
- **Canine Unit:** Responds to situations calling for trained police dogs, which include building and area searches, evidence/property recovery, the tracking and apprehension of suspects, and searches for narcotics and hazardous devices.
- **Mounted Patrol Unit:** Provides patrol support by addressing quality of life issues, assisting in crowd control at public events, and maintaining increased visibility in targeted areas.
- **Special Weapons and Tactics (SWAT) Team:** Responds to confrontations with hostage-takers, barricaded suspects, or other incidents that may involve a threat to human life, where specialized training or equipment could be utilized. The SWAT Team also assists with the execution of high-risk search warrants (KACP 19.6e).
- **Hostage Negotiating Team (HNT):** Negotiates the surrender of hostage-takers or barricaded suspects and the safe release of hostages, through the effective implementation of the negotiation process (KACP 19.7e).
- **Dive Team:** Provides for the recovery of property, injured persons, and corpses within the waters of the department's jurisdiction.
- **Hazardous Incident Response Team (HIRT):** Responds to incidents involving human biological vectors and hazardous material situations that require a police presence.
- **Bomb Squad:** Provides the identification, recovery, transportation, and disposal of explosives and suspected explosive devices.
- **Dignitary Protection Team (DPT):** Escorts and provides protection for high-profile individuals, such as government officials, dignitaries, and celebrities. The DPT also investigates any actual, or perceived, threats against high-profile individuals or facilities with the potential for mass casualties.
- **Honor Guard:** Represents the department at ceremonious occasions that include funerals, parades, award ceremonies, and other functions as deemed necessary by the Chief of Police.
- **Peer Support Team (PST):** Assists departmental members who have been involved in critical incidents, such as police-related shootings or serious injuries.
- **Special Response Team (SRT):** Responds to situations that involve, or might involve, civil disturbances, weapons of mass destruction (WMD), natural disasters, and other major events.

1.7.5 NARCOTICS DIVISION COMMANDER (Major)

The Narcotics Division Commander is appointed by the Chief of Police and reports directly to the Assistant Chief of Police/Support Bureau.

The Narcotics Division is divided into three (3) operational units, each under the command of a lieutenant, as follows (KACP 3.3):

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1.7.5 NARCOTICS DIVISION COMMANDER (CONTINUED)

The **Support Unit** performs the listed functions:

- **Asset Forfeiture:** Tracks and controls all property seized by the Narcotics Division by assisting detectives in determining the basis for a criminal or civil seizure/forfeiture action.
- **Task Force Officers:** Works with various federal law enforcement agencies, as assigned.
- **Auto Theft Investigations:** Investigates impounded vehicles to determine if they are stolen and/or may have stolen property contained in, or on, them. Auto Theft Investigations provides technical and investigative support for auto theft investigations. Auto Theft Investigations provides assistance to personnel of the LMPD and other agencies, as requested, on issues of motor vehicle identification and stolen property.
- **Pawn Investigations Squad:** Conducts physical examinations of pawn shops/secondhand dealers, inspects the records of pawn shops/secondhand dealers to verify compliance with applicable state statutes and local ordinances, and assists members with issues associated with pawn shops/secondhand dealers or property from pawn shops.
- **Metal Theft Investigations:** Conducts inspections of metal salvage and scrap dealers to verify compliance with applicable state statutes and local ordinances and assists members with issues surrounding metal/salvage locations and their role in ongoing investigations.

Personnel assigned to this unit may be used to perform various functions within the Support Unit and/or the Narcotics Division.

The **Complaint Response Unit** is divided into two (2) squads:

- **Narcotics Complaint Squad:** Handles narcotics complaints, mid-level drug investigations, and investigations outside of the scope of the patrol division detectives. The Narcotics Complaint Squad investigates human trafficking and vice-related crimes (e.g. gambling, handbooks, escort services, prostitution).
- **Script Squad:** Conducts investigations pertaining to all complaints related to forged, altered, or otherwise fraudulent prescriptions. The Script Squad enforces controlled prescription substance offenses involving the use or sale of prescription medications.

Personnel assigned to this unit may be used to perform various functions within the Support Unit and/or the Narcotics Division.

The **Major Case Investigation Unit** performs the listed functions:

- **Major Case Squad:** Conducts short-term and long-term narcotics and weapons violation investigations. The Major Case Squad investigates organized criminal enterprises involved in criminal activity, including narcotics and weapons.
- **Airport Interdiction Team:** Enforces controlled substance violations that occur through interstate and international commerce.

The Major Case Lieutenant coordinates the registration and record maintenance related to informants used by departmental members.

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1.7.5 NARCOTICS DIVISION COMMANDER (CONTINUED)

Personnel assigned to this unit may be used to perform various functions within the Support Unit and/or the Narcotics Division.

1.7.6 DRUG COURT OFFICER

The Drug Court Officer (DCO) functions as a liaison between the LMPD and the Jefferson County Drug Court staff. The DCO reports directly to the Support Bureau Lieutenant. He/she attends Drug Court proceedings, as needed, as well as Drug Court and court staff meetings. If the DCO is unable to attend a Drug Court or court staff meeting, he/she will communicate any issues to the respective staff prior to that meeting.

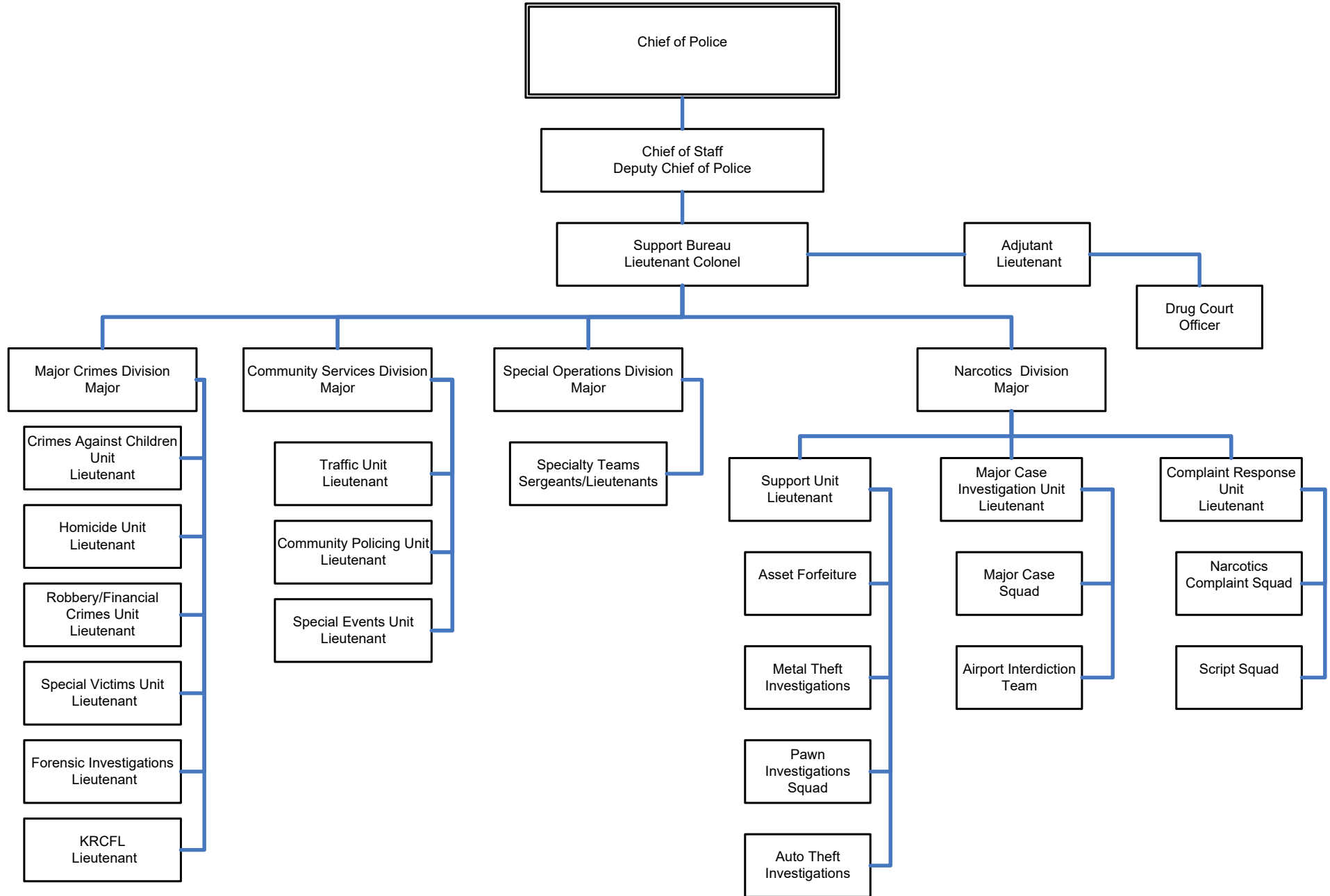
The DCO:

- Assists the Drug Court staff in assessing participants for the program.
- Maintains participant information in the Records Management System (RMS).
- Maintains participant Consent to Search forms.
- Monitors Drug Court participants for compliance with curfew checks, portable breathalyzer test (PBT) checks, home visits, and work verifications. These are documented in the Drug Court Management Information System (MIS) for tracking.
- Assists the Drug Court staff with home visits and work verifications, when necessary.
- Coordinates the apprehension of all Drug Court absconders.
- Trains officers and recruits on the purpose and benefits of the Drug Court Program.

The DCO will attend Drug Court conferences and additional training on Drug Court-related issues to maintain the highest standards according to Drug Court policy and procedures.

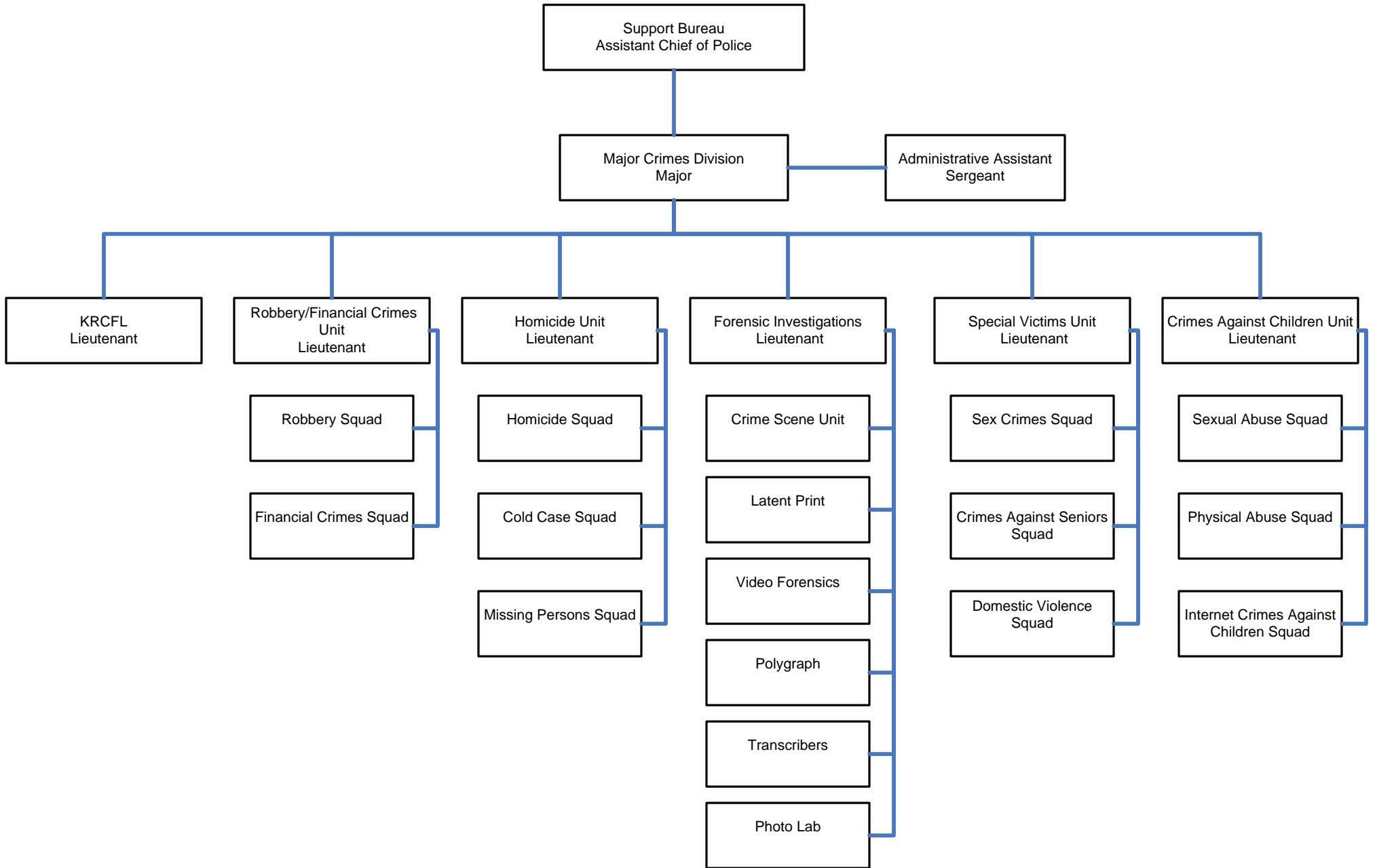
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Support Bureau Organizational Chart

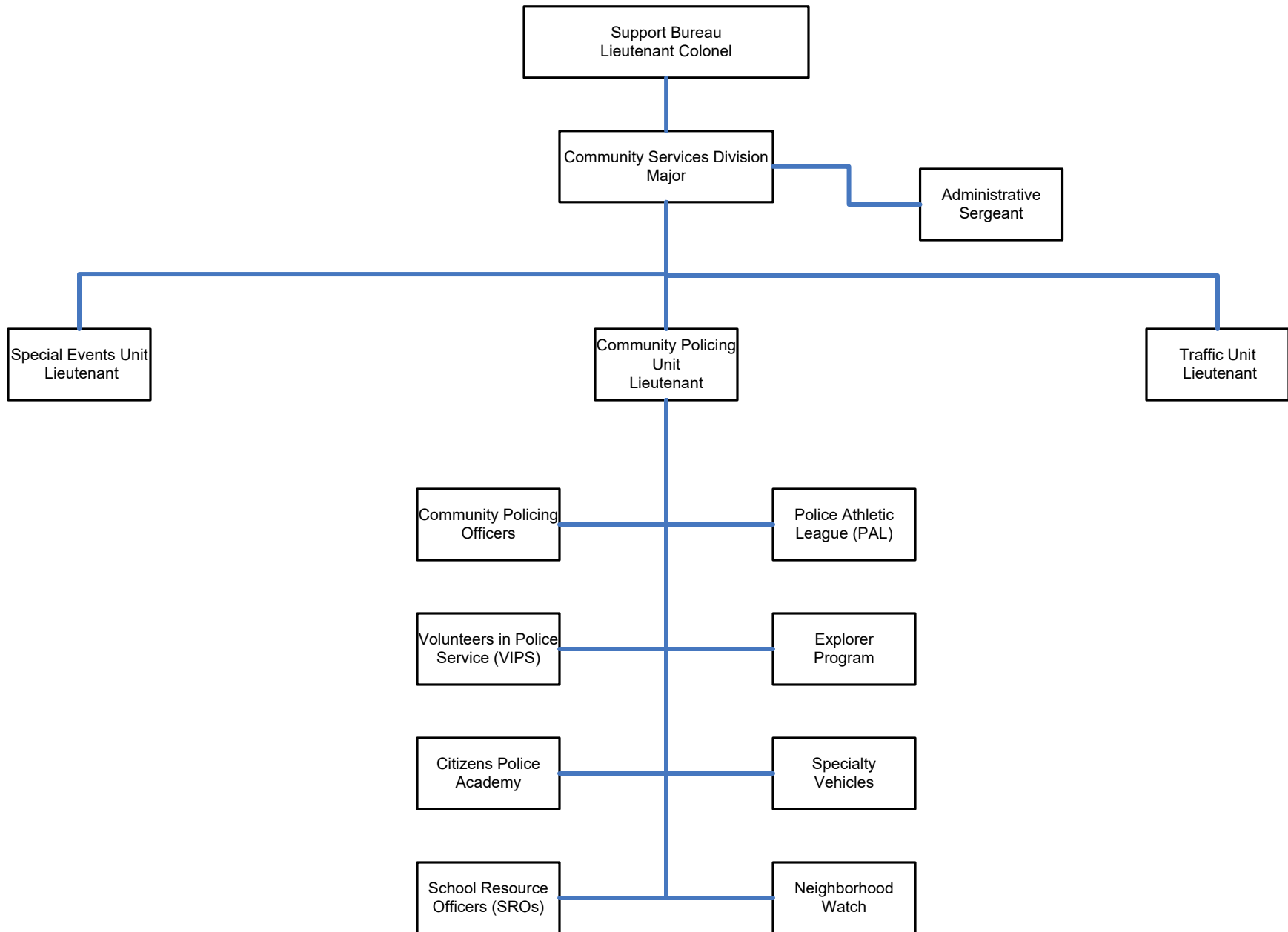


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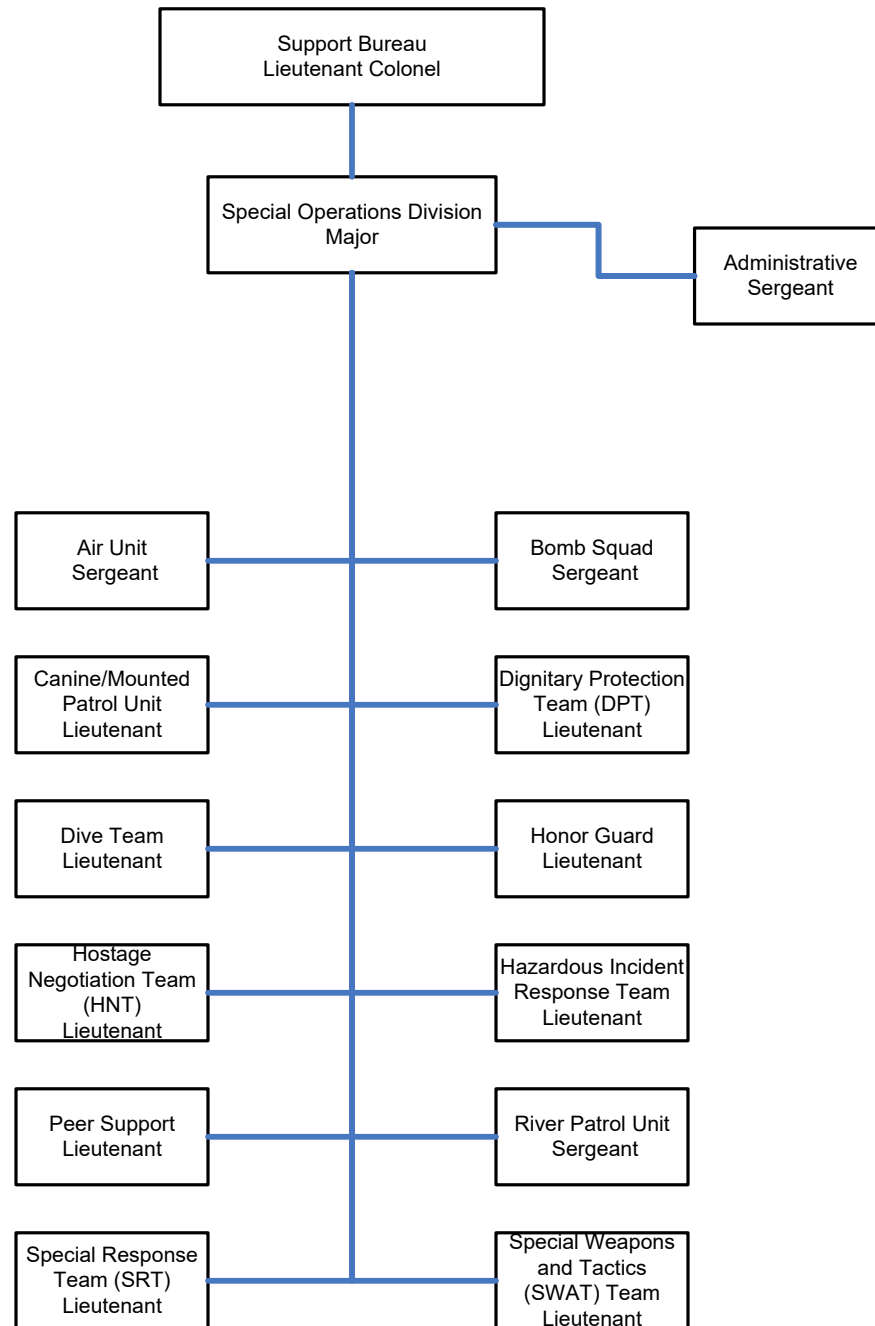
Major Crimes Division Organizational Chart



Louisville Metro Police Department Community Services Division Organizational Chart



Louisville Metro Police Department Special Operations Division Organizational Chart



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1.8 ADMINISTRATIVE BUREAU

1.8.1 ASSISTANT CHIEF OF POLICE/ADMINISTRATIVE BUREAU (Lieutenant Colonel)

The Assistant Chief of Police/Administrative Bureau is appointed by the Chief of Police and reports directly to the Deputy Chief of Police/Chief of Staff. When mandated by the Chief of Police, the Assistant Chief of Police/Administrative Bureau assumes all responsibilities as the department's chief executive officer (CEO) (KACP 4.2).

The Assistant Chief of Police/Administrative Bureau coordinates the activities of the following (KACP 3.3):

- Police Human Resources (HR)
- Training Division
- Administrative Services Division
- Executive Administrator

The Assistant Chief of Police/Administrative Bureau, or his/her designee, oversees the Accident Review Board (ARB). The ARB reviews all at-fault vehicle traffic collisions resulting in damage to a departmental vehicle while under the control, or in the possession of, a departmental member, sworn or civilian. Other incidents involving damage to a departmental vehicle may also be reviewed by the ARB at the discretion of the Chief of Police. The Chief of Police retains the right to assign any collision, or other incident resulting in vehicle damage or injury to a person, to the Special Investigations Division (SID) for investigation. The ARB does not review cases investigated by the SID unless otherwise directed by the Chief of Police.

For all at-fault vehicle traffic collisions or other incidents resulting in damage to a departmental vehicle while under the control of a departmental member, the Chief of Police has the ultimate authority to determine the disposition of all investigations and to dispense discipline based on the facts.

1.8.2 POLICE HUMAN RESOURCES (HR) (Civilian Director) (KACP 26.2)

The Police HR Director reports to the Assistant Chief of Police/Administrative Bureau. Police HR is responsible for maintaining records of past and current departmental members (includes all sworn and civilian personnel). They handle administrative needs with regards to computing payroll, preparing reports, and hiring/terminating members.

1.8.3 TRAINING DIVISION (Major)

The Training Division Commander reports to the Assistant Chief of Police/Administrative Bureau. The Training Division is responsible for coordinating recruitment and training and for maintaining all training records for the department (refer to SOP 1.10).

The Training Division is responsible for coordinating the activities of the departmental Health and Safety Officers (HSOs). The departmental HSOs assist LMPD members when they are involved in a bloodborne, chemical, or

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1.8.3 TRAINING DIVISION (CONTINUED)

airborne exposure, including when a prisoner has come in contact with hazardous materials. This includes assisting with paperwork and verifying that the proper lab work is completed regarding the source subject and the member. These officers are on-call for exposure incidents involving LMPD members on a rotating basis. HSOs report to the Advanced Training Section Lieutenant.

1.8.4 ADMINISTRATIVE SERVICES DIVISION (Major)

The Administrative Services Division Commander is appointed by the Chief of Police and reports directly to the Assistant Chief of Police/Administrative Bureau. The Administrative Services Division Commander acts as the departmental liaison with the Louisville Metro Emergency Management Agency (EMA) and is responsible for the following units/services:

STRATEGIC PLANNING (Lieutenant)

The Strategic Planning Lieutenant reports to the Administrative Services Division Commander and is responsible for the following:

- **LouieStat** – The Strategic Planning Lieutenant gathers information and provides reports for the LouieStat forums. LouieStat brings individual Metro departments before the Mayor and his/her senior leadership team in order to identify, through consistent metrics tracking and data analysis, what the department can do to continually improve the services that it delivers to the citizens of Louisville.
- **Strategic Plan** – The Strategic Planning Lieutenant acts as a liaison with the Office of Performance Improvement and Innovation (OPI2) for the strategic plan while overseeing the implementation of the strategic plan for the Louisville Metro Police Department (LMPD).
- Maintaining the department's website.
- Creating maps for special events and for use in court.
- Maintaining department-wide performance measures and compiling executive summary reports of these performance measures.

INSPECTIONS AND COMPLIANCE UNIT (ICU) (Lieutenant)

The ICU Lieutenant reports to the Administrative Services Division Commander and is responsible for inspectional service duties, which include tracking departmental inventory, conducting staff and field inspections, and assisting in the reinstatement of officers after extended absences from duty. The ICU Lieutenant conducts inspections at the direction of the Administrative Services Division Commander.

The ICU Lieutenant is responsible for Research and Development (R&D) and assists the LMPD Accreditation Manager with accreditation inspections and compliance, as directed by the Administrative Services Division Commander. The ICU Lieutenant and the R&D Supervisor verify that all LMPD personnel are in compliance with the acknowledgement requirements of all new and revised Louisville Metro Government (LMG) and LMPD policies and procedures, using monthly PowerDMS Document Management System reports.

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1.8.4 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

The ICU Lieutenant oversees juvenile case file expungement compliance from the divisions in coordination with Records Management when the juveniles reach the age of 18 (refer to SOP 6.1 and SOP 10.9). Expungement notifications are disseminated by the Expungement Unit.

The ICU has oversight of all secondary employment (refer to SOP 2.4).

Research and Development (R&D) (Civilian Supervisor)

The R&D Supervisor reports to the ICU Lieutenant. The R&D Supervisor shall receive specialized Accreditation Manager training within one (1) year of appointment to the position. The R&D Supervisor is responsible for maintaining and monitoring the departmental accreditation standards for the Kentucky Association of Chiefs of Police (KACP).

The R&D Supervisor oversees the following:

- Conducting research in areas affecting policy development
- Completing and/or conducting surveys
- Maintaining the department's Standard Operating Procedures (SOPs) and forms (KACP 4.6a)
- Completing special projects assigned by the command staff
- Developing and publishing the department's Annual Report (KACP 5.1, 6.1a-d)
- Developing and publishing the department's newsletter
- Maintaining the Forms folder, the Policy and Procedures folder, and the SOP Searchable on the network
- Complying with KACP accreditation standards as they relate to policy
- Maintaining compliance for accreditation standards
- Performing other duties as instructed by the Chief's Office

R&D reviews all proposed or revised policies, procedures, rules and regulations prior to dissemination, in order to verify that they do not conflict with other existing agency directives or applicable law(s).

R&D is responsible for the procedures of formatting, indexing, purging, writing, revising, and disseminating correspondence as follows (refer to SOP 3.4) (KACP 4.6a):

- The R&D Supervisor reviews the correspondence. When the review is complete, the correspondence is sent, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau.
- Once all of the comments/suggestions have been made, the final draft is submitted to the Chief of Police, or his/her designee, for approval and, once approved, disseminated to all division/section/unit personnel (KACP 4.6b).
- Unique identifying numbers are issued for each particular correspondence to be sent out. In addition, R&D specifies the manner in which the particular correspondence is cross indexed. A numerical list of all current correspondence is included in the index.

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1.8.4 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

Open Records (Sergeant)

The Open Records Sergeant reports to the ICU Lieutenant. Open Records handles all open records requests from persons or agencies outside of the LMPD, with the exception of departmental photographs, which are handled by the Photo Lab (refer to SOP 3.7), and media requests, which are handled by the Media and Public Relations Office (refer to SOP 3.3 and SOP 4.1) (KACP 20.2b).

Court Liaison Office (CLO) (Sergeant)

The CLO Sergeants report to the ICU Lieutenant and act as a liaison between the LMPD and external criminal justice system agencies that interact within the court system. The CLO is responsible for entering subpoenas received from sources other than the Jefferson County Courts and prosecutors (e.g. federal courts, other counties, private attorneys). The CLO is also responsible for monitoring court attendance and court attire. The CLO monitors members' attendance in court by conducting a daily audit of court attendance and audits dismissed felony cases to verify compliance with this procedure.

Violations discovered during inspections and audits are documented, in writing, and forwarded to the Assistant Chief of Police/Administrative Bureau.

RECORDS MANAGEMENT (Civilian Director) (KACP 5.1, 22.4d)

The Records Management Director reports to the Administrative Services Division Commander and is responsible for maintaining the integrity, compilation, security, and retention of data for the department (KACP 26.1). Records Management is comprised of the following units:

- **Data Integrity Unit (Civilian Supervisor):** Validates police reports for accuracy prior to data entry and enters paper police reports into the Records Management System (RMS) (KACP 22.2). The Data Integrity Unit validates and approves all electronic reports that have been submitted by officers and approved by sergeants to verify compliance with the National Incident Based Reporting System (NIBRS), Uniform Crime Report (UCR), and Uniform Offense Report (UOR). The Data Integrity Unit is responsible for reporting the NIBRS data to the Kentucky State Police (KSP) (refer to SOP 3.5). The Data Integrity Unit reviews handwritten citations for errors/omissions and processes these citations for court.
- **Expungement Unit:** Processes court-ordered expungements. The unit also expunges juvenile arrests once the individuals have reached the age of 23, unless the juvenile was charged as an adult, if the record involved a child abuse case, or is a traffic offense. For expungement procedures, refer to SOP 6.1. Expungement Unit employees will need to know RMS, CourtNet, and archiving procedures which include storing reports, boxing reports, and completing transmittal and destruction forms.
- **LMPD Service Center (Civilian Supervisor):** Provides three (3) primary services, the 574-LMPD Crime Tip Line, Telephone Reporting, and Online Reporting. Through the 574-LMPD Crime Tip Line, the LMPD Service Center receives anonymous tips by phone or online, which allows the community to become more involved in helping the department solve crimes. The service of Telephone Reporting allows incident reports to be taken from the public, by phone, for various crimes, in lieu of sending an officer to the scene. The LMPD Service Center allows incident reports to be taken online for certain

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1.8.4 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

crimes. The LMPD Service Center is responsible for reviewing, accepting, and importing online reports into the RMS. The LMPD Service Center checks all vehicles through the National Crime Information Center (NCIC) that are repossessed by private companies to verify that the vehicles are not stolen and enters the information into the RMS. The LMPD Service Center also checks the stolen report status of all vehicles that are going to be auctioned by the Vehicle Impoundment Unit (VIU).

- **Records & Alarm Unit (Civilian Supervisor):** Provides customer service to the public, law enforcement officers, other governmental agencies, and private businesses over the phone, via the service window at the Edison Building and through mail/faxed requests. The Records & Alarm Unit provides copies of incident (crime) reports from the RMS and accident reports from the KSP Collision Report and Analysis for Safer Highways (CRASH) and/or the KYOPS eCrash system. Accident reports may be obtained from the Records & Alarm Unit in accordance with KRS 189.635 (refer to SOP 3.5). If an officer enters an accident report into the Kentucky Open Portal Solution (KYOPS) eCrash system, the report shall be submitted electronically to the Records & Alarm Unit for approval and then be automatically imported into the RMS. If an officer takes a paper accident report, the report shall be forwarded, via interdepartmental mail, to the Records & Alarm Unit. The unit will scan and enter the report into the KYOPS eCrash system and the report will automatically be imported into the RMS (KACP 22.2). The unit is also responsible for the implementation and oversight of Louisville Metro false alarm ordinances. The Records & Alarm Unit acts as a liaison and mediator between the department, the Department of Codes & Regulations, the Office of Management and Budget (OMB), alarm businesses, alarm technicians, and alarm users.

EVIDENCE AND PROPERTY UNIT (EPU) (Lieutenant)

The EPU Lieutenant reports to the Administrative Services Division Commander. The EPU is responsible for the storing, classification, retrieval, and disposal of seized, found, or recovered property and forwarded evidence (including all evidence related to controlled substances) under the protective custody of the LMPD. The EPU safeguards the integrity of all property or evidence (KACP 27.2). Their other duties include maintaining and issuing a limited supply of certain police equipment.

VEHICLE IMPOUNDMENT UNIT (VIU)/FLEET (Lieutenant)

The VIU/Fleet Lieutenant reports to the Administrative Services Division Commander. The VIU is responsible for the impoundment of vehicles that are in violation of traffic regulations, blocking streets/right-of-ways, abandoned in public areas, trespassing on private property, or participating in illegal dumping (refer to SOP 7.9). The VIU is also responsible for providing towing and impoundment services for vehicles identified as nuisances by the Department of Codes & Regulations and clearing streets after vehicular accidents. The unit stores vehicles involved in fatal accidents, arson investigations, and other criminal activity. The VIU collects all towing and storage charges and releases vehicles on-site. Unclaimed vehicles are disposed of at public auctions, pursuant to state law.

The VIU/Fleet Lieutenant works with Metro Fleet Services to manage, operate, repair, and/or replace departmental vehicles.

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1.8.4 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

TECHNICAL SERVICES (Lieutenant)

The Technical Services Lieutenant reports to the Administrative Services Division Commander. The Technical Services Lieutenant also acts as the departmental liaison with the Department of Information Technology (DoIT) and MetroSafe. The Technical Services Lieutenant is responsible for the following:

- **Technical Services (Sergeant):** The Technical Services Sergeant reports to the Technical Services Lieutenant and assists as a liaison with the DoIT, MetroSafe, and other Metro Government entities, as needed. The Technical Services Sergeant assists in the planning of the LMPD's technical needs and special projects and coordinating the maintenance of the LMPD's technical systems. The Technical Services Sergeant oversees the following:
 - **Telephone Services:** Responsible for landlines, cell phones, smart devices, and pagers. Telephone Services coordinates and works with contracted vendors, distributes invoices, records payments made, and monitors the return of invoices.
 - **Information Systems Analysis (ISA):** Responsible for software, applications, database integrations, and other systems utilized by the LMPD. The ISA provides technological services for functions not normally overseen by the DoIT.
- **Technical Investigations (Sergeant):** The Technical Investigations Sergeant reports to the Technical Services Lieutenant. Technical Investigations provides operations support of all specialized investigative equipment and provides expertise in matters regarding electronic surveillance.

HOMELAND SECURITY (Lieutenant)

The Homeland Security Lieutenant reports to the Administrative Services Division Commander and is responsible for coordinating departmental compliance with national preparedness goals. Homeland Security oversees the Crime Information Center (CIC), the Real Time Crime Center (RTCC), and acts as the department liaison with the Joint Terrorism Task Force (JTTF).

Crime Information Center (CIC) (Sergeant & Civilian Manager) (KACP 5.1)

The CIC reports to the Homeland Security Lieutenant. The CIC provides the department with various crime information and intelligence that is used for strategic planning and the deployment of resources. The main purpose of this unit is the collection, analysis, and dissemination of timely and useful information. The CIC provides officers and detectives with actionable intelligence to assist them in their efforts. The identification of crime patterns, organized crime groups, and potential threats support tactical and strategic planning operations.

Information is collected from a variety of sources, including computer databases, allied agencies, and internal personnel. An Intelligence Liaison Officer from each division facilitates the information flow between his/her division and the CIC. Civilian Analysts operating within the Homicide Unit, the Narcotics Division, and the 9th Mobile Patrol Division facilitate enhanced information sharing within, and between, their assignments and the CIC. Dissemination to the affected personnel or departmental area takes the form of daily, monthly, and annual reports, which include, but are not limited to (KACP 6.1e):

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1.8.4 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

- CompStat reports
- Calls for service reports
- Special reports and area analysis
- Crime pattern bulletins
- Division Annual Report
- UCR summary reporting (KACP 26.5)
- Daily patrol support
- Crime mapping
- Specific requests for records, information, or analysis
- Intelligence bulletins/briefings
- Special reports as designated by the Chief of Police

The CIC facilitates weekly CompStat meetings with the Chief of Police and command staff to identify and discuss crime patterns and prolific offenders. The CIC applies quality control measures to the RMS and enters suspected members of organized crime groups for intelligence purposes.

The CIC acts as the departmental liaison with the Kentucky Intelligence Fusion Center (KIFC) and federal and local law enforcement agencies.

Real Time Crime Center (RTCC) (Civilian Director)

The RTCC Director reports to the Homeland Security Lieutenant. The RTCC is a centralized hub that is responsible for providing real-time tactical support to sworn personnel in the field by utilizing technology and information systems. The RTCC enhances public and sworn personnel safety by monitoring the Metro Watch Cameras at a centralized location. Responsibilities of the RTCC include, but are not limited to:

- Proactively monitoring Metro Watch Cameras and relaying any significant activities, civil disturbances, and/or disorderly crowds to MetroSafe dispatchers and sworn personnel.
- Monitoring MetroSafe dispatch communications in order to provide real-time intelligence and information before, during, and after sworn personnel arrive on the scene of a dispatched call.
- Providing continual analytical and tactical support for sworn personnel during critical incidents, significant activities, Special Weapons and Tactics (SWAT) Team call-outs, civil disturbances, disorderly crowds, special events, and major disasters.
- Researching and providing intelligence and information to sworn personnel in response to requests for information regarding ongoing investigations.
- Responding to internal and external requests for data.
- Providing sworn personnel with intelligence and informational bulletins.
- Providing sworn personnel with non-emergency cell phone location information.
- Utilizing crime mapping technology.
- Assessing the need for the deployment of additional sworn personnel.

The RTCC provides weekly, multi-media postings of Louisville's Most Wanted, highlighting suspects wanted for felony crimes in the Louisville Metro area.

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Chapter: Departmental Organization	
Subject: Administrative Bureau	

1.8.4 ADMINISTRATIVE SERVICES DIVISION (CONTINUED)

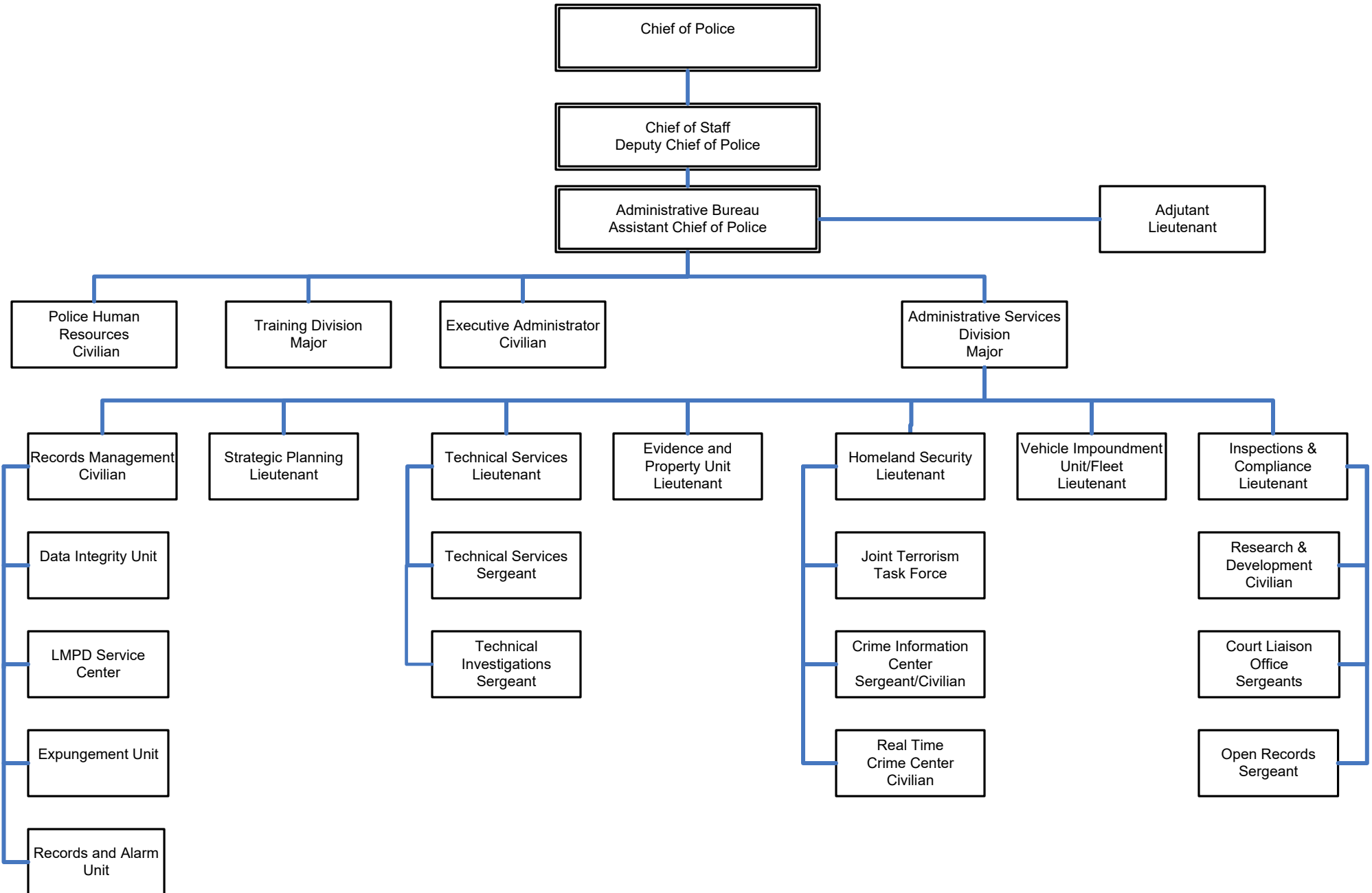
Joint Terrorism Task Force (JTTF)

The JTTF is comprised of locally-based investigators, analysts, and experts from various United States law enforcement and intelligence agencies who investigate threats and incidents related to terrorism and national security. The JTTF provides a single team response and strives to create familiarity among investigators and managers across the state of Kentucky before a crisis occurs.

1.8.5 EXECUTIVE ADMINISTRATOR (Civilian) (KACP 8.2)

The Executive Administrator acts as the departmental liaison with the Office of Management and Budget (OMB) and reports to the Assistant Chief of Police/Administrative Bureau. The Executive Administrator is responsible for the department's fiscal management functions and the internal monitoring and auditing of the department's internal budget (KACP 8.5). The Executive Administrator receives written recommendations from the supervisors of the different departmental areas, based on operational and activity analysis, for use in formulating the department's budget (KACP 8.3). The OMB is responsible for collecting, safeguarding, and dispersing cash by maintaining an allotment system, preparing financial statements, and conducting internal audits of information provided by the custodial personnel who oversee petty cash or investigative funds and who have been appointed by the division/section/unit commander (refer to SOP 8.37) (KACP 8.6a-d).

Louisville Metro Police Department Administrative Bureau Organizational Chart



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	Effective Date: 02/18/04 Prv. Rev. Date: 01/23/17 Revised Date: 04/23/17
	Accreditation Standards: KACP: 3.3, 23.1
Chapter: Departmental Organization	
Subject: Special Investigations Division	

1.9 SPECIAL INVESTIGATIONS DIVISION

1.9.1 SPECIAL INVESTIGATIONS DIVISION COMMANDER (Major)

The Special Investigations Division (SID) Commander of the Louisville Metro Police Department (LMPD) is appointed by the Chief of Police and reports directly to the Deputy Chief of Police/Chief of Staff.

The SID Commander coordinates the activities of the following units (KACP 3.3):

- Public Integrity Unit (PIU)
- Professional Standards Unit (PSU)

The SID Commander assists in officer reinstatement when the officer is returning from certain types of leaves (refer to SOP 2.5, SOP 2.11, and SOP 8.12).

1.9.2 PUBLIC INTEGRITY UNIT (PIU)

The PIU is responsible for conducting criminal investigations of departmental members, as well as conducting criminal investigations of Louisville Metro employees suspected of committing a felony or an offense involving the physical or sexual abuse of a minor. If a criminal investigation of a departmental member has already been initiated by another law enforcement agency, the PIU is responsible for monitoring the investigation. The PIU shall be notified when a departmental member or Louisville Metro employee has been charged with a crime or is alleged to have committed a crime.

The PIU is also responsible for investigating:

- Officer-involved incidents resulting in the death or serious physical injury to persons while in the custody of departmental personnel or while incarcerated at the Louisville Metro Department of Corrections (LMDC), including inmates on the Home Incarceration Program (HIP) (KACP 1.11b).
- All traffic-related deaths, or serious physical injuries, resulting from pursuits or other officer-involved traffic collisions. These incidents will be investigated in conjunction with the Traffic Unit.
- Incidents where an officer's actions resulted in death or serious physical injury to the public or to another officer (KACP 1.11b).
- Other officer-related incidents resulting in death or serious physical injury to the public (KACP 1.11b).
- Incidents resulting in death or serious physical injury to a departmental member while in the performance of their official duties.
- Incidents involving the discharge of firearms by an officer, regardless of injuries. The only exceptions are departmental members discharging firearms for target practice or the shooting of animals (KACP 1.11a).
- Incidents involving the discharge of a firearm at an officer, regardless of injuries.

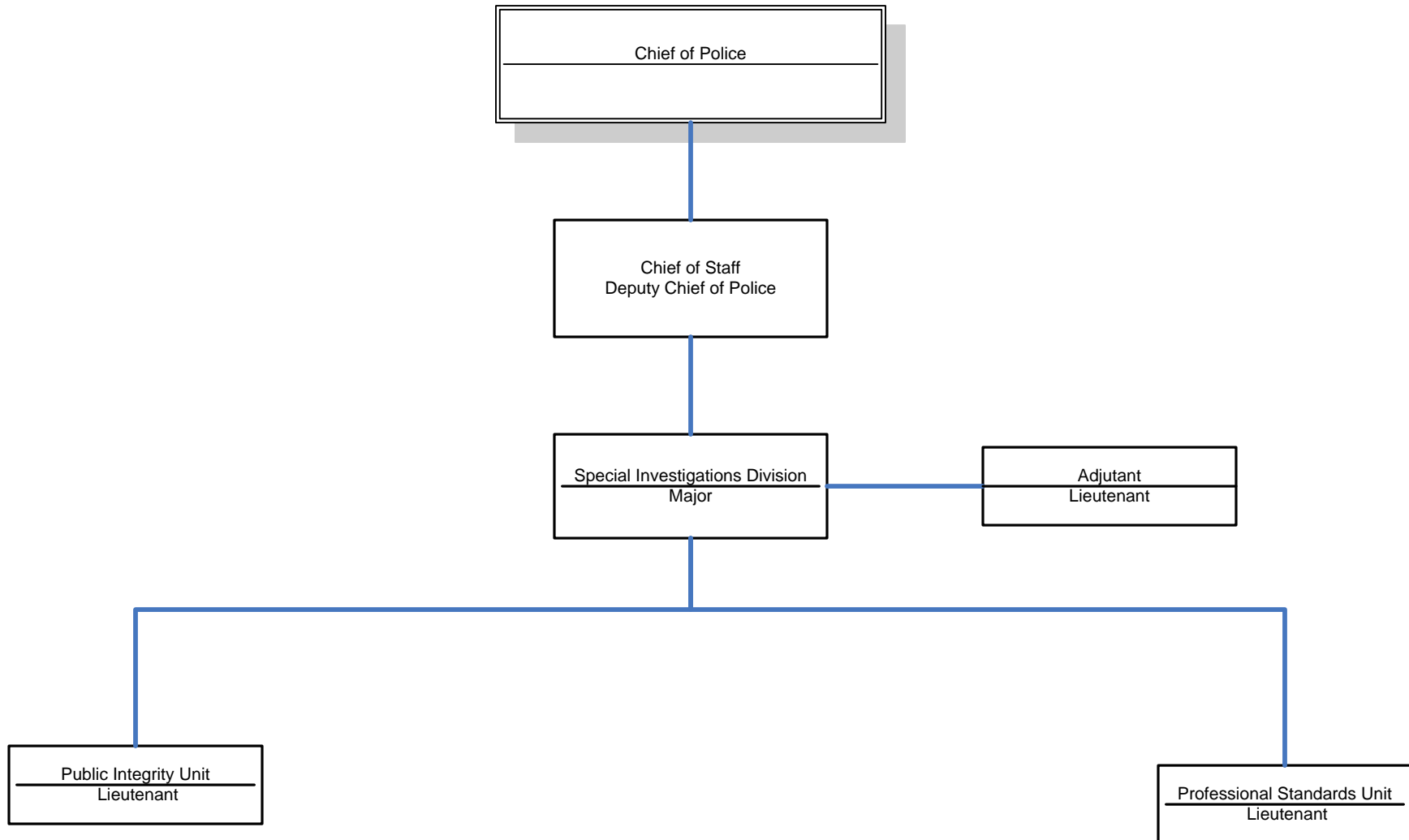
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Subject: Special Investigations Division	

1.9.3 PROFESSIONAL STANDARDS UNIT (PSU)

The PSU is responsible for conducting internal, administrative investigations of departmental members and administering the department's drug testing program and the Personnel Early Warning System (PEWS) IPro software program (refer to SOP 2.28). A record of all disciplinary actions issued by the Chief of Police is maintained by the PSU (refer to SOP 2.11).

Louisville Metro Police Department Special Investigations Division Organizational Chart



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Chapter: Departmental Organization	
Subject: Training	

1.10 TRAINING

1.10.1 POLICY

The profession of policing is ever-changing. These changes are reflected in new laws, court decisions, and technologies. The Louisville Metro Police Department (LMPD) is committed to providing a professional standard of law enforcement service to the community. In order to fulfill this commitment, LMPD members will be properly trained, with sworn members receiving training as recruits and all members on a continuing basis. Training is provided to recruits with an emphasis on developing their interactions with the community, reasoning ability, and judgment. All officers are required to attend yearly in-service training. This in-service training is one of the means by which officers are provided new information and skills and existing knowledge is reinforced.

1.10.2 TRAINING DIVISION (Major)

The Training Division Commander is appointed by the Chief of Police and reports directly to the Assistant Chief of Police/Administrative Bureau. The responsibilities of the LMPD Training Division include, but are not limited to, the following:

- Coordinating all sworn recruitment for the department (refer to SOP 2.27)
- Maintaining and updating all personnel training records for the department
- Coordinating the following training programs for the department:
 - Basic training
 - In-service training
 - Firearms qualifications
 - Remedial training
 - Department mandated re-certification classes
 - State mandated re-certification classes
 - Career development courses
 - Legal updates
 - Law enforcement seminars
 - Kentucky Law Enforcement Council (KLEC) compliance
 - Police Training Officer (PTO)/Police Training Sergeant (PTS) Programs
 - Veterans Affairs (VA) Program
- Coordinating the activities of the departmental Health and Safety Officers (HSOs)

Instructors are assigned to the Training Division based on the needs of the department in order to maintain the professional standards of the LMPD and to develop employees to the best of their ability. These instructors are KLEC certified. Other departmental members may be utilized as instructors, based on special skills, experience, and the needs of the department.

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Subject: Training	

1.10.3 SWORN MEMBER TRAINING REQUIREMENTS

Each officer, having responsibility for the enforcement of criminal laws in general, shall graduate from a basic training program certified by the KLEC, prior to the exercise of such authority. Officers grandfathered by 503 Kentucky Administrative Regulations (KAR) 1:110, who were hired prior to July 1, 1972, are considered to meet the basic requirements of the basic training program required above (KACP 14.1). The basic training curriculum encompasses those duties, skills, responsibilities, and actions that are job-related and includes tests/evaluations to measure the officer's competency in these areas.

Upon graduation from the basic training program, sworn members are placed on a probationary period of at least one (1) year before the member is granted permanent status. The probationary period allows for the observation of the member's performance and assistance in his/her new position. The probationary period may be extended up to six (6) additional months based upon just cause determined by the Chief of Police.

Every sworn member assigned to a detective position shall successfully complete at least 40 hours of investigative training that has been approved by the KLEC prior to, or as soon as practical after, being assigned to the position. When members are chosen for a detective position, his/her division commander, or his/her designee, will contact the Training Division Commander and request that the member be assigned to an approved investigative training class at the earliest available opportunity.

Every sworn member promoted to sergeant shall successfully complete at least 40 hours of supervisory training that has been approved by the KLEC prior to, or within one (1) year of, such appointment or promotion (KACP 14.2).

Every sworn member promoted to lieutenant or above shall successfully complete at least 32 hours of management training which has been approved by the KLEC prior to, or within one (1) year of, such appointment or promotion (KACP 14.3).

Every sworn member having responsibility for the enforcement of criminal laws in general shall attend and complete at least 40 hours of certified in-service training annually, as assigned (KACP 14.4). This training includes relevant local, state, and federal legal updates which have recently been passed/enacted and annual updates on departmental use of force policies. Sworn members shall also qualify with departmentally-authorized firearms, twice annually, which is coordinated by the Firearms Training Center (refer to SOP 4.13). One (1) firearms qualification session is held in low light conditions (KACP 1.10a). Firearms qualifications will be properly documented for the member's file and monitored by a certified firearms instructor (KACP 1.10b). Members who fail to qualify with their authorized firearm(s) shall be subject to remedial training and successful requalification before they can resume their law enforcement duties.

1.10.4 CIVILIAN MEMBER TRAINING REQUIREMENTS

Newly hired civilian members are placed on a probationary period of at least six (6) months, but no longer than one (1) year, before the member is granted permanent status. Crime Scene Unit (CSU) technicians are placed on a probationary period of at least one (1) year before the technician is granted permanent status. The probationary period allows for the observation of the member's performance and assistance in his/her new position. The probationary period may be extended at the discretion of Louisville Metro Civil Service.

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Subject: Training	

1.10.4 CIVILIAN MEMBER TRAINING REQUIREMENTS (CONTINUED)

Civilian members shall receive information on the following, upon appointment to their positions:

- The department's mission, goals, policies, and procedures
- Working conditions and regulations
- Employee's responsibilities and rights

The following civilian positions require pre-service and/or in-service training:

- Traffic guards (refer to SOP 8.41)
- Police Report Technicians (PRTs) (refer to SOP 8.38)
- Crime Scene Unit (CSU) technicians

1.10.5 POLICE TRAINING OFFICER (PTO) PROGRAM

After graduating from the basic academy, the probationary officer (PO) begins the 24-week PTO Program. This program pairs a newly sworn officer with at least four (4) certified sworn officers for the purposes of advising and evaluating the PO's skills, knowledge, abilities, and performance.

POs are supervised and evaluated to verify that their performance is in compliance with departmental policies and procedures and applicable laws (refer to SOP 2.21) (KACP 16.4).

Upon the successful completion of the PTO Program, the PO begins the 28-week Solo phase of training. In this phase, the PO operates as a patrol officer independent of a PTO. However, the PO is still considered an officer in the training process and can be placed back with a PTO or Police Training Evaluator (PTE) in order to identify and/or address specific issues and to receive remedial training.

PTO candidates must have a minimum of three (3) years sworn service with the department and the selection process includes the following (KACP 14.5a):

- Interested officers must submit an application, through the appropriate chain of command, to the Training Division. The Training Division will advise officers when applications are being accepted.
- Files are developed for each applicant that include, but are not limited to, the following information:
 - Peer reviews
 - Disciplinary actions
 - Performance evaluations
 - Supervisor recommendations
- The PTO Selection Committee reviews the files and forwards a list of the applicants who are recommended to proceed in the process to the Training Division Commander.
- The Training Division Commander reviews the list and makes the final selection(s).
- The division commanders are notified of the results.

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Subject: Training	

1.10.5 POLICE TRAINING OFFICER PROGRAM (CONTINUED)

- Applicants are then notified and those who are chosen must successfully complete the 40-hour PTO training course (KACP 14.5b).

PTOs fall under the command of the Training Division Commander and their division commander. The PTOs are directly supervised by the Police Training Sergeants (PTs) in their respective divisions. Each of the eight (8) regular patrol divisions has two (2) PTs. The PTs review the paperwork that they receive from the PTOs and forward it, through the appropriate division chain of command, to the PTO Coordinator at the Training Division (refer to SOP 2.21) (KACP 14.5c-d).

1.10.6 TRAINING DIVISION/ACADEMY REQUIREMENTS

The department maintains a Training Academy facility to offer basic and/or other forms of departmental training (e.g. remedial, in-service, career development, etc.) for its members. The facility includes, but is not limited to, the following:

- Classroom space consistent with the curriculum/subjects being taught
- Office space for administrators, instructors, and staff
- Physical training areas (e.g. gym/fitness areas)
- Library

The Training Division maintains unit policies and procedures regarding the administration and operation of the Training Academy facility. These policies and procedures include, but are not limited to, the following:

- A statement of the academy's mission, goals, and responsibilities
- Procedures relating to organization and staffing
- Administrative procedures
- Operating procedures

Training Division personnel oversee the access and use of the gym/fitness areas located at 2911 Taylor Boulevard. These specific areas are to be utilized only by sworn LMPD personnel, LMPD Training Academy staff, LMPD Training Academy instructors, and members of LMPD recruit classes that are currently in session. LMPD instructors and members of current recruit classes have priority in utilizing the gym/fitness areas and equipment.

Any additional requests for use of these gym/fitness areas should be submitted to the Training Division Commander, or his/her designee, for final approval. Additionally, an Assumption of Risk Agreement and Release of all Claims form (LMPD #11-0026) will be kept on file for any non-sworn personnel, other than members of current recruit classes, who are approved to use the Training Division gym/fitness areas and equipment.

Training Division personnel will distribute an orientation handbook to all new recruits at the time that their recruit training begins.

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1.10.6 TRAINING DIVISION/ACADEMY REQUIREMENTS (CONTINUED)

The Training Division retains instructors who are KLEC-certified. These instructors receive training, including, but not limited to, the following areas:

- Lesson plan development
- Performance objective development
- Instructional techniques
- Testing and evaluation techniques
- Resource availability and use

The Training Division retains lesson plans for all training courses conducted by the department, which include the following information:

- A statement of performance and job-related objectives for each course
- The content of the training and specification of the appropriate instructional techniques
- The process for lesson plan approval
- The identification of any tests used in the training process

The Training Division retains records of all departmental training classes, including the following information:

- The date(s) of training
- Course content (e.g. lesson plans)
- The names of members attending
- The performance of members as measured by evaluations/tests, if applicable

1.10.7 REMEDIAL TRAINING

A member's performance may require remedial training in certain areas, including firearms qualifications. Supervisors will coordinate remedial training with the Training Division. The following forms of remedial training are offered by the Training Division:

- Remedial training for firearms
- Remedial driver's training
- Specialized remedial training at the request of the supervisor or officer (e.g. search and seizure, use of force, interview techniques, etc.)

If members fail to successfully complete mandated remedial training, disciplinary action up to, and including, termination may result.

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1.10.8 SPECIALIZED TRAINING

The following squads/teams require their members to successfully complete specialized training on a monthly or bi-monthly basis:

- Bomb Squad
- Dive Team
- Dignitary Protection Team (DPT)
- Hostage Negotiating Team (HNT) (KACP 19.7c)
- Special Response Team (SRT)
- Special Weapons and Tactics (SWAT) Team

SWAT Team members regularly engage in training and readiness exercises (KACP 19.6c). These exercises are in addition to the initial training that a member must successfully complete before becoming a SWAT Team member.

The commander of each specialized squad/team is responsible for coordinating and mandating the regular training required for his/her squad/team. The commander of each specialized squad/team is responsible for coordinating any retraining that is needed by members under his/her command. The commander of the specialized squad/team is responsible for forwarding a roster of the attendees to the Training Division for the member's file.

1.10.9 CAREER DEVELOPMENT

The Training Division administers career development courses for the purposes of enhancing the member's knowledge and performance within the department. Training Division personnel conducting career development courses receive classroom training on the techniques and skills needed to effectively administer career development courses based on KLEC requirements.

Career development courses are offered in several areas, including, but not limited to:

- Patrol
- Investigations
- Management

1.10.10 ATTENDANCE

Members shall be punctual in reporting to departmentally-elected and mandated training programs. Attendance exceptions are granted on a case-by-case basis. If a member is unable to attend training due to court requirements or a personal emergency, he/she shall advise his/her commanding officer and the Training Division as soon as possible. Training does not automatically excuse a member from appearing in court (refer to SOP 8.2) and court does not automatically excuse a member from attending training. If a member misses more than ten percent (10%) of a training class, he/she is required to enroll in another training class.

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1.10.10 ATTENDANCE (CONTINUED)

Members shall provide the Training Division with copies of any certifications received in an outside training class in order to update the member's training record at the Training Division.

1.10.11 TRAINING REIMBURSEMENT

Members may be reimbursed for certain charges incurred as a result of out-of-town travel for training (refer to SOP 2.18).

1.10.12 SHIFT BRIEFING TRAINING

The department briefs officers of important and relevant information at roll-calls and through other forms of correspondence (e.g. interoffice mail, email, etc.). All policy updates and numbered correspondence are distributed to members, via email. Members shall acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums using the PowerDMS Document Management System. If members do not have computer access, they shall acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums by signing an accountability roster (KACP 4.6d). Members are responsible for reading all correspondence requiring acknowledgement within ten (10) calendar days of the date of issuance or be subject to disciplinary action. Each division/section/unit is responsible for running monthly compliance reports for its members in PowerDMS for accountability purposes (refer to SOP 3.4).

In certain situations, the Training Division distributes videos, or other forms of electronic media, for training purposes. Members shall acknowledge that they have read/viewed the training documents and understood all areas of the distributed training using the PowerDMS Document Management System. If members do not have computer access, they shall acknowledge that they have read/viewed and understood all areas of the distributed training by signing an accountability roster (KACP 4.6d). Members are responsible for reading/viewing all distributed training documents requiring acknowledgement within ten (10) calendar days of the date of issuance or be subject to disciplinary action. Each division/section/unit is responsible for running monthly compliance reports for its members in PowerDMS for accountability purposes (refer to SOP 3.4).

1.10.13 ETHICS TRAINING

All members will receive initial training on departmental ethical standards of conduct. The Training Division is responsible for providing members with additional ethics training at least once every two (2) years.

1.10.14 ACCREDITATION

All personnel receive information on the departmental accreditation process. This information may be in the form of an email or memorandum. The departmental accreditation process consists of the Kentucky Association of Chiefs of Police (KACP)

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1.10.14 ACCREDITATION (CONTINUED)

Departmental members receive information on the departmental accreditation process as follows:

- Within 30 days after their employment begins or within 30 days after completing basic training
- During the self-assessment phase associated with achieving initial accreditation
- Prior to an on-site assessment

The Research and Development (R&D) Supervisor acts as the departmental accreditation manager and will receive specialized accreditation manager training within one (1) year of being appointed to the position.

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	Revised Date: 08/25/17
Chapter: Departmental Organization	Accreditation Standards: KACP: 3.2, 3.3, 9.1, 17.2, 17.3, 17.5
Subject: Patrol Division Organization	

1.11 PATROL DIVISION ORGANIZATION

1.11.1 CONFIGURATION

The jurisdictional boundaries of the department are divided into eight (8) patrol divisions and include one (1) mobile division. Division responsibilities include the protection of life and property of the citizens, enforcement of the laws of the Commonwealth of Kentucky and the ordinances of Louisville Metro, and the prevention of criminal activities through the constant patrol of designated beats (KACP 3.2, 3.3).

1.11.2 PATROL DIVISION STRUCTURE AND ASSIGNMENTS (KACP 17.5)

Division Commander (Major): The division commander is appointed by the Chief of Police and reports directly to the Assistant Chief of Police/Patrol Bureau. The division commander, with the approval of the Assistant Chief of Police/Patrol Bureau, may alter the command structure and job description within his/her division, as needed.

Zone Lieutenant: Responsibilities include, but are not limited to, reducing crime and improving quality-of-life within a specified area of the division. The Zone Lieutenant reports directly to the division commander.

Support Lieutenant: Responsibilities include, but are not limited to, maintaining the daily operational status of the division and directing the operations of the division support units (e.g. division detectives, Division Resource Officers (DROs), etc.). The Support Lieutenant reports directly to the division commander and oversees special projects for the division.

Platoon Sergeant: The Platoon Sergeant reports directly to a designated Zone Lieutenant. Responsibilities include, but are not limited to, direct supervision over the uniformed patrol officers assigned to his/her shift.

Uniformed Patrol Officer: Responsibilities include patrolling a designated beat within his/her assigned division and performing duties or tasks assigned by his/her designated commanding officers. The duties of uniformed patrol officers include, but are not limited to, the following:

- Practicing community policing by interacting with residents, business personnel, and others on their beat to promote a cooperative relationship in order to reduce crime and resolve other quality-of-life issues.
- Responding to calls for service and criminal activity that they encounter.
- Arresting, and assisting in the prosecution of, individuals involved in criminal activity.
- Enforcing motor vehicle and parking regulations.
- Investigating and completing reports involving motor vehicle accidents.
- Conducting preliminary investigations and completing reports on criminal offenses.
- Assisting division detectives, when requested.
- Serving criminal warrants.
- Performing any other activity as directed by the division commander.

Detective Sergeant: Oversees the operation of the division's detectives. The Detective Sergeant coordinates the investigation of crimes committed in the division generated through incident reports. The Detective Sergeant reports directly to the appropriate Support Lieutenant.

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Subject: Patrol Division Organization	KACP: 3.2, 3.3, 9.1, 17.2, 17.3, 17.5

1.11.2 PATROL DIVISION STRUCTURE AND ASSIGNMENTS (CONTINUED)

Detective: Plainclothes officer who is experienced or trained to perform specialized duties or tasks assigned by his/her commanding officer. These duties include the follow-up, investigation and disposition of crimes reported within his/her assigned division at the discretion of the division commander.

Probationary Officer: Follows the directions of his/her assigned Police Training Officer (PTO) and commanding officers.

Cadet: Performs the duties or tasks assigned by his/her designated commanding officer.

1.11.3 ADDITIONAL ASSIGNMENTS

Division commanders, with the approval of the Assistant Chief of Police/Patrol Bureau, may assign officers to other duties within the division. All squads/units report to a designated commanding officer. All personnel assigned to these special duties may be temporarily used to supplement the patrol platoons, as needed. Such assignments may include, but are not limited to:

- **Division Resource Officers (DROs):** Uniformed assignment responsible for quality-of-life issues and the coordination of division-level community-oriented policing initiatives. Other responsibilities include attending monthly meetings and organizing special projects, as directed by the division commander. The DROs will serve as the point-of-contact between the LMPD and the Department of Codes & Regulations for matters relating to nuisance properties.
- **Warrant Officers:** Uniformed assignment with responsibilities that include managing the division's warrant activity. Additional duties require the serving of warrants, with priority going to felony and domestic violence (DV) warrants.
- **Traffic Enforcement Officers:** Uniformed assignment with responsibilities that include handling traffic and speeding complaints for the division.
- **Bike Officers:** Uniformed assignment responsible for saturated patrol as directed by the Support Lieutenant.
- **Intelligence Liaison Officer (ILO):** An officer responsible for relaying intelligence information from the division to the Crime Information Center (CIC). This officer is also responsible for collecting gang data generated in the division and forwarding it to the CIC, via the "LMPD Gang Information" user group, located within the department's email distribution list.
- **Housing Authority Liaison Officer:** Uniformed assignment responsible for enforcing Housing Authority rules and regulations, responding to citizen complaints in subsidized housing areas, and the attendance of community meetings.

1.11.4 ASSIGNMENT PROCEDURES

All zone, platoon, shift, and specialized unit assignments shall be made in accordance with the current collective bargaining agreement between Louisville/Jefferson County Metro Government and the River City Fraternal Order of Police (FOP) Lodge #614 (KACP 9.1, 17.2). Each division commander shall verify that any specialized unit selection process is handled in compliance with the current collective bargaining agreement. Article 10 - Assignments of the Collective Bargaining Agreement By and Between Louisville/Jefferson County Metro

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Chapter: Departmental Organization	
Subject: Patrol Division Organization	

1.11.4 ASSIGNMENT PROCEDURES (CONTINUED)

Government and River City FOP Lodge #614, Police Officers and Sergeants outlines the specific steps that must be taken when posting vacancies, how to conduct interviews, and specific considerations by interviewers to assist in ranking candidates. Specific considerations include the candidate's performance, seniority, service and collateral assignments, specialized qualifications, personal needs of the member, supervisory recommendations, the applicant's attendance record, disciplinary record, the most recent performance appraisal, and how well the applicant responded in the interview.

Division commanders, or their designees, shall monitor any selection processes for specialized unit assignments, retaining records of the process that support how it was conducted and how members were selected. Records of the process shall be retained in a secure area in the division for at least two (2) years from the date that a ranked list is established. The retention and disposal of these records shall be in accordance with applicable records retention schedules.

For any member on the *Brady* list that is applying for any specialized unit, refer to SOP 11.7.

1.11.5 SHIFT SCHEDULES

Each patrol platoon will utilize a 12-hour work schedule. Shift assignments and off-day rotations are at the discretion of the division commanders and are subject to approval by the Assistant Chief of Police/Patrol Bureau (KACP 17.2, 17.3).

1.11.6 NINTH MOBILE DIVISION

The Ninth Mobile Division addresses violent crime in Louisville Metro by focusing on hot spots of violent criminal activity, identifying and arresting the worst offenders, and addressing gang activity that the Ninth Mobile Division encounters. The Ninth Mobile Division is also responsible for identifying and apprehending fugitives who are known violent offenders.

The Ninth Mobile Division Major reports directly to the Assistant Chief of Police/Patrol Bureau.

1.11.7 POLICE REPORT TECHNICIANS

Some patrol divisions may utilize civilian Police Report Technicians (PRTs) to work during peak hours to respond to minor incidents which do not require an officer. PRTs take incident reports, photograph incident scenes, interview witnesses, maintain database records, and collect relevant evidence in certain circumstances. PRTs are under the supervision of the commander of their assigned division (refer to SOP 8.38).

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Subject: Command Authority	

1.12 COMMAND AUTHORITY

1.12.1 OATH OF OFFICE

All sworn members shall take, and abide by, an oath of office administered by the Louisville Metro Mayor, or his/her designee. This oath includes, but is not limited to, the member's pledge to uphold the Constitution of the United States, the Constitution of the Commonwealth of Kentucky, the Kentucky Revised Statutes (KRS), and the ordinances of the Louisville Metro Government (KACP 1.1).

1.12.2 CHAIN OF COMMAND

The chain of command is the clear line of authority, from the Chief of Police to every member, that facilitates effective decision-making and organizational communication. Members shall utilize, recognize, and respect the chain of command in all official actions, as designated in the order of rank. In certain instances, the chain of command may be bypassed. In doing so, a member must be prepared to justify the departure from normal procedure.

1.12.3 ORDER OF RANK

The order of rank of sworn members of the department is as follows (KACP 4.2):

1. Chief of Police
2. Deputy Chief of Police (Colonel)
3. Assistant Chief of Police (Lieutenant Colonel)
4. Major
5. Captain
6. Lieutenant
7. Sergeant
8. Officer/Detective

Sworn members of the department have the authority to make full custody arrests. The department also recognizes the following members with limited enforcement powers. In accordance with KRS 67A.075, these members are not fully commissioned as peace officers and will not be assigned duties requiring sworn officer status (KACP 7.2a-c):

- Traffic Guard: Under general supervision, performs traffic guard work. Responsibilities include providing safety for schoolchildren crossing streets at intersections and directing both vehicular and pedestrian traffic.
- Traffic Control Officer II: Under general supervision, performs specific patrol work. Responsibilities include taking accident reports and enforcing moving and non-moving vehicular violations by issuing citations to violators.

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1.12.4 UNITY OF COMMAND (KACP 4.3)

Each member is accountable to only one (1) supervisor at any given time. Each member will be responsible, or accountable to, his/her regular immediate supervisor, except when working on a special assignment, incident, or temporarily assigned to another unit. In such cases, the member will be accountable to the first-line supervisor in charge of the assignment or incident. Similarly, each organizational component will be under the direct command of only one (1) supervisor, as shown on the departmental organizational charts.

At times, a commanding officer may be required to give a lawful order to a member, or component, that is outside of his/her normal chain of command. In such cases, the rank will be respected and the order will be obeyed.

1.12.5 SPAN OF CONTROL

To achieve effective direction, coordination, and control, the number of members under the immediate control of a supervisor will not be excessive. The exact number of personnel supervised by any one (1) supervisor will be dependent on the nature of the job being performed, the complexity of the task, the size of the area to be supervised, the experience level of the members, and other factors that may influence the work environment. Each supervisor will continually review the number of personnel under his/her command to determine that appropriate limits are not exceeded.

1.12.6 OFFICER IN CHARGE (KACP 4.3)

The Louisville Metro Police Department (LMPD) utilizes the Incident Command System (ICS) (refer to SOP 8.36). The officer in charge of any non-planned event will be the first officer to arrive on the scene. This officer will serve as the Incident Commander (IC), until relieved on-scene by a higher ranking officer or detective. The commanding officer or detective will specifically advise the officer that he/she is being relieved.

When two (2) officers of equal rank arrive simultaneously at a scene and a conflict exists as to who is in charge, the officer in charge will be the one with the most seniority in rank.

When specialty unit investigators are requested, they may serve in an investigative/support capacity or assume command, depending on the requirements of the incident.

1.12.7 COMMAND OF JOINT OPERATIONS (KACP 4.3)

When two (2) or more components within the department are engaged in a joint operation, the person in charge will be clearly identified to all participants at the beginning of the operation.

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1.12.8 RESPONSIBILITY, AUTHORITY AND DELEGATION (KACP 4.3)

The department is an organization with assignment of responsibility and accountability throughout the rank structure. The command structure, which is set forth by the Chief of Police, establishes authority for members commensurate with their responsibilities. Commanding officers shall:

- Accept the responsibilities of their rank and are required to thoroughly familiarize themselves with the responsibilities of their assigned command or function.
- Delegate authority and responsibilities, but be held strictly accountable for this delegation.
- Set an example of sobriety, dignity, courtesy, discretion, skill, diligence, and the observance of proper discipline.

1.12.9 PERFORMANCE OF MEMBERS

To achieve effective direction, coordination, and control, supervisors are accountable for the performance of members under their immediate supervision (KACP 4.4). This directive applies to each level of supervision within the agency.

1.12.10 CONFLICTING ORDERS OR DIRECTIVES

Members receiving conflicting orders shall advise the person issuing the conflicting order of the previous instructions. The responsibility for countermanding the first order rests with the person issuing the second order. If a conflict remains, the last order given will be the one obeyed (KACP 4.5).

1.12.11 UNLAWFUL ORDERS

Supervisors will not knowingly issue an order which is in violation of any law, ordinance, or departmental rule. No member is required to obey an unlawful order. The responsibility of refusing to obey an unlawful order rests with the individual member and requires justification. Members receiving an unlawful or unjust order will report this fact, in writing, through the appropriate chain of command to the Chief of Police, as soon as possible (KACP 4.5). If the supervisor who issued the order is within the member's direct chain of command, the member will forward the information beginning at the next higher level.

1.12.12 STAFF MEETINGS

The Chief of Police may conduct periodic problem-oriented staff meetings. The meetings will be attended by each bureau and/or division commander and any project manager as deemed necessary. In the event that a bureau or division commander cannot attend, he/she may select a designee, who should be briefed prior to the meeting.

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1.12.13 SUCCESION OF COMMAND

Under normal circumstances, the Chief of Police will appoint an Acting Chief in his/her absence. In situations where the Chief of Police is unexpectedly absent from office or becomes disabled and/or physically or mentally unfit for office, an Acting Chief will be appointed by the Louisville Metro Mayor, or his/her designee.

However, in an emergency, the Chief of Police's succession is as follows:

- Deputy Chief of Police/Chief of Staff
- Assistant Chief of Police/Patrol Bureau
- Assistant Chief of Police/Support Bureau
- Assistant Chief of Police/Administrative Bureau
- First Division Commander
- Second Division Commander
- Third Division Commander
- Fourth Division Commander
- Fifth Division Commander
- Sixth Division Commander
- Seventh Division Commander
- Eighth Division Commander

The successor will have all of the authority normally assigned to the Chief of Police for the response to the emergency and for day-to-day operations within the department, until such time as the Mayor makes an official appointment.

1.12.14 ACTING POSITIONS

The necessity of filling an acting position will be determined by the division/section/unit commander. Whenever possible, the officer assuming an acting position should be designated by the commanding officer whom he/she is replacing. The division commander must approve appointments to the rank of acting captain. Acting positions above the rank of captain are at the discretion of the Chief of Police.

An officer may be selected as an acting supervisor only one (1) rank or grade above his/her current position. Any member placed temporarily in a position of higher authority will exercise that authority, perform the duties of the position, and be held accountable as if he/she were permanently appointed. He/she will not interfere with, or countermand, any order issued by the member whose position he/she temporarily occupies, except when necessity demands. If such an occasion arises, he/she will make a report, in writing, to his/her immediate supervisor. Any member may decline being placed temporarily in a position of higher authority.

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Standard Operating Procedures	SOP Number: 2.1
	Effective Date: 04/28/03 Revised Date: 04/10/16
	Accreditation Standards: KACP: 11.1, 11.2
Chapter: Personnel	
Subject: Grievances	

2.1 GRIEVANCES

2.1.1 GRIEVANCE PROCEDURE (KACP 11.1a-e, 11.2a-c)

Grievance procedures will adhere to the contractual agreements for those members who are covered under the agreements. All other members are subject to the grievance procedures outlined in the Metro Government Personnel Policies Manual.

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<h2>Standard Operating Procedures</h2>	SOP Number: 2.2
	Effective Date: 01/02/04 Prv. Rev. Date: 09/10/15 Revised Date : 10/09/17
	Accreditation Standards: KACP: 4.6, 10.2
Chapter: Personnel	
Subject: Leave of Absence	

2.2 LEAVE OF ABSENCE

2.2.1 TYPES OF LEAVE

There are many different types of leave. Some types of leave are implemented for departmental reasons, such as administrative leave (refer to SOP 2.5) (KACP 10.2a). Other types are implemented upon the request of the member and with subsequent departmental approval. A leave of absence may be paid or unpaid, depending on the type of leave and on the individual member's situation.

2.2.2 DEFINITIONS

Administrative Leave: A temporary leave of absence from a job assignment, with pay and benefits intact.

Administrative Reassignment: A temporary change in an employee's job assignment/responsibilities.

Adoption Leave: Leave taken for the adoption of a child.

Educational Debriefing: Formerly known as "fit for duty." It is the process of counseling following a critical incident in order to determine if the officer has received the support and resources needed to verify that the officer was well informed about psychological survival and is ready to return to work.

Extended Sick Leave (KACP 10.2c): Approved time-off from work, due to sickness or injury, for five (5) or more consecutive days.

Family Medical Leave (KACP 10.2c): Under the Family Medical Leave Act (FMLA), members who have worked for at least 12 months (whether consecutive or not) and for at least 1,250 hours within the previous 12-month period may take up to 12 weeks of leave (paid or unpaid), during a 12-month period, for one (1) or more of the following reasons:

- To care for a newborn child of the member;
- The placement of a minor-age child with the member for adoption or foster care;
- To care for the spouse, minor-age child, or parent of the member with a serious health condition;
- As a result of a serious health condition that makes the member unable to perform the functions of his/her position;
- Up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military member's active duty status, or notification of an impending call or order to active duty status, in support of a contingency operation; and
- Up to 26 weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line-of-duty, while on active duty.

Jury Duty: Service on a jury during a legal proceeding. A jury is a group selected according to law and sworn to inquire into, or determine the facts concerning, a case or accusation submitted to them and to render a verdict to a court.

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2.2.2 DEFINITIONS (CONTINUED)

Leave of Absence: Any approved paid or unpaid extended absence from duty.

Maternity Leave: Leave taken for childbirth (refer to SOP 2.14).

Military Leave: Activation by the military in excess of annual training.

Paternity Leave: Leave taken for the care of a newborn, children, and mother (refer to SOP 2.14).

2.2.3 PROCEDURES (KACP 10.2c)

When a member is off for five (5) or more consecutive working days for any reason other than vacation, workers' compensation, or suspension, he/she shall submit a leave of absence request, in memorandum form, through the appropriate chain of command, to the Chief of Police. The member should also obtain and complete a (FMLA) Certification - Serious Health Condition of Employee form, if applicable, from Police Human Resources (HR) stating:

- The reason for the leave; and
- The beginning and ending dates.

Medical leaves must have the medical portion completed by the treating medical provider.

Police HR reviews each application and makes a determination as to which type of leave is the most appropriate under the circumstances. They will notify the member as to whether or not the request for leave is approved and if the leave, or any portions of the leave, may be paid or unpaid.

Members on extended sick leave are required to report, via the Application for Medical Leave of Absence form, on their status, in writing, to the Chief of Police, every 60 days, including a medical certification of their diagnosis and prognosis and the medical necessity for the continued use of sick leave.

The continued approval of such extended leave for sickness is contingent upon the member's situation, his/her physician's prognosis regarding the member's potential for returning to full duty, and Metro Government's ability to accommodate a member who may not be able to return to full duty.

Medical leave is an uninterrupted leave due to a continuous period of incapacity. Medical leave may not be taken on an intermittent or reduced schedule basis and is a continuation of family medical leave.

In all situations when family medical leave is requested or otherwise appears appropriate, Police HR forwards a copy of the leave application, and any related documentation, to Metro HR. Metro HR is responsible for notifying the member as to whether the leave is considered a part of the member's family medical leave.

Approved family medical leave runs concurrent with the member's sick leave. A member on family medical leave is required to use all applicable paid leave (e.g. sick, vacation, compensatory time, and personal days) before the family medical leave is unpaid (KACP 10.2d).

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	Revised Date : 10/09/17
Chapter: Personnel	Accreditation Standards: KACP: 4.6, 10.2
Subject: Leave of Absence	

2.2.3 PROCEDURES (CONTINUED)

If the leave is foreseeable, a member requesting family medical leave or sick leave must give at least 30 days notice to the Louisville Metro Police Department (LMPD) before the leave is to begin; otherwise, the member must give as much notice to the LMPD as possible, either on the same or next business day. When the leave is not foreseeable, the member should provide notice to the LMPD as soon as practicable under the facts and circumstances for his/her case. In the absence of unusual circumstances, members shall comply with the LMPD's usual and customary notice and procedural requirements when requesting leave.

For intermittent leave covered by FMLA, the member must complete the Application for Medical Leave of Absence form, in writing, regarding his/her status, to be submitted to the Chief of Police, every 180 days, including a medical certification of his/her diagnosis and prognosis and the medical necessity for the continued use of sick leave.

A member who is summoned for jury duty, and as a result will be required to be absent from work, shall provide reasonable documentation to his/her immediate supervisor, no later than the member's next tour of duty after the summons is received, prior to the leave being approved. The member is compensated for the actual time required for service as a juror at his/her regular rate of pay. This compensation is in addition to any money received from the court for serving as a juror. A member summoned for jury duty may have his/her work schedule altered, if necessary, so that he/she is placed on a Monday through Friday day work assignment for the duration of jury duty. If a member is released from jury duty before the completion of the work day, he/she is required to report to his/her day work assignment. Similarly, if the member is released from jury duty for the entire day, he/she is required to report to his/her day work assignment. The member's commanding officer will coordinate with the division commander to determine the type of day work assignment that the member will perform. The member may request to take appropriate leave time for any time that he/she is excused from jury duty, whether it is for a portion of or for the entire day. This leave must be approved by the member's supervisor prior to the start of jury duty. The member shall call his/her supervisor to advise the supervisor of his/her time of dismissal from jury duty, so that the supervisor may update AgencyWeb with the appropriate leave codes. A member who fails to report to work, and has not requested and been approved for leave time, is considered absent without leave (AWOL) and subject to discipline.

2.2.4 UNPAID LEAVE – SWORN

If the leave of absence involves unpaid leave and the member is sworn:

- Police HR will complete a Notification of Limitation of Police Powers form (LMPD #11-0008) and forward it to the appropriate division/section/unit commander to be served.
- All of the departmentally-issued property/equipment, including the member's badge, departmental ID, weapon, and/or Conducted Electrical Weapon (CEW), shall be turned in to the appropriate division/section/unit commander.
- The division/section/unit commander will hold the property or return it to the appropriate location (e.g. Evidence and Property Unit (EPU)) to be held until the member's return to duty.

Should the Chief of Police deny a request for a leave of absence without pay, the matter will be referred to the Louisville Metro Police Merit Board.

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Chapter: Personnel	
Subject: Leave of Absence	

2.2.5 RETURN TO DUTY – LEAVE OF ABSENCE

A member who is returning to duty after an unpaid leave of absence, for any reason, must report to Police HR one (1) week in advance of returning to duty. This allows the member to be placed back on the payroll immediately upon returning to work.

A sworn member returning to duty following any type of leave, during which his/her police powers were limited or removed, shall report to Police HR upon his/her return to duty, where the member will be given a Notification of Restoration of Police Powers form (LMPD #03-02-0151).

Prior to returning to duty, members shall acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums found in their PowerDMS Document Management System inbox. If members do not have computer access, they shall acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums, not yet read and understood by them, by signing the appropriate accountability roster (KACP 4.6d).

If an officer's leave occurs during either spring or fall firearms qualifications, he/she shall be required to pass firearm qualifications with his/her Class A pistol and any other firearms carried while on-duty, prior to returning to duty (refer to SOP 4.13).

If the officer has been on any type of leave in excess of 180 days and is able to return to full duty:

1. The Special Investigations Division (SID) Commander will notify Police HR when the officer is ready to be sent for an educational debriefing if he/she is on an administrative leave or administrative reassignment.
2. Police HR notifies the appropriate Assistant Chief when the officer has been cleared from the educational debriefing and awaits a decision to restore the officer's police powers.
3. Police HR will complete and sign a Return to Duty Clearance form (LMPD #05-02-0140).
4. Upon completion of the Return to Duty Clearance form, Police HR will verify that the Notification of Restoration of Police Powers form is completed and provide the officer with a copy.
5. Police HR will notify the officer's division/section/unit commander of the date that the officer is returning to work.
6. The officer's full police powers will then be restored.

The division/section/unit commander is responsible for returning the member's departmentally-issued property/equipment upon his/her return to duty.

Upon returning to duty after a leave in excess of 180 days, the officer shall contact the Training Division to see if he/she needs to make up any required training.

A member returning to duty after any paid leave of absence that has not lasted longer than 180 days, and during which the officer's police powers were not limited or removed, is required to report for duty to his/her division/section/unit commander at the end of the leave period.

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<h2>Standard Operating Procedures</h2>	SOP Number: 2.3
	Effective Date: 05/12/03 Prv. Rev. Date: 07/10/15 Revised Date: 01/09/16
	Accreditation Standards:
Chapter: Personnel	
Subject: Civil Suits	

2.3 CIVIL SUITS

2.3.1 POLICY

Members of the Louisville Metro Police Department (LMPD) shall not give any written or recorded statement based on their official investigation in a civil case, unless subpoenaed to do so for depositions or official hearings. This does not prohibit giving oral unrecorded answers to questions from attorneys or other persons properly interested in seeking basic information. Members are under no obligation to give statements, regarding civil cases, unless subpoenaed. Testimony in civil suits shall be compensated pursuant to current court pay guidelines. Members shall not receive financial reimbursement from private sources.

2.3.2 SUBJECT OF ACTION

Members who are sued as a result of their scope of employment, whether on-duty or off-duty, shall:

- Immediately notify the Chief of Police and the Legal Advisor, via email.
- Send a written letter, within 24 hours of receipt of service, to the Chief of Police asking for legal representation.
- Hand deliver all documents served on him/her to the Legal Advisor's Office, before the end of his/her tour of duty.

The email and letter shall list the name(s) of the person(s) who filed the civil suit, the court in which the civil suit was filed (e.g. Jefferson County Circuit Court, U.S. District Court), the case number, and the date that the member was served.

Members who are served with an order of protection (e.g. Emergency Protective Order (EPO), Domestic Violence Order (DVO), Interpersonal Protective Order (IPO), or a Foreign Protective Order (FPO)) shall:

- Immediately notify his/her division/section/unit commander.
- Immediately notify the Chief of Police and the Special Investigations Division (SID) Commander, via email.
- Provide the Chief of Police and the SID Commander with a copy of the order and the date scheduled for the hearing.
- Report the results of all hearings to the Chief of Police and the SID Commander.
- Produce copies of all documents, related to any hearing, to the Chief of Police.

The SID Commander shall consult with the Legal Advisor to determine whether or not the order of protection requires the member to surrender the possession of his/her firearm.

2.3.3 OFFICIAL ACTION

Unless enforcing an EPO, DVO, IPO, or FPO, members shall not become officially involved in the enforcement of civil actions.

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Subject: Civil Suits	

2.3.4 LITIGATION HOLD REQUIREMENTS

Members shall immediately notify the Chief of Police and Legal Advisor, via email, if they receive any correspondence regarding the following:

- Pending litigation against the department
- Any governmental investigation
- An audit

The Legal Advisor's Office, along with the Jefferson County Attorney's Office, is responsible for coordinating the response to pending litigation, governmental investigations, or audits involving the department. Depending on the nature and scope of the litigation, investigation, or audit, the Legal Advisor's Office, when advised, will send an email notification to "LMPD Litigation Holds," located within the department's email distribution list.

All recipients of the litigation hold notification are responsible for identifying those members under their command who may have been involved in the incident, or the subsequent investigation, and verifying that a hold is placed on all related evidence and records. The Legal Advisor's Office will attempt to identify the primary involved division(s). Commanders of all affected division(s) are responsible for notifying the Legal Advisor within ten (10) working days that the affected members have been notified of the litigation hold, that relevant documents have been secured, and that copies of the relevant documents have been forwarded to the Legal Advisor's Office for litigation purposes. The Legal Advisor's Office shall be made aware of any items that exist, but by their nature, are unable to be copied.

Litigation holds apply to all records, as well as documentary or physical evidence, which already exist or may be created after the incident, whether confidential or not, including, but not limited to:

- All paper records, including but not limited to, handwritten or typed/printed paper, manuals, any duplicates of records with handwritten notes or other markings or additions on it;
- All electronic records, including but not limited to, sent or received email, electronic copies of Word, Excel, Access, databases, or any other software program used by Metro; web pages; text or instant messages, messages sent through an application on a smartphone;
- Any audio recordings, photographs, video, digital or tape, in whatever format they may exist;
- All data stored or accessible on a smartphone, computer, or other electronic device, whether the device is owned or provided by Metro, or owned or provided by the user; and
- Any physical evidence, including exculpatory evidence, which includes, but is not limited to, tangible evidence (e.g. weapon, fingerprint, biological samples) that is in some way related to the incident that gave rise to the case.

No applicable records or documentary/physical evidence may be destroyed, even if they are scheduled for destruction under any applicable records retention schedule. The litigation hold overrides any applicable records retention schedule that may have otherwise called for the transfer, disposal, or destruction of the relevant evidence or records until the hold has been released. Transient records (including telephone voicemail messages), duplicate records, electronic versions of printed records, and other records where there is no duty to retain under records retention schedules shall be retained once a litigation hold has been issued. A litigation hold shall immediately suspend the deletion and/or destruction of any evidence or records pertaining to the plaintiff by the department or its members.

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Standard Operating Procedures	SOP Number: 2.4
	Effective Date: 07/12/03 Prv. Rev. Date: 10/10/16 Revised Date: 01/26/17
	Accreditation Standards: KACP: 10.2, 10.3, 12.1
Chapter: Personnel	
Subject: Secondary Employment	

2.4 SECONDARY EMPLOYMENT

2.4.1 POLICY

This policy establishes guidelines regarding secondary employment involving members of the Louisville Metro Police Department (LMPD). Secondary employment must not conflict with a member's duties as an employee of the department, reflect unfavorably on the department, or impair the member's performance of departmental duties.

2.4.2 DEFINITIONS

Secondary Employment: The provision of services to any person or entity other than the LMPD, including all self-employment which involves any use of the member's personal time in providing goods or services to another. This includes any volunteer work performed in an official capacity. This also includes situations where members receive reduced cost or no cost housing to act as a courtesy officer for a residential community. Secondary employment also includes self-employment that does not require the use of police authority (e.g. teaching, sales jobs, etc.). Secondary employment is work performed by either sworn or civilian members.

2.4.3 SECONDARY EMPLOYMENT OPPORTUNITIES

The "LMPD Secondary Employment" user group, located within the department's email distribution list, is the only means for posting and receiving secondary employment opportunities for sworn members of the department. The Chief's Office - Operations Manager, or his/her designee, is responsible for adding and removing members from the "LMPD Secondary Employment" user group. Only those members who have requested to be added to the "LMPD Secondary Employment" user group will receive secondary employment opportunities. Members who wish to receive secondary employment opportunities will send an email to the Chief's Office - Operations Manager and request to be added to the "LMPD Secondary Employment" user group. If a member no longer wishes to receive secondary employment opportunities, he/she will send an email to the Chief's Office - Operations Manager requesting to be removed from the "LMPD Secondary Employment" user group.

Members who receive, and want to disseminate, secondary employment opportunities for sworn members of the department will send an email to the "LMPD Secondary Employment" user group. Professional business language will be used in the email and the email will include the following information:

- The subject line will only state where the secondary employment opportunity is to take place (e.g. KFC Yum Center, Papa John's Cardinal Stadium, Circle K, etc.);
- Location (i.e. address);
- Date(s);
- Time(s);
- Pay rate;
- Person in charge;
- Uniform requirement (i.e. uniform or plainclothes); and

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Chapter: Personnel	
Subject: Secondary Employment	

2.4.3 SECONDARY EMPLOYMENT OPPORTUNITIES (CONTINUED)

- Whether a marked car is required.

2.4.4 APPROVAL (KACP 10.3a)

Members will complete a Secondary Employment Request form (LMPD #03-02-0100) prior to engaging in secondary employment. All requests will be forwarded, through the appropriate chain of command, and are subject to final approval by the Chief of Police, or his/her designee. Members will indicate, on the form, the calendar months during which they intend to work the secondary employment.

The member's supervisor may verbally approve a one-time event request if time does not permit completion of the Secondary Employment Request form. However, verbal approvals must be followed with a properly completed Secondary Employment Request form, which will be submitted to the member's commanding officer before the end of the member's next tour of duty. In situations where a one-time event request is submitted in the proceeding calendar month (e.g. February 1 submission for a job worked on January 31), the form should indicate the month that the employment was actually worked.

If the secondary employment is to be performed at one (1) location during various times of the year and the activity is the same (e.g. shoplifting enforcement at the same business), only one (1) Secondary Employment Request form is required per calendar year. If the secondary employment is to be performed at various locations for the same company, a Secondary Employment Request form is required for each location per calendar year (e.g. security at various Kroger locations, a form must be submitted for each Kroger location: 10 locations requires 10 forms).

Officers who have formed a business in which the use of police authority is involved must submit a Secondary Employment Request form concerning the business. Each LMPD officer employed on that particular job must also submit a separate Secondary Employment Request form.

Members who are assigned a take home vehicle, and have been approved to use the vehicle during secondary employment, are required to pay a fee to Metro Government to offset the cost of gasoline and vehicle wear and tear. This includes driving to a secondary job before or after his/her tour of duty, as well as driving to, and parking in, the general vicinity of the secondary job or courtesy apartment. The fees are deducted from the member's paycheck for every month that they use the vehicle for secondary employment. Gasoline fees may fluctuate and will be determined based on the average monthly retail price for a gallon of regular gasoline, in the Louisville area, as reported on the American Automobile Association's (AAA's) Daily Fuel Gauge Report for the previous month. The average monthly cost will determine the amount of the gasoline fee. The fee will be as follows:

- If the monthly average retail price for a gallon of regular gasoline is less than or equal to \$3.00, the gasoline fee will be \$30.00 per applicable month.
- If the monthly average retail price for a gallon of regular gasoline is more than \$3.00 but less than or equal to \$4.00, the gasoline fee will be \$50.00 per applicable month.
- If the monthly average retail price for a gallon of regular gasoline is more than \$4.00 but less than or equal to \$5.00, the gasoline fee will be \$70.00 per applicable month.

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2.4.4 APPROVAL (CONTINUED)

- If the monthly average retail price for a gallon of regular gasoline is more than \$5.00, the gasoline fee will be \$90.00 per applicable month.

Members may have more than one (1) secondary job where the use of a departmental vehicle is approved; however, the fee will only be charged once per applicable month, regardless of the number of approved jobs. Members who only perform volunteer work in an official capacity are required to complete a Secondary Employment Request form, but will not be charged a gasoline fee in the months that they do not work secondary employment for profit or other personal gain.

While working secondary employment, civilian riders or passengers are prohibited in departmental vehicles without prior approval from the Chief of Police, or his/her designee. Members will request to transport a civilian rider on the Secondary Employment Request form.

2.4.5 REGULATIONS (KACP 12.1)

Members engaging in secondary employment shall conduct themselves according to state law and to the rules, regulations, and procedures of the department. The following regulations apply when requesting secondary employment approval:

- The Class A, Class B, and Class C uniforms are the standard uniforms worn for secondary employment. It is permissible to request to wear plainclothes. Each request will be considered on an individual basis. All grooming and appearance standards must be met, regardless of the member's regular duty assignment. Additionally, officers wearing plainclothes must be in compliance with all applicable equipment and firearm standards detailed in the department's Standard Operating Procedures (SOPs).
- Secondary employment may be approved with the explicit understanding, by both the member and the outside employer, that the member is subject to emergency recall by the department. An officer working secondary employment shall respond to any life-threatening emergency of which he/she becomes aware. Officers shall also respond to incidents that are statutorily required (e.g. domestic violence (DV)).
- When two (2) or more officers are working a secondary job, the highest-ranking sworn member will take charge of the event in emergency situations. If the highest rank is held by more than one (1) officer, the most senior officer (based on the date of achieving rank) will be in charge.
- Secondary Employment Request forms (LMPD #03-02-0100) expire on the last day of each calendar year and must be resubmitted in accordance with the procedures outlined in this policy.

Any change in previously-approved secondary employment requires that an additional Secondary Employment Request form be completed and submitted through the appropriate chain of command. This includes situations where a member previously indicated the secondary employment would not have been worked during a specific calendar month, but is now requesting to work the secondary employment for an additional month(s). The form is subject to the same approval from the Chief of Police, or his/her designee, as the original form. The only exception to this requirement is when a member will not be working a secondary job during a specific calendar month for which he/she previously received approval to drive a departmental vehicle to the secondary job or otherwise utilize a departmental vehicle for the secondary job. Moreover, the member wants to make certain that he/she will not be charged a fee for a month that he/she is not working any secondary employment. In this

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2.4.5 REGULATIONS (CONTINUED)

situation, the member may inform his/her division commander, by email, that he/she did not work, or will not work, the approved secondary employment during the specific month. The email shall contain the member's name, code number, the name and address of the secondary employer, and the month that the employment was not, or will not be, worked. The division commander will forward this email to Police Human Resources (HR) for processing. In a situation where a member is approved for, and is working, another secondary job which requires him/her to pay a fee during the same specific month(s) in question, he/she does not need to make a notification of the change in month(s) worked, as this will not eliminate the need to pay the fee.

2.4.6 PROCEDURES

The following procedures apply to secondary employment:

- Departmental needs such as changes in on-duty schedules, court, training, or other departmental duty assignments take precedence over any secondary employment.
- Members should cancel a conflicting secondary employment job as soon as they are notified of an on-duty conflict.
- Any officer engaged in secondary employment, who is injured while taking police action or who uses force in any manner, shall report the injury or use of force to an on-duty supervisor immediately. All departmental procedures shall then be followed (refer to SOP 2.7, SOP 3.1, and SOP 9.1).
- Any member engaged in secondary employment must immediately report to the Chief of Police, in writing, any incident arising from secondary employment that might adversely affect the police department or Metro Government. This includes any incident that would require the presence of a police supervisor if it had occurred while the member was on-duty.
- Members performing secondary employment shall comply with all federal, state, and local tax laws.

2.4.7 RESTRICTIONS (KACP 10.3b)

No member shall engage in any secondary employment, whereby the nature of such employment would create a conflict of interest, interfere with the performance of duties, involve the participation, either directly or indirectly, in any labor dispute, jeopardize in any manner the impartial position of the department, or involve the member in a violation of any procedures, ordinances, or state laws. The following restrictions apply to secondary employment:

- Officers are prohibited from engaging in secondary employment as a bouncer, security guard, or in any other capacity that may require him/her to invoke police authority in establishments that specialize in nightclub-type entertainment or businesses that primarily sell liquor by the drink or package. This does not prohibit secondary employment in parking lots of the aforementioned establishments.
- While an officer is on probation, he/she will not engage in secondary employment where his/her official duties as a law enforcement officer might be required. Any officer who retired from the LMPD, and who is subsequently rehired within one (1) year, is exempt from this requirement and may engage in approved secondary employment during his/her probationary period.

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2.4.7 RESTRICTIONS (CONTINUED)

- While in the academy, recruits are prohibited from engaging in secondary employment that requires use of police authority. This includes any employment as a security officer, security guard, or bouncer.
- Traffic Control Officers (TCOs) will not work as a security officer or security guard in their LMPD uniform, under any circumstances. This does not include directing traffic.
- Civilian members who have limited authority to issue citations for certain violations (e.g. TCOs, Tow-In Equipment Operators, Storage Equipment Operators, the Records & Alarm Unit, etc.) will not issue citations while off-duty or working secondary employment, unless authorized, in writing, by the Chief of Police, or his/her designee.
- Members assigned to 12-hour platoons are prohibited from performing secondary employment work within eight (8) hours of the starting time of the member's first shift in a consecutive set of work days or between consecutive shifts in a set of work days. Exceptions may be granted by sergeants or above with the approval of the Chief of Police, or his/her designee.

Members may work secondary employment between consecutive shifts if they take leave time or have scheduled time eliminated and:

- The total hours worked, whether for the department or during secondary employment, do not exceed 12 hours for any calendar work day; and
- The member does not perform secondary employment work within eight (8) hours of the starting time of the member's next scheduled work shift.

The following aspects of secondary employment are prohibited:

- Using departmental records (e.g. case files, criminal records, etc.) for the benefit of a secondary employer, unless authorized, in writing, by the Chief of Police, or his/her designee.
- Working a secondary job when a member is on sick or injury leave (KACP 10.2c).
- Working a secondary job involving the use of official duties as a LMPD officer while a member is on suspension from the department.
- Performing secondary employment duties in exchange for compensation from any person or firm, during regularly scheduled hours.
- Soliciting secondary employment from any person, agency, or firm while on-duty.
- Signing any type of form waiving the liability of the secondary employer for any incident arising out of the secondary employment which may require the use of official powers granted by the department.
- Driving a departmental vehicle to a secondary job, or to the general vicinity of a secondary job, without prior approval.
- Failing to pay a gasoline fee for secondary employment where a departmental vehicle has been approved for driving to the secondary job, or otherwise using a departmental vehicle during secondary employment. This includes driving a departmental vehicle to the general vicinity of a secondary job.
- Transporting civilian riders or passengers in departmental vehicles without prior approval from the Chief of Police, or his/her designee.

Although the use of departmental property or equipment (e.g. computers, MDTs, phones, etc.) is permitted, members are held financially responsible for the loss or damage of any departmental property or equipment that occurs through negligent acts, omissions, or willful misconduct of the member during the course of any

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2.4.7 RESTRICTIONS (CONTINUED)

secondary employment. Members shall comply with all policies regarding the use of equipment.

2.4.8 BINGO HALLS (KACP 10.3a-b)

Prior to the approval of secondary employment at a bingo hall, a member must submit, along with the request form, a letter from the bingo operator stating that the organization conducting the bingo is tax-exempt, as detailed by state law. Alcohol Beverage Control (ABC) regulations require bingo operations that sell alcoholic beverages to be properly licensed. Any alcoholic beverages sold or consumed on the premises must be in a separate room from where the bingo is conducted.

2.4.9 COORDINATOR RESPONSIBILITIES (KACP 10.3d)

The Inspections and Compliance Unit (ICU) has oversight of all secondary employment. The Chief's Office will forward a copy of all Secondary Employment Request forms (LMPD #03-02-0100) to Police HR and the ICU.

The ICU reviews the member's employee time records (e.g. time books, AgencyWeb, or PeopleSoft) to verify that sick or injury leave time is not being used while working secondary employment and that the member's performance of his/her regular duties is not being compromised.

The ICU conducts periodic verifications of members engaged in secondary employment to verify compliance with departmental policies. The ICU may also conduct the verifications of secondary employment on behalf of the division commanders, when requested. All verification of secondary employment is reported on the Secondary Employment Verification form (LMPD #10-0007). Any violations of policy shall be reported immediately to the Special Investigations Division (SID) Commander.

Members are required to notify a supervisor whenever they learn, through personal observation or report, of any violation of secondary employment policies by an employee. The supervisor shall immediately report the circumstances to his/her commanding officer and the SID Commander.

2.4.10 REVOCATION (KACP 10.3c)

The Chief of Police, or his/her designee, may revoke secondary employment authorization if it is determined that the employment may impair or interfere with the performance of a member's duties and where there is a conflict with the member's responsibilities to the department.

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Subject: Administrative Leave	

2.5 ADMINISTRATIVE LEAVE (KACP 10.2a)

2.5.1 POLICY

Officers involved in use of force actions or motor vehicle collisions, which result in death or serious physical injury (critical incident), will immediately be placed on administrative leave, pending an administrative investigation (refer to SOP 8.12) (KACP 1.12). Officers may also be placed on administrative leave or administrative reassignment while under administrative investigation (KACP 12.6h), or at the discretion of the Chief of Police.

2.5.2 DEFINITIONS

Administrative Leave: A temporary leave of absence from a job assignment, with pay and benefits intact.

Administrative Reassignment: A temporary change in an employee's job assignment/responsibilities.

Educational Debriefing: Formerly known as "fit for duty." It is the process of counseling following a critical incident in order to determine if the officer has received the support and resources needed to verify that the officer was well informed about psychological survival and is ready to return to work.

Limited-Duty: An officer whose police powers may be limited or suspended while working an administrative reassignment.

2.5.3 ADMINISTRATIVE INVESTIGATION (KACP 12.6h)

Upon being placed on administrative leave or administrative reassignment, officers will have their police powers limited and may be reassigned to desk duties (e.g. limited-duty work) or relieved from duty entirely.

2.5.4 LIMITED-DUTY ATTIRE (KACP 12.1)

An officer having limited police powers and placed on a limited-duty work assignment will adhere to the attire standards set forth by his/her immediate supervisor. The immediate supervisor will determine the appropriate attire for the officer, based on the following:

- Nature of the limited-duty assignment (e.g. contact with public, working conditions, etc.).
- Presence of a medical condition and/or physical injury.
- Reason for being placed on limited-duty.

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2.5.5 DEBRIEFING

In all cases where a person has received a fatal or life-threatening injury as a result of a police action (critical incident), the services of the departmental police psychologist, departmental chaplains, and the Peer Support Team (PST) will be made available to the involved officer and his/her family. The officer involved will undergo a debriefing with members of the PST within ten (10) days of the incident. This session assists the officer with the moral, ethical, and psychological effects of the incident. The debriefing session and services are protected by the Professional Psychologist Code of Ethics and the Kentucky Rules of Evidence (Chapter KRE Rule 506 Counselor-Client Privilege). A mental health assessment may also be required when an officer has been involved in a critical incident. The mental health assessment is an individual session(s) conducted by the departmentally-furnished mental health professional. The officer's division/section/unit commander is responsible for contacting the mental health professional within 72 hours of the incident to schedule an appointment for an assessment. The mental health assessment is completely unrelated to the PST debriefing and is provided to the officer at no cost (KACP 10.6). If the mental health professional determines that the officer is fit to return to duty, a letter of confirmation will be sent to the Assistant Chief of Police/Administrative Bureau and Police Human Resources (HR) (refer to SOP 8.12).

2.5.6 RETURN TO DUTY FROM ADMINISTRATIVE LEAVE OR ADMINISTRATIVE REASSIGNMENT – ADMINISTRATIVE INVESTIGATION (KACP 12.6h)

An officer on administrative leave or administrative reassignment may not return to regular duty until directed by the Assistant Chief of Police/Administrative Bureau (refer to SOP 8.12 for critical incident procedures). This decision may be based on one (1) or more of the following:

- Recommendation of the departmental mental health professional regarding the officer's educational debriefing.
- Release by a physician (if the officer has been physically injured).
- Given circumstances.
- Status of the administrative/legal review of the incident.

During a critical incident investigation, the Office of the Commonwealth's Attorney reviews the incident to decide if any charges should be filed against the officer as a result of his/her action(s). If the officer is cleared of any wrongdoing or indictments, the Office of the Commonwealth's Attorney will send a letter of confirmation to the Special Investigations Division (SID) Commander and Police HR. The SID Commander will forward a copy of the confirmation letter to the Assistant Chief of Police/Administrative Bureau, who will notify Police HR to restore the officer's full police powers. Once the Assistant Chief of Police/Administrative Bureau has approved the officer's return to duty, Police HR will serve the officer involved with a Notification of Restoration of Police Powers form (LMPD #03-02-0151). Police HR will notify the officer's division/section/unit commander of the date that the officer is returning to work. If an officer is returning to duty after being on administrative leave or administrative reassignment and is issued a temporary or loaned firearm, he/she will successfully qualify with this firearm prior to returning to duty.

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2.5.6 RETURN TO DUTY FROM ADMINISTRATIVE LEAVE OR ADMINISTRATIVE REASSIGNMENT – ADMINISTRATIVE INVESTIGATION (CONTINUED)

If an officer's leave occurs during either spring or fall firearms qualifications, he/she suffers an injury to his/her primary shooting arm (e.g. hand, wrist, elbow, shoulder, etc.), or he/she suffers a brain injury, he/she will be required to pass firearms qualifications with his/her Class A pistol and any other firearms carried while on-duty, prior to returning to duty (refer to SOP 4.13).

Prior to returning to duty, members will acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums found in their PowerDMS Document Management System inbox. If members do not have computer access, they will acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums, not yet read and understood by them, by signing the appropriate accountability roster (KACP 4.6d).

If the officer has been on any type of administrative leave in excess of 180 days and is able to return to full duty:

1. The SID Commander will notify Police HR when the officer is ready to be sent for an educational debriefing if he/she is on an administrative leave or administrative reassignment.
2. Police HR notifies the appropriate Assistant Chief when the officer has been cleared from the educational debriefing and awaits a decision to restore the officer's police powers.
3. Police HR will complete and sign a Return to Duty Clearance form (LMPD #05-02-0140).
4. Upon completion of the Return to Duty Clearance form, Police HR will verify that the Notification of Restoration of Police Powers form is completed and provide the officer with a copy.
5. Police HR will notify the officer's division/section/unit commander of the date that the officer is returning to work.
6. The officer's full police powers will then be restored.

The division/section/unit commander is responsible for returning the member's departmentally-issued property/equipment upon his/her return to duty.

Upon returning to duty after a leave in excess of 180 days, the officer shall contact the Training Division to see if he/she needs to make up any required training.

Members who are on administrative leave or administrative reassignment and/or are under investigation by the Public Integrity Unit (PIU) or the Professional Standards Unit (PSU) will not have an annual performance review/evaluation completed. The performance review/evaluation will be completed upon the member's return to duty.

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<h2>Standard Operating Procedures</h2>	SOP Number: 2.6
	Effective Date: 08/23/03
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	Revised Date: 01/23/17
Chapter: Personnel	Accreditation Standards:
Subject: Transfers	

2.6 TRANSFERS

2.6.1 POLICY

Transfers will be made in accordance with current collective bargaining agreements, if applicable.

Personnel requesting a transfer to, or from, a division/section/unit should complete a Request for Transfer form (LMPD #04-00-0413) and forward a copy through the appropriate chain of command.

No transfers to, or from, a division/section/unit are valid until approved, processed, and disseminated by Police Human Resources (HR). Once the transfer is disseminated, the receiving unit is responsible for completing an AgencyWeb Notification of Initial Assignment or Reassignment form (LMPD #07-0027). This completed form will be submitted electronically to "AgencyWeb Police HR," located within the department's email distribution list, at least 72 hours prior to the effective date. Only one (1) form will be submitted per email. This information is needed in order to update AgencyWeb.

Police HR has the primary responsibility for updating the AgencyWeb system. Changes will be made by the end of the next business day, unless a future effective date is stated. Police HR will notify MetroSafe, via email, of all intra-divisional assignment changes and transfers. Divisions/sections/units should not contact MetroSafe directly.

All pending Request for Transfer forms will be considered null and void at the close of business on the last day of the calendar year.

2.6.2 INTRA-DIVISION ASSIGNMENT CHANGES

Intra-divisional assignment changes (e.g. move to detective, change of platoons) will be made in accordance with current collective bargaining agreements, if applicable. Division/section/unit commanding officers, or their designees, will complete the AgencyWeb Notification of Initial Assignment or Reassignment form (LMPD #07-0027). This completed form will be submitted electronically to "AgencyWeb Police HR," located within the department's email distribution list. Only one (1) form will be submitted per email. Supervisors will approve all unit number changes within a platoon.

Temporary unit number changes are allowed for the designation of an acting position or for probationary officers. The supervisor completing the unit line-up will designate, in the notes field, the temporary unit number (e.g. 817, 111AP). After submitting the unit line-up to MetroSafe, via email, MetroSafe will update the Computer Aided Dispatch (CAD) system accordingly. Temporary unit number changes are only valid for a single shift.

2.6.3 TEMPORARY DUTY ASSIGNMENTS

Periodically, temporary duty (TDY) assignments become available. These assignments may be for task forces, an investigative unit, or for personnel needs of the department (e.g. persons with special skills or knowledge).

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2.6.3 TEMPORARY DUTY ASSIGNMENTS (CONTINUED)

When a TDY assignment becomes available, an email may be distributed to announce the position(s). If an announcement is sent out, it will include a description of the position(s), the duration of the assignment(s), the qualifications and special requirements necessary for the position(s), and the method of selection for the position(s).

Special unit number changes for TDY assignments (e.g. task forces, special events) will be coordinated through Technical Services. Technical Services will consult with MetroSafe to verify that the numbers are not already assigned to other areas and that the numbers will not cause computer system conflicts.

2.6.4 DOCUMENTATION

Once a transfer or intra-divisional assignment change is approved, Police HR will be notified by the authorizing commander from the Chief's Office, via email.

An effective date is always required for transfer or intra-divisional assignment changes. If an intra-divisional assignment change cannot be made by the requested effective date, Police HR will make the change as soon as reasonably possible. Police HR will notify the division/section/unit commander and the member of the valid effective date.

If the current assignment is TDY, another Request for Transfer form (LMPD #04-00-0413) is required if the assignment becomes permanent, the member is returned to their original assignment, or the member requests another assignment.

Once the transfer or intra-divisional reassignment has been approved and an effective date has been given, the member has ten (10) days from the effective date to revise their contact information (e.g. work phone) in the PeopleSoft System.

2.6.5 POSITION MANAGEMENT

Police HR maintains an up-to-date position management system that provides:

- The number and type of each position authorized in the budget.
- The location of all authorized positions in the department.
- The status (filled or vacant) of each position.

This system assures that persons on the payroll are legitimately employed and that positions are filled in accordance with budget authorizations.

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Standard Operating Procedures	SOP Number: 2.7
	Effective Date: 12/23/03 Prv. Rev. Date: 01/11/15 Revised Date: 02/08/16
	Accreditation Standards:
Chapter: Personnel	
Subject: Injured Member	

2.7 INJURED MEMBER

2.7.1 DEFINITION

Serious Physical Injury: A bodily injury that creates a substantial risk of death to the member, creates a prolonged impairment of health or disfigurement, or creates a prolonged impairment or loss of a bodily organ.

2.7.2 MANAGED HEALTHCARE

Louisville Metro Government has partnered with Bluegrass Health Network (BHN) to provide a managed care approach for the treatment of any Metro employee work-related injury/illness. If a Louisville Metro Police Department (LMPD) member is injured on the job or becomes ill as a result of a work-related incident, he/she will immediately contact his/her commanding officer to obtain a card with the BHN number and other pertinent information. The member will select a provider (also called a Gatekeeper) from the list of providers and contact that provider for treatment. The member will show the card to the provider at the time of treatment.

The provider will direct all treatment and may refer the member to a specialist, if needed. No treatment by a specialist will be sought by the member without the authorization of the provider. Members will be responsible for the payment of any treatment not authorized by the provider.

If the member receives a written prescription from the provider or approved specialist, he/she will contact Police Human Resources (HR), during normal operating hours (0800 to 1700 hours, Monday through Friday), or the LMPD Health and Safety Officer (HSO), outside of the normal operating hours of Police HR, to obtain a form so that the prescription may be filled at no cost to the member. The member will take the prescription to a pharmacy on the Preferred Medical Network Pharmacy list.

The provider list and the Preferred Medical Network Pharmacy list can be accessed in the "Online Forms" folder, on the LMPD Intranet, in the "Workers' Compensation" folder. The list can also be found at www.BHNmanagedcare.com. Select "Provider List" at the bottom of the screen.

2.7.3 REPORTING ON-DUTY INJURIES

When a member is injured within the scope of his/her employment, the member will immediately report the injury to his/her supervisor. After supplying the member with the necessary BHN information, the supervisor will complete an Administrative Incident Report (AIR), via the BlueTeam link, located on the LMPD Intranet, as required in SOP 3.1. The supervisor will also complete a Workers' Compensation – First Report of Injury or Illness form (IA-1 form). When completing the IA-1 form, the member should provide his/her home address on the form. This is preferred over the member's work address. The member's work address goes on the form in the "General" area, in the "Employer's Location Address (if different)" box. The Workers' Compensation form will be completed according to the instructions attached to the form and forwarded, by the end of the member's tour of duty, in the following manner:

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Subject: Injured Member	

2.7.3 REPORTING ON-DUTY INJURIES (CONTINUED)

- Upon completion, a copy of the completed form will be faxed to Police HR at (502) 574-7680.
- The original signed copy will be mailed to Police HR, located at LMPD Headquarters.
- Police HR is responsible for faxing a copy of the completed form to Underwriters Safety and Claims, Metro Risk Management, and to the Louisville Metro Occupational Safety and Health Administration (OSHA).
- The injured member is responsible for submitting a work statement from his/her selected BHN provider to Police HR within 24 hours after a doctor's appointment due to a work-related injury.

The injured member is required to complete the Notice of Designated Physician and Medical Waiver and Consent forms and turn the forms into Police HR within ten (10) days of the injury after he/she misses seven (7) or more days of work.

Supervisors will report all work-related incidents involving the death of any member or the in-patient hospitalization of three (3) or more members, either verbally at (502) 574-3305 or (502) 574-3047, or in-person to the Louisville Metro OSHA Office, within eight (8) hours of the time from which the supervisor first became aware of the incident. If the supervisor making the report is unable to get in contact with someone in the Louisville Metro OSHA Office, the member must verbally report the incident to the Kentucky OSHA Office, Division of Compliance, at (502) 564-3070. If the incident occurs outside of the normal operating hours of the Kentucky OSHA Office hours (0800 to 1630 hours, Monday through Friday), the supervisor will call the Federal OSHA Office at (800) 321-OSHA (6742). All work-related incidents involving an amputation or the in-patient hospitalization of one (1) or two (2) members from a single incident must be reported verbally at (502) 574-3305 or (502) 574-3047, or in-person to the Louisville Metro OSHA Office, within 72 hours of the time from which the supervisor first became aware of the incident. If the supervisor making the report is unable to get in contact with someone in the Louisville Metro OSHA Office during this timeframe, the supervisor will verbally report the work-related incident to the Kentucky OSHA Office, Division of Compliance, at (502) 564-3070.

Supervisors are required to speak to a representative at an OSHA office. If a supervisor leaves a voicemail after calling the OSHA office and his/her call is not returned before the end of his/her tour of duty or the end of the required notification period (whichever comes first), the supervisor will call the OSHA office again to speak to an OSHA representative.

Supervisors will report the incident by relaying the following information over the telephone:

- Agency name and division/section/unit
- Agency address
- Name of injured member(s)
- Date and time of the incident
- Location of the incident
- Number of fatalities and/or hospitalized members
- Contact person and telephone number
- Brief description of the incident
- In the event of an amputation, the type of machine involved and the body part that was amputated

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Subject: Injured Member	

2.7.4 NOTIFICATION IN EVENT OF SERIOUS PHYSICAL INJURY

When a member of the department is seriously injured, the following personnel will be notified by MetroSafe:

- Chief of Police
- Deputy Chief of Police
- Assistant Chief of Police in the member's chain of command
- Commander of the division where the injury occurred
- Division/section/unit commander of the injured member
- Media and Public Relations Office spokesperson
- Health and Safety Officer (HSO)
- Departmental physician
- Police HR

If the member is an officer, the following additional personnel will be notified:

- Legal Advisor
- FOP President
- FOP Vice President
- FOP Attorney

The member's supervisor will notify the member's family or emergency contact in a prompt and appropriate manner and provide them transportation to the hospital, if requested.

2.7.5 ASSISTANCE AT HOSPITAL

In the event that a member is seriously injured, those who made the initial notification to the family should be present at the hospital. The ranking officer, or his/her designee, at the hospital should:

- Verifying that the member's family is updated on the incident as soon as they arrive at the hospital.
- Offer to contact a departmental chaplain for the family's support.
- Meet with hospital personnel to arrange appropriate waiting facilities for the member's family and a separate area for fellow members.
- Request that medical personnel relay pertinent information, regarding the member's condition, directly to the family on a timely basis.
- Remain available to the family until the injured member's medical condition has stabilized and arrange any assistance that the family may need.
- Contact the Workers' Compensation Claims Administrator to request a Nurse Case Manager to assist as a liaison with the hospital, physicians, and family, if appropriate.

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2.7.6 INVESTIGATION OF SERIOUS PHYSICAL INJURY

The following units are responsible for conducting investigations involving members:

- The Traffic Unit will investigate traffic accidents resulting in the serious injury of a member. If the traffic accident involves an act of criminality, either on the part of the officer or a citizen and it results in the death of, or serious injury to, any of the parties involved, the Public Integrity Unit (PIU) is responsible for investigating the critical incident with technical assistance from the Traffic Unit (refer to SOP 7.5 and SOP 8.12).
- The PIU will investigate all other incidents resulting in the death or serious injury of a member.
- The Professional Standards Unit (PSU) may, at the direction of the Chief of Police, conduct administrative investigations related to the serious injury of a member.

2.7.7 KENTUCKY BLUE ALERT SYSTEM

The Kentucky State Police (KSP), in cooperation with the Justice and Public Safety Cabinet, Transportation Cabinet, the Division of Emergency Management of the Department of Military Affairs, broadcasters, and the news media, administers and operates the Kentucky Blue Alert System to notify the public when an officer has been killed, seriously injured, or is missing in the line-of-duty. The Kentucky Blue Alert System is activated when the department determines that public notification may assist in the apprehension of a suspect or the recovery of the officer.

The resources utilized by the Kentucky Blue Alert System include, but are not limited to, the following:

- Electronic highway signs
- America's Missing: Broadcast Emergency Response (AMBER) Alert System
- Law enforcement communications systems
- Electronic media
- Local, regional, and statewide media providers
- The Emergency Alert System (EAS) (if authorized and approved by the federal government)

The following criteria shall be followed when considering the implementation of the Kentucky Blue Alert System:

- No public alert utilizing the Kentucky Blue Alert System will be issued unless requested by a law enforcement agency and, upon consultation with that agency, the KSP determines:
 - That an officer has been killed, seriously injured, or is missing in the line-of-duty;
 - That public notification is the most appropriate method of locating the officer or identifying and locating a suspected offender who poses an imminent threat to the public or other law enforcement personnel;
 - That there is sufficient information available relating to the officer's last known location and the physical description of any suspected offender or vehicle involved that could be broadcast to assist in locating the officer or suspected offender; and
 - The geographic area in which the notification will be made.

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2.7.7 KENTUCKY BLUE ALERT SYSTEM (CONTINUED)

- The PIU Commander will provide the information required by administrative regulation to the KSP prior to the activation of the Kentucky Blue Alert System.
- If the KSP determines that public notification will be initiated, the KSP will notify the public and private agencies and organizations that will provide the notification and provide those agencies and organizations with the information that the KSP deems necessary.
- All law enforcement agencies in the state will cooperate with the KSP in the provision and dissemination of information regarding any officer, who has been killed, seriously injured, or is missing in the line-of-duty.
- No law enforcement agency, other than the KSP, may activate the Kentucky Blue Alert System without the authority of the KSP.

Once a suspect has been apprehended or the officer has been located, the PIU Commander is responsible for notifying the KSP so the alert can be deactivated.

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	Revised Date: 10/09/17
Chapter: Personnel	Accreditation Standards:
Subject: Military Leave	

2.8 MILITARY LEAVE

2.8.1 POLICY

The Louisville Metro Police Department (LMPD) adheres to all federal and state laws regarding military leave.

2.8.2 MONTHLY DRILLS

Off-days should be arranged to allow for weekend drills, whenever possible.

2.8.3 ANNUAL TRAINING

Employees who are members of the National Guard, the Military Reserve, or any of the Armed Services of the United States will be granted leaves of absence, not to exceed 21 work days, to complete their regular annual training. Any unused military leave expires two (2) years after it has been accrued.

The department calculates annual training days consistent with the yearly military training calendar, which runs from October 1 through September 30.

Regularly scheduled off-days will not be counted as part of the annual allotment of paid military leave.

Training in excess of the annual allotment will be taken as off-days without pay, personal days, vacation days, or a combination thereof.

2.8.4 NOTIFICATION OF EXTENDED MILITARY LEAVE

Military leaves of absence for members entering the Armed Forces of the United States or reservists ordered to active duty will comply with guidelines outlined by the Louisville Metro Police Merit Board or the Louisville Metro Civil Service Board.

Members who are required to report to active military duty will:

- Submit a memorandum to the Chief of Police, through the appropriate chain of command, requesting military leave.
- Make notification as soon as the member is aware of the specific dates, and no less than a minimum of five (5) working days in advance of the scheduled leave.
- Attach a copy of the member's military orders to the notification memorandum.
- Report to Police Human Resources (HR), with a copy of the military orders, to complete the required paperwork.
- Turn in his/her assigned vehicle to his/her division/section/unit.
- Report to the Chief's Office to turn in departmentally-issued weapons, magazines, radio, departmental ID card, and badge.

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2.8.4 NOTIFICATION OF EXTENDED MILITARY LEAVE (CONTINUED)

- Return to his/her division to be served the Notification of Limitation of Police Powers form (LMPD #11-0008).

2.8.5 SHORT-TERM MILITARY ACTIVE DUTY/TRAINING

Members who are called to short-term military active duty/training for no more than 120 days, and who will be stationed at a location within driving distance of Louisville Metro, may be allowed to retain their vehicle, departmentally-issued weapon(s), and police powers, if approved by the Chief of Police. The member will submit a request for military leave, along with a request to keep his/her vehicle, departmentally-issued weapon(s), and police powers, in a memorandum to the Chief of Police, through the appropriate chain of command, along with a copy of the member's military orders (refer to SOP 2.8.4). If the request is approved by the Chief of Police, the member's police powers will not be limited and the member may retain his/her vehicle and departmentally-issued weapon(s) and use them while in Jefferson County. While the member is off-duty from his/her military hours, he/she may take part in police actions in the same manner as those members who are off-duty from the LMPD. If the member is injured while participating in an off-duty police action, LMPD policy applies (refer to SOP 2.7). Leave may be paid or unpaid depending on whether the member has used all of his/her military leave and accrued vacation/personal/union hours. Members should refer to SOP 2.2 for procedures for returning to duty. All procedures will adhere to contractual agreements for members covered under those agreements.

2.8.6 MILITARY RE-INSTATEMENT TIME REQUIREMENTS

If the member's length of military service is less than or equal to 30 days, the member must report to duty no later than the next full calendar work day, allowing time for safe travel home and eight (8) hours rest.

If the member's length of military service is more than 30 days but less than or equal to 180 days, the member must report to duty no later than 14 calendar days after the completion of his/her current military tour.

If the member's length of military service is more than 180 days, the member must report to duty no later than 90 calendar days after the completion of his/her current military tour.

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	Effective Date: 01/02/04 Prv. Rev. Date: 11/09/15 Revised Date: 10/09/17
	Accreditation Standards: KACP: 4.6, 10.2 , 12.1
Chapter: Personnel	
Subject: Light-Duty/Sick/Injury Leave	

2.9 LIGHT-DUTY/SICK/INJURY LEAVE (KACP 10.2c)

2.9.1 SICK LEAVE – SUSPICION OF ABUSE

A division/section/unit commander, who has a reasonable suspicion of sick leave abuse, may require a physician's statement from the member, regardless of the length of sick time used. When requiring members to provide a physician's statement, the division/section/unit commander should review the appropriate collective bargaining agreement. The commander will then forward the information through the appropriate chain of command. All original physicians' statements will be forwarded to Police Human Resources (HR). No copies of medical records shall remain at the division/section/unit. The police physician or departmentally-furnished mental health professional may be requested to review the member's medical records.

2.9.2 SICK LEAVE – FAMILY MEMBER

A member requesting sick leave, exceeding three (3) consecutive work days, to care for a qualifying family member, will forward the request, through the appropriate chain of command, to the Chief of Police. This request should include:

- A written statement indicating the relationship to the family member and an explanation stating why the member is the only person available to provide care; and
- A written statement from the treating physician explaining the medical necessity requiring the member's presence.

A member off from work for five (5) or more consecutive work days to care for a family member is required to complete a Family Medical Leave Act (FMLA) Certification - Serious Health Condition of Family Member form (refer to SOP 2.2).

The member will inform Police HR and complete the required paperwork.

2.9.3 LIGHT-DUTY/EXTENDED SICK/INJURY LEAVE

The following criteria will be used to determine if a sworn member is able to perform full police functions:

- The ability to affect a forceful arrest.
- The ability to safely operate an emergency vehicle.
- The ability to safely operate a firearm.

At the direction of the division/section/unit commander, if a sworn member is unable to perform full police functions for more than ten (10) days, the sworn member will:

- Be served with a copy of a Notification of Limitation of Police Powers form (LMPD #11-0008) and placed on either light-duty or off-duty status.

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2.9.3 LIGHT-DUTY/EXTENDED SICK/INJURY LEAVE (CONTINUED)

- Surrender his/her assigned police vehicle to the member's division/section/unit commander, or his/her designee. Division commanders have the discretion to allow a member on light-duty to drive an unmarked vehicle, depending upon whether or not an unmarked car is available and not needed for other police duties.
- Retain his/her badge, weapon, and identification card during the period of limited police powers.

If a sworn member is unable to perform full police functions for more than 90 days, the sworn member will be served with the Authorization to Use and/or Disclose Personal Plan Information form.

Police HR will send a Return to Duty Physician's Certification form (LMPD #03-02-0141) to the sworn member for completion by his/her treating physician.

If a sworn member is capable of light-duty work, the sworn member will be temporarily assigned based on the current departmental need. A sworn member on light-duty will also be required to complete any required training, with the exception of firearms training, in order to keep his/her training record current.

A sworn member having limited police powers and placed on a light-duty work assignment will adhere to the attire standards set forth by his/her immediate supervisor. The immediate supervisor will determine the appropriate attire for the sworn member based on the following (KACP 12.1):

- Nature of the light-duty assignment (e.g. contact with public, working conditions, etc.).
- Presence of a medical condition and/or physical injury.
- Reason for being placed on light-duty.

Any sworn member on sick or injury leave must be accessible for court and available to the Chief's Office.

2.9.4 RETURN TO DUTY FROM LIGHT-DUTY OR EXTENDED SICK/INJURY LEAVE

Prior to returning to work from light-duty or extended sick/injury leave, the Return to Duty Physician's Certification form (LMPD #03-02-0141 for sworn members, LMPD #15-0015 for civilian members) must be completed by the member's treating physician. The physician must sign the form, indicating that the member can fully perform his/her duties. The form for sworn members must be completed prior to the sworn member's police powers being restored.

Prior to returning to duty, members must acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums found in their PowerDMS Document Management System inbox. If members do not have computer access, they must acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums, not yet read and understood by them, by signing the appropriate accountability roster (KACP 4.6d).

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Chapter: Personnel	
Subject: Light-Duty/Sick/Injury Leave	

2.9.4 RETURN TO DUTY FROM LIGHT-DUTY OR EXTENDED SICK/INJURY LEAVE (CONTINUED)

If a sworn member suffers an injury to his/her primary shooting arm (e.g. hand, wrist, elbow, shoulder, etc.) or suffers a brain injury, he/she shall be required to pass firearm qualifications with his/her Class A pistol and any other firearms carried while on-duty, prior to returning to duty (refer to SOP 4.13).

If the sworn member has been on light-duty or extended sick/injury leave in excess of 180 days and is able to return to full duty:

1. The Assistant Chief of Police/Administrative Bureau will notify Police HR.
2. Police HR will complete and sign a Return to Duty Clearance form (LMPD #05-02-0140).
3. Upon completion of the Return to Duty Clearance form, Police HR will verify that the Notification of Restoration of Police Powers form (LMPD #03-02-0151) is completed and provide the sworn member with a copy.
4. Police HR will notify the sworn member's division/section/unit commander of the date that the sworn member will be returning to work.
5. The sworn member's full police powers will then be restored.

Upon returning to duty after a leave in excess of 180 days, the sworn member will contact the Training Division to see if he/she needs to make up any required training.

2.9.5 ABSENCE FROM WORK

When a member is absent from work due to an injury or illness, he/she shall remain at his/her residence during the time of his/her normal working hours. It is acceptable for a member to leave his/her residence during his/her normal working hours in the following situations:

- For medical attention;
- To obtain medication; or
- Any other reason, as needed, with prior supervisory approval.

When a member is absent from work due to an injury or illness, the member's supervisor, with the approval of the division/section/unit commander, may require the member to provide a physician's statement regarding the injury or illness. The supervisor will forward the original physician's statement to Police HR no later than the end of the tour of duty on which it is received. No copies of medical records shall remain in the division/section/unit.

Any sworn member on sick or injury leave must be reasonably accessible for court and available to the Chief's Office (refer to SOP 2.9.3).

In order to receive paid sick leave for an injury or illness, members will call their immediate supervisor or competent authority designated by the division/section/unit commander at least one (1) hour before the beginning of their shift. This requirement may be waived in emergency situations, which will be documented, as soon as possible, to the member's commanding officer.

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2.9.6 RETURN TO WORK

When a member has been absent from work due to an injury or illness, he/she will notify his/her immediate supervisor of the date that he/she will be returning to work. This information will be relayed to the appropriate division/section/unit commander by the end of the supervisor's tour of duty (refer to SOP 2.9.5).

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<h2>Standard Operating Procedures</h2>	SOP Number: 2.10
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	Accreditation Standards: KACP: 10.2, 12.2, 12.4, 12.6, 30.4
Chapter: Personnel	
Subject: Complaints	

2.10 COMPLAINTS

2.10.1 COMPLAINTS AGAINST MEMBERS

It is the policy of the Louisville Metro Police Department (LMPD) to investigate all complaints of alleged misconduct or criminal misconduct on the part of all members, and to equitably determine whether the allegations are valid or invalid and to take appropriate action. Anonymous complaints are carefully reviewed for validation before dismissing them for the lack of a credible complainant (KACP 12.6b). Per Kentucky Revised Statute (KRS) 67C.326(1)(a)(3), charges shall be brought against a member only if the investigation can independently substantiate the allegations made in an anonymous complaint.

The Chief of Police has the ultimate authority to determine the disposition of all administrative investigations and to administer discipline based on the facts of the case (KACP 12.6i). In order to retain flexibility in the disciplinary process and to take into account mitigating circumstances, determinate discipline will not be utilized, except in those cases deemed appropriate by the Chief of Police. The Chief of Police will communicate, in writing, to the complainant and the member, his/her findings and what action has been taken (KACP 12.6g).

Annually, the Chief's Office will issue a statistical summary of all complaints and disciplinary action on departmental members. This summary will be available to departmental members and for public dissemination (KACP 12.6j).

The Professional Standards Unit (PSU) conducts administrative investigations of complaints against members of the department and is the central repository of all complaints, administrative investigations, and disciplinary actions taken by supervisors. All investigations are conducted with strict confidentiality (KACP 12.4, 12.6d, k). The PSU enters the complaints into a log book, which captures specific information. The PSU also provides an acknowledgment of the complaint to the person(s) initiating the complaint, if known. All investigations are conducted in accordance with federal and state law, contractual guidelines, and departmental policy (KACP 12.2c). Every attempt should be made to complete the investigation within 45 days; however, extensions may be granted on a case-by-case basis (KACP 12.6e). Periodic status reports will be provided to the complainant when requested. If an investigation lasts longer than 45 days, periodic status reports will be provided to the complainant on a regular basis.

Members will be notified of a complaint against them by the PSU according to the PSU operating procedures (KACP 12.6f). Members may be placed on administrative leave or administrative reassignment during the investigation, at the discretion of the Chief of Police (KACP 10.2a, 12.6h).

The PSU records all pertinent information of the complainant, information about the specific complaint (e.g. location, date, and time), the person who received the complaint, how the complaint was received, vital information of the member involved, and a summary of the incident (KACP 12.6c).

The Public Integrity Unit (PIU) is responsible for all criminal investigations of members (KACP 12.6d). Complaints against members involving the physical or sexual abuse of a minor will be immediately investigated by the PIU and immediately reported to the Office of the Commonwealth's Attorney, the Jefferson County Attorney's Office, the Kentucky State Police (KSP), and the Kentucky Cabinet for Health and Family Services (CHFS). Documentation of notification will be retained in the investigative case file. Officers with special

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Subject: Complaints	

2.10.1 COMPLAINTS AGAINST MEMBERS (CONTINUED)

investigative knowledge or experience may be called upon to assist the PIU in a specific investigation (e.g. Traffic Unit, Homicide, Crimes Against Children Unit (CACU), etc.). Officers assisting the unit will report all findings and conclusions of the investigation directly to the PIU Commander.

Complaints, which are likely to have a serious adverse impact upon the department, shall be reported immediately, through the appropriate chain of command, to the Chief of Police.

2.10.2 CITIZENS' COMPLAINTS

An administrative investigation may be initiated either by the Chief of Police, a member of the department (refer to SOP 2.10.3 and SOP 2.10.4), or a citizen.

If a citizen with a complaint approaches a member, other than a commanding officer, the member shall immediately notify a commanding officer. The commanding officer will fully inform the citizen of the complaint process and determine if the citizen wishes to (KACP 12.6b, e):

- Have the commanding officer attempt to resolve the concern with no affidavit; or
- Give a sworn statement, in affidavit form, to the PSU.

Commanding officers are encouraged to resolve minor concerns if the concern can be resolved to the satisfaction of all parties. However, the commanding officer must advise the citizen that no disciplinary action will result if the concern is resolved in this fashion. If the citizen wishes to file a formal complaint, the commanding officer shall advise the citizen to contact the PSU. **Only members of the PSU may take affidavits.** The commanding officer will assist the citizen by providing the working hours, telephone number, and location of the PSU.

After a member is advised of a complaint against him/her, he/she shall not knowingly have contact with the complainant or witnesses from outside of the department, except in exigent circumstances, within the scope of his/her duties, or until the case is disposed. If any contact is made, he/she should immediately notify his/her commanding officer.

2.10.3 INTERNAL ADMINISTRATIVE INVESTIGATIONS

Supervisors have the responsibility to investigate administrative violations (e.g. sick leave abuse, tardiness, pursuit violations, etc.) (KACP 10.2c, 12.6a, d). The findings of these administrative investigations will be forwarded, through the appropriate chain of command, to the Chief of Police.

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Chapter: Personnel	
Subject: Complaints	

2.10.4 HARASSMENT/SEXUAL HARASSMENT/SEXUAL ABUSE AND DISCRIMINATION (KACP 30.4)

The department is committed to making every reasonable effort to prevent individuals from being subjected to harassment/sexual harassment/sexual abuse and discrimination, or a sexually hostile working environment, by departmental members. Sexual harassment is considered:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature to constitute sexual harassment when: (1) the submission to such conduct is made, either explicitly or implicitly, as a term or condition of an individual's employment; (2) the submission to, or rejection of, such conduct by an individual is used as the basis for an employment decision affecting such individual; (3) such conduct is so severe or pervasive that it has the purpose, or effect, of unreasonably interfering with an individual's work performance or creating a sexually intimidating, sexually hostile, or sexually offensive working environment; or (4) such condition that may not be sexual in nature, but may lead to a sexually hostile or sexually offensive working environment, thereby creating intolerable working conditions.

Sexual abuse is considered:

Unwanted sexual activity, with perpetrators using force, making threats, or taking advantage of victims who are unable to give consent.

Sexual discrimination is considered:

Treating someone (an applicant or employee) unfavorably because of that person's sex.

Federal law forbids discrimination when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, and any other term or condition of employment.

Complaints of misconduct, including harassment/sexual harassment/sexual abuse and discrimination, by a departmental member against another individual shall be sent, through the appropriate chain of command, to the division commander, who will then forward the information to the Special Investigations Division (SID) Commander, the Human Resources (HR) Compliance Manager, or directly to the Chief of Police (KACP 12.6b-c). If the complaint involves sexual harassment and/or sexual abuse, the commander will immediately verify that the member, to whom the allegations are directed, is moved to avoid contact with the complainant. The commander will conduct a preliminary investigation and, based on the information gathered, the Chief of Police may initiate an investigation by the SID (KACP 12.6d).

Members inhibited by the chain of command may report instances of harassment/sexual harassment/sexual abuse or discrimination directly to the Chief's Office or the SID Commander (KACP 12.6b).

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	Accreditation Standards: KACP: 4.4, 4.6, 12.2, 12.3, 12.4, 12.5
Chapter: Personnel	
Subject: Discipline	

2.11 DISCIPLINE

2.11.1 SUPERVISORY RESPONSIBILITY

The Chief of Police has the ultimate authority to impose discipline, including demotion and termination/discharge. Supervisors are responsible for the detection and investigation of violations of departmental orders, policies, or procedures. In addition, supervisors at all levels are responsible for the administration of discipline (KACP 12.3). Supervisors have the continuing opportunity to observe members' conduct and appearance and shall administer discipline where it will be the most effective (KACP 4.4). Discipline may take the form of remedial training, counseling, or punitive actions. All disciplinary actions taken under this policy are subject to, and shall be consistent with, applicable state laws, local ordinances, administrative rulings, and collective bargaining agreements (KACP 12.2c).

Supervisors are expected to take immediate action when a member (KACP 12.3):

- Jeopardizes the health and safety of other members or the public; or
- Brings discredit upon the department.

In the event that a supervisor is not present and the actions are witnessed by another member, that member shall immediately notify a supervisor.

2.11.2 RESPONSIBILITIES OF ALL MEMBERS

Members are required to immediately notify their commanding officer or civilian supervisor of:

- Any violations of laws.
- Any pending or new criminal charges.
- Violations of orders, policies, or procedures.
- Disobedience of orders by other members.
- Mismanagement related to the effective and efficient operations of the department.

The supervisor or commanding officer must document specific violations.

Members inhibited by the chain of command from reporting misconduct are required to submit the information directly to the Chief of Police or to the Special Investigations Division (SID) Commander, in writing.

Members are prohibited from taking punitive action or discriminating against any member who reports a violation under this policy.

2.11.3 CORRECTIVE ACTION AUTHORIZATION

Depending on the type of infraction, discipline may be progressive.

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2.11.3 CORRECTIVE ACTION AUTHORIZATION (CONTINUED)

A supervisor may (KACP 12.2b):

- Recommend remedial training (contact the Training Division for procedures and criteria).
- For sworn members:
 - Performance observation.
 - Effect an emergency suspension.
 - Recommend any of the following progressive disciplinary actions:
 - Issue an oral reprimand
 - Issue a written reprimand
 - Demotion
 - Termination/discharge
- For civilian Teamsters members:
 - Issue a verbal warning
 - Issue a written warning
 - Issue a written reprimand
 - Effect an emergency suspension
 - Termination/discharge
- For civilian Vehicle Impoundment Unit (VIU) members:
 - Issue a warning
 - Issue a written reprimand
 - Effect an emergency suspension
 - Termination/discharge

Metro Government has the right to discipline or terminate/discharge members for just cause.

- For all other civilian members (e.g. non-union, Traffic Guards):
 - Counsel.
 - Effect an emergency suspension.
 - Recommend any of the following progressive disciplinary actions:
 - Issue a written reprimand
 - Demotion
 - Termination/discharge

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2.11.4 COUNSELING (KACP12.2a)

A supervisor may privately counsel a member to:

- Advise him/her of inadequate performance.
- Advise him/her of the supervisor's and the department's expectations.
- Determine possible causes for inadequate performance and make appropriate referrals.
- Assist him/her with strategies for improving job performance.
- Advise him/her of possible consequences if performance fails to improve.

The supervisor will document key points of the counseling session, monitor the member for compliance, and document the effect of the counseling.

2.11.5 EMERGENCY SUSPENSIONS

Any supervisor may impose an emergency suspension upon a subordinate member when it appears that such action is in the best interest of the department. Any civilian supervisor may impose an emergency suspension upon a subordinate member within his/her direct chain of command. Appropriate circumstances include, but are not limited to (KACP 12.2b):

- Criminal acts.
- Reporting for duty under the influence of alcohol, illegal drugs, or a combination thereof.
- Interference with the administration of discipline.
- Gross insubordination or disrespect to a supervisor.

The suspended member shall surrender the following departmentally-issued equipment, at a minimum:

- Identification.
- Badge, if applicable.
- Departmentally-issued weapons and/or ammunition, if applicable.
- Vehicle, if applicable.

The supervisor imposing the suspension will take custody of the surrendered items and notify the appropriate commander, as soon as practical, after the incident. Pursuant to Kentucky Revised Statute (KRS) 67C.326(1)(c), the supervisor may require a member to explain, in writing, any incident or actions which led to the emergency suspension by the end of the member's tour of duty following the day that the department became aware of the incident. The supervisor will direct the member, in writing, to appear in the Chief's Office at 1000 hours on the next business day, unless circumstances dictate a different course of action. The supervisor will also appear at the designated time. Any member placed on emergency suspension will continue to receive all pay and benefits pending review of the incident.

Members on emergency suspension will not be restored to duty, pending an investigation or hearing of the charges of which he/she was relieved, except by direction of the Chief of Police or other competent authority. The member will be notified, in writing, 72 hours prior to any hearing.

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2.11.6 RESTORATION OF POLICE POWERS

When an officer is allowed to return to duty, it is the responsibility of the SID Commander to notify the Assistant Chief of Police/Administrative Bureau, who will notify Police Human Resources (HR) to restore the officer's full police powers. Police HR will issue a Notification of Restoration of Police Powers form (LMPD #03-02-0151). Upon receipt of this form, an officer's full police powers will be restored and his/her equipment returned.

Prior to returning to duty, members shall acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums found in their PowerDMS Document Management System inbox. If members do not have computer access, they shall acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums, not yet read and understood by them, by signing the appropriate accountability roster (KACP 4.6d).

If an officer's leave occurs during either spring or fall firearm qualifications, he/she suffers an injury to his/her primary shooting arm (e.g. hand, wrist, elbow, shoulder, etc.), or he/she suffers a brain injury, he/she will be required to pass firearm qualifications with his/her Class A pistol and any other firearms carried while on-duty, prior to returning to duty (refer to SOP 4.13).

2.11.7 SUSPENSIONS (KACP 12.2b)

A charging letter signed by the Chief of Police explaining the specific reasons for the suspension and the dates of the suspension will be served to the member. The original charging letter will be forwarded to the member's division/section/unit commander for service, who will verify that:

- The date and time of service is indicated on the charging letter.
- The supervisor and the member have signed the charging letter. If the member refuses to sign, this should be indicated on the document.

Signed copies will be forwarded to:

- Police HR.
- Chief's Office.
- Professional Standards Unit (PSU).
- Louisville Metro Police Merit Board.
- Legal Advisor.

The suspended member shall immediately surrender the following departmentally-issued equipment:

- Identification.
- Badge, if applicable.
- Weapon and ammunition, if applicable.
- Vehicle, if applicable.

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2.11.7 SUSPENSIONS (CONTINUED)

If the suspension is for five (5) days or less, the division/section/unit commander will store the equipment. If the suspension is for six (6) days or more, the equipment will be taken to the Chief's Office and secured in the safe.

A suspended member is prohibited from acting in an official capacity or representing himself/herself as a member of the department, unless he/she is required to attend court. A suspended member shall attend his/her assigned court event(s) as required, unless otherwise directed by the Assistant Chief of Police/Administrative Bureau.

2.11.8 RETURN TO DUTY – SUSPENSION

Since the duration of the suspension is stated, no return paperwork is needed. The member will contact his/her division/section/unit commander to arrange for the return of his/her issued equipment. The equipment will be returned by a commanding officer.

2.11.9 DOCUMENTATION OF ACTIONS (KACP 12.4)

A record of all disciplinary actions issued by the Chief of Police is maintained by the PSU and by Police HR in the PeopleSoft System. Disciplinary actions issued by the Chief of Police include:

- Oral reprimands.
- Written reprimands.
- Suspension from duty.
- Suspension of use of a departmental vehicle.
- Termination/discharge.

Supervisors of civilian members may send records for disciplinary action taken to the PSU and Police HR for inclusion in the PeopleSoft System. This includes:

- Verbal warning(s).
- Written warning(s).

All disciplinary documentation is retained pursuant to state statute and contractual agreements.

2.11.10 TERMINATION/DISCHARGE (KACP 12.2b)

If the Chief of Police believes that termination/discharge is the correct discipline for a non-probationary member, the Chief's Office will provide, to the member, a statement citing the reason(s) and a pre-termination/discharge opportunity to respond will be scheduled. The member's division/section/unit commander may, at the discretion of the Chief of Police, be present at the proceeding. The member is not required to attend. If the member is terminated/discharged, the Chief's Office will notify the member, in writing, of the decision and the effective date

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2.11.10 TERMINATION/DISCHARGE (CONTINUED)

of the termination/discharge. Metro HR will provide a statement of the status of fringe and retirement benefits after termination/discharge.

The terminated/discharged member will turn in all departmental equipment to his/her division/section/unit commander. The division/section/unit commander, or his/her designee, is responsible for delivering the appropriate equipment to each area, as stated on the Property Checklist for Retired/Resigned/Terminated Officers form (LMPD #05-02-0301). The division/section/unit commander will contact the Administrative Services Division Management Assistant to schedule an appointment at least one (1) week prior to delivering the appropriate equipment to the Administrative Services Division.

2.11.11 DISCIPLINARY APPEALS

Appeals and grievances of disciplinary actions shall adhere to all applicable state laws, contractual agreements, and Louisville Metro Government procedures (KACP 12.5).

When a member receives a written reprimand, he/she may write a letter of response directly to the Chief of Police within ten (10) business days.

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	Accreditation Standards: KACP: 11.1, 12.5
Chapter: Personnel	
Subject: Accident Review Board	

2.12 ACCIDENT REVIEW BOARD

2.12.1 POLICY

The Accident Review Board (ARB) reviews at-fault vehicle traffic collisions resulting in damage to a departmental vehicle, while under the control or in the possession of a departmental member, sworn or civilian. Other incidents involving damage to a departmental vehicle may also be reviewed by the ARB at the discretion of the Chief of Police. The Chief of Police retains the right to assign any collision or other incident resulting in vehicle damage or injury to a person to the Special Investigations Division (SID) for investigation. The ARB does not review cases investigated by the SID unless otherwise directed by the Chief of Police. Cases are reviewed for violations of departmental policy and/or issues or deficiencies with vehicle equipment or training. The ARB makes recommendations on any related issues that are identified.

For all at-fault vehicle traffic collisions or other incidents resulting in damage to a departmental vehicle while under the control of a departmental member, the Chief of Police has the ultimate authority to determine the disposition of all investigations and to dispense discipline based on the facts.

2.12.2 MEMBERSHIP

The ARB meets regularly, or at intervals designated by the Assistant Chief of Police/Administrative Bureau, or his/her designee, and consists of the following members:

- The Assistant Chief of Police/Administrative Bureau, or his/her designee, to serve as the chairperson
- One (1) member from the Training Division
- One (1) member from the Traffic Unit
- One (1) member from the Patrol Bureau, on a rotating basis
- One (1) member from Research and Development (R&D)
- One (1) Fraternal Order of Police (FOP) representative
- One (1) Louisville Metro Police Department (LMPD) non-sworn representative who has an assignment that requires the operation of a departmental vehicle

The absence of one (1) (or more) of the ARB members at any meeting does not affect the validity of the board's findings.

2.12.3 FINDINGS

The ARB forwards the findings through the Assistant Chief of Police/Administrative Bureau to the Chief of Police, who makes the final decision regarding disciplinary action, if any. Documentation examined by the board may include, but is not limited to, the following (if available at the time of review):

- Vehicle damage report
- Traffic collision report
- Photos
- Property damage appraisal

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2.12.3 FINDINGS (CONTINUED)

- Previous history of chargeable accidents
- Testimony of the member
- Testimony of witnesses

2.12.4 APPEARANCE REQUESTS

Members with an incident under review by the ARB may make a written request to appear before the ARB. This request will be submitted to the Assistant Chief of Police/Administrative Bureau and may be in the form of an email. This request will include the following information:

- Name
- Code number
- Assignment
- Date of accident
- Accident report number

Members will make the request within 14 days after being involved in an incident covered by this SOP. Attendance is not mandatory. Overtime will not be paid to attend the hearing. The date and time of the hearing will be provided to those members requesting to attend.

2.12.5 APPEALS/GRIEVANCES (KACP 11.1a-e, 12.5)

All appeals or grievances will be filed in accordance with the member's current contract. Members not covered by a collective bargaining agreement have appeal rights consistent with their terms of employment.

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	Effective Date: 07/18/03
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	Revised Date: 04/10/16
Chapter: Personnel	Accreditation Standards:
Subject: Separation of Service	

2.13 SEPARATION OF SERVICE

2.13.1 NOTICE OF SEPARATION

Members intending to separate from service with the Louisville Metro Police Department (LMPD), by resignation or retirement, should notify the Chief of Police, in writing, no less than thirty (30) days prior to the scheduled date of separation. The written notification will be sent to the Chief of Police, with copies forwarded to:

- All commanding officers in the member's chain of command
- Assistant Chief of Police/Administrative Bureau
- Police Human Resources (HR)
- Training Division
- FOP Lodge 614 (if sworn)

If a member wishes to have an exit interview with the Chief of Police, he/she must include this request in his/her notice of separation letter.

The Property Checklist for Retired/Resigned/Terminated Officers form (LMPD #05-02-0301) will be completed before the member's last day. The Administrative Services Division's Management Assistant should be contacted to schedule an appointment at least one (1) week prior to the member delivering the appropriate equipment to the Administrative Services Division.

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<h2>Standard Operating Procedures</h2>	SOP Number: 2.14
	Effective Date: 01/02/04
	Prv. Rev. Date: 02/09/15
	Revised Date: 04/10/16
Chapter: Personnel	Accreditation Standards: KACP: 10.2
Subject: Maternity/Paternity Leave	

2.14 MATERNITY/PATERNITY LEAVE

2.14.1 MATERNITY LEAVE

Sworn female members are granted six (6) weeks of paid maternity leave. Sworn female members may be eligible for up to an additional six (6) weeks of maternity leave, for a total of 12 weeks, and will use accrued vacation/union hours, after which they will take the balance as unpaid leave (KACP10.2d).

Civilian female members may be eligible for up to a total of 12 weeks of maternity leave and will use accrued sick/vacation/sick incentive/floating holiday/personal union hours, etc., after which they will take the balance as unpaid leave (KACP 10.2b-d).

Members requiring additional leave for medical reasons must submit a physician's statement to the division/section/unit commander, in accordance with SOP 2.9. The member shall adhere to SOP 2.9 when medically able to return to duty (KACP 10.2c).

2.14.2 PATERNITY LEAVE

Sworn members may be granted up to seven (7) days of paid paternity leave. Sworn members may be eligible for up to a total of 12 weeks of paternity leave and will use accrued vacation/union time, after which they will take the balance as unpaid leave (KACP 10.2d).

Civilian members may be eligible for up to a total of 12 weeks of paternity leave and will use accrued sick/vacation/sick incentive/floating holiday/personal union hours, etc., after which they will take the balance as unpaid leave (KACP 10.2 b-d).

Members requiring additional leave for family medical reasons shall refer to SOP 2.9 (KACP 10.2c).

2.14.3 ADOPTION

Sworn members who are adopting a child may be granted up to seven (7) days of paid adoption leave, at the discretion of the Chief of Police. If both parents are sworn members of the department, each member may have up to seven (7) days of paid adoption leave, at the discretion of the Chief of Police. Sworn members may be eligible for up to a total of 12 weeks of adoption leave and will use accrued vacation/union time, after which they will take the balance as unpaid leave (KACP 10.2d).

Civilian members who are adopting a child may be eligible for up to a total of 12 weeks of adoption leave and will use accrued sick/vacation/sick incentive/floating holiday/personal union hours, etc., after which they will take the balance as unpaid leave (KACP 10.2b-d).

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2.14.4 FAMILY MEDICAL LEAVE ACT (FMLA)

In all of the above mentioned leaves, the member shall follow the procedure outlined in SOP 2.2 to request a personal or family medical leave of absence.

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Chapter: Personnel	
Subject: Awards	

2.15 AWARDS

2.15.1 POLICY

It is the mission of the Louisville Metro Police Department (LMPD) to deliver professional, effective services, fairly and ethically, at all times, to all people, in order to prevent crime, control crime, and enhance the overall quality of life for citizens and visitors. The department encourages and promotes community involvement, on all levels, to achieve these ends. The department will honor extraordinary work, by both sworn and civilian personnel, that reflects the department's creed of "Service & Integrity," as well as the department's mission.

The efforts and accomplishments of LMPD Award recipients must be consistent with the values delineated in the acronym "**METRO**".

- M** – Making the Community our Primary Focus
- E** – Ethical Behavior and Accountability
- T** – Trustworthy
- R** – Respect for All People
- O** – Objectivity

2.15.2 AWARDS COMMITTEE

An awards committee will determine eligibility and recommend awards according to the criteria stated in this policy. All awards will be approved by the Chief of Police.

The committee consists of members of the department and community. The number of individuals will be determined by the Chief of Police.

Members of the committee are eligible to receive awards but may not participate when the committee deliberates and votes.

2.15.3 AWARDS PROCESS

Any member, sworn or civilian, regardless of rank or title, may be eligible to receive any of the awards granted by the department with the exception of Officer of the Year, Civilian of the Year, Distinguished Citizen Award, the Community Partnership Award, Cadet of the Year Award, and Explorer of the Year Award.

Any member, regardless of rank or title, may nominate a departmental member, unit, or a private citizen for an award.

Any member who makes a nomination must fill out an Award Nomination form (LMPD #03-02-0350). All nominations for awards for the period of January 1 - June 30 must be received by July 1. All nominations for awards for the period of July 1 - December 31 must be received by January 5. The form may also include an

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2.15.3 AWARDS PROCESS (CONTINUED)

attached addendum stating any additional details of the effort making the individual worthy of an award. Award Nomination forms will be submitted to the Chief's Office - Operations Manager. Nomination forms should not be sent directly to members of the awards committee.

The committee reserves the right to investigate all award nominations. Any member of the department who nominates an individual may be requested, at a specified time, to appear before the committee in order to answer questions about the nominee and why the individual is worthy of an award.

2.15.4 AWARDS

AWARDS OF HEROISM

- **Medal of Honor** – The Medal of Honor may be awarded to members who perform an act of exceptional bravery above and beyond the call of duty, with awareness of the possibility that the act could result in great bodily harm or death. The recipient's actions must have substantially contributed to the saving, or attempted saving, of a human life. The Medal of Honor may be awarded posthumously.

Recipients will receive a medal, breast bar, and citation.

- **Medal of Valor** – The Medal of Valor may be awarded to members who perform a heroic act that, by its nature, results in the saving of a life, the prevention of a serious crime, or the apprehension of a person who commits a serious crime. The Medal of Valor may be awarded posthumously.

Recipients will receive a medal, breast bar, and citation.

SPECIAL AWARDS

- **Purple Heart** – The Purple Heart may be awarded to members who are seriously injured in the performance of their duty under honorable conditions due to assaults, fires, explosions, or other actions. Serious injury is defined as any injury from a life-threatening situation, which requires substantial medical treatment. The Purple Heart may be awarded posthumously.

Recipients will receive a medal, breast bar, and citation.

- **Distinguished Citizen Service Award** – The Distinguished Citizen Service Award may be awarded to any citizen in the community, not employed by the LMPD, who performs an act of bravery on behalf of the LMPD. The recipients may include members of other law enforcement and public safety agencies. The Distinguished Citizen Service Award may be awarded posthumously.

Recipients will receive a citation.

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2.15.4 AWARDS (CONTINUED)

AWARDS OF SERVICE

- **Exceptional Merit Award** – The Exceptional Merit Award may be awarded to members who display a superior performance of duty. The recipient must exhibit perseverance with actions that have made a significant contribution to the department and/or improve the quality of life in the community.

Recipients will receive a breast bar and citation.

- **Distinguished Lifesaving Award (Tier 1)** – The Distinguished Lifesaving Award (Tier 1) may be awarded to members who perform actions or who apply techniques that result in the saving, or sustaining, of human life.

Recipients will receive a breast bar and citation.

- **Distinguished Lifesaving Award (Tier 2)** – The Distinguished Lifesaving Award (Tier 2) may be awarded to members who administer Naloxone for an opioid-based narcotics overdose that results in the saving, or sustaining, of human life.

Recipients will receive a citation, once per calendar year.

- **Meritorious Unit Citation** – The Meritorious Unit Citation may be awarded to units consisting of officers, civilians, or both, who have distinguished themselves by the performance of acts of high initiative and innovation in the line-of-duty. The accomplishments of the recipients could not have occurred without the concerted effort of the unit's members as a whole.

Recipients will receive a breast bar and the unit will receive a citation.

- **Crime Reduction Award** – The Crime Reduction Award will recognize the division that achieves the largest annual reduction in crime over the previous year. More than one (1) award may be granted in case of a tie.

Recipients will receive a citation.

- **Commanding Officer of the Year** – The Commanding Officer of the Year Award may be awarded to an officer with the rank of sergeant or lieutenant who has demonstrated superior communication, dedication, leadership, and motivational skills throughout the year.

The recipient will receive a plaque and a ring.

- **Officer of the Year** – The Officer of the Year Award may be awarded to an officer with at least one (1) year of service, who has intelligently and consistently demonstrated superior perseverance, initiative, leadership, dedication, professionalism, and motivation throughout the year.

The recipient will receive a plaque and a ring.

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2.15.4 AWARDS (CONTINUED)

- **Civilian Supervisor of the Year** – The Civilian Supervisor of the Year Award may be awarded to a civilian supervisor who has demonstrated superior communication, dedication, leadership, and motivational skills throughout the year.

The recipient will receive a plaque and a ring.

- **Civilian of the Year** – The Civilian of the Year Award may be awarded to a non-sworn member whose work goes beyond what is required by his/her job description. This individual must be highly motivated, with innovative ideas and outstanding leadership qualities. Examples include, but are not limited to:
 - A member who develops new and more efficient ways of helping his/her division/section/unit conduct daily business that benefits both the department and the community;
 - Who develops new ways to improve the professional development of subordinates; or
 - Who, through perseverance and dedication, continually does extraordinary work in a downsized work environment.

The civilian of the year must serve as a role model to other LMPD members.

The recipient will receive a plaque and a ring.

- **Explorer of the Year Award** – The Explorer of the Year Award may be awarded to an Explorer who has made a significant contribution to the Explorer Program, the department, and the community.

The recipient will receive a citation.

CHIEF'S AWARDS

- **Community Partnership Award** – The Community Partnership Award recognizes the extraordinary contributions of a community member or organization to the department. Contributions include, but are not limited to:
 - Time;
 - Money;
 - Leadership;
 - Development of innovative crime-fighting strategies; and
 - Forging new bonds between citizens and the police.

All members of the community are eligible for this award, but it is limited to one (1) citizen or organization, per division, per year.

Recipients will receive a plaque.

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2.15.4 AWARDS (CONTINUED)

- **Distinguished Community Service Award** – The Distinguished Community Service Award recognizes members who, outside of the scope of their normal duties, touch the lives of a member of the community with extraordinary assistance, kindness, and compassion.

Recipients will receive a plaque.

- **Neighborhood Watch Outstanding Achievement Award** – The Neighborhood Watch Outstanding Achievement Award recognizes a Neighborhood Watch Program that is doing extraordinary work. This award recognizes the work that citizens are doing, in conjunction with their respective division, to make the community safer. The evaluation criteria used to judge the Neighborhood Watch Program include, but are not limited to:
 - The development and sustainability of its Neighborhood Watch Program;
 - Innovative and effective Neighborhood Watch crime prevention initiatives;
 - Community projects and events;
 - The creative and effective use of its Neighborhood Watch members;
 - The ability to recruit, train, and maintain Neighborhood Watch members;
 - Level of coverage by the media to showcase the positive programs that the Neighborhood Watch is doing; and
 - The methods that the Neighborhood Watch uses to promote their Neighborhood Watch program.

The divisions will nominate a Neighborhood Watch group from its respective Neighborhood Watches. The Community Policing Unit will select the overall winning Neighborhood Watch.

The recipient will receive a plaque.

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	Revised Date: 05/23/16
Chapter: Personnel	Accreditation Standards:
Subject: Non-Disciplinary Limitation of Police Powers	

2.16 NON-DISCIPLINARY LIMITATION OF POLICE POWERS

2.16.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that an officer under non-disciplinary limitation of police powers:

- Will observe and report activity normally requiring a police response, but is prohibited from taking self-initiated action, unless it is a life-threatening situation.
- Is prohibited from wearing any Louisville Metro Police Department (LMPD) uniform, unless approved by the Chief of Police, or his/her designee.
- Is prohibited from engaging in secondary employment in a police capacity.

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	Effective Date: 01/23/04 Prv. Rev. Date: 11/09/15 Revised Date: 03/10/16
	Accreditation Standards: KACP: 10.4
Chapter: Personnel	
Subject: Employee Assistance Program	

2.17 EMPLOYEE ASSISTANCE PROGRAM (KACP 10.4d)

2.17.1 OVERVIEW

The Louisville Metro Police Department (LMPD) offers an Employee Assistance Program (EAP) to provide professional and confidential assistance to members who are experiencing personal problems. The EAP is designed to encourage early employee awareness of such problems and to offer assistance in managing them. Use of the EAP is voluntary, except when a mandatory referral is made. Examples of personal problems may include, but are not limited to:

- Alcohol or drug dependency
- Marital or family difficulties
- Work stress
- Financial concerns
- Psychological problems

Members are responsible for their behavior and for taking constructive action to resolve any personal problems that affect, or threaten to affect, job performance. Members are encouraged to seek assistance through the EAP on their own before their job performance has been negatively affected.

Supervisors receive periodic training on their responsibilities within the EAP process, services offered by the EAP, and the identification of behaviors which may indicate problems impacting job performance.

Magellan Health has been contracted to provide EAP services to eligible members. All services are provided by trained, experienced counselors specializing in employee assistance services. In order to protect privacy, EAP offices are not located on the premises of Louisville Metro Government. Participation is confidential, unless the member provides written consent to release information, the situation is deemed life-threatening by an EAP counselor, or the law requires that the information should be reported.

Magellan Health counselors are available 24 hours a day, seven (7) days a week and offer unlimited counseling sessions to each eligible LMPD member at no cost. The EAP counselor will refer members to appropriate resources for diagnosis, treatment, and follow-up services.

2.17.2 ELIGIBILITY

The following persons are eligible for EAP services:

- Full-time employees
- Part-time employees who work a minimum of 25 hours per week
- Employee's spouse
- Employee's benefit-eligible dependents
- Members of the employee's household

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2.17.3 PROCEDURES

Supervisors should remain alert to all instances of substandard work performance and bring these to the attention of the member, along with an offer of assistance at the earliest indication of a recurrent problem. The supervisor may wish to consult with the Police Human Resources (HR) Director before proceeding with a formal referral. For the purposes of this policy, an acting sergeant is not considered a supervisor.

Members are responsible for seeking assistance through, or accepting a voluntary referral to, the EAP. This decision does not adversely affect a member's job security or advancement opportunities. In situations requiring a mandatory referral, the member is responsible for contacting the EAP and complying with the EAP's recommended action plan. The Chief of Police will be notified of any employee's failure to comply with the mandatory referral, or the recommended action plan, and disciplinary action may be taken. Participation in the EAP in no way relieves the member of the responsibility to meet acceptable work performance and attendance standards. Leave time and necessary treatment expenses are provided to eligible participants consistent with the current Louisville Metro Government policy and applicable benefits coverage.

2.17.4 SUPERVISOR SUGGESTION

If a member voices a "personal problem," but there are no job performance issues, the supervisor should:

- Suggest that the member contact Magellan Health at (800) 588-8143.
- Offer to help the member contact the EAP, if assistance is requested.
- Remember that it remains the member's decision to use the EAP.

2.17.5 SUPERVISOR'S FORMAL REFERRAL – VOLUNTARY PARTICIPATION

If the member's job performance is substandard and the supervisor believes that EAP participation may help improve it, he/she will:

- Empathize with the member.
- Evaluate his/her performance.
- Communicate expectations regarding job performance.
- Require that performance be improved to an acceptable level by a specific date.
- Encourage the member to contact Magellan Health at (800) 588-8143.
- Document all actions taken.
- Remember that it remains the member's decision to use the EAP.
- After a reasonable length of time, follow-up with the employee to review the situation and assess any improvements or negative changes.

2.17.6 SUPERVISOR REFERRAL – MANDATORY PARTICIPATION

Certain circumstances require that a mandatory referral be made. Such cases include, but are not limited to, those that create a risk of harm to the member or to others. In these cases, a supervisor will:

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2.17.6 SUPERVISOR REFERRAL – MANDATORY PARTICIPATION (CONTINUED)

- Notify the member's division/section/unit commander, or his/her designee.
- Impose an emergency suspension, when it appears that such action is in the best interest of the department (refer to SOP 2.11).
- Directly contact Magellan Health at (800) 588-8143 to request that a case number be set up for the member.
- Provide the member with an Authorization to Use and/or Disclose Personal Plan Information form. This form is required for a mandatory referral.
- Provide the member with an EAP Mandatory Referral form (LMPD# 04-02-0217). The member is required to sign the form to acknowledge receipt. If the member refuses to sign the document, the supervisor should write "Refused to Sign" on the line for the signature.
- Document the circumstances surrounding the mandatory referral.
- Notify Louisville Metro HR.
- In such situations, supervisors are reminded to involve other departmental resources in assisting the member, such as the departmental police psychologist and/or the chaplains.

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2.18 TRAVEL

2.18.1 DEFINITIONS

Local Travel: Travel that is part of a member's job that does not require an overnight stay.

Overnight Travel: Official out-of-town business travel from a member's normal work site to an alternate site, as part of the member's job, that requires an overnight stay.

2.18.2 LOCAL TRAVEL

The preferred mode of transportation for local travel is a departmental vehicle (refer to SOP 2.18.4 and SOP 4.14). A per diem allowance for meals and incidentals is not authorized for local travel not requiring an overnight stay.

A commanding officer with the rank of lieutenant or above may authorize local travel not requiring an overnight stay and may require a written request stating the purpose for such a trip.

2.18.3 OVERNIGHT TRAVEL

For overnight travel not related to training, the member shall submit the Louisville Metro Travel Authorization Request, through his/her chain of command, to the Training Division Commander at least 30 days prior to travel. All requests must be accompanied by a routing slip indicating that their division/section/unit commander has reviewed the packet and agrees that the travel is important for the needs of the department.

If the travel request includes any expenses to be incurred by Louisville Metro Government, including those that will be reimbursed by another entity, the member should also submit the following documents, as they apply:

- Lodging reservations in the name of the member requesting the money for the lodging on the Louisville Metro Travel Authorization Request.
- Proposed flight itinerary with price estimates. Flight reservations should not be made until final approval has been granted. Before making payment, the Office of Management and Budget (OMB) must have the actual flight itinerary in the name of the member requesting the money for the flight on the Louisville Metro Travel Authorization Request. Members are encouraged to use the departmental travel agent for flight arrangements.
- A written request for a travel exception if requesting a rental vehicle.

The Training Division Commander approves or denies each request. If the requested travel is denied, the Training Division Commander forwards notification to the appropriate Bureau Commander. Factors such as the budget, the benefit to the department, the timeliness of the request, policy compliance issues, and the suitability of the requesting member for the intended purpose of the travel are considered for all requests.

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2.18.3 OVERNIGHT TRAVEL (CONTINUED)

The Training Division Commander, or his/her designee, reviews the packet for accuracy and cost-saving measures. The request and supporting documents are delivered to the Administrative Bureau Commander for all appropriate approvals at least 14 days before the date of travel.

For overnight travel related to training, the member will follow the same protocol as above and also include:

- Request for Training form (LMPD #03-00-0075), signed and approved at all applicable levels.
- Copies of the course description, brochures, or related material.
- Copy of the course agenda, with dates and times.
- If there is a registration fee, a sergeant in the Training Division will complete and approve an OMB Request for Purchase form, located on the Louisville Metro Police Department (LMPD) Intranet, and upload the requesting member's registration documents.

The member is responsible for registering for the requested training by the given deadline. All training requests involving a registration fee must be received by the Training Division 30 days prior to the registration deadline in order to guarantee that the payment can be processed.

Upon returning from the trip, the member shall provide the Training Division with copies of any certifications for his/her training record, as well as copies of the training materials provided during the course.

Members are allotted a per diem allowance for meals and incidentals, which includes tips and gratuities, for approved overnight travel. The allowance is based on the geographic location of the travel destination and can be calculated at the United States General Services Administration (GSA) website, which can be accessed at the following link: <http://www.gsa.gov/portal/category/100120>. The first and last days of travel are calculated at 75% of the full day rate. The allowance should be reduced for meals that are provided in registration or conference attendance fees.

A member may be reimbursed for additional expenses incurred while traveling. Such expenses may include the following:

- Long-term parking at the airport.
- Local transportation to and from the airport, hotel, and/or business event.
- Toll fees.

Members requesting reimbursement for expenses not covered by the travel advance must do so when reconciling payment within ten (10) business days of their return (refer to SOP 2.18.8) with the appropriate receipts.

2.18.4 MODES OF TRANSPORTATION

The department determines the most economical mode of transportation on a case-by-case basis. Preferred modes of travel include:

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2.18.4 MODES OF TRANSPORTATION (CONTINUED)

- Departmental vehicles: Approval for the use of a departmental vehicle is granted when economically beneficial to the department. Members are responsible for verifying that the departmental vehicle is in sound mechanical condition prior to departure. When traveling one-way in excess of 100 miles from Louisville Metro, members will send an email to "LMPD Out of Town Travel," located within the department's email distribution list, and include the following information:
 - The operator(s) of the vehicle
 - Vehicle equipment number
 - Destination
 - Date(s) of travel
 - Purpose of travel
- Rental vehicles: To request the use of a rental vehicle, members shall complete a written request for an exception to the travel policy with a detailed justification. This is rarely approved post-travel and only if sufficient reasons exist to support the expense. Supporting documents will be included showing the estimated or actual expense. In order to receive payment once the rental is approved, the receipt must be in the name of the member who requested the rental vehicle on the travel documents. Members will not be reimbursed for optional insurance coverage from the rental car company.
- Air travel: Air fare at the tourist or economy class rate may be permitted.

2.18.5 LODGING

Lodging rates are determined by the geographic location of the travel destination and can be calculated at the GSA website, which can be accessed at the following link: <http://www.gsa.gov/portal/category/100120>. A copy of the GSA rates for the travel destination should be submitted with the Louisville Metro Travel Authorization Request.

Lodging is allowed for no more than one (1) night in advance of, or after completion of, official business, and only when needed due to the start and end time of the official business activity and transportation availability.

2.18.6 TRAVEL ADVANCES

Travel advances may be issued to members for meals and incidental expenses, lodging fees, and other travel expenses. In order to receive the advance payments, all paperwork must include the estimated expenses and the supporting documents must be in the name of the member making the request. Travel expenses will not be paid before the travel is authorized. By signing the Louisville Metro Travel Authorization Request, the member agrees to abide by Metro Government and departmental policies. Because the advances are based on estimations, the member may be responsible for reimbursing Metro Government upon his/her return for any unused portion of the advance.

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2.18.7 CANCELLATION OR REFUNDS

If a Louisville Metro Travel Authorization Request has been processed and the trip is subsequently cancelled, the member shall provide an explanation stating the reason that the travel was cancelled and forward it to the Training Division Commander. If the member received an advance, he/she is responsible for returning the payment to the OMB Travel Division, located at 611 West Jefferson Street, 3rd floor, within three (3) business days of the cancellation. Members are responsible for securing refunds, when applicable, for trips that are cancelled after expenses have been incurred. Documentation must be provided to support any refund, along with an explanation of any non-refundable expenses.

2.18.8 TRAVEL RECONCILIATION

A member shall complete a Louisville Metro Travel Expense Report no later than ten (10) business days after completion of the trip. All travel expenses, including direct payments (e.g. air fare, car rental, hotel, conference fees), should be listed on the expense report. Original receipts in the name of the member who is claiming the expense must accompany the form. No receipts are required for expenses covered by the per diem allowance for meals and incidentals. If the advance was less than the expenses, reimbursement will be issued to the member. If the advance issued was more than the expenses incurred, reimbursement will be due with the expense report. The completed report and receipts shall be sent to the OMB Travel Division, located at 611 West Jefferson Street, 3rd floor.

2.18.9 APPROVALS

Members shall not travel until the requests have been approved at all levels. If a member is unsure of the approval status, he/she may contact the Training Division.

In certain circumstances involving police business, travel may need to occur exigently. When delaying the travel may impede the effectiveness or efficiency of police services, the affected division/section/unit commander must seek approval through the Chief of Police, via the appropriate Bureau Commander. All paperwork should be submitted for processing as soon as practical. The traveling member shall reconcile his/her expenses on a Louisville Metro Travel Expense Report within 15 business days after his/her return.

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2.19 MEDICAL EXAMINATIONS

2.19.1 PSYCHOLOGICAL EXAMINATIONS FOR SWORN APPLICANTS (KACP 13.1)

Applicants for sworn positions with the Louisville Metro Police Department (LMPD) must submit to a pre-employment psychological fitness examination. The examination measures the applicant's psychological fitness as a LMPD recruit. The examination will be conducted by HealthPoint Associates, at no cost to the applicant (KACP 10.6). Examinations will be conducted on a set date and time established by HealthPoint Associates, who will be responsible for notifying the applicant of the examination location, date, and time. All applicants for sworn positions must be able to meet the psychological standards set by the Peace Officer Professional Standards (POPS) Act and the Kentucky Law Enforcement Council (KLEC).

2.19.2 PHYSICAL EXAMINATIONS FOR SWORN APPLICANTS (KACP 13.1)

Applicants for sworn positions with the LMPD must submit to a pre-employment physical examination. The examination measures the applicant's physical fitness as a LMPD recruit. This examination will be conducted by U.S. HealthWorks Medical Group, at no cost to the applicant (KACP 10.6). Examinations will be conducted on a set date and time established by Louisville Metro Human Resources (HR), the Training Division, and U.S. HealthWorks Medical Group. All applicants for sworn positions must be able to meet the physical standards set by the POPS Act and the KLEC.

2.19.3 PHYSICAL EXAMINATIONS FOR SPECIALTY TEAMS

Officers who are members of the following specialty teams are required to take an annual physical examination:

- Special Weapons and Tactics (SWAT) Team
- Bomb Squad
- Hazardous Incident Response Team (HIRT)
- Canine Unit
- Mounted Patrol Unit
- Dive Team
- River Patrol Unit
- Special Response Team (SRT)
- Clandestine lab-certified members
- Air Unit (Federal Aviation Administration (FAA) mandated)
- Drug Vault detectives
- Health and Safety Officers (HSOs)

The specialty team commander, or his/her designee, is responsible for reminding officers when it is time for his/her physical examination. The officer will contact Louisville Metro HR at (502) 574-5926 to make arrangements for the examination. Annual physical examinations are conducted by U.S. HealthWorks Medical

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2.19.3 PHYSICAL EXAMINATIONS FOR SPECIALTY TEAMS (CONTINUED)

Group, at no cost to the officer (KACP 10.6). Examinations may be scheduled no less than one (1) week in advance. If the officer is unable to keep his/her appointment, he/she will notify Louisville Metro HR, 24 hours in advance, to reschedule. The officer will inform U.S. HealthWorks Medical Group that this is for an annual physical examination for a specialty team. The officer should bring any appropriate paperwork, if necessary, with him/her.

2.19.4 PHYSICAL EXAMINATIONS FOR COMMERCIAL DRIVER'S LICENSE HOLDERS

Members who hold a Commercial Driver's License (CDL) are required by the Department of Transportation (DOT) to pass a physical examination every two (2) years. Police HR is responsible for reminding members when it is time for their examination. The member will contact Louisville Metro HR at (502) 574-5926 to make arrangements for the examination. Biennial physical examinations are conducted by U.S. HealthWorks Medical Group, at no cost to the member (KACP 10.6). Examinations may be scheduled no less than one (1) week in advance. If the member is unable to keep his/her appointment, he/she will notify Louisville Metro HR, 24 hours in advance, to reschedule. The member will inform U.S. HealthWorks Medical Group that this is for a physical examination for a CDL. The member should bring any appropriate paperwork, if necessary, with him/her. All CDL holders must be able to meet the physical standards set by the DOT.

2.19.5 MEDICAL RECORDS

The medical records of applicants and departmental personnel will remain confidential and should not be disclosed or reported, without the individual's expressed, written consent, to any person within or outside of the department. Medical records are maintained in accordance with federal, state, and local regulations.

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2.20 ON-CALL STATUS

2.20.1 ON-CALL SYSTEMS

A rotating, on-call system is necessary for certain divisions/sections/units of the Louisville Metro Police Department (LMPD) whose personnel have expertise and qualifications that may be needed during their routine assignments or regularly scheduled off-duty hours. Each on-call system shall abide by the following standards:

- A member's activities while on-call shall not be restricted, as long as he/she is able to report for duty as soon as possible, preferably within 45 minutes of notification. Since members are prohibited from reporting to duty with any measurable amount of alcohol in their systems, alcohol shall not be consumed during the period for which the member is on-call (refer to SOP 5.1).
- Members shall be equipped with their cell phones at all times, while they are on-call, and must acknowledge pages/calls as soon as possible, preferably within five (5) minutes of notification.
- Members may be permitted to trade their on-call responsibilities, subject to the approval of the appropriate division/section/unit commander.
- Members will be compensated from the time they are notified to report for duty (acknowledgement of the page/call) until such time as they actually complete their duties, according to current collective bargaining agreements.
- If a member is notified to respond to a situation while on-duty, the member will inform his/her commanding officer of the notification before responding.
- Members will not be required to serve in an on-call capacity for more than one (1) month at a time.

On-call members, who continually fail to respond to these notifications, may be subject to reassignment, removal from their unit, and/or disciplinary action.

Commanders of units may be subject to call out, but are not required to maintain a rotating, on-call system. Commanders will make each member aware of the unit's response procedures when called to an incident. The unit's response procedures will address the rules and standards of conduct regarding alcoholic beverages and reporting to duty (refer to SOP 5.1).

Members requesting the assistance of on-call personnel should refer to the established response criteria for each separate division/section/unit.

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2.21 EMPLOYEE PERFORMANCE REVIEWS (KACP 16.1)

2.21.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that all members are evaluated by their immediate supervisor and/or commander on an annual basis (KACP 16.7). Civilian and sworn personnel are evaluated by their respective performance review systems, developed by the LMPD and/or Metro Government.

For those members who are under Public Integrity Unit (PIU) or Professional Standards Unit (PSU) investigation, members should refer to SOP 2.5 regarding the completion of performance reviews/evaluations.

2.21.2 EMPLOYEE PERFORMANCE REVIEWS/EVALUATIONS

Performance reviews/evaluations are used to evaluate civilian and sworn members' past work performance, develop a work plan for the next review cycle, and determine what resources are needed for improving performance. The review/evaluation system has been designed to be an interactive and continuous communication process between supervisors and members.

The review/evaluation system allows supervisors and members to work together to provide a fair, accurate, and consistent assessment of the member's work performance and verifies that he/she has the training and support needed to do his/her job.

The member's performance review/evaluation may be used to provide career counseling and identify suitability for a specialized assignment, education required for advancement, training needs applicable to the member's current position, the ability to assume more responsibilities, and effectiveness in the assigned position (KACP 16.9).

2.21.3 CIVILIAN EMPLOYEE PERFORMANCE REVIEWS

Civilian personnel are evaluated by their immediate supervisor and/or commander utilizing the Employee Performance Review System developed by Metro Government. This performance management tool has been designed to bridge Metro Government's Core Values with the LMPD's mission and member performance (KACP 16.7).

The Employee Performance Review System, developed for civilian members, consists of the following components:

- Levels of Performance: Members who receive ratings that are either below expectations or above expectations, in any area, are provided a written explanation. The member's work performance is rated by the following criteria:
 - Exceeds Expectations: Performance exceeds that of a satisfactory evaluation. Performance regularly surpasses the standards expected.

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2.21.3 CIVILIAN EMPLOYEE PERFORMANCE REVIEWS (CONTINUED)

- Meets Expectations: Performance is successful and competent. Performance fully meets position requirements in the areas of responsibility.
- Needs Improvement: Performance falls short of consistently meeting requirements. Improvement is required.
- Does Not Meet Expectations: Performance consistently does not meet the requirements of the position. Immediate and substantial improvement is required.
- Performance Standards: Consists of the member's job description, identifying the top three (3) essential functions for the member's position. A detailed description should be written for these essential functions as well as clear examples of his/her work. This process also gives the rater an opportunity to rate the level of performance on each of these functions.
- Evaluation of Performance: The member's work performance is rated in the following areas (comments should be written for areas that are exceptional or below average):
 - Knowledge of work
 - Knowledge of policies and procedures (SOPs)
 - Quantity of work
 - Quality of work
 - Organization and time management
 - Professionalism
 - Initiative and motivation
 - Communication
 - Teamwork
 - Reliability
 - Adaptability and flexibility
 - Customer service
 - Time and attendance
- Commanders and/or supervisors are evaluated in the following areas relating to their supervisory performance:
 - Motivates peers and subordinates and fosters teamwork
 - Maintains discipline on a consistent basis
 - Sets and enforces standards
 - Evaluates subordinates fairly and consistently
 - Plans and organizes work effectively
 - Employee relations
 - Judgment
 - Training/instruction
 - Coaching and feedback
 - Performance reviews
- Professional Development: List any action that was taken to improve the member's performance. List any in-service education or programs completed.

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2.21.3 CIVILIAN EMPLOYEE PERFORMANCE REVIEWS (CONTINUED)

- Performance Expectations: Consists of the objectives/goals to be accomplished during the next review cycle.
- Employee Certification: The member must sign that they have read the review and are provided with a signed copy (KACP 16.6, 16.12). The member's signature on this section implies neither agreement nor disagreement with the evaluation's contents.

2.21.4 SWORN EMPLOYEE PERFORMANCE EVALUATIONS

Sworn personnel are evaluated by their commanding officer utilizing the Sworn Personnel Performance Evaluation form (LMPD #06-0053) created by members of the department (KACP 16.7).

The performance review system for sworn personnel consists of the following components:

- Evaluation of Performance: The officer's work performance is rated in the following areas:
 - Appearance and equipment
 - Dependability
 - Oral and written communications
 - Effort and initiative
 - Judgment/decision making
 - Problem solving
 - Job knowledge
 - Cooperation
 - Safety practices
 - Interpersonal skills/customer service
- Leadership: Commanding officers are rated in the following areas:
 - Administrative ability
 - Supervisory ability/leadership
 - Managerial leadership
- Levels of Performance: The officer's work performance is rated using the following criteria (the comments section is mandatory for each area):
 - Exceptional
 - Successful
 - Needs Improvement
 - Does Not Meet Requirements
- Employee's Goals: Consists of short-term goals (officer's goals within one (1) year) and long-term goals (officer's goals beyond one (1) year).
- Future Action Steps: Outlines specific plans for helping the officer achieve the desired development objectives. Incorporate target dates for completion or review of progress for each item (KACP 16.9):

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2.21.4 SWORN EMPLOYEE PERFORMANCE EVALUATIONS (CONTINUED)

- On the Job - Considers special assignments or projects, on-the-job training activities, coaching, or guidance by supervisor.
- Off the Job - Considers external training/education courses, independent reading, self-study, etc., the officer plans to complete on a volunteer, unpaid basis.

- Supervisor's Suggestions to Meet Goals.
- Rater's/Employee's Comments Section (Optional).
- Employee's Certification: The officer must sign that they have read the review and are provided with a signed copy (KACP 16.6, 16.12). The officer's signature on this section implies neither agreement nor disagreement with the evaluation's contents. The performance review is to be signed by the division/section/unit commander and the appropriate Bureau Commander.

2.21.5 PROBATIONARY EMPLOYEE PERFORMANCE REVIEWS

The performance review system for probationary officers (POs) consists of the following components:

- Upon the completion of the basic academy, the PO begins the Police Training Officer (PTO) Program. The PTO Program of the LMPD is a 24-week process used for the training and evaluation of a PO during his/her probationary period (KACP 16.4). The PTO Program consists of the following phases:
 - Phase A – This phase is five (5) weeks in length. In this phase, POs will learn about non-emergency response(s).
 - Phase B – This phase is five (5) weeks in length. In this phase, POs will learn about emergency response(s).
 - Mid-Term Evaluation Phase - The Mid-Term Evaluation phase is two (2) weeks in length. In this phase, POs ride with a Police Training Evaluator (PTE) and are evaluated on their performance, knowledge, skills, and abilities over phases A and B. POs will be transferred to another division upon successful completion of this phase.
 - Phase C - This phase is five (5) weeks in length. In this phase, emphasis is placed on patrol function.
 - Phase D - This phase is five (5) weeks in length. In this phase, emphasis is related to criminal investigations.
 - Final Evaluation Phase - The Final Evaluation phase is two (2) weeks in length. In this phase, POs ride with a PTE and are evaluated on their performance, knowledge, skills, and abilities over phases C and D. POs also receive training on their Neighborhood Portfolio Exercise (NPE) to be presented to the Board of Evaluators (BOEs) during week 15 of the Solo phase of training.

- Upon the successful completion of the PTO Program, the PO begins the 28-week Solo phase of training. In this phase, the PO operates as a patrol officer independent of a PTO. However, the PO is still considered an officer in the training process and can be placed back with a PTO or PTE in order to identify and/or address specific issues and to receive remedial training.

- In order to validate the training, it is necessary to evaluate the performance of the PO throughout the training process. POs are evaluated in 15 areas of knowledge, skills, and abilities known as core

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2.21.5 PROBATIONARY EMPLOYEE PERFORMANCE REVIEWS (CONTINUED)

competencies. These core competencies serve as standards in the evaluation of the PO's performance and training. The POs are evaluated using the following evaluation techniques (KACP 14.5d-e):

- Coaching and Training Report (CTR) (LMPD #07-0002): Completed at least bi-weekly by the PO and the PTO.
- Problem Based Learning Exercise (PBLE): One (1) completed per phase by the PO with the assistance and supervision of the PTO. Upon completion of the PBLE, both the PO and the PTO will complete the PBLE Evaluation form (LMPD #07-0004).
- Neighborhood Portfolio Exercise (NPE): Completed by the PO during week 15 of the Solo phase of training and presented to the BOEs. Upon completion of this exercise, both the PO and the PTO will complete the NPE Evaluation form (LMPD #07-0020).

In addition to the aforementioned evaluation techniques, deficiencies in the performance or training of a PO (e.g. violations of departmental SOPs, rules, etc.) that are identified by any sworn officer, a PTO, or a PTE will be documented on a Probationary Officer Incident Report (LMPD #07-0005) (KACP 14.5d-e).

PTOs and PTEs fall under the command of the Training Division Commander and their division commander. The PTOs and PTEs are directly supervised by the Police Training Sergeants (PTSS) in their respective divisions. Each of the eight (8) regular patrol divisions has two (2) PTSS. The PTSS review the paperwork that they receive from the PTOs and PTEs and forward it, through the appropriate division chain of command, to the PTO Coordinator at the Training Division (KACP 14.5c-d).

Training and performance issues identified by PTOs or PTEs may be addressed utilizing any or all of the following (KACP 14.5e):

- Immediate corrective action and/or counseling
- Remedial training
- Reassignment to a previously completed phase
- Learning activity packages
- Transfer to another PTO

Failure to progress in training and performance after remedial training may result in extension of the one (1) year probationary period or termination at the discretion of the Chief of Police. Documentation of failure to progress is documented by PTOs and PTEs and forwarded to the division PTSS. The PTSS review the documentation that they receive from the PTOs and PTEs and forward it, through the appropriate division chain of command, to the PTO Coordinator at the Training Division.

The PTO Coordinator reviews the memorandums from the divisions and attaches an additional memorandum to forward to the Training Division Commander.

The Training Division Commander reviews all documents and attaches a memorandum to forward to the Chief of Police, or his/her designee, for a final determination.

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2.21.5 PROBATIONARY EMPLOYEE PERFORMANCE REVIEWS (CONTINUED)

Probationary Civilian Employees

Probationary civilian personnel will have a performance evaluation completed, at a minimum, on a quarterly basis (KACP 16.4).

2.21.6 PRE-EVALUATION PROCEDURES

After the initial evaluation, each member will be counseled at the beginning of the rating period for the purpose of explaining the tasks of the position, level of performance expected, and the rating criteria. Informal progress review discussions should occur frequently throughout the year (KACP 16.3a-c).

The Performance Observation and Supplemental Evaluation form (LMPD #06-0044) should be used to document these informal progress reviews and/or discussions.

Non-probationary members will be advised, in writing, whenever their performance is deemed to be below expectations. Written notification will be given whenever a problem behavior has been observed and needs to be corrected. In general, a written notification should be made at least 90 days prior to the end of the rating period. Notification may be made during this period if it is necessary to correct a negative behavior.

Informal progress reviews which indicate substandard performance should be documented and copies given to the member in an effort to provide corrective measures prior to the evaluation.

2.21.7 INSTRUCTIONS FOR PERFORMANCE REVIEWS (KACP 16.2)

In order to conduct the member performance reviews/evaluations and to receive a copy of the Management Review Guide, commanders and/or supervisors are required to attend the Employee Performance Review System Training.

Commanders and/or supervisors are required to conduct the civilian/sworn performance reviews/evaluations annually on the member's anniversary date of his/her present classification or within 15 working days of this date. The review/evaluation should be based only on the member's performance during that specific assignment and period (KACP 16.5).

Civilian/sworn performance reviews/evaluations must be submitted to Police Human Resources (HR), by interoffice mail, within ten (10) working days of the date of review.

All civilian performance reviews are retained in the Metro HR office for the entire time that employment is maintained with the LMPD. A copy of all sworn member performance evaluations are retained in the Police HR office and the original sent to the Secretary/Examiner of the Louisville Metro Police Merit Board for the entire time that employment is maintained. Following a separation of service, evaluations are retained pursuant to applicable records retention schedules (KACP 16.11).

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2.21.7 INSTRUCTIONS FOR PERFORMANCE REVIEWS (CONTINUED)

The Employee Performance Review System form for civilians can be located by visiting the Intranet. Click on the "Research & Development" link, click on "Forms," and then click on the "HR Forms" folder. The form must be printed and cannot be submitted electronically.

The Sworn Personnel Performance Evaluation form (LMPD #06-0053) can be located by visiting the Intranet. Click on the "Research & Development" link, click on "Forms," and then click on the "HR Forms" folder. The form must be printed and cannot be submitted electronically.

Commanders and/or supervisors should be aware of potential rater biases (e.g. halo effect, pitchfork effect, invalid criteria, recency error, leniency error, central tendency, strictness tendency, and bias/prejudice) that can negatively influence the performance review process. In order to avoid these biases, commanders and/or supervisors should review documentation that has been gathered throughout the review cycle and rate performance based on established performance standards.

One (1) of the main objectives of the review/evaluation system is to continue to improve performance. Each member will be given an opportunity to review the completed review/evaluation, including interviews between the rater and member. The member has the opportunity to include his/her own written comment(s) on the review/evaluation form and will sign the completed performance review/evaluation. This will indicate that the member has read the review/evaluation (KACP 16.6).

The member will also be provided with a copy of the signed performance review/evaluation. This will allow them to focus on their goals and objectives that were discussed in the review (KACP 16.12).

Commanders and/or supervisors conducting the performance reviews/evaluations will be evaluated by their supervisors regarding the quality of ratings given to civilian/sworn members (KACP 16.8). Each performance review/evaluation report will be reviewed and signed by the rater's supervisor.

During the civilian/sworn performance reviews/evaluations, commanders and/or supervisors shall review with the member his/her current employee emergency contact information. This is accomplished by reviewing and revising the division copy of the member's Employee Emergency Contact Information form (LMPD #14-0007) or by completing a blank form. Revised and/or newly completed forms shall be scanned and emailed to the Director of Police HR. A copy of the most current form shall be maintained in the member's division supervisory personnel file. If no revision is made, the form does not need to be emailed.

2.21.8 CONTESTED PERFORMANCE REVIEWS/EVALUATIONS (KACP 16.10)

Contested performance reviews/evaluations may be discussed with the rater and/or the rater's supervisor and, if not resolved, the applicable grievance process may be utilized.

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2.22 PROMOTIONS

2.22.1 POLICY

The Louisville Metro Police Department (LMPD) strives to offer equal employment and promotional opportunities on the basis of merit, without unlawful discrimination, and fills promotional positions based on applicable federal law, Kentucky law, Louisville Metro Civil Service Board Rules, Louisville Metro Police Merit Board Rules, Louisville Metro Government Personnel Policies, and current collective bargaining agreements (KACP 13.2, 15.4).

2.22.2 PROMOTIONAL PROCESS ADMINISTRATION (KACP 15.3)

The responsibility and authority for the administration of the LMPD promotional process is assigned to the Louisville Metro Civil Service Board, for civilian members, and the Louisville Metro Police Merit Board, for sworn members.

2.22.3 PROMOTIONAL ANNOUNCEMENTS (KACP 9.1)

When a promotional vacancy occurs, the information is posted on the Louisville Metro Human Resources (HR) job postings website and also distributed, via a Position Vacancy Announcement (PVA), from the Civil Service Board, Police Merit Board, or LMPD HR, via departmental email, which includes:

- The identification and job description of the position or job classification (KACP 15.2a)
- Specific eligibility requirements for participation in the promotional process (KACP 15.2c)

The Civil Service Board, Police Merit Board or the LMPD also provides eligible applicants with:

- A schedule of the dates, times, and locations for all elements of the promotional process (KACP 15.2b).
- Specific testing requirements for participation in the promotional process (KACP 15.2c).
- A description of the process to be used for the testing, evaluation, and selection of eligible members within the promotional process (KACP 15.2d).

2.22.4 PROMOTIONAL PROCESS (KACP 15.4)

Examinations and procedures used to fill promotional vacancies within the LMPD shall be non-discriminatory, job-related, practical in nature, and relevant to the position being filled.

2.22.5 PROBATION (KACP 15.1)

A probationary period will be imposed on newly promoted members to observe and appraise their performance and to assist them in their new position. Probation also provides for a system of removal, if the member's

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2.22.5 PROBATION (CONTINUED)

performance fails to meet the required standards for the position. The probationary period for civilian members will not be less than 30 days or more than one (1) year, except by the approval of the Civil Service Board. The probationary period for sworn members will be a minimum of one (1) year and may be extended up to six (6) additional months upon showing of just cause by the Chief of Police, or his/her designee.

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2.23 CIVILIAN POLICE VOLUNTEERS

2.23.1 PURPOSE

The Louisville Metro Police Department (LMPD) and other Metro Government agencies frequently utilize civilian volunteers for a variety of tasks. Departmental civilian police volunteers are under the control of the Community Policing Unit Commander. There are three (3) types of volunteer service, including:

- **Regular Volunteer Service:** Volunteer service that is ongoing or for a set period of time.
- **Community Service-Learning Volunteer Service:** Volunteer service that may be required or assigned by educational, religious, or civic organizations.
- **Special Event Volunteering:** Volunteer service that is daily, episodic, or for one (1) event only.

The LMPD and the community benefit tremendously from the numerous volunteer hours worked by committed citizens; however, volunteering must be considered a privilege due to the critical aspects of operating a police department.

Any person wishing to become a LMPD volunteer will be subject to a background check, reference check, personal interview, etc.

Volunteers do not have sworn police powers and will not be placed in positions normally held by sworn officers.

2.23.2 VOLUNTEER ADMINISTRATOR

The Volunteer Administrator reports to the Community Policing Unit Commander and is responsible for overseeing the operations of the Volunteers in Police Service (VIPS) Program, including volunteer orientation and training. The Volunteer Administrator is responsible for recruiting civilian volunteers, staffing details with appropriate volunteers, monitoring volunteers on-site, collecting timesheets, etc. The Volunteer Administrator also monitors the volunteers to verify compliance with applicable LMPD Standard Operating Procedures (SOPs).

2.23.3 VOLUNTEER OPPORTUNITIES

As a volunteer with the LMPD, there are many opportunities for service. Opportunities include:

- **Volunteer Organizer:** Schedules volunteers for details, tracks monthly volunteer detail hours, and works with the LMPD's Volunteer Administrator.
- **Special Events:** Represents the LMPD at various events throughout the year by answering questions and providing resources to citizens.
- **Division Advisory Board:** Assists the division with its needs.
- **Administrative Assistant:** Assists office staff with various clerical duties (e.g. filing, typing, copying, stuffing envelopes, and answering phones).

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2.23.3 VOLUNTEER OPPORTUNITIES (CONTINUED)

- **Neighborhood Watch Captain:** Coordinates the Neighborhood Watch Program within his/her neighborhood. Neighborhood Watches empower citizens in a geographic area to work together to help reduce crime as well as watch for, and report, unusual activity around residences and businesses.
- **Chaplains:** Assist departmental personnel who are in crisis situations and provide citizens with service in times of personal crisis or tragedy. This volunteer position has limited openings.
- **Explorer Program:** Emphasizes community involvement, character development, and leadership for young men and women, ages 14 through 20, who are interested in a career in law enforcement.

2.23.4 POLICY

The Louisville Metro Government Volunteer Service Handbook, the Louisville Metro Government Volunteer Resource Program Policy and Procedure Manual, and the LMPD VIPS Program Handbook require current and prospective volunteers to meet certain requirements, including, but not limited to, the following:

- Volunteers must be at least 16 years of age, unless accompanied by a LMPD supervisor or an authorized adult volunteer.
- Volunteers will be subject to criminal background checks and/or reference checks and a personal interview. Background checks and reference checks are conducted biannually for volunteers with an active status.
- All volunteers must complete the Louisville Metro volunteer registration forms associated with the type of service that they are pursuing (e.g. short-term, ongoing, individual, group, etc.).
- Due to the nature of some assignments, certain volunteers will be required to complete an Agreement to Volunteer and Accept Workers' Compensation Benefits form prior to being placed in the assignment.
- Volunteers under the age of 18 must have the Agreement to Volunteer and Accept Workers' Compensation Benefits form signed by a parent or legal guardian.
- The LMPD requires two (2) forms of identification in order to become a police volunteer. One (1) form of identification must be a photo identification card, such as a driver's license, state-issued identification, etc. The LMPD also requires the completion of the following VIPS Program forms: LMPD Volunteer Registration form (LMPD #08-0006), Volunteer Confidentiality Statement (LMPD #08-0007), Volunteer General Information form (LMPD #08-0008), Volunteer Work Agreement form (LMPD #08-0009), and the Covenant Not to Sue form (LMPD #03-08-0200).
- Volunteers will wear their departmentally-issued photo identification while on assignment as a volunteer with the department. The photo identification will be worn, via a lanyard or clip on the volunteer's shirt, in a visible location. The photo identification may only be used when volunteering for the department and at no other time.
- Volunteers are responsible for maintaining the confidentiality of all proprietary or privileged information to which they have access, while serving as a volunteer, including confidential information concerning personnel matters, members of the community, or relating to Louisville Metro Government and the LMPD.
- Volunteers must serve a minimum of 16 hours annually in order to maintain an active status in the volunteer program (Division Advisory Board members may be exempt from hourly requirements). If a volunteer is placed on inactive status, his/her departmentally-issued photo identification must be turned in to the Volunteer Administrator or other ranking member.

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2.23.4 POLICY (CONTINUED)

Volunteers are prohibited from handling any money for Louisville Metro Government or the LMPD. Volunteers may assist in set-up at venues, but all money must be collected by on-duty Louisville Metro employees.

2.23.5 ORIENTATION/TRAINING

Volunteers must attend a 1 ½ hour volunteer orientation held by the Community Policing Unit Commander and/or the Volunteer Administrator. The volunteers will receive a VIPS Program Handbook that is explained to them in detail. The orientation is conducted after each graduating Citizens Police Academy (CPA) class. This orientation is for those who have completed all of the forms in the volunteer registration packet.

Volunteers will have their duties explained and demonstrated based on their assignment. Training on authorized and assigned duties will be documented in each volunteer's file. Periodically, the Volunteer Administrator will notify volunteers of any departmental training available and disseminate training bulletins, as needed.

2.23.6 DRESS CODE

In order to distinguish civilian volunteers from the police, all volunteers will wear a navy blue polo shirt with their first initial and last name on the right side of their shirt. The LMPD patch designed to represent their status has the word "VOLUNTEER" at the top of the patch and will be on the left side of the chest, with "V.I.P.S." underneath the patch.

Volunteers will wear appropriate attire related to the detail to which they are assigned. The dress code will be determined by the Volunteer Administrator. Volunteers will wear their LMPD photo identification, via a lanyard or clip on their shirt, in a visible location while serving in a volunteer capacity.

The CPA class members will wear a navy blue polo shirt with their first initial and last name on the right side of their shirt. The LMPD patch on the left side has the word "ALUMNI" at the top of the patch with the words "CITIZENS POLICE ACADEMY" above the patch and their CPA Class # and graduating year below the patch.

Citizens Police Academy Alumni (CPAA) association members will also wear navy blue polo shirts with their first initial and last name on the right side and the LMPD patch on the left side of their shirt with the word "ALUMNI" at the top of the patch and the words "CITIZENS POLICE ACADEMY" above the patch.

2.23.7 TERMINATION OF VOLUNTEER SERVICE

Volunteer appointments may be terminated, at any time, at the discretion of the Community Policing Unit Commander, with or without cause. There is no appeal process for the termination of a volunteer appointment. Volunteers may also terminate their service at their sole discretion.

All departmentally-owned equipment will be returned to the Volunteer Administrator immediately upon termination of volunteer status. This includes the departmentally-issued photo identification.

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2.23.8 VEHICLE USAGE

Volunteers may, on occasion, be given permission to operate a LMPD vehicle upon meeting all of the mandates set forth in SOP 4.14. All volunteers must have a valid operator's license in their possession while operating any departmental vehicle.

2.23.9 VOLUNTEER RECOGNITION

Members are encouraged to recognize outstanding performance and service by civilian police volunteers. This not only boosts morale and future performance, but it also encourages more individuals to volunteer. In order to recognize volunteer service and performance, members should contact a ranking member of a particular detail or the Volunteer Administrator in the Community Policing Unit.

2.23.10 REQUESTING A VOLUNTEER

When requesting a civilian police volunteer, members will complete a Volunteer Request form (LMPD #08-0010). The request must be submitted a minimum of two (2) weeks prior to the assignment. The completed request form should be sent to the Volunteer Administrator.

2.23.11 CITIZENS POLICE ACADEMIES

The purpose of the CPA is to educate the public about police services delivered by the LMPD, in order to foster understanding and community support for the department. The LMPD provides a comprehensive training program that gives participants an overview of the various divisions/sections/units and functions of the department. The sessions are offered several times throughout the year.

The Youth CPA is offered during the summer months and is open to young men and women who are between 14 and 17 years of age. The main objective is to gain the confidence of the youths by sharing the policing process.

In addition, the LMPD periodically offers the following CPAs:

- Latino CPA
- International CPA
- Deaf and Hard of Hearing CPA
- Women's CPA
- College CPA
- Senior Citizens' CPA

2.23.12 EXPLORER PROGRAM

The LMPD's Explorer Program is for young men and women, between 14 and 20 years of age, who are interested in a career in law enforcement. The program provides both classroom instruction and practical

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2.23.12 EXPLORER PROGRAM (CONTINUED)

exercises that are designed to familiarize participants with law enforcement, in general, and the LMPD, in particular. The Explorer Program Honor Guard trains to assist the community and the department at various events, which may include award ceremonies, funerals, parades, and other functions as deemed necessary.

The Explorers wear several different uniforms, depending on the event to which they are assigned. The description of these uniforms can be found in the Explorer Program Operations Manual.

2.23.13 INTERNSHIP PROGRAM

The LMPD, in partnership with local colleges and universities, provides an internship program for students majoring in criminal justice areas. All requests for participation in the program should be sent to the Patrol Bureau Adjutant Lieutenant. Internships are normally for one (1) semester and the participants are awarded course credit for their participation in the program. The Adjutant Lieutenant is responsible for informing Police Human Resources (HR) of the names of the interns, the start and end dates of the internship, and the assignment location. The Adjutant Lieutenant will provide the interns with the proper Metro forms to complete.

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Subject: Member Pay/Compensation	

2.24 MEMBER PAY/COMPENSATION

2.24.1 POLICY

Louisville Metro Police Department (LMPD) members receive pay/compensation based on actual hours accrued or worked. Pay rates are based on current Louisville Metro Government Personnel Policies and collective bargaining agreements (KACP 10.1a, c).

2.24.2 DEFINITIONS

Overtime: An amount of time a member works beyond established regular work days of eight (8) or ten (10) hours a day or a regular 40-hour work week.

Scheduled Overtime: Overtime that has been scheduled or approved in advance by a commanding officer.

Compensatory (Comp) Time: Additional time off given to a member, in lieu of overtime pay, for working beyond established weekly working hours (over 40 hours).

Differential/Special Duty/Lead Pay: Non-performance based pay given to a member for working in an acting role for a certain period of time.

2.24.3 OVERTIME/COMPENSATORY TIME (KACP 10.1d-e)

Prior to working any unscheduled overtime, officers must seek approval from their commanding officer. Approval must come from a commander who is at least one (1) rank above the rank of the officer who is requesting overtime pay (e.g. an officer/detective must receive approval from a sergeant; a sergeant must receive approval from a lieutenant, etc.).

Lieutenants shall seek approval from their division/section/unit commander prior to working any overtime.

Civilian members shall seek approval from their supervisor prior to working any overtime or comp time.

Compensation for any overtime/comp time worked will be in accordance with current Louisville Metro Government Personnel Policies and collective bargaining agreements.

Supervisors should only approve overtime that is commensurate with the members' rank and assignment (e.g. a commanding officer should not be assigned to an overtime detail to write traffic citations, inspect vehicles, or investigate crimes typically investigated by a detective or patrol officer). Supervision of an overtime detail involving multiple sworn staff would generally be an appropriate use of overtime if on-duty supervisors are unavailable and permission is received by the division commander.

Exceptions: Overtime for specialty team callouts, Police Training Officer (PTO)/Police Training Sergeant (PTS) overtime, and court overtime will be considered scheduled overtime for the purpose of this policy and will not require additional approval.

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2.24.3 OVERTIME/COMPENSATORY TIME (CONTINUED)

Overtime for late runs and prisoner transports will not require approval unless they exceed one (1) hour.

2.24.4 DIFFERENTIAL/SPECIAL DUTY/LEAD PAY (KACP 10.1b)

Prior to an officer working in an acting capacity, approval must be granted to receive differential pay. Approval for differential pay must be given by a commanding officer with the rank of lieutenant or above.

Union civilian members must have the approval of their commanding officer prior to receiving differential pay. Non-union civilian members must have the approval of their commanding officer and Louisville Metro Human Resources (HR) prior to receiving differential pay.

Lead pay for Teamsters members must be approved by the Assistant Chief of Police/Administrative Bureau.

Differential pay will be in accordance with current Louisville Metro Government Personnel Policies and collective bargaining agreements.

2.24.5 COURT PAY

Members will follow current departmental procedures for seeking pay for court appearances (refer to SOP 8.2). Members are prohibited from changing their working hours in order to obtain court pay or court-related overtime.

2.24.6 LIGHT-DUTY, LIMITED-DUTY, OR SICK/INJURY LEAVE (KACP 10.2c)

Members on light-duty, limited-duty, or extended sick/injury leave will follow current departmental procedures for completing paperwork and receiving pay (refer to SOP 2.9). If the member is unable to complete the required paperwork, it will be completed by his/her supervisor.

2.24.7 TUITION REIMBURSEMENT

Louisville Metro Government supports and encourages employees to improve their job-related skills and knowledge and to acquire the education necessary to enhance their skills or prepare for career-related promotional opportunities.

To apply for tuition reimbursement, the Application for Tuition Reimbursement form must be completed by the requesting member. The form can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header and click on the "Forms" link, double click on the "HR Forms" folder, and then double click on the "Tuition Reimbursement" folder. In addition to this form, the member must provide a copy of his/her most recent performance evaluation and a written summary that addresses each of the following questions:

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2.24.7 TUITION REIMBURSEMENT (CONTINUED)

- How will the desired coursework prepare/further the member in his/her current classification? Explain how it will support or improve the skills for the member's current job responsibility.
- How will this coursework prepare the member for other promotional opportunities within Louisville Metro Government? Please identify future positions and make certain that the position requirements are directly related to the educational program.

Once the application is completed and the required information has been gathered, the entire packet must be scanned so that it can be sent together, via one (1) email, to the Assistant Chief of Police/Administrative Bureau. This emailed packet must be received by the Assistant Chief of Police/Administrative Bureau at least 15 working days before the class is scheduled to begin.

To be eligible for tuition reimbursement, the following requirements must be met:

- A full-time or regular part-time (17.5 hours per week) Metro Government employee
- Have an active status within Metro Government (cannot be on unpaid/paid leave of absence or laid off)
- Agree to remain employed with Metro Government for at least six (6) months following reimbursement payment at the conclusion of the course
- Coursework must be either job-related or career-related:
 - Directly supports and/or improves skills required for his/her current job assignments, duties, or responsibilities
 - Directly prepares the member for advancement within his/her current classification
 - Directly develops administrative or management capacity
 - Coursework is necessary to obtain an undergraduate degree to qualify for promotional opportunities
 - Courses are to be taken at a fully accredited college, university, or educational institution
- A grade of "C" for undergraduate courses, "B" for graduate courses, or "Pass" if the only options are "Pass/Fail"

Approved courses will be reimbursed after the submittal of the Request for Tuition Reimbursement form, the final grade report, tuition expenses, and book receipts. This information must be submitted to Louisville Metro HR, no later than 30 days following the completion of the course. If this information is submitted after the 30 days, the original request will be considered null and void.

More information on this process can be found in the Louisville Metro Personnel Policies 5.4, Tuition Assistance.

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Subject: Collective Bargaining	

2.25 COLLECTIVE BARGAINING

2.25.1 PURPOSE

The purpose of this policy is to describe the role of the Louisville Metro Police Department (LMPD) in the collective bargaining process with the River City Fraternal Order of Police (FOP) Lodge No. 614, Teamsters (Local Union No. 783), and the Louisville Metro Traffic Guards Association.

2.25.2 POLICY

It is the policy of the LMPD to bargain in good faith with all duly recognized bargaining units representing affected members regarding wages, hours, and conditions of work. This good faith obligation does not compel either party to agree to a proposal or make a concession. The LMPD will abide by the ground rules for collective bargaining and any applicable law(s) related to the collective bargaining process and labor arbitration. The LMPD will also abide, in both letter and spirit, by the negotiated labor agreements that have been signed by management, labor representatives, and ratified by the bargaining unit.

2.25.3 PROCEDURES

Louisville Metro Government and the LMPD will bargain collectively with the certified bargaining unit representing the personnel covered by a labor agreement. The Chief of Police will appoint personnel from the department as members of the bargaining team. Members representing the Chief of Police (e.g. designees) in the negotiation process will consult with the Chief of Police on matters under his/her purview. The Mayor of Louisville Metro will select the principal negotiator for Metro Government.

2.25.4 RATIFICATION

Upon ratification of a negotiated agreement by all parties, the Chief of Police, or his/her designee, will obtain a written, signed copy of the labor agreement. All policies and procedures will be reviewed and amended, as necessary, to comply with the terms of the labor agreement. All information relative to the new labor agreement, including modifications to existing agreements, will be disseminated to commanders, supervisors, and affected personnel. All commanders and supervisors are required to be familiar with the contents of, and be in compliance with, the provisions of the collective bargaining agreement(s). Copies of all labor agreements/contracts are posted in the Research and Development folder, located on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header and click on the "Labor Contracts, Police Merit Board Rules and Civil Service Rules" link.

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Subject: Fitness and Wellness Program	

2.26 FITNESS AND WELLNESS PROGRAM

2.26.1 POLICY

The very nature of police work necessitates that all members of the Louisville Metro Police Department (LMPD) maintain a minimum level of fitness. The LMPD recognizes that physically fit employees make better employees and encourages its members to participate in health and wellness programs offered through the department and Metro Government on a voluntary basis. Being physically fit is a benefit, not only to the individual member, but to the community that he/she serves. Therefore, it is the policy of the LMPD to maintain three (3) gym facilities (located at 633 West Jefferson Street, 810 Barret Avenue, and 2911 Taylor Boulevard) for the benefit of its members. Since these facilities are a benefit, the LMPD, except when liable, accepts no responsibility for any injuries arising from non-job-related activities occurring at these gyms.

2.26.2 PURPOSE

To carry out the department's responsibility to provide the best possible police service to the citizens of Louisville Metro and to minimize the risk of injury or illness, all officers are encouraged to maintain a level of physical fitness that will enable them to carry out any task that they may be called upon to perform. Civilian employees are also encouraged to maintain physical fitness to improve their health and morale, reduce sick leave, and increase job productivity.

2.26.3 FITNESS

The members of the LMPD are encouraged to use the gym facilities provided at no charge. Gym memberships are also provided to LMPD retirees at no charge, but retirees must fill out an annual application form. Other Metro employees, Metro retirees, and family members of LMPD or Metro employees may purchase a membership for an annual fee. A Gym Membership Application form (LMPD #11-0025), the Assumption of Risk Agreement and Release of all Claims form (LMPD #11-0026), and a copy of the Gym Users Terms and Conditions (LMPD #11-0027) may be obtained from the Operations Manager, or his/her designee, located at LMPD Headquarters. All gym membership payments should be paid directly to the Office of Management and Budget (OMB) Cash Management Division, located at 611 West Jefferson Street, 1st Floor. The Deposit Slip – Gym Membership form must accompany the payment.

The gyms are locked at all times but can be accessed 24/7 by LMPD members. The gyms can be accessed between the hours of 0500 and 2200 hours, seven (7) days a week, by all other non-LMPD gym members. A member's Metro ID card or an assigned key fob can be used to access the gyms.

The LMPD employs a certified physical fitness instructor, who is available by appointment, for individual exercise programs, diet and nutrition education, exercise science, fitness assessments, body composition testing, and goals. The fitness instructor can be reached at (502) 574-7658. The fitness instructor also conducts physical fitness classes for recruits and in-service classes for LMPD officers.

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2.26.3 FITNESS (CONTINUED)

Training Division personnel oversee the access and use of the gym/fitness areas located at 2911 Taylor Boulevard. These specific areas are to be utilized only by sworn LMPD personnel, LMPD Training Academy staff, LMPD Training Academy instructors, and members of LMPD recruit classes that are currently in session. LMPD instructors and members of current recruit classes have priority in utilizing the gym/fitness areas and equipment.

Any additional requests for use of these gym/fitness areas will be submitted to the Training Division Commander, or his/her designee, for final approval. Additionally, an Assumption of Risk Agreement and Release of all Claims form is kept on file for any non-sworn personnel, other than members of current recruit classes, who are approved to use the Training Division gym/fitness areas and equipment.

2.26.4 WELLNESS

Wellness is a state of optimum health and well-being achieved through the active pursuit of good health and the removal of barriers to healthy living. Members have a personal responsibility for their health. The LMPD encourages its members to adopt behaviors that will improve their health.

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2.27 RECRUITMENT AND SELECTION

2.27.1 POLICY

The Louisville Metro Police Department (LMPD) strives to actively recruit and select applicants based on the best qualified applicant pool, which is representative of the demographics of the community as a whole. The Training Division is responsible for coordinating all sworn recruitment. Members who conduct recruitment activities will undergo training in personnel recruitment in order to be knowledgeable in these matters.

The LMPD maintains a recruitment plan for all full-time sworn personnel. Members of the Recruitment and Selection Unit of the Training Division are responsible for the administration of the recruitment plan. The recruitment plan includes elements of the demographic/geographic characteristics of the city and also includes past successful recruitment initiatives/efforts of the LMPD and comparable law enforcement agencies. The recruitment plan includes the following:

- Statement of objectives
- Plan of action to achieve these objectives

The Recruitment and Selection Unit conducts an annual analysis report of the recruitment plan. The analysis includes the following:

- Evaluation procedures to measure the progress toward the stated objectives
- The results of the recruitment efforts, such as the number of applicants from each source and the number of successful hires
- Any revisions to the plan, as needed

2.27.2 EQUAL EMPLOYMENT OPPORTUNITY (KACP 13.2)

The LMPD strives to offer equal employment opportunities on the basis of merit, without unlawful discrimination, and fills positions without regard to a person's actual or perceived race, ethnicity/national origin, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics. The LMPD offers employment and promotional positions based on applicable federal law, Kentucky law, Louisville Metro Civil Service Board Rules and Regulations, Louisville Metro Police Merit Board Rules and Regulations, Louisville Metro Government Personnel Policies, and current collective bargaining agreements (KACP 15.4).

If a member believes that he/she has been subjected to discrimination, he/she should report the incident to his/her supervisor, commanding officer, or Police Human Resources (HR) without delay.

2.27.3 EMPLOYMENT VACANCY ANNOUNCEMENTS

Louisville Metro HR is responsible for posting employment vacancies on the city's website and also advertises employment vacancies through other electronic media, print media and community/social service organizations. These postings include, but are not limited to, the following:

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2.27.3 EMPLOYMENT VACANCY ANNOUNCEMENTS (CONTINUED)

- A description of the duties, responsibilities, requisite skills, educational level, and other minimum requirements or qualifications to be met by the applicant
- The notice that the LMPD is an equal opportunity employer
- The filing/closing date for the position

2.27.4 EMPLOYMENT APPLICATION PROCESS (KACP 13.1)

Louisville Metro HR, the Louisville Metro Civil Service Board, and the Louisville Metro Police Merit Board are responsible for accepting applications for employment vacancies within the LMPD. Louisville Metro HR, the Louisville Metro Civil Service Board, the Louisville Metro Police Merit Board, and/or the LMPD Recruitment and Selection Unit are also responsible for notifying applicants of application errors or omissions, important testing dates, and the final employment determination/disposition. Applications will not be rejected due to simple errors or omissions which can be quickly corrected.

The LMPD's employment application process is in accordance with Louisville Metro Civil Service Board Rules and Regulations, Louisville Metro Police Merit Board Rules and Regulations, and Louisville Metro Government Personnel Policies. The employment application process is administered, scored, evaluated, and interpreted in a uniform manner, regardless of the desired position, by Louisville Metro HR, the Louisville Metro Civil Service Board, and the Louisville Metro Police Merit Board. The application process for sworn personnel consists of elements that are job-related (e.g. written examination, physical examination, psychological evaluation, etc.) in order to measure the applicant's fitness for duty as a sworn officer.

The elements of the application process may consist of, but are not limited to, the following:

- Initial written application
- Physical agility or proficiency
- Job-related skills evaluation/examination
- Oral interview
- Background investigation/check
- Polygraph examination (refer to SOP 8.28)
- Psychological examination/evaluation (refer to SOP 2.19)
- Physical examination/evaluation (refer to SOP 2.19)

At the time of the individual's formal application, candidates for all positions will be notified, in writing, of the following by Louisville Metro HR:

- All elements of the selection process
- The expected duration of the application process
- The process of reapplication, if the initial application is denied/rejected

Background investigations of each candidate will be conducted prior to employment. The background investigations will be conducted by personnel who are trained and knowledgeable in obtaining the required information. Background investigations consist of, but are not limited to, the following:

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2.27.4 EMPLOYMENT APPLICATION PROCESS (CONTINUED)

- A verification of qualifying credentials
- A review of any criminal record
- A verification of at least three (3) personal references

Background investigation materials are retained pursuant to applicable records retention schedules.

All applicants not selected for positions are informed, in writing, by the LMPD Recruitment and Selection Unit. The application records of those not selected for appointment are retained pursuant to applicable records retention schedules.

2.27.5 EMPLOYMENT APPLICATION RECORD RETENTION

All employment records (e.g. applications, forms, evaluations, etc.) will remain secure and confidential and accessed only by those individuals who are authorized to do so. Louisville Metro HR and the Training Division are responsible for the retention. The retention and disposal of all employment records (e.g. applications, forms, evaluations, etc.) is pursuant to applicable records retention schedules.

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2.28 PERSONNEL EARLY WARNING SYSTEM

2.28.1 POLICY

The Louisville Metro Police Department (LMPD) recognizes that problematic behavior is a serious issue and that early intervention is important to achieve a successful outcome for both members and the department. Personal and/or work issues can have a profound effect on individuals. The LMPD uses a Personnel Early Warning System (PEWS) software program called IAPro, administered by the Professional Standards Unit (PSU), for the purpose of identifying work-related problematic behavioral patterns among members. The department has numerous resources available to assist members in the treatment of these behaviors (e.g. Employee Assistance Program (EAP), peer counseling, remedial training, etc.).

2.28.2 RECOGNIZING PATTERNS OF COLLECTED MATERIAL

Supervisors are the primary personnel responsible for recognizing changes in member behavior/performance. Supervisors, along with Police Human Resources (HR), will provide access to the appropriate resources for correction/improvement. Employee performance reviews/evaluations and complaints are an excellent resource for determining changes in a member's on-the-job behavior/performance.

The IAPro software program collects information from a variety of incidents to identify trends in member performance. The program tracks data such as complaints, use of force incidents, pursuits, administrative discipline, etc. and alerts the PSU when repeated incidents occur over a set period of time. This allows the PSU to react more quickly to behavioral issues and assists in identifying these for departmental intervention.

2.28.3 SUPERVISOR RESPONSIBILITY

The member's supervisor is often the first to recognize changes in behavior/performance of those under his/her command. Therefore, supervisors are the key to early intervention and a successful outcome. Supervisors are encouraged to speak with those under their command whenever changes in behavior/performance are noticed. Documentation of any communication will be made. If a member does not feel comfortable speaking to his/her supervisor, the supervisor will refer the member to Police HR or the EAP (refer to SOP 2.17).

Performance evaluations, disciplinary actions, use of force incidents, traffic accidents, and workers' compensation claims may reveal changes in member behavior/performance. Supervisors shall recognize and document these changes. Every member will be evaluated by his/her supervisor through the Employee Performance Review System (refer to SOP 2.21). Performance reviews are an excellent way to document changes/deficiencies in member behavior/performance and also recommend or require areas for improvement.

Supervisors are also responsible for following-up with the member and/or other parties involved to verify that the member is utilizing, or participating in, the appropriate resources for improvement.

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2.28.4 ANNUAL EVALUATION/RETENTION

The PSU conducts an annual audit of the IAPro system to verify that the information contained in the system is accurate. Information contained in the system shall be retained pursuant to applicable records retention schedules.

2.28.5 MEMBER RESOURCES

Members will be provided with the resources necessary to obtain assistance with personal and on-the-job issues. These resources include, but are not limited to, the member's supervisor, an annual performance evaluation (refer to SOP 2.21), the EAP (refer to SOP 2.17), the departmental police psychologist, departmental chaplains, Police HR, and the Peer Support Team (PST).

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Subject: Traumatic Events	

2.29 TRAUMATIC EVENTS

2.29.1 POLICY

The Louisville Metro Police Department (LMPD) recognizes that its members are the agency's most valuable asset and deserve the highest standard of care. The nature of police work creates a great likelihood that a member of the LMPD will experience a traumatic or distressing event during his/her career. The LMPD recognizes that these types of events can cause significant distress to its members. It is the policy of the LMPD to provide assistance to members who have experienced traumatic events and assist in relieving the distressing effects of these events. The department has numerous resources available to assist members with the distressing effects of traumatic events. This policy covers all traumatic or distressing events other than those covered by SOP 2.5 and SOP 8.12.

2.29.2 DEFINITIONS

Traumatic Event: An experience that causes physical, emotional, or psychological distress/harm. It is an event that is perceived and experienced as a threat to one's safety or to the stability of the area around the person. This challenging event has the potential to create significant human distress and can overwhelm one's usual coping mechanisms. Examples of traumatic events include, but are not limited to:

- Significant events involving children (e.g. deaths, serious injuries, etc.)
- Line-of-Duty Deaths (LODDs)
- The suicide of a colleague
- Serious injury in the line of duty
- Homicide response
- Traffic fatalities
- Disaster or multi-casualty incidents
- Events with excessive media interest
- Known victims of crime
- Cumulative events
- Any event with a significant threat to those involved

Departmental Police Psychologist: The departmental police psychologist is a Licensed Professional Clinical Counselor. The departmental police psychologist will provide professional therapeutic and supportive services to departmental members and affected family members, as needed. The departmental police psychologist will assess and monitor the member's emotional and mental status and provide treatment, as needed.

2.29.3 SUPERVISOR RESPONSIBILITY

The member's supervisor is often the first to recognize a member has experienced a traumatic event. Therefore, supervisors are the key to early intervention and helping members cope with the distressing effects of a traumatic event. Supervisors are encouraged to speak with members under their command who have potentially experienced a traumatic event and inquire about their well-being.

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2.29.3 SUPERVISOR RESPONSIBILITY (CONTINUED)

If a supervisor believes that a member under his/her command has experienced a traumatic event which is causing the member significant distress, the supervisor will contact the Peer Support Team (PST) Commander. The PST provides assistance to the member to help him/her cope with the distressing effects of the traumatic event. If the PST Commander believes that a traumatic event has occurred, the departmental police psychologist will contact the affected member(s). A member of the PST, the member's supervisor and the departmental police psychologist will work with the member to determine the level of assistance needed and the most appropriate resource(s) to assist the member.

Regardless of what level of assistance that has been provided or the resources that have been used, the goal is to provide mechanisms to facilitate the resistance, resilience, and recovery from traumatic events.

2.29.4 MEMBER RESOURCES

Members will be provided with the resources necessary to obtain assistance in dealing with the distressing effects of traumatic events. These resources include, but are not limited to, the following:

- The member's supervisor.
- The Employee Assistance Program (EAP) (refer to SOP 2.17).
- The departmental police psychologist.
- The departmental chaplains – Members should contact MetroSafe, who will page the on-call chaplain.
- The PST – Members can contact PST members via the following methods:
 - Phone - Phone numbers for team members can be found on the LMPD Intranet under the Division/Unit Monthly Rundown sheets, Support Bureau – Special Operations Division;
 - MetroSafe - MetroSafe can page a PST member; or
 - Email - An email can be sent to "LMPD Peer Support," located within the department's email distribution list.

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Subject: Death or Catastrophic Injury to Member	

2.30 DEATH OR CATASTROPHIC INJURY TO MEMBER

2.30.1 PURPOSE

The Louisville Metro Police Department (LMPD) recognizes that the death of a member will have devastating effects on the member's family as well as a significant impact upon other members of the department. The LMPD further recognizes that when death occurs as a direct result of that member's duties or status as a law enforcement officer or member of the department, the effects will be even more substantial and far reaching, likely impacting family members of other members of the department and the community, at-large. With regard to line-of-duty deaths (LODDs) in particular, the LMPD also recognizes that the manner in which it responds may potentially have significant long-term effects on all concerned.

The purpose of this policy is to establish guidelines to respond to the catastrophic injury or death of a member by having response protocols, support procedures, and support resources in place. This policy will focus primarily on deaths classified as occurring in the line-of-duty and will cover the department's immediate response and procedures to be followed during the days leading up to the funeral. While the final determination of classification for agency purposes will be made by the Chief of Police, the parameters for classification, listed in SOP 2.30.5, will guide on-scene personnel in making a preliminary classification and, therefore, in rendering the appropriate initial honors.

Because of benefits available to families of sworn law enforcement officers whose deaths occur in the line-of-duty, the LMPD recognizes the importance of properly classifying a death or catastrophic injury as soon as practical. Although the department does not approve or deny external LODD benefits, it is important to inform survivors, as soon as practical, of the benefits that may be available to them. Informing a survivor of possible LODD benefits can free him/her from financial concerns and enable him/her to focus more on his/her family and grief. Care should be exercised when advising of these benefits so the survivors do not expect benefits for which he/she may not be entitled. Nothing contained herein is intended to expand, enhance, alter, or broaden the Workers' Compensation laws and regulations of the Commonwealth of Kentucky or the Collective Bargaining Agreement between the River City Fraternal Order of Police (FOP) and Louisville Metro.

The LMPD recognizes the importance of rendering appropriate professional honors to individuals who have served the department and/or the law enforcement profession honorably, as well as the importance of preserving the integrity of those honors. The LMPD further recognizes the important distinctions between rendering such honors in recognition of service and sacrifice, after a LODD, and rendering them for service only, after a non-LODD.

2.30.2 POLICY

It is the policy of the LMPD to notify the immediate family and/or emergency contact of a member who has suffered a life-threatening injury or death. Such notification is to be made with respect, empathy, and without delay. In the event of a LODD, the Public Integrity Unit (PIU) will request notification and response of the on-call deputy coroner as soon as practical.

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2.30.2 POLICY (CONTINUED)

When the death of a member occurs as a result of that member's duties or status, it will be classified as a LODD and considered the ultimate sacrifice made in service to both the department and the citizens of Louisville Metro. The LMPD will take every reasonable and prudent measure to respond to the tragedy with respect to the deceased member and to provide support to his/her family. When doing so, the department will consider the effects on other members of the department and their families. Recognizing the many needs of those affected may be beyond the scope of what can be provided internally, the LMPD will identify resources and support mechanisms that may be needed in such circumstances and establish relationships and response guidelines in advance.

The department further recognizes that a non-LODD death of an active member will also have significant effects on the individual's family and other members of the department who are co-workers and friends. The LMPD will strive to be respectful of the needs of those affected and provide support, as available.

2.30.3 DEFINITIONS

Line-of-Duty Death (LODD): A classification of a LODD means an employee's death occurred as a result of his/her duty. In essence, it means that the employee's life was cut short as a direct result of his/her duty.

Non-LODD: Any other death of a member, other than a LODD, including death as a result of illness or an accident, not directly related to his/her duty.

Sworn Member: A current employee, who is a police officer, bound by an oath, and has arrest powers.

Non-Sworn Member: A non-sworn employee of the LMPD, current or retired, that remains in good standing, as determined by the Chief of Police.

Retired Sworn: A former employee who retired from a sworn position in the LMPD and remains in good standing, as determined by the Chief of Police.

Color Guard: A four (4) to six (6) member unit consisting of two (2) to four (4) flag bearers and two (2) riflemen.

Firing Party: An eight (8)-member unit consisting of seven (7) riflemen and one (1) commander. The firing party will fire three (3) volleys, using M-14 rifles with smokeless popper ammunition.

Special Guard: An officer who guards the deceased member until the member is laid to rest.

Casket Watch: A casket watch consists of one (1) or two (2) Honor Guard personnel, who guard the deceased member for 15 minute intervals. The number of Honor Guard personnel guarding the member will vary depending upon the classification of the death.

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2.30.4 COMMAND STRUCTURE FOR A DEATH OR CATASTROPHIC INJURY TO MEMBER

The LMPD recognizes that response to a LODD or catastrophic injury to a member will result in a massive outpouring of assistance. A temporary command structure will be utilized to coordinate response and eliminate the duplication of efforts by members wishing to help. To effectively and appropriately manage all aspects of such an incident, the LMPD will use a coordinated response as outlined below. The basic duties are divided into the initial scene control that will be handled by responding personnel/commanding officers; the criminal investigation and/or death investigation which will be handled by the PIU; and the hospital/funeral detail that will be led by the Community Services Division Commander. The member's division commander's primary responsibilities will be to support the deceased/injured member's coworkers and to maintain division operations.

Initial Scene Commander Duties

The first officer on scene is responsible for control of the scene, including security, medical care, and preservation of evidence, until relieved by a commanding officer. The commanding officer is then responsible for the scene until relieved by the PIU. The on-scene commanding officer is also responsible for notifying the division commander and the executive command staff through MetroSafe, briefing superior officers, establishing a staging area for the media, and contacting the Training Division Commander, or his/her designee, who will act as the Hospital Commander in the event that the member is transported for medical care. The duties of the Initial Scene Commander are delineated on the Initial Scene Commander Checklist, which is located at the end of this policy.

Hospital Commander (Training Division Commander)

The Training Division Commander, or his/her designee, will serve as the Hospital Commander. The Hospital Commander reports to the Initial Scene Commander. The first task of the Hospital Commander is to verify that access for Louisville Metro Emergency Medical Services (LMEMS) vehicles and personnel is not impeded. He/she responds to the hospital and acts as a liaison between hospital staff and the Family Liaison Officer (FLO) or the member's family. The Hospital Commander provides updates on the member's condition to the departmental physician, command staff, and departmental members. The Hospital Commander will establish a private area for the family of the deceased/seriously injured member and an additional area for LMPD members. The duties of the Hospital Commander are delineated on the Hospital Commander Checklist, which is located at the end of this policy.

Funeral Detail Commander Duties (Community Services Division Commander)

The Community Services Division Commander will serve as the Funeral Detail Commander (FDC) unless otherwise determined by the Chief of Police. The FDC will receive special training to lead, manage, and coordinate a funeral detail for the consistent response to the death of an active member. The FDC's responsibilities include the coordination of all liaison officers. He/she will communicate with all liaison officers (Funeral Coordinator, FLO, Family Support Officer (FSO), Peer Support Team (PST) Commander, member's division commander) at least once daily until the member is laid to rest.

The FDC will manage the event utilizing the LMPD Funeral Detail Checklist, which is located at the end of this policy. The FDC will prepare an After-Action Report for review by the Chief of Police, as soon as practical after the member is laid to rest.

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2.30.4 COMMAND STRUCTURE FOR A DEATH OR CATASTROPHIC INJURY TO MEMBER (CONTINUED)

Member's Division Commander

The affected member's division commander will manage ongoing division operations and will obtain additional resources, as needed, during the crisis period. The member's division commander will coordinate with the PST, departmental chaplains, Employee Assistance Program (EAP) representatives, and/or other contract psychological services to assist LMPD members in crisis, in recognition that members may need additional assistance during the grieving process.

The division commander works with the FLO on follow-up issues such as retrieving the deceased or seriously injured member's property or equipment and coordination of peer support for employees assigned to the division.

Funeral Coordinator (Honor Guard Commander)

The Funeral Coordinator works with the family, funeral home, and FLO to respect the wishes of the family and to coordinate appropriate honors for the deceased member. The duties of the Funeral Coordinator are delineated on the Funeral Coordinator Checklist, which is located at the end of this policy.

Peer Support Team (PST) Commander

The PST Commander will provide assistance throughout the incident and the funeral. Specifically, the PST Commander will provide guidance and assistance to the FLO(s) and support to the member's division at the request of the division commander.

Departmental Police Psychologist

The departmental police psychologist will provide assistance throughout the incident and at the funeral. Specifically, the departmental police psychologist provides guidance and assistance to the PST Commander and support to the member's division at the request of the division commander.

Family Support Officer (FSO)

The FSO's mission is to provide emotional support for the family. The FSO will be determined on an individual basis. Members have the option of identifying a FSO in advance by using the LMPD Employee Emergency Contact Information Form (LMPD #14-0007). The member's division commander will attempt to utilize the pre-designated member as the FSO, if that member is available, willing, and able to perform the assignment. The most important consideration when selecting the FSO is the comfort of the family.

If the family requests a specific individual, every effort should be made to honor that request. He/she should be emotionally able to fulfill this duty. The FSO should refer all questions regarding departmental procedures, honors, arrangements, and benefits to the FLO. The FSO will be placed on special duty time until the member is laid to rest or as directed by competent authority.

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2.30.4 COMMAND STRUCTURE FOR A DEATH OR CATASTROPHIC INJURY TO MEMBER (CONTINUED)

Health and Safety Officers (HSOs)

The departmental HSOs report to the Hospital Commander. Responsibilities of the HSOs include assisting in securing private areas in the hospital, providing updates on the member's condition, and other actions, as directed by the Hospital Commander. The HSO may act as a safety officer at the scene and will provide assistance to involved members that may have been exposed to bloodborne, chemical, or airborne pathogens.

Family Liaison Officer (FLO)

Following a LODD or non-LODD of a member, at least one (1) FLO will be appointed as soon as practical by the PST Commander. FLO(s) will be members of the PST and receive specific training for this duty. The FLO(s) will serve as a communications conduit between the family, the Funeral Coordinator, and the member's division commander. The FLO(s) should be an officer/member known and trusted by the family who will volunteer for this duty and be competent to carry out the duties of the position. FLO(s) will assist the family, as needed, within the bounds set by competent authority. FLO(s) will refer matters regarding funeral arrangements to the Funeral Coordinator.

FLO(s) are assigned until the member is laid to rest or as directed by competent authority. A member assigned as a FLO will be placed on special duty time for the duration of this assignment. The duties of the FLO are delineated on the Family Liaison Officer Checklist, which is located at the end of this policy.

Benefits Liaison Coordinator (Police Human Resources Director)

The Police Human Resources (HR) Director will serve as the Benefits Liaison Coordinator (BLC). The BLC is responsible for handling benefits-related issues of the injured or deceased member. The BLC will report the status of his/her actions to the Assistant Chief of Police/Administrative Bureau.

The BLC may be contacted directly by the FLO and/or family representatives with questions or requests for information regarding the application for benefits related to the death of, or serious injury to, a member. The BLC will prepare benefit information for the family of a seriously injured or deceased member. The BLC will contact the appropriate agencies that provide disability/death benefits.

2.30.5 LODD CLASSIFICATION

In order for a death to be classified as a LODD for the purposes of honors bestowed, it must be a direct and proximate result of an injury, including illness, heart attack, etc.;

- Sustained in the line-of-duty; or
- Convincing evidence demonstrates that such injury resulted from the injured member's status, current or prior, as a law enforcement officer or as a member of the department.

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2.30.5 LODD CLASSIFICATION (CONTINUED)

A death appearing to qualify as a LODD, according to the parameters established, will be treated as such until determined otherwise. Once LODD procedures are in place and further information or a review causes a re-classification to a non-LODD, special care will be given when transitioning from LODD protocols to non-LODD protocols. Transition plans must include provisions for the respectful notification of family members prior to such changes and be approved by the Chief of Police, or his/her designee, before notification or implementation.

2.30.6 NOTIFICATIONS

Unless all suitable alternatives have been exhausted or significant extenuating circumstances exist, the notification of death or a catastrophic injury to a member will not be made, via telephone or any method, other than in-person. Equal respect and consideration will be given to all immediate family members, including a spouse or significant other, parents, siblings, and adult children. The spouse is to be given priority. However, if special circumstances dictate, the notification of other immediate family members should not be delayed.

Because of the impact of social media and other modern communication channels and technologies, it is imperative that the department make every effort to deliver proper respectful notification before the family members receive word via other impersonal and uninformed channels (e.g. news media).

The principle guiding factor should be a quick and sensitive notification; therefore, the notification should not be delayed while waiting for the Chief of Police, or his/her designee, to become available.

Once it is determined that a member of the LMPD has died or sustained a catastrophic injury, MetroSafe will be instructed to make notifications as indicated in SOP 2.7. The notification is to include the member's identity, if known, and basic information about what has occurred. This information will not be communicated in a manner accessible by the public. Once the identity of the affected member is known, notification procedures, found below, will be initiated. In the event of a LODD, the PIU will request notification and response of the on-call deputy coroner as soon as practical.

Notification of Death

In the event that a notification needs to be made regarding the death of a member, whenever practical, the nearest available commanding officer, regardless of division, will be directed by the Initial Scene Commander to maintain visual contact of the affected member's family as soon as possible. It is recommended that the commanding officer take another sworn member with him/her to assist. The commanding officer should not initiate contact, take action, or park in a position likely to alert the family, unless he/she observes someone leaving the home who appears to be a family member. In that event, he/she should initiate contact and ask the individual to remain.

Recognizing that his/her presence in that circumstance may cause alarm, it may become necessary for the commanding officer to make a notification before the notification team arrives. The commanding officer should be prepared to do so, but only if he/she deems it absolutely necessary. Notification of the immediate survivor is

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2.30.6 NOTIFICATIONS (CONTINUED)

to be made by the highest-ranking member of the department who can do so without delay. Ideally, this notification will be made by the Chief of Police.

The Chief of Police, or his/her designee, will select one (1) or two (2) of the most appropriate individuals available and make the notification as soon as possible. If available, at least one (1) member of the notification team should be in uniform. The notification officer should be accompanied by the affected member's division commander, or his/her designee, and a support person, such as a PST member, departmental chaplain, or other person with relevant training or experience. A close friend, family member, or departmental member familiar to the family may also be considered. The notification should be made by at least two (2) individuals, but generally not more than three (3) individuals.

Additional notification teams are to be assembled and sent to personally notify other immediate survivors, including parents, siblings, and adult children. Notification teams are to remain with family members as long as necessary to assist, as needed. If multiple teams are deployed, the Chief of Police, or his/her designee, should make an effort to personally visit and extend condolences to each immediate family member.

All members of the notification teams are to drive separate vehicles, whenever practical. Team members should communicate prior to their arrival and establish a notification plan clearly identifying who will take the lead and what will be said. If necessary, LMEMS or other resources are to be placed on standby near the location.

When necessary to make a death notification outside of a reasonable driving distance of Louisville Metro, a law enforcement agency in the appropriate jurisdiction will be contacted. Arrangements will be made for that agency to make the notification as close to these guidelines as possible, conducted by a staff-level officer of that agency along with a chaplain or other support person, without delay. If possible, the appropriate LMPD commanding officer should speak directly to the officer before the notification is made.

Notification of Catastrophic Injury

In the event of a catastrophic injury and it is believed that the member is still alive, the process of notification will include transportation of immediate family members, without delay, to the hospital where the member is being treated. Under no circumstances will a member of the department misrepresent the injured member's status, condition, or prognosis. If a member is known to be deceased, family members will not be transported under false pretenses.

Unless otherwise directed by a superior officer, it will be the responsibility of the Initial Scene Commander to initiate notification. If the injury occurs outside of Louisville Metro, it will be the responsibility of the on-duty commanding officer of the division/section/unit where the member is assigned.

If necessary, the commanding officer may delegate the responsibility for the notification. It is recommended that the responsibility be passed to the on-duty commanding officer in the division in which the notification is to be made or closest to the area if it is to be made outside of Louisville Metro.

The Initial Scene Commander, or his/her designee, will identify and send the closest available and appropriate unit(s) to notify and transport family members. When determining who to send, consideration should be given to

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2.30.6 NOTIFICATIONS (CONTINUED)

the personality, demeanor, training, and experience of any member chosen to make the notification. A commanding officer should be sent, if available, and if the assignment of this commanding officer would not cause a delay in notification. If it is known that young children, or others requiring special care, are present in the home, a second unit will be sent to remain at the home until alternative care can be established.

2.30.7 SENSITIVITY

Whenever possible, a death notification should be made in private. If the notification occurs at a residence, the notification team should ask to go inside. If others are present, particularly children or multiple adults, the team should request privacy. The purpose is to show respect and preserve the dignity of the survivors by affording them the opportunity to react to the tragic news away from guests and others.

It is also desirable to give them the opportunity to process the information and make important decisions about when and how to tell the children. The notification should be made using plain language, with clear terms such as "killed" or "dead," not ambiguous terms such as "expired," "passed on," or "no longer with us." Clarity should be provided in the first few sentences spoken by using the words "dead" or "died."

The deceased member should always be referred to respectfully by his/her name and never with terms such as "the deceased," "body," or "remains."

The leader of the notification team should provide the family with as much factual information as possible regarding the incident and death in order to avoid speculation.

Members should avoid making any promises to the family until arrangements can be discussed with competent authority. Any promises made must be kept.

Notification personnel are not to bring any personal items of the deceased member to give to the family. The proper disposition of personal property is to occur at a later date and in a more dignified manner.

2.30.8 TRANSPORTING FAMILY MEMBERS

While transporting family members, personnel should turn off all radios and refrain from engaging in phone or other communication that is not essential to the transport. Transporting officer(s) should provide basic known facts about the incident, if asked, but not speculate or repeat rumors. Family members are to be transported safely and directly to the appropriate destination. No deviation or additional stops are to be made, unless specifically requested by the family member.

If notification is to be made at a location outside of reasonable driving distance of Louisville Metro, the commanding officer will contact the law enforcement agency from the appropriate jurisdiction. If necessary, such contact may be initiated through MetroSafe. Whenever possible, the commanding officer should speak directly to the officer who will make the notification prior to him/her doing so. The notifying officer will be properly briefed and appropriate actions will be agreed upon.

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2.30.8 TRANSPORTING FAMILY MEMBERS (CONTINUED)

It should be anticipated that family members will not be able to drive themselves. Arrangements for transportation should be established for them, before the notification unit arrives. If family members insist otherwise and refuse to accept provided transportation, the notifying officer should, at the very least, ask to accompany them in their vehicle or follow them in a departmental vehicle.

2.30.9 FAMILY AT SCENE OF INCIDENT

When a member has been killed and not immediately removed from the scene of an incident, the arrival of family members should be anticipated. When the family has learned of the incident before the notification team arrives or upon formal notification, the family may insist upon being taken to the scene. Grieving family members will be handled respectfully and compassionately, while maintaining the safety for all and preserving the integrity of the scene.

When feasible, the Incident Commander (IC) will prepare for the possible arrival of the family. Traffic and perimeter personnel will be alerted to the possible arrival and instructed accordingly. While it might not be safe or appropriate for the family to come close to the actual scene, a location will be designated for them away from the news media and onlookers. If the identity of the deceased member has not already been confirmed to the family, the IC, or highest ranking officer available, should do so as soon as possible.

2.30.10 VISITING/VIEWING THE DECEASED

It is recognized that in order to be able to hold guilty persons responsible for criminal acts, the integrity of the evidence, and the proper collection thereof, are of the utmost importance. Family members should be briefed that everything possible will be done to conduct all necessary tests as quickly as possible, but investigative thoroughness and evidence collection will not be compromised for expediency. Family members should be counseled that the Medical Examiner's Office treats all decedents with compassion and dignity and members of the department will stand watch over the decedent at all times.

Family members will be offered the opportunity to visit the deceased member at the funeral home after the deceased has been released from the Medical Examiner's Office. Seeing, touching, and spending time with the deceased member may be a critically important part of the grieving and healing process, but should be undertaken in a setting that can provide the appropriate environment and comfort (e.g. funeral home) and after all necessary evidence has been documented and collected.

If a deceased member is badly disfigured, family members should be respectfully discouraged from viewing. However, if a family member insists, a private viewing will be arranged at the funeral home. Family members should be cautioned and prepared for what they will see. Unless refused by the family member, a support person, such as a chaplain, other clergy, counselor, or close friend, should accompany him/her.

In all such situations, the expressed wishes of the family will be considered while verifying that evidence is not lost or compromised. The IC, or his/her designee, will coordinate with the coroner and/or funeral home leadership to assist with the access requested by the family.

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2.30.11 DEPARTMENTAL NOTIFICATIONS AND BRIEFING

As soon as practical following the LODD of a member, a department-wide notification will be made by the Chief of Police, or his/her designee, via email, radio, and/or other methods. A subsequent briefing may be held for members of the department (no media) with update sessions, as necessary. At the discretion of the Chief of Police, or his/her designee, family members of LMPD personnel may be included.

The Deputy Chief of Police/Chief of Staff will verify that a funeral logistics memorandum is disseminated with logistical information, the uniform of the day, and other pertinent information regarding funeral arrangements.

2.30.12 RELEASE OF INFORMATION

The release of the identity of a deceased member or information likely to identify the deceased member is strictly prohibited until authorized and agreed upon by the coroner and the Chief of Police, or his/her designee. The identity of the deceased member will only be released after all immediate family members have been properly notified. Members are prohibited from making radio transmissions, unless absolutely necessary, or any public statement or posting via Facebook, Twitter, or other social media or public forum that would identify the deceased member prior to the official release (KACP 20.5a). Members will not directly contact, in any manner, the family of the deceased member, unless as directed in this policy, prior to the formal notification by the coroner in coordination with the Chief of Police, or his/her designee.

Members are, however, encouraged to contact their own family members as soon as practical, following such an incident, in order to let them know that they are okay. Members shall not give information about, or even hint at, the identity of the deceased member prior to the formal release by the Chief of Police, or his/her designee.

2.30.13 HOME SECURITY DETAIL (SWORN LODD OR SPECIAL CIRCUMSTANCES ONLY)

As soon as possible following the notification of a LODD of a sworn member and the formal notification of the family, a 24-hour security detail will be established at the immediate family members' residence. The primary purpose, especially in the event of a felonious death, is to afford a sense of security for the family. In addition, it may prevent the news media and others from entering the personal space of the family without invitation. The detailed officer will remain outside, unless invited inside by the family for short periods of time. A home security detail may be extended to non-sworn personnel or non-LODD circumstances by the approval of the Chief of Police, or his/her designee. The detail will be maintained around the clock until at least 24 hours following the funeral, unless directed by the Chief of Police, or his/her designee.

2.30.14 PERSONAL EFFECTS

Unless investigative, evidentiary, or other needs dictate, the personal effects of a deceased member will be left in place in his/her workspace (e.g. desk, locker, assigned vehicle, etc.) until the family determines what he/she wants to do with them. Compassion will be exercised. Family members will be given ample opportunity to personally retrieve such items from the workspace and/or assigned vehicle just as they were left by the deceased member. Items of value, though, will be secured by the member's division commander. Supervisors

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2.30.14 PERSONAL EFFECTS (CONTINUED)

will survey the workspace and secure any sensitive materials (e.g. investigative notes, case files, etc.) or weapons. Otherwise, the space should be left as undisturbed as possible.

2.30.15 OTHER NOTIFICATIONS

Within 24 hours of the determination that the death of a member will be treated as a LODD, the following will be notified by the Police HR Director:

- Public Safety Officers' Benefits Office (federal and state)
- Supporting Heroes
- Concerns of Police Survivors (C.O.P.S.)
- Kentucky Law Enforcement Officer's Memorial Foundation
- National Law Enforcement Officer's Memorial Fund and Officer Down Memorial Page
- Federal Bureau of Investigation (FBI) Field Office
- Metro Occupational Safety and Health Administration (OSHA), in writing

Within 30 days of the LODD, the Police HR Director will begin processing applications for federal, state, local, and other benefits.

Within 30 days of the LODD, the Special Investigations Division (SID) Commander shall begin processing applications to include the deceased officer's name on federal, state, and local monuments honoring officers killed in the line-of-duty.

2.30.16 REPORTING ON-DUTY INJURIES

Supervisors shall report all work-related incidents involving the death of any member or the in-patient hospitalization of three (3) or more members, either verbally by telephone at (502) 574-3305 or (502) 574-3047, or in-person to the Louisville Metro OSHA Office, within eight (8) hours of the time from which the supervisor first became aware of the incident. If the supervisor making the report is unable to get in contact with someone in the Louisville Metro OSHA Office, the member must verbally report the incident to the Kentucky OSHA Office, Division of Compliance, at (502) 564-3535. If the incident occurs outside of the normal operating hours of the Kentucky OSHA Office (0800 to 1630 hours, Monday through Friday), the supervisor should call the Kentucky OSHA Office hotline at (502) 564-3535 for instructions on reporting this work-related incident. All work-related incidents involving an amputation or the in-patient hospitalization of one (1) or two (2) members from a single incident must be reported verbally at (502) 574-3305 or (502) 574-3047, or in-person to the Louisville Metro OSHA Office, within 72 hours of the time from which the supervisor first became aware of the incident. If the supervisor making the report is unable to get in contact with someone in the Louisville Metro OSHA Office during this timeframe, the supervisor should verbally report the work-related incident to the Kentucky OSHA Office, Division of Compliance, at (502) 564-3535.

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2.30.17 HONORS

It is the policy of the LMPD to appropriately recognize and honor members who have given their lives in the line-of-duty. Keeping with the traditions of law enforcement, the LMPD will only render ultimate honors for the ultimate sacrifice (e.g. LODD as defined above). Current and former members will receive professional honors as recognition for their service. Members whose deaths occur as a result of service (LODD) will receive additional honors in recognition of both service and sacrifice.

The listed honors are those typically rendered during funeral services by the LMPD Honor Guard and those of other agencies. At the request of family members, and by approval of the Chief of Police, or his/her designee, all or part of the services offered for any particular funeral type may be performed; however, the honors performed must be in keeping with the parameters of the category fitting the manner of death. For members whose deaths appear likely to be classified as a LODD, additional special honors are to be rendered immediately and maintained until the member is laid to rest.

It is the policy of the LMPD to preserve the integrity of these honors and to render them for those members whose deaths are classified as a LODD. Additionally, members of the LMPD are prohibited from assisting in the rendering of LODD honors to members of other agencies whose deaths are not classified as a LODD.

Special Guard (LODD Only)

The Special Guard is utilized to show respect by having members of the department watch over the deceased member every minute of every day until he/she is laid to rest. It is also intended to provide comfort to the family by knowing that their loved one will not be alone and as a statement to the community and others. Personnel utilized in this manner will conduct themselves in a very respectful and reverent manner at all times, maintaining their post at all times and not engaging in other activities.

Upon the determination that the circumstances of the death may be classified as a LODD, a uniformed member will be immediately assigned to watch over the deceased member. It is preferred that uniformed members be in Class A uniform with a tie unless that is not immediately practical. Even if the decedent is not at the hospital (e.g. still at a crime scene, wreckage, or other situation from which he/she has not yet been removed), the assigned Special Guard will be standing watch and/or ready to assume watch as soon as it is safe and practical. The division commander, or his/her designee, from the deceased member's unit will be assigned to supervise and schedule the Special Guard for around-the-clock coverage until the member is laid to rest.

The Special Guard is not the same as the formal Casket Watch, which is performed by the LMPD Honor Guard.

For sworn personnel, the Special Guard will be comprised of sworn personnel in uniform. Shifts will be set according to need, ideally two (2) to four (4) hours in length. Volunteering coworkers, academy classmates, etc. are to be given priority in scheduling. The Special Guard may be doubled if there is an overwhelming number of volunteers. The role of the Special Guard will be assumed by the LMPD Honor Guard during periods of the visitation and funeral (e.g. Casket Watch).

For non-sworn personnel, the composition of the Special Guard will be determined on a case-by-case basis by the Chief of Police, or his/her designee. A combination of sworn and non-sworn personnel may be utilized.

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2.30.17 HONORS (CONTINUED)

To respect the dignity of the member, the Special Guard will be posted outside of the room where the member is located during an autopsy, cleaning, dressing, or other preparation. The Special Guard will show similar respect and be posted outside during the private family visitation, unless otherwise requested. At all other times, the Special Guard will be with the deceased member.

Removal from the Scene with Honors (LODD Only)

When a member has been declared deceased at a location other than a medical facility, such as a crime or crash scene, the removal will be conducted with honor, while maintaining scene integrity and considering safety concerns. If possible, public safety personnel should be assembled in formation and/or should form a cordon or gauntlet through which the member shall pass. Assembled public safety personnel will be called to "Attention" and commanded to render the appropriate hand salute as the member is moved.

Special Escorts (LODD Only)

When a member whose death is considered a LODD is to be moved from one (1) location to another, the move will be conducted formally with an escort. The LMPD Honor Guard, when possible, will serve as pallbearers, unless the family requests otherwise. The Traffic Unit will implement a traffic control plan. Moves will be conducted in a respectful and reverent manner, traveling at funeral procession speeds. Sirens should be utilized only when necessary for traffic control and safety. The use of emergency lights will be contingent upon traffic control and conditions and is determined on a case-by-case basis.

Except when safety or other necessity dictates, traffic control personnel will come to the position of "Attention" and render a hand salute as the hearse approaches and passes. The fallen member will be saluted, not the motorcade.

Whenever the approximate time of a move is known in advance (such as from the Medical Examiner's Office to a funeral home or from a funeral home to a church), the details will be shared with the media through the Media and Public Relations Office, with as much advance notice as possible. This will allow members of the community the opportunity to stage along the route in order to show respect and appreciation for the member's service and sacrifice. Family members will also be notified in advance of each move and, if appropriate, given the opportunity to participate.

LODD Funeral Honors

Formal LODD honors will be offered to the family of any deceased member whose death is classified as a LODD. Such honors will be rendered during the funeral visitation and services.

A family may refuse honors or reject individual components as they choose.

LODD – Level 1 Memorial Service

The following honors may be performed for a LODD (Level 1) Memorial Service: Any active member qualifies.

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2.30.17 HONORS (CONTINUED)

- **Special Guard:** As defined previously.
- **Casket Watch:** Members of the LMPD Honor Guard (or assisting agencies) will stand guard at the casket during periods of visitation and prior to the start of the funeral service. One (1) member will be posted at the head of the casket and one (1) at the foot.
- **Firing Party:** As defined previously.
- **Riderless Horse:** A member of the LMPD Mounted Patrol will lead a Riderless Horse in front of the hearse during the last segment of travel to the member's final resting place.
- **Air Unit Flyover:** A flyover tribute may be conducted by the LMPD Air Unit during the graveside service, depending on weather and safety considerations.
- **Final Call:** A final radio call will be conducted for the fallen member during the graveside service.
- **Garrison Flag:** With the assistance of the fire department, a Garrison Flag(s) (large U.S. flag) will be hung over the roadway for the motorcade to pass under while en route to the cemetery. (Exception: A Garrison Flag may also be utilized in a non-LODD service, but the motorcade will not pass underneath.)
- **Color Guard:** As defined previously.
- **Bugler:** An Honor Guard bugler will play Taps.
- **Flag Folding Detail:** This detail may be conducted at either the FOP service or memorial service, or both. The Chief of Police, or his/her designee, will present the flag to the family.
- **Gauntlet:** Honor Guards from all participating agencies will form a gauntlet for the deceased member, while moving him/her during the memorial service.
- **Pipe and Drum Corp:** A Pipe and Drum Corp will play bagpipes and ceremonial drums and march, as appropriate.

Active Duty Death – Level 2 Memorial Service

The following honors may be performed for an Active Duty Death (Level 2) Memorial Service: Active sworn members who become deceased as a result of illness, accident, injury, or natural causes not related to any performance of duty or police action.

- **Casket Watch:** Members of the LMPD Honor Guard will stand guard at the casket during periods of visitation and prior to the start of the funeral service. One (1) member will be posted at the head of the casket.
- **Color Guard:** As defined previously.
- **Firing Party:** As defined previously.
- **Final Call:** As defined previously.
- **Bugler:** An Honor Guard bugler will play Taps.
- **Flag Folding Detail:** This detail may be conducted at either the FOP service or memorial service, or both. The Chief of Police, or his/her designee, will present the flag to the family.
- **Gauntlet:** LMPD Honor Guard members and any other members present will form a gauntlet for the deceased member while moving him/her during the memorial service.
- **Pipe and Drum Corp:** A Pipe and Drum Corp will play bagpipes and ceremonial drums and march, as appropriate.

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2.30.17 HONORS (CONTINUED)

Retired Sworn Member Death – Level 3 Memorial Service

The following honors may be performed for a Retired Sworn Member Death (Level 3) Memorial Service: Retired sworn members from the LMPD, Louisville Division of Police (LPD), or Jefferson County Police Department (JCPD) who are not currently under indictment or been convicted of a felony offense. The memorial service for retired members will only be performed locally, or within a reasonable distance of travel, as determined by the Chief of Police.

- **Firing Party:** As defined previously.
- **Bugler:** An Honor Guard bugler will play Taps.
- **Flag Folding Detail:** This detail may be conducted at either the FOP service or memorial service, or both. The Chief of Police, or his/her designee, will present the flag to the family.
- **Pipe and Drum Corp:** A Pipe and Drum Corp will play bagpipes and ceremonial drums and march, as appropriate.

Non-Sworn LMPD Member Death – Level 4 Memorial Service

The following honors may be performed for a Non-Sworn LMPD Member Death (Level 4) Memorial Service: Active non-sworn members of LMPD who become deceased as a result of illness, accident, injury, or natural causes not related to any performance of their official duties.

- At least two (2) Honor Guard members will be present at the funeral service to render honors decided by the detail commander.

2.30.18 MOURNING BANDS

Solid black or thin blue line mourning bands may be worn across a member's badge in the following circumstances:

- Upon the order of the Chief of Police, or his/her designee, following the LODD of a member of the department. Once ordered, mourning bands will be removed at the end of the day that the officer is laid to rest.
- Upon the approval of the Chief of Police, or his/her designee, following the LODD of a law enforcement officer of a neighboring jurisdiction. The mourning band will be removed at the end of the day that the officer is laid to rest.
- On National Peace Officer's Memorial Day (May 15).
- While attending any memorial service held in honor of law enforcement officers who have died in the line-of-duty.
- At the direction of the Chief of Police, or his/her designee.

The Administrative Services Division's Management Assistant is responsible for maintaining a supply of mourning bands.

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Chapter: Personnel	Accreditation Standards: KACP: 20.5
Subject: Death or Catastrophic Injury to Member	

2.30.19 MEMORIAL FUNDS

Members are prohibited from independently establishing funds to raise money in honor of a fallen member or for the benefit of a fallen member's family.

Members may assist an immediate survivor in setting up such a fund, but only if the survivor is given full control of the fund.



Initial Scene Commander Checklist



Date: _____

Location: _____

Time On-Duty: _____

Time Off-Duty: _____

- Make the scene safe.

- Apprehend suspects in order to prevent future acts of violence.

- Verify appropriate medical response.

- Officer security and safety:
 - Identify officers in need of support.
 - Notify the Inspections and Compliance (ICU) Commander and Health and Safety Officer (HSO).

- Verify appropriate scene security and perimeters.
 - Inner and outer perimeters.

- Preserve evidence and identify witnesses.

- Retrieve employee emergency contact information and initiate notification team.

- Determine that the Incident Commander (IC) has been identified and is in place.

- Assign a "scribe" to assist command.
 - Maintain documentation of significant events and times of occurrence.

- Verification and/or notification of appropriate personnel to respond to the scene to include:
 - Additional patrol resources (determine resource/staffing needs).
 - Identify and assign supervisor to maintain city-wide police response (may be handled by the IC).
 - Determine need to restrict calls for service by priority.

- Public Integrity Unit (PIU).
 - Fire.
 - Media and Public Relations Office.
 - Special Weapons and Tactics (SWAT) Team, Hostage Negotiation Team (HNT) and Bomb Squad.
- Request appropriate notification by MetroSafe.
- Provide updates, as necessary.
- Identify command post and any additional staging areas.
- Consider Mobile Command Center.
- Media.
 - Determine staging area and appropriate response route.
 - Other support units.
- Identify support needs.
- Food/water.
 - Officer relief schedules.
- Conduct ongoing updates to Command Staff.
- Assign a supervisor to coordinate long-term activity at the scene following the initial response.



Hospital Commander Checklist



Date: _____

Location: _____

Time On-Duty: _____

Time Off-Duty: _____

- Verify that Louisville Metro Emergency Medical Services (LMEMS) access is not impeded.
- Post an officer/detective with the injured or deceased.
- Notify the departmental physician, and provide him/her with updates on the officer.
- Assign responsibilities to responding Health and Safety Officers (HSOs)
- Verify that the officer's personal property is accounted for and secured.
- Verify that the officer's clothing is collected and treated as evidence, if applicable.
- As outside resources arrive at the hospital and start offering to help, identify what services they have to offer and collect contact information.
- If the officer is conscious, make inquiries regarding preferences on contacts, verify contact information and secure permission to share health information.
- If the officer is unconscious or unavailable due to the need for emergency care, contact medical personnel, as needed, to gather information regarding condition and prognosis.
 - Treat all medical information as confidential and release only if necessary.
- Identify the appropriate medical personnel who will communicate with the family and who will be available to answer their questions about condition, injuries, prognosis and treatment efforts. Communicate with the Family Liaison Officer (FLO), as appropriate.
- Contact the Initial Scene Commander to obtain as accurate information as possible regarding the incident, to include suspect information.
 - It is important to clearly identify what can and cannot be shared with the family, the officers, other members and the media.
- Work with hospital personnel to secure a location for the family to protect privacy and communicate the arrangements with the FLO as soon as possible.

- Again, the seriousness of the injuries and the size of the family will dictate the amount of space needed. Also, considerations shall be made to keep the family separated from the public, the media and other members, who have gathered at the hospital, on their way to the room, while in the room and when leaving the hospital.
 - Brief the family and coordinate their visitation/viewing of the member with the medical personnel and investigative personnel.
 - Care shall be taken to verify that evidence is preserved as directed by the investigator assigned to the officer.
-
- Work with hospital personnel to secure a location for responding officers and other members to wait for information.
 - The seriousness of the injuries will usually dictate the amount of space needed.

 - Work with the hospital staff and the Public Information Specialist, as needed, to identify a staging/briefing area for the media and assign personnel to communicate this information to the gathering media.

 - Verify adequate security at the hospital to minimize public or media interaction with the officers, other members or family members gathered at the hospital.

 - Update the Command Staff any time the officer's condition changes so follow-up contacts and member notifications can be made as required.

 - Verify that family contacts have been made and coordinate, as needed, with the transporting officer(s) to identify their arrival time, the best place for parking and the secured route to the family room. The Incident Commander (IC) should then be notified and updated.

 - Brief the officers and other members gathered at the hospital as information is available. It will likely be necessary to provide multiple briefings.

 - If the officer is deceased, arrange for a uniformed officer to be with the body at all times, starting when the investigative personnel have completed their work at the hospital and ending when the member is laid to rest.



Funeral Detail Commander Checklist



Date: _____

Location: _____

Time on Duty: _____

Time Off Duty: _____

Funeral Detail Commander Contact Sheet

(Community Services Division Commander)

Position	Name	Contact Number
Initial Scene Commander		
Hospital Commander		
Division Commander		
Funeral Coordinator		
Family Support Officer (FSO)		
Family Liaison Officer (FLO)		
Benefits Liaison Coordinator (BLC)		



Funeral Coordinator Checklist



Date: _____

Location: _____

Time on Duty: _____

Time Off Duty: _____

Prior to initiating any actions, the family shall be consulted as to their wishes. Each family is different in how they grieve and may not want some of the services listed in departmental policy. All contact with the deceased member's family shall be made through the Family Liaison Officer (FLO). Keep in mind there might be religious considerations dictating how the body is handled and what funeral services take place.

Immediate Concerns

- Contact FLO to ensure family desires for bestowed honors are in keeping with departmental policy.

Funeral Home Considerations

- Site visit (coordinate with funeral home director/familiarization with facility).
- If member has prior service or is currently a member of a branch of the armed services and the family wants the military to bestow honors on the deceased, coordinate with that branch of the military.
- Notify Supporting Heroes, Concerns of Police Survivors and Fraternal Order of Police to ensure they understand the family's wishes. Coordinate their involvement in bestowing any honors.
- Guard detail to continue – consult with the funeral home.
- Uniform for officer (if to be buried in his/her uniform).
- Coordinate with outside agency Honor Guards that will want to bestow honors for LODD.
- FOP service.
- Procedure in funeral home (for FOP service).
- Photo Lab photographer tech for pictures.
- Explorer scouts to assist with traffic and parking (Special Operations Division).
- Police bus for a parking shuttle (Training Division).
- Contact Traffic Unit for securing routes while moving the deceased member.
- Outside agency assistance for traffic control during services.
- Maps for parking, if needed.

- Processional parking arrangements, if no church service.
- Contact and coordinate with those departmental units that are needed to provide the honors the family wishes to bestow.

Church Service Considerations

- Site visit (coordinate with clergy, etc.).
- Meet with presiding clergy to coordinate honors bestowed at the church and the eulogy to be given.
- Church rules for displays (such as flags, pictures, videos, etc.).
- Seating (family, Honor Guard, platoon members, police, general).
- Processional in & out (this will require some prior planning and site visit).
- Pall bearers (family/police).
- Traffic unit to secure route to and from the church.
- Contact and coordinate with those departmental units that are needed to provide the honors the family wishes to bestow.

Cemetery/Gravesite Considerations

- Site visit to cemetery; contact site director.
- Processional to cemetery from church/funeral home (Traffic Unit).
- Processional parking in & out (maps to Traffic Unit or lead car).
- Garrison Flag (Supporting Heroes).
- Display of Garrison Flag (fire department(s)).
- Piper (Louisville Pipe and Drums or fire department).
- Mounted Patrol Unit escort.
- Maps of route into and out of cemetery (Google).
- Contact and coordinate with those departmental units that are needed to provide the honors the family wishes to bestow.
- Write final call for MetroSafe to broadcast. Notify MetroSafe and ensure public address system is present for broadcast at gravesite.
- Final Call (MetroSafe).



Family Liaison Officer (FLO) Checklist

FLO: _____ **Code #:** _____
Date: _____ **Location:** _____
Time on Duty: _____ **Time Off Duty:** _____
Appointed By: _____
Relieved By: _____

Incident Commander: _____	Phone #: _____
Peer Support Team Commander: _____	Phone #: _____
Division Commander: _____	Phone #: _____
Scene Commander: _____	Phone #: _____
Hospital Commander: _____	Phone #: _____
Funeral Coordinator: _____	Phone #: _____
Family Support Officer: _____	Phone #: _____
Family Point of Contact: _____	Phone #: _____
Relationship to Effected Member: _____	
FLO: _____	Phone #: _____
FLO: _____	Phone #: _____
FLO: _____	Phone #: _____
Public Information Officer: _____	Phone #: _____

- Assigned and briefed by Peer Support Team (PST) Commander.
- Travel to assignment and remain until relieved by PST Commander or another FLO.
- Contact the Family Support Officer (FSO), explain FLO role and obtain the FSO's contact information.
- Monitor and assist the FSO.
- Contact the PST Commander if the FSO is becoming overwhelmed.
- Contact family member, explain FLO role and obtain the family member's contact information.

- Coordinate family requests with appropriate personnel.
- Explain LMPD resources that are available.
- Establish what parameters the affected member's family want (house watch, officers in or near the home, access by police/government officials).
- Contact affected member's division on-duty supervisor, explain FLO role and obtain the supervisor's contact information.
- Maintain an up-to-date copy of SOP 2.30, Death or Catastrophic Injury to Member.
- Maintain up-to-date copies of all checklists associated with SOP 2.30.

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 2.31
	Effective Date: 05/25/15 Prv. Rev. Date: 04/10/17 Revised Date: 06/10/18
	Accreditation Standards: KACP: 20.5
Chapter: Personnel	
Subject: Social Media	

2.31 SOCIAL MEDIA

2.31.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to maintain departmental social media website accounts (e.g. Facebook, Twitter, Instagram, YouTube, Nextdoor, etc.) for the purposes of citizen engagement and victim/witness contact. The LMPD restricts the use of departmental resources for accessing social media website(s) to official business purposes only. The LMPD restricts some content of personal social media website account(s) relating to, or as a result of, the member's employment with the LMPD.

2.31.2 PURPOSE

The purpose of this policy is to inform members of the acceptable use of departmental and personal social media website accounts and their contents.

2.31.3 FIRST AMENDMENT CONSIDERATIONS

The United States Supreme Court case of *Garcetti v. Ceballos* (2006) has held that speech made by public employees pursuant to their official duties is not protected by the First Amendment from employer discipline. Members should be cognizant of the fact they are responsible, and may be held accountable, for any and all speech, posts, etc. made by them relating to, or as a result of, their employment.

Members who are speaking as private citizens on their personal social media website account(s) and address a matter of public concern are protected under the First Amendment. Matters of public concern include speech that addresses an issue of political, social, or other concern to the community.

The United States Supreme Court case of *Connick v. Myers* (1983) has held that speech made by public employees which affects the efficient operation of the department may not be protected by the First Amendment from employer discipline.

2.31.4 DEPARTMENTAL SOCIAL MEDIA ACCOUNTS

The Media and Public Relations Office is responsible for administering all departmental social media website accounts and coordinating with LMPD divisions/sections/units regarding any social media website account that the division/section/unit wishes to utilize for informational purposes or victim/witness contact (refer to SOP 3.3) (KACP 20.5a).

Departmental social media website accounts will adhere to the following:

- Accounts will clearly indicate that they are maintained by the department and have departmental contact information prominently displayed.
- Accounts will clearly state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the department.

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2.31.4 DEPARTMENTAL SOCIAL MEDIA ACCOUNTS (CONTINUED)

- Pages will clearly indicate posted comments are monitored and the department reserves the right to remove obscenities, off-topic comments, and personal attacks.
- Members shall observe and abide by all copyright, trademark, and service mark restrictions while posting content or making comments.
- Accounts will clearly state they are not monitored 24/7 and visitors to the page should not attempt to communicate emergency or time-sensitive information.

Nextdoor is a social media website that is used to communicate neighborhood-specific information between citizens residing in a specific geographic area. LMPD uses Nextdoor as one channel to communicate relevant crime and safety information to citizens residing in Louisville Metro. In order to effectively communicate neighborhood-specific information, Departmental Nextdoor accounts are administered by the Support Lieutenant in each of the eight (8) patrol divisions. Departmental Nextdoor accounts may be used to communicate the following:

- America's Missing: Broadcast Emergency Response (AMBER) Alerts (refer to SOP 12.5)
- Golden Alerts (refer to SOP 8.32)
- Neighborhood-specific crime and safety information
- LMPD contact information
- Educational information (e.g. public safety tips, law enforcement initiatives, etc.)
- Local events/volunteer opportunities

2.31.5 VICTIM/WITNESS CONTACT

Since social media website accounts (e.g. Facebook, Twitter, Instagram, YouTube, etc.) may be vulnerable to security intrusions, officers should attempt to use conventional methods to contact victims/witnesses (e.g. in-person, phone, mail, departmental email, etc). When conventional methods have been exhausted, an officer may use a departmentally-approved social media website account to initiate victim/witness contact through the website's private messaging application. An officer should never attempt to contact a victim/witness through an open messaging post.

Patrol divisions and specialized units may set up an account for their division/section/unit for the purpose of using the messaging application. The division/section/unit commander, or his/her designee, will consult with the Media and Public Relations Office in order to properly set up the account. The division/section/unit commander, or his/her designee, will be responsible for monitoring the account.

With the approval of his/her commanding officer, an officer may use the social media website's private messaging application to initiate contact with a victim/witness. Due to its vulnerability, the messaging application should not be used as a means of continued correspondence. Therefore, the officer's message should clearly state the officer's name, purpose for the contact, and include the officer's departmental contact information for any return correspondence. The message should not include any details of the specific case under investigation.

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2.31.6 MEMBER RESPONSIBILITIES

Photographs of the inside of police facilities or of any LMPD-involved crime or accident scene shall not be posted to any personal social media website. Departmental or personal cell phones or other personal cameras shall not be used to photograph/videotape crime or accident scenes, suspects, arrestees, evidence, or any other official departmental activity. Exceptions must be approved by a commanding officer, with the rank of lieutenant or above, and written documentation sent to the division/section/unit commander (KACP 20.5a-b).

Members shall not identify another member as an employee of the LMPD on any social media website(s) without the permission of the other member. This does not include media stories, official LMPD or other governmental press or social media releases, or releases by the Louisville Metro Police Foundation. Members are reminded to exercise good judgment and to demonstrate personal accountability when choosing to post photographs, videos, or other images of themselves in uniform on social media websites. Members electing to post photographs, videos, or other images of themselves on a social media website should not post images that may undermine the member's or the LMPD's reputation or communicate bias or the inability to provide professional and impartial law enforcement service. Any exception to this requirement requires the permission of the Media and Public Relations Office or the Assistant Chief of Police/Administrative Bureau, or his/her designee (KACP 20.5a, c).

Members are reminded to exercise good judgment and demonstrate personal accountability when choosing to participate in social media websites. Use of these types of sites while on-duty is restricted to official departmental business only. Restrictions include the use of personal computers, cell phones/smartphones, or other electronic devices.

Members should be aware that comments, postings, or any other activities on a social media website may be subpoenaed, or otherwise scrutinized, in legal proceedings in order to either establish the member's character or discredit the member (refer to SOP 11.7). Members should be aware privacy settings on social media sites are constantly in flux. Therefore, members should never assume personal information posted on such sites is protected.

In addition, members who participate in social media websites are prohibited from (KACP 20.5a-c):

- Posting the identities of deceased members prior to the official release by the department (refer to SOP 2.30).
- Posting the identities of victims, suspects, or witnesses.
- Posting confidential or law enforcement sensitive information. Members shall treat all departmental business as confidential (refer to SOP 5.1).
- Posting content or making comments:
 - Regarding the guilt or innocence of suspects/arrestees in cases involving the LMPD, where the member is involved or where such information would reveal non-public information, would violate confidentiality provisions of law or departmental policy, would impact ongoing investigations, or would otherwise impact the efficient operations of the LMPD.
 - Regarding pending, or ongoing, investigations involving the LMPD, where the member is involved or where such information would reveal non-public information, would violate confidentiality provisions of law or departmental policy, would impact ongoing investigations, or would otherwise impact the efficient operations of the LMPD.

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2.31.6 MEMBER RESPONSIBILITIES (CONTINUED)

- Regarding pending or current prosecutions where the LMPD is an involved agency, where the member is involved or where such information would reveal non-public information, would violate confidentiality provisions of law or departmental policy, would impact ongoing investigations, or would otherwise impact the efficient operations of the LMPD.
- Regarding pending or current civil cases where the LMPD, or a LMPD member, is an involved party or where such information would reveal non-public information, would violate confidentiality provisions of law or departmental policy, would impact ongoing investigations, or would otherwise impact the efficient operations of the LMPD.
- That include information gained by reason of their authority.
- That advocate harassment, threats of violence, or similar conduct.
- That may be considered to represent the views of the LMPD or Louisville Metro Government.
- That may hinder, or prejudice, a court case.
- That violate any law or departmental policy.
- That suggest the member is engaged in behavior that is unlawful or reckless toward public safety.
- That express ridicule, bias, disrespect, or prejudice against any individual or protected class, or maligns and disparages any individual or protected class (e.g. actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics).
- That can be reasonably construed as condoning the violation of another person's civil rights.
- Posting any images, videos or other media that:
 - Were obtained during the course of the member's employment with the LMPD (e.g. Mobile Video System (MVS), Wearable Video System (WVS));
 - Were obtained by reason of the member's position or authority; or
 - Are the property of the LMPD.

The LMPD allows the use of professional social media website(s) (e.g. LinkedIn) in order to allow easier communication in a professional context with other practitioners, professional groups, and related community members. The use of professional social media website(s) representing the member professionally as an employee of the LMPD (including photographs) requires the approval of the Assistant Chief of Police/Administrative Bureau, or his/her designee.

Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 2.32
	Effective Date: 08/08/16
	Accreditation Standards:
Chapter: Personnel	
Subject: Rendering Honors	

2.32 RENDERING HONORS

2.32.1 PURPOSE

The Louisville Metro Police Department (LMPD) recognizes that, as one of the most visible Metro Government departments in the community, citizens and visitors often look to members as examples of how to render the proper honors to the United States National Anthem, Pledge of Allegiance, and the American flag. The United States Code, Title 4, Chapter 1 and Title 36, Chapter 10 (4 U.S.C. § 1; 36 U.S.C. § 10) provide the following uniform procedures to be followed during the playing of the United States National Anthem, during the delivery of the Pledge of Allegiance, or while in the presence of the American flag.

This policy does not relieve a member from his/her assignment responsibilities. If the nature of a member's assignment (e.g. traffic control or dignitary protection) requires his/her full attention, the assignment takes precedence over any rendering of honors.

2.32.2 DEFINITIONS

Position of Attention: To assume this position, bring the heels together sharply on line, with the toes pointing out equally, forming a 45-degree angle. Rest the weight of the body evenly on the heels and balls of both feet. Keep the legs straight without locking the knees. Hold the body erect with the hips level, chest lifted and arched, and the shoulders square. Keep the head erect and face straight to the front with the chin drawn so that the alignment of the head and neck is vertical. Let the arms hang straight down without stiffness. Curl the fingers so that the tips of the thumbs are alongside and touching the first joint of the forefingers. Keep the thumbs straight along the seams of the pant leg with the first joint of the fingers touching the pants. Remain silent and do not move unless otherwise directed.

Salute: To assume this position, one must first assume the position of attention. Then, raise the right hand sharply, fingers and thumb extended and joined, palm facing down, and place the tip of the right forefinger on the rim of the uniform hat slightly to the right of the right eye. The outer edge of the hand is barely canted downward so that neither the back of the hand nor the palm is clearly visible from the front. The hand and wrist are straight and the elbow is inclined slightly forward with the upper arm horizontal to the ground.

2.32.3 NATIONAL ANTHEM

On-duty members will bestow the following honors during the playing of the United States National Anthem:

- Members who are in uniform **and** wearing an authorized hat should come to the position of attention. If a flag is present, they should face the flag. If a flag is not present, they should face the direction from which music is being played. Upon the first note of the anthem, they should render a salute and maintain this position until the last note is played.
- Members who are in uniform and **not** wearing an authorized hat should come to the position of attention. If a flag is present, they should face the flag. If a flag is not present, they should face the direction from which music is being played. Upon the first note of the anthem, they should place their right hand over their heart and maintain this position until the last note is played.

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2.32.3 NATIONAL ANTHEM (CONTINUED)

- Members who **are not** in uniform should come to the position of attention. If a flag is present, they should face the flag. If a flag is not present, they should face the direction from which music is being played. Upon the first note of the anthem, they should place their right hand over their heart and maintain this position until the last note is played. If they are wearing any headdress, they are to remove it with their right hand and hold the headdress at their left shoulder so that their right hand is over their heart.

2.32.4 PLEDGE OF ALLEGIANCE

On-duty members will bestow the following honors during the delivery of the Pledge of Allegiance:

- Members who are in uniform **and** wearing an authorized hat should come to the position of attention, face the flag, and render a salute.
- Members who are in uniform and **not** wearing an authorized hat should come to the position of attention, face the flag, and place their right hand over their heart.
- Members who **are not** in uniform should come to the position of attention and place their right hand over their heart. If they are wearing any headdress, they are to remove it with their right hand and hold the headdress at their left shoulder so that their right hand is over their heart.

2.32.5 AMERICAN FLAG

On-duty members will bestow the following honors during a ceremony where the American flag is raised or lowered or when the American flag is passing in a parade or procession:

- Members who are in uniform **and** wearing an authorized hat should come to the position of attention, face the flag, and render a salute.
- Members who are in uniform and **not** wearing an authorized hat should come to the position of attention, face the flag, and place their right hand over their heart.
- Members who **are not** in uniform should come to the position of attention and place their right hand over their heart. If they are wearing any headdress, they are to remove it with their right hand and hold the headdress at their left shoulder so that their right hand is over their heart.
- The salute to the flag in a moving column (e.g. parade) should be rendered just before the flag reaches the member and held until the flag passes by the member.

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 3.1
	Effective Date: 12/01/04 Prv. Rev. Date: 01/23/17 Revised Date: 11/10/17
	Accreditation Standards: KACP: 1.11, 20.2
Chapter: Communications	
Subject: Administrative Incident Report (AIR)	

3.1 ADMINISTRATIVE INCIDENT REPORT

3.1.1 REPORTING GUIDELINES

An Administrative Incident Report (AIR) shall be completed, via the BlueTeam link, located on the Louisville Metro Police Department (LMPD) Intranet, by an on-duty division/section/unit commanding officer of the primary member involved in an incident requiring an AIR. If the primary member is off-duty at the time of the incident, a commanding officer from the division where the incident occurred shall be responsible for the completion of the AIR. An off-duty, uninvolved commanding officer may complete the AIR. The commanding officer shall complete the AIR by the end of his/her tour of duty. The BlueTeam Instruction Manual can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Manuals" link, and double click on the "BlueTeam" folder.

An AIR is required to be completed in the following situations:

- The discharge of a firearm (KACP 1.11a). The only exceptions are for target practice and the humane shooting of gravely injured non-domesticated animals. A commanding officer shall complete an AIR in any instance where the discharge of a firearm causes an injury.
- A person or officer is injured, or complains of an injury, as a result of a police action or involving police equipment (KACP 1.11b).
- A fresh arrest results in a charge of Resisting Arrest and/or Assault 3rd Degree on a Police Officer.
- A member is injured while on-duty or on official business.
- A member has an eye, mouth, other mucous membrane, non-intact skin, or parenteral contact (exposure) with blood or other potentially infectious materials (OPIM) (refer to SOP 12.2).
- A prisoner is injured, or complains of any injury, prior to police contact.
- A prisoner sustains injuries while in custody that are not the result of a police action.
- An officer uses force to withdraw evidence from a suspect's mouth.
- Physical force, other than a control hold, is used to affect an arrest.
- The medical transport of sick or injured persons.
- Vehicular pursuits.
- The escape of prisoner(s).
- Chemical agents are used (KACP 1.11c).
- Conducted Electrical Weapons (CEWs) are used in any of the following ways (KACP 1.11c):
 - A CEW cartridge is deployed, whether the deployment was successful, accidental, or intentional.
 - The CEW stun feature is used on an individual.
 - The CEW arc is displayed to encourage compliance.

An AIR is not required for the accidental activation of the stun feature/arc display unless it makes contact with another individual.

- Special Impact Munitions Systems (SIMS) are used. These situations will be documented even when a miss occurs.
- Any damage to property as a result of a police action.
- Strip searches.

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 3.1
	Effective Date: 12/01/04 Prv. Rev. Date: 01/23/17 Revised Date: 11/10/17
	Accreditation Standards: KACP: 1.11, 20.2
Chapter: Communications	
Subject: Administrative Incident Report (AIR)	

3.1.1 REPORTING GUIDELINES (CONTINUED)

- The search of premises, without consent, based on exigent circumstances.
- The service of a “no knock” search warrant.
- An individual has been placed under arrest, and subsequently released, without being incarcerated, for reasons that include, but are not limited to, the following:
 - An arrest made on the mistaken identity of the suspect.
 - An arrest on a warrant that was recalled or previously served without the officer’s knowledge.
 - An individual is cited in lieu of a physical arrest, under circumstances that would routinely require the completion of an AIR (e.g. a minor offense committed by a subject with an injury or illness that would prevent him/her from being allowed to enter the jail without medical treatment).
 - An officer, subsequent to arrest but prior to incarceration, determines that probable cause no longer exists to make an arrest.

An AIR is not required when officers are injured, cause injuries to civilians, or cause property damage as a result of vehicle collisions. Supervisors should refer to SOP 7.7 for documentation requirements regarding vehicle collisions.

Nothing in this policy prohibits commanding officers from completing an AIR for incidents other than those listed above. For the purposes of this policy, an acting sergeant is considered a commanding officer.

The AIR should be completed as soon as possible following the incident, but must be completed and forwarded no later than the end of the commanding officer’s tour of duty. The AIR shall be completed, via the BlueTeam link, located on the LMPD Intranet.

The commanding officer will input all of the AIR information in BlueTeam and forward the AIR, via BlueTeam, through the appropriate chain of command.

If the AIR cannot be completed by the end of the commanding officer’s tour of duty due to unforeseen circumstances, the commanding officer shall send an email to the “AIR Notification” email group, located within the department’s email distribution list, before the end of his/her tour of duty. The email must include the following information:

- The type of incident (e.g. use of force, pursuit, firearm discharge, etc.)
- The name(s) of everyone involved (e.g. officer(s), subject, witnesses, etc.)
- A brief description of the incident
- The date and time of the incident
- The location of the incident
- The Incident Control Number (ICN) associated with the incident

The commanding officer is then required to complete the AIR, via the BlueTeam link, located on the LMPD Intranet, during his/her next tour of duty.

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3.1.2 ROUTING OF BLUETEAM ENTRIES

BlueTeam entries should be forwarded to only one (1) individual at any given time. When the initial entry into BlueTeam is forwarded, other groups or persons may be copied, but should not be direct recipients. Supervisors forwarding the initial entry will copy the involved officer's division command staff as well as the "AIR Notification" email distribution group.

Once a supervisor has completed the BlueTeam entry, it will be forwarded through the involved officer's chain of command before being retained by the Professional Standards Unit (PSU). Normally, this involves the report being forwarded from the sergeant to the lieutenant and then from the lieutenant to the division commander. The division commander is responsible for forwarding the report to the PSU or the appropriate Bureau Commander, or his/her designee, within 30 days from the incident's date of occurrence.

For routing purposes, division commanders may forward the following incident types directly to the PSU:

- Exposure to Blood/OPIM
- Injured Prisoner/Not a Police Act
- Medical Transport
- Injured Member – Only if a member receives a serious physical injury will the division commander forward the entry to the appropriate Bureau Commander's Adjutant Lieutenant for further review, not the PSU.

All other incident types will be forwarded by the division commander directly to the appropriate Bureau Commander, or his/her designee. The Bureau Commander, or his/her designee, will then forward the entries to the Legal Advisor. The Legal Advisor will review the entry before sending it to the PSU for retention.

If the incident is being documented by a supervisor outside of the involved officer's normal chain of command, the supervisor will verify that the entry is forwarded to the involved officer's immediate supervisor for processing through the involved officer's chain of command.

If the incident occurs in a division other than the one to which the involved officer is assigned, the division command staff assigned to the location of the incident should be copied on the initial forwarding of the entry.

3.1.3 DIGITAL IMAGES

Images downloaded to the Digital Image Management System (DIMS) are separate from images uploaded via BlueTeam. Officers shall download their images to DIMS, via any LMPD DIMS download station, independent of the BlueTeam entry. Commanding officers shall also upload the camera images directly to BlueTeam.

This allows photographs to be attached to the AIR so the images do not need to be ordered from DIMS. Commanding officers shall also attach the digital versions of all related paperwork to the BlueTeam entry.

When downloading images into the system, DIMS procedures shall be followed. Members shall download all digital images from the media card into DIMS, via any LMPD DIMS download station, by the end of their tour of duty. If a member is experiencing difficulties downloading images into DIMS due to password issues, etc., he/she should contact the Department of Information Technology (DoIT) Service Desk at (502) 574-4444 for

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3.1.3 DIGITAL IMAGES (CONTINUED)

assistance. If the DoIT is unable to correct the problem at the time of the call, the member will utilize a DIMS download station in another division to download the images or deposit his/her media card into the Evidence and Property Unit (EPU) for chain of custody purposes and download the images into DIMS once the issue has been corrected. The Photo Lab is responsible for producing official images and recording the images onto a CD (refer to SOP 4.26). Requests for copies of audio and video recordings, from persons or agencies outside of the LMPD, shall be directed, in writing, to LMPD Open Records. Requests submitted by the media shall be directed, in writing, to the Media and Public Relations Office (refer to SOP 3.3 and SOP 4.1) (KACP 20.2b). All requests for photos, from persons or agencies outside of the LMPD, shall be directed, in writing, to the LMPD Photo Lab, via the Open Records Request Photo Request form (LMPD #10-0005) (refer to SOP 3.7).

3.1.4 DIGITAL VIDEO

The LMPD records digital video via the Mobile Video System (MVS) and the Wearable Video System (WVS) (refer to SOP 4.1 and SOP 4.31). If the digital video is uploaded to Arbitrator (MVS) or Evidence.com (WVS), there is no need to upload the digital video as an attachment to the BlueTeam entry. Members will reference the video in the narrative section of the BlueTeam entry.

If digital evidence is collected by a commanding officer from an outside source (e.g. Metro Watch camera video, private security system video, cell phones, etc.), all attempts should be made to attach the video to the BlueTeam entry. If the video file is too large or is not compatible with the system, the video will be copied to a Digital Video Disc (DVD) and the initial BlueTeam entry will be printed. These materials will be attached to a completed routing slip and forwarded through the division/section/unit chain of command and on to the following:

- The appropriate Bureau Commander
- The Legal Advisor's Office
- The Special Investigations Division (SID) Adjutant Lieutenant

The video will be retained by the SID Adjutant Lieutenant.

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	Accreditation Standards: KACP: 20.2, 28.7
Chapter: Communications	
Subject: Open Records	

3.2 OPEN RECORDS

3.2.1 OPEN RECORDS REQUESTS (KACP 20.2b)

Kentucky Revised Statute (KRS) 61.872(5) requires public agencies to make available any non-exempt public records maintained by the agency, when presented with an appropriate open records request. Public agencies, including the Louisville Metro Police Department (LMPD), upon receipt of any request for records, made under KRS open records requirements, must reply within three (3) days after the receipt of the request or notify the person making the request of the decision to deny the request or the anticipated date that the records will be provided.

KRS 61.870 describes public records as the following:

- Books
- Papers
- Maps
- Photographs
- Cards
- Tapes
- Discs
- Diskettes
- Recordings
- Software
- Any other documentation, regardless of the physical form or characteristic, which is prepared, owned, used, in the possession of, or retained by, a public agency. Specific LMPD records that might be subject to request include, but may not be limited to:
 - Investigative files
 - Accident reports
 - Incident reports
 - Arrest records
 - Crime statistics
 - Digital/video images
 - Computer Aided Dispatch (CAD) records (through MetroSafe)

3.2.2 LMPD OPEN RECORDS

The normal operating hours of LMPD Open Records are from 0800 to 1700 hours, Monday through Friday, or by appointment. LMPD Open Records can be contacted by calling (502) 574-7697 or (502) 574-8805. The fax number to LMPD Open Records is (502) 574-7071.

3.2.3 PROCEDURES

Any member who receives a request for open records will immediately notify his/her commanding officer or supervisor. The commanding officer or supervisor will immediately forward the request, without delay, to LMPD Open Records.

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3.2.3 PROCEDURES (CONTINUED)

Pursuant to KRS 61.876, open records requests from individuals or attorneys will be submitted to:

LMPD Open Records
633 West Jefferson Street
Louisville, KY 40202

All requests for records must be submitted in writing and may be hand delivered or sent via mail, fax, or the city's website by clicking on the "City Services" tab and clicking on "Forms." The request should include the specific record(s) that are needed and the name, address, and telephone number or email address of the requestor.

Requests for Computer Aided Dispatch (CAD) records related to departmental calls for service will be processed with assistance from MetroSafe (KACP 28.7).

Requests for records related to departmental telephones, including departmentally-issued cell phones, will be granted based on applicable federal and state laws.

3.2.4 FEES

The following fees will be assessed when filling open records requests:

- There is no charge for open records requests filled electronically.
- Hardcopy (paper) records cost \$0.10 per page.
- Records copied to a CD/DVD cost \$2.00 per disk.

3.2.5 EXCEPTIONS

All open records requests are handled by LMPD Open Records, with the exception of departmental photographs, which are handled by the Photo Lab, and media requests, which are handled by the Media and Public Relations Office (refer to SOP 3.3 and SOP 4.1). LMPD Open Records and the Media and Public Relations Office may consult with the Legal Advisor, as needed, if there is a question as to whether the records are exempt by statute.

Open records requests for departmental photos from attorneys, insurance companies, and any other individual are handled by the Photo Lab. The Open Records Request Photo Request form (LMPD #10-0005) and payment are required for this type of open records request. If no pending investigation or prosecution is found, a supervisor will approve the request and the Photo Lab will notify the requesting party of the costs of the photos. Once the payment is received, the requesting party may pick up the photos from the Photo Lab. If there is a pending investigation or prosecution, the requesting party will be notified that no photos can be released at the present time.

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<h2>Standard Operating Procedures</h2>	SOP Number: 3.3
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	Accreditation Standards: KACP: 20.1-20.4, 28.7
Chapter: Communications	
Subject: Media and Public Relations Office	

3.3 MEDIA AND PUBLIC RELATIONS OFFICE (KACP 20.1)

3.3.1 RESPONSIBILITIES

The Louisville Metro Police Department (LMPD) respects public interest in its operations and activities. The Media and Public Relations Office is responsible for releasing information in an accurate and timely fashion without jeopardizing investigations or violating the rights of victims, suspects, or members.

The Media and Public Relations Office Commander reports directly to the Special Advisor.

Responsibilities of the Media and Public Relations Office include:

- Coordinating formal news conferences for the Chief of Police and all of the other units within the department.
- Preparing written news releases for media distribution.
- Coordinating media interviews and the appearances of departmental members.
- Marketing positive news stories affecting the community.
- Managing situations that might negatively affect the department's image.
- Maintaining a productive rapport with the Louisville area news media.
- Providing a 24-hour-a-day on-call network to respond to newsworthy events involving the department.
- Coordinating media access to crime scenes (KACP 20.2a, 20.3b).
- Coordinating media access with other first responder agencies, when appropriate, for the following scenes (KACP 20.2a, 20.3a):
 - Fires involving homicides
 - Natural disasters
 - Other catastrophic events
- Assisting all members with media inquiries.
- Handling requests for information and records submitted by the media under the Kentucky Open Records Law, except for departmental photos, which are handled by the Photo Lab (refer to SOP 3.7). All other open records requests, from persons or agencies outside of the LMPD, are handled by LMPD Open Records (KACP 20.2b).
- Administering official LMPD social media website accounts. No member will administer any social media website giving the appearance of an official LMPD account without authorization from the Media and Public Relations Office Commander.
- Coordinating with LMPD divisions/sections/units on any social media website account that the division/section/unit wishes to set up for the purpose of victim/witness contact.

3.3.2 RELEASE OF INFORMATION

Members shall adhere to the following when releasing information to the media:

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Subject: Media and Public Relations Office	

3.3.2 RELEASE OF INFORMATION (CONTINUED)

- Requests for general information regarding the department must be referred to the Media and Public Relations Office.
- The Chief of Police will serve as the spokesperson for all requests involving departmental policy. The Deputy Chief of Police/Chief of Staff, upon direction of the Chief of Police, may delegate this duty to another commanding officer or the Media and Public Relations Office. No member will make statements that differ from existing policy or make statements of opinion concerning the existing policy (KACP 20.2b).
- A member of the Media and Public Relations Office must be present at all homicide scenes and incidents involving departmental members when the media is present at the scene (KACP 20.2a).
- Except as noted above, upon the approval of the Media and Public Relations Office, an on-scene commander or an appropriate subordinate is authorized to serve as departmental spokesperson at crime or accident scenes (KACP 20.2a, d).
- Members are prohibited from directly contacting the media to solicit story ideas regarding official police business. If the member feels that the activity warrants media coverage, he/she should contact the Media and Public Relations Office to facilitate media involvement.
- It is the responsibility of a member of the Media and Public Relations Office to speak with the on-scene commanding officer prior to releasing any information to the media. If information is obtained from the lead investigator, this information must be approved for release through a commanding officer. Any lack of cooperation from a commanding officer must immediately be reported to the Chief of Police (KACP 20.2a).
- Only the basic information of an ongoing criminal investigation will be released to the media. This information includes the defendant's name, age, charges, and arrest slip narrative. No information on the identity of juveniles, witnesses, or any information received from other law enforcement agencies will be released (KACP 20.2c, 20.4).
- In cases where more than one (1) agency responds to an incident, the primary agency is responsible for the release of information.
- The Media and Public Relations Office and Chief of Police must approve any article, audio tape, or videotape publication, pertaining to the operations of the LMPD, that has been written or produced by a departmental member.
- Requests for the review or release of information recorded within the communications system will be directed to MetroSafe (KACP 20.2b, 28.7).

3.3.3 RESPONDING TO MEDIA INQUIRIES

All departmental members are encouraged to be open and cooperative with the media. When responding to media inquiries, members shall adhere to the following:

- All information that is released, and interviews involving criminal cases and unit operations, must be cleared through a member's commanding officer. The member's commanding officer will obtain final approval through the Media and Public Relations Office, prior to the release of information (KACP 20.2c).
- All division/section/unit commanders will make the Media and Public Relations Office aware of innovative community initiatives that may be of interest to the media.

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Chapter: Communications	
Subject: Media and Public Relations Office	

3.3.3 RESPONDING TO MEDIA INQUIRIES (CONTINUED)

- A member of the Media and Public Relations Office is not required to be present during media interviews with members of the department. However, because of varying comfort levels of members, a member of the Media and Public Relations Office may be present at the interview at the request of a commanding officer or the member being interviewed.
- All media inquiries regarding matters of policy will be referred to the Media and Public Relations Office.
- All media inquiries relating to any investigation of departmental members by the Professional Standards Unit (PSU) or Public Integrity Unit (PIU) will be referred to the Media and Public Relations Office.

3.3.4 OFFICER-INVOLVED SHOOTINGS

When an officer-involved shooting occurs, the Media and Public Relations Office will proactively contact media organizations which regularly cover departmental activities. When possible, the on-scene commander or Public Information Specialist will direct media to a staging area. Media briefings and updates will be held at these designated areas.

The release of immediate on-scene identifying information of the member(s) will be confined to the member's rank, tenure, and assignment. Within 24 hours of the incident (when feasible), the Media and Public Relations Office will release the member's name(s).

Within 72 hours of the incident, the Media and Public Relations Office will present updates to the media regarding the current stage of the investigation. At this time, the investigative process will be explained, the units involved will be identified, and a general time frame to complete the investigation will be shared.

Upon completion of the incident's investigation, a post-incident investigative summary will be released to the public. The Media and Public Relations Office may utilize the departmental website, traditional media outlets, and/or social media to release the investigative summary.

If requested, the Media and Public Relations Office will distribute the incident-related press releases to local community members who have expressed concern over the incident.

3.3.5 QUALITY CONTROL

Members who notice factual errors in media reports will report those errors, as soon as possible, to the Media and Public Relations Office. The Media and Public Relations Office is responsible for correcting those errors when warranted. Members should also contact the Media and Public Relations Office if they believe a media report to be unfair or biased. The Media and Public Relations Office will address the issue with the appropriate media members.

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<h2>Standard Operating Procedures</h2>	SOP Number: 3.4
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	Accreditation Standards: KACP: 4.6, 5.3
Chapter: Communications	
Subject: Correspondence	

3.4 CORRESPONDENCE

3.4.1 SYSTEM OF WRITTEN COMMUNICATIONS (KACP 4.6a)

The Chief of Police, or his/her designee, will issue, revise, or approve all numbered correspondence on a department-wide basis (KACP 4.6b-c). It is the policy of the Louisville Metro Police Department (LMPD) to distribute written directives in the form of General Orders, Special Orders, or General Memorandums. All members shall acknowledge that they have read and understood their contents. These written directives cover agency rules and regulations and explain procedures for carrying out agency activities (KACP 4.6d). Personnel Memorandums and Memorandum Announcements do not require signatures on an accountability roster; however, all members will read and understand their contents. All correspondence is numbered in chronological sequence with the last two (2) digits of the year that it was issued followed by a chronological number (e.g. General Order #17-014, General Memorandum #17-021). The following types of numbered correspondence are established to facilitate the orderly flow of written communications within the department:

- **General Order:** The purpose of a General Order is to announce the adoption or revision of a policy and to establish procedures on department-wide topics. It should be a guiding document until incorporated into the Standard Operating Procedures (SOPs).
- **Special Order:** The purpose of a Special Order is to announce the adoption or revision of a policy and to establish procedures on department, bureau, or division levels. A Special Order may be converted into a General Order if it is necessary to address an ongoing issue. A Special Order may also be issued to convey a particular assignment for a stated period of time.
- **General Memorandum:** The purpose of a General Memorandum is to serve as a less formal written notice that reiterates or emphasizes previous procedures, orders, or instructions.
- **Personnel Memorandum:** The purpose of a Personnel Memorandum is to announce personnel actions such as appointments, assignments, transfers, position vacancies, and promotions.
- **Memorandum Announcement:** The purpose of a Memorandum Announcement is to announce topics such as social events, activities, and information related to civic functions, meeting minutes, court calendars, and schedules.

All numbered correspondence is distributed to all members, via email. Members shall acknowledge that they have read and understood all General Orders, Special Orders, and General Memorandums using the PowerDMS Document Management System (KACP 4.6d). Members will be responsible for reading all correspondence requiring acknowledgement within ten (10) calendar days of the date of issuance or be subject to disciplinary action. Each division/section/unit will be responsible for running monthly compliance reports for its members in PowerDMS for accountability purposes.

The responsibility of division/section/unit commanders includes:

- Posting all numbered correspondence for a minimum of ten (10) days so that it is readily available to all members under their command (KACP 4.6d).
- Providing an accountability roster for members who do not have access to a computer to acknowledge that a General Order, Special Order, or General Memorandum has been read by the member and the member understands its contents (KACP 4.6d).
- Verifying that such correspondence is read at roll calls.

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3.4.1 SYSTEM OF WRITTEN COMMUNICATIONS (CONTINUED)

The department's SOP manual is maintained on the LMPD Intranet, accessible by members at all computer terminals that are connected to the network. A current hardcopy of the SOP manual is maintained in Research and Development (R&D) (KACP 5.3a).

Some of the sources from which members receive training on the department's SOP manual include, but are not limited to, the following (KACP 5.3b):

- Training Academy
- Police Training Officer (PTO) Program
- PowerDMS Policy Management System

Each division/section/unit will maintain a general file of correspondence with appropriate subheadings. All acknowledged correspondence will be placed in the division/section/unit general file (KACP 4.6d).

3.4.2 MEMORANDA

Official correspondence between departmental members and other Metro Government agencies will be in the form of a memorandum.

3.4.3 INTEROFFICE MAIL

When a member forwards correspondence through the interoffice mail system, he/she should utilize an interdepartmental mail envelope, whenever possible. If the material being sent is confidential, then it should be placed in a sealed envelope. When addressing interoffice mail, the recipient's full name and the interoffice mail code of his/her assigned division/section/unit should be written legibly on the envelope. Members should also note whether the indicated section belongs to Metro Government or the department (e.g. Police Human Resources (HR), Metro Human Resources (HR)).

Mail is collected from, and delivered to, each police division on a daily basis. Other sections have daily pickup and delivery service with schedules based on each section's requirements and location. Interoffice mail is sorted at the Metro Mail Room before being forwarded to its appropriate division/section/unit.

3.4.4 LETTERHEAD

Official correspondence that is sent to recipients outside of Louisville Metro Government will be on LMPD letterhead. Such correspondence will be sent, through the appropriate chain of command, for final approval by the division/section/unit commander. Exceptions to this rule include standardized forms specifically designed for mailings from the department.

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3.4.5 POSTAGE

Members may request that the department pay postage expenses for official correspondence. In such cases, the member shall place the sealed, addressed envelope or package in the outgoing mail accompanied by a completed Metro Mail Services Mailing Request.

3.4.6 DEPARTMENTAL ADDRESS

When a member sends, or receives, official correspondence to, or from, another person or agency, he/she will utilize a departmental address. Members are prohibited from using departmental addresses for personal correspondence or deliveries.

3.4.7 ACCEPTANCE OF REGISTERED OR CERTIFIED MAIL

Members shall not accept service of, or sign for, another member's registered or certified mail. Members may not grant authorization to any other member allowing them to accept service of, or sign for, registered or certified mail. Members may ask the delivery person to deliver the mail at another time or date, or ask them to leave a card notifying the addressee of the location where the mail may be picked up. Members are prohibited from knowingly accepting registered mail, certified mail, or other service, regarding any lawsuit, addressed to "Unknown LMPD members/officers." Registered or certified mail addressed to retired, resigned, or terminated members shall not be accepted. A notification card should be requested from the delivery person and forwarded, through interdepartmental mail, to the Legal Advisor's Office.

3.4.8 EMAIL

Members are responsible for complying with any official directives received, via email. Electronic directives shall be treated in the same manner as verbal directives (KACP 4.6a).

All members shall check their email at least once during each tour of duty. To help facilitate this, please note that LMPD email accounts can be accessed via the Internet. To do this, members will use the following connection: <https://email.louisvilleky.gov>. Once this website has been accessed, a member will need to enter his/her logon username and password to gain access to his/her email account. Once the member is finished checking his/her email, he/she will click on the "sign out" tab to close down his/her email account.

Any member who is out of the office (vacation, sick, etc.) during his/her regularly scheduled hours is required to use the "Automatic Replies (Out of Office)" feature in Microsoft Outlook. The automatic reply message will contain alternate contact information and be used in response to emails from inside and outside of the department.

Email messages distributed outside of the department will be viewed as direct correspondence from the department. Email users are prohibited from representing the department, either implicitly or explicitly, unless authorized by a commanding officer to do so. External emails will automatically be accompanied with a general purpose email disclaimer, placing the content responsibility upon the sending or forwarding member (refer to SOP 4.21).

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3.4.9 AGENCYWEB

AgencyWeb is a workforce management system that serves as a central location for the coordination of daily personnel operations. The system consists of multiple applications that are used for the following:

- Electronic subpoena service, via the calendar
- Acknowledgement of subpoenas
- Payroll tracking and submission
- Shift scheduling and tracking
- Line-up submission
- Officer assignments
- Overtime and compensatory time requests
- Leave requests

All members are required to login to AgencyWeb every workday in order to check for pertinent correspondence. It is especially important to check the calendar every workday. Members may also check AgencyWeb at any time, via the Internet, at <https://aw.louisvilleky.gov>. Subpoenas shall be acknowledged, as required in SOP 8.2.

All members are required to have their shift schedules accurately reflected in AgencyWeb. If a member has a daily schedule that is different than the schedule template that he/she is assigned in AgencyWeb, he/she is required to update his/her schedule in AgencyWeb to reflect the hours that were actually worked.

3.4.10 OPERATIONS MANUALS

All divisions/sections/units are required to have an operations manual that outlines their day-to-day activities. Commanders are responsible for keeping their division/section/unit operations manual and its contents up-to-date, verifying that it is not in conflict with current LMPD Standard Operating Procedures (SOPs), and reviewing the operations manual annually. Commanders are responsible for verifying that all members under their command, including all new and/or transferred members, are familiar with the operations manual. Operations manuals should be readily available to all members of the division/section/unit.

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<h2>Standard Operating Procedures</h2>	SOP Number: 3.5
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	Accreditation Standards: KACP: 17.5, 26.5
Chapter: Communications	
Subject: Incident Reports	

3.5 INCIDENT REPORTS

3.5.1 POLICY

Timely and accurate incident report information is crucial for police operations in determining what types of crimes are being committed and where and when these crimes occur. These reports also help citizens recover property that may have been stolen and provide documentation needed for investigations, the identification of perpetrators, and subsequent prosecutions. It is imperative that incident reports be as complete and as accurate as possible. The Louisville Metro Police Department (LMPD) reports incidents according to the guidelines established by the Federal Bureau of Investigation (FBI) in its Uniform Crime Report (UCR) (KACP 26.5)/National Incident Based Reporting System (NIBRS) and those established by the Kentucky State Police (KSP). The Administrative Services Division Commander, or his/her designee, has the responsibility for the accuracy and completeness of reports submitted by the LMPD.

3.5.2 DUTY TO REPORT

Members shall take an incident report for criminal complaints on all actual, or suspected, crimes occurring within the jurisdictional boundaries of the department. Offenses may be criminal and/or civil in nature. If an offense has a civil component, it does not relieve an officer from taking a criminal report. Whether the complainant knows the suspect is irrelevant and does not relieve the member from the responsibility of taking the report (KACP 17.5). Members shall not tell the complainant to take out a warrant on the known suspect without first completing an incident report.

Members are not required to take a report from a complainant who is manifestly under the influence of alcohol or drugs. Members should advise the complainant to contact the LMPD when they are no longer intoxicated. This exception does not apply to incidents of domestic/dating violence and abuse or felony assault.

When members respond to a criminal complaint and there is evidence of mutual violence or a mutual complaint, members will attempt to determine if one (1) party was the predominant aggressor or violator. The following factors may be considered when making this determination:

- The history of violence between the parties
- The degree of injury inflicted upon each person, keeping in mind that injuries may not be immediately visible
- Objective and testimonial evidence from the parties involved and other persons at the scene, including children
- Whether injuries were sustained through an aggressive act or self defense
- The presence and level of fear of the parties
- Other factors the member may observe that, in their professional experience, may be relevant to the specific case

Members will make every effort to determine the predominant aggressor in mutual violence situations. If a member is unable to make this determination, he/she will consult with his/her commanding officer.

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	Accreditation Standards: KACP: 17.5, 26.5
Chapter: Communications	
Subject: Incident Reports	

3.5.2 DUTY TO REPORT (CONTINUED)

Members will follow the Uniform Incident Report Manual and/or the Records Management System (RMS) Manual for additional guidelines. The manuals instruct members on the types of offenses and procedures necessary to complete incident reports.

When completing a RMS or hardcopy incident report, members shall never list the descriptions, names, or personal data of victims, witnesses, or informants in the public narrative of the report. Information contained in the public narrative is available to the public and/or the media and could put victims, witnesses, or informants at risk. Members shall only place an individual's identity or personal information in the appropriate section of the incident report, as instructed in the manuals. Sensitive investigation information shall be placed in the investigative narrative section of the incident report.

3.5.3 REPORTING REQUIREMENTS

The LMPD makes a record of every incident to which a member responds, regardless of whether a written report or an electronic field report is created, in any of the following categories:

- Citizen reports of crimes
- Citizen complaints (refer to SOP 2.10)
- Citizen requests for service when:
 - A member is dispatched
 - A member is assigned to investigate
 - A member is assigned to take action at a later time
- Criminal and non-criminal cases initiated by law enforcement officers
- Incidents involving arrests, citations, or summonses

Civil process documents are handled by the Jefferson County Sheriff's Office (JCSO).

Comprehensive reporting is necessary so that alleged events are recorded accurately and to protect the rights of LMPD members and citizens. A record will be made of actions taken by the responding member, whether the call is a request for service or self-initiated activity. In many instances, the "report requirement" will be accomplished through the collection of information on audio tape and computer by MetroSafe (e.g. incident control number (ICN), disposition codes, etc.). A record will be made of all dispatched calls. This in no way relieves members from their responsibility to take written reports when the circumstances of a call/activity require one. When duplicate calls are received for a single incident, only one (1) report is required.

Reports will be written in, but are not limited to, the following situations:

- Criminal complaints on all actual, or suspected, crimes occurring within the jurisdictional boundaries of the department
- To obtain information on an individual for the purposes of criminal investigation, identification, and crime prevention (refer to SOP 3.6)

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3.5.3 REPORTING REQUIREMENTS (CONTINUED)

- An incident involving a member that requires the completion of an Administrative Incident Report (AIR) (refer to SOP 3.1)

Certain reports will be completed by members, as needed, while working in their respective division/section/unit. These reports include, but are not limited to, the following:

- Citations
- Incident reports
- Supplemental reports
- Field interviews
- Search warrants
- Mental Inquest Warrants (MIWs)
- Administrative Incident Reports (AIRs)
- Incident Command System (ICS) forms
- Parking citations
- eCrash reports
- eCitations
- Collision reports
- Collision investigations
- Vehicle damage reports
- After-Action Reports

All officers receive a block of detailed instruction on the appropriate manner in which the reports are to be completed. This instruction occurs during the initial recruit training process. Other members who write reports are trained during their initial on-the-job training. In-service and roll call training concerning report writing may be conducted, as needed.

Information needed to complete the reports listed above, if necessary, includes, but is not limited to:

- Name
- Address
- Date of Birth (DOB)
- Social Security Number (SSN) or driver's license number
- Contact number
- Email address
- Race
- Ethnicity
- Gender
- Charges, if appropriate
- Incident location
- Incident date/time
- Incident description
- Victim information and property, if appropriate

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3.5.3 REPORTING REQUIREMENTS (CONTINUED)

- Witness information, if appropriate
- Suspect description, if appropriate
- Arrest supplement, including property seized, if appropriate
- Clear, detailed narrative of the incident

All locations and types of incidents for service calls will be recorded by MetroSafe at the time that the incident is initiated. Members shall update MetroSafe of the location and type of incident, prior to clearing the call for service, in order to reflect the information on the report.

The RMS is the central repository for incident reports and investigative files. Due to the diversified responsibilities within the LMPD, it may be necessary to maintain photocopies of reports or files within each division/section/unit. The division/section/unit commander will specify which of these files are necessary for the successful operation of his/her division/section/unit. These records will be maintained within each division/section/unit until the case is closed, records are no longer necessary, or the commander, or legal requirements, dictate otherwise.

Records or case files no longer needed may be boxed for storage and housed at Metro Archives and retained pursuant to applicable records retention schedules.

3.5.4 HARDCOPY REPORTS

Hardcopy reports are handwritten or typed submissions of the Uniform Incident Report, which may be taken only during exigent circumstances (e.g. computer systems down, mass power failures, etc.). JC-3 reports may be hardcopy reports only if the member does not have access to the Kentucky Open Portal Solution (KYOPS) or during exigent circumstances.

Reports not available electronically will be completed on the appropriate paper form.

3.5.5 ELECTRONIC INCIDENT REPORTS

The LMPD maintains an electronic records management system for all departmental incident reports. Members will take incident reports electronically, via the RMS. Incident reports will be completed electronically in the RMS, in accordance with the RMS Manual. Members who are not assigned a mobile data terminal (MDT) should use a desktop computer.

A master name index is housed in the RMS. A unique number will be assigned electronically by the RMS for each specific person entered into the system. This number will be used each time that the person has an entry into the RMS. This will allow a criminal history to be maintained on each person who is arrested, cited, or listed on an incident report. If a name record exists for the person, business, or other entity, members should not create an additional record.

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3.5.5 ELECTRONIC INCIDENT REPORTS (CONTINUED)

Privacy and security measures for agency records will be in accordance with LMPD policies, local ordinances, and state statutes. Members are required to login to the RMS with their unique password. Temporary passwords are assigned to members requiring access to agency records by the Records Management Director. The temporary password is required to be changed after the initial login.

Members can access agency records 24 hours a day, seven (7) days a week, 365 days a year. If a member experiences a problem accessing these records, the member can call the Department of Information Technology (DoIT) Service Desk at (502) 574-4444 for assistance.

The initial incident report will display "Approval level: 0" before the report has been submitted to the member's commanding officer for approval. To submit the incident report to a supervisor/sergeant for approval, the level needs to be approved by the member taking the report to "Approval level: 1." This shall be done by the end of the member's tour of duty. Exceptions may be made with the permission of a commanding officer. If approval is granted, the report shall be completed by the end of the member's next tour of duty. In the case of a major crime (e.g. homicide), if the full report cannot be immediately completed, a preliminary report shall be submitted with the submitting member approving to "Approval level: 1." The report may be updated using supplemental reports (refer to SOP 3.5.7). This report is now "Locked" and cannot be edited. The incident report can only be unlocked with the approval of the Records Management Director. Additions and changes can be made to this incident report using supplemental reports.

When approved by a supervisor/sergeant, the level changes to "Approval level: 2." After the approval of a supervisor/sergeant, the Data Integrity Unit either rejects the report for correction or conducts final approval to "Approval level: 3," for release. Passwords are required to provide electronic signatures.

3.5.6 OBTAINING REPORT NUMBERS

A unique ICN will be assigned by the RMS, either through the member's MDT or MetroSafe. This unique number will be used for the incident report and all supplemental reports associated with the incident.

When a member completes a hardcopy version of the Uniform Incident Report, he/she will request that MetroSafe assign an ICN. This number will be placed on the appropriate Uniform Incident Report forms.

When a member completes an electronic version of an incident report, he/she will obtain an ICN from his/her MDT, via the Mobile for Public Safety (MPS)/ Informer client, or request that MetroSafe assign one. This number will be used for all supplemental reports for this incident.

If a member receives an ICN and it is not used, he/she shall contact MetroSafe personnel, via the service channel, and have them cancel the number. Additionally, members shall send an email to "LMPDVoidedReports," located within the department's email distribution list, with the ICN and the reason for the incident number cancellation.

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3.5.7 SUPPLEMENTAL REPORTS

Supplemental reports must include the original ICN. It may be necessary to complete an additional narrative form to explain the changes and/or additions.

A supplemental report is used to:

- Provide corrected data to a previously submitted report.
- Provide a means of appending information to an original report.
- Finalize the case status by indicating disposition when the case status is closed or cleared.

Supplemental reports require the same approval process as incident reports. The initial supplemental report will display "Approval level: 0" before the report has been submitted to the member's commanding officer for approval. To submit the supplemental report to a supervisor/sergeant for approval, the level needs to be approved by the member entering the supplemental report to "Approval level: 1." This shall be done by the end of the member's tour of duty. This report is now "Locked" and cannot be edited. The supplemental report can only be unlocked with the approval of the Records Management Director. Additional changes can be made by submitting another supplemental report.

When approved by a supervisor/sergeant, the level changes to "Approval level: 2." After the approval of a supervisor/sergeant, the Data Integrity Unit either rejects the report for correction or conducts final approval to "Approval level: 3," for release. Passwords are required to provide electronic signatures.

3.5.8 CLEARANCES

Cases may only be cleared in the following manner:

- **UNFOUNDED:** The incident did not occur. A full explanation must be provided in the narrative.
- **ARREST:** When any offender involved in the incident has been arrested, summoned, cited, or otherwise arraigned.
- **CLEARED BY EXCEPTION:** In order to clear an incident by exception, the following four (4) conditions must be met:
 - The investigation must have clearly and definitely established the identity of at least one (1) offender (e.g. name, race, sex, DOB);
 - Sufficient probable cause must have been developed to support charging and prosecuting the offender;
 - The exact location of the offender must be known so that an arrest may be made; and
 - There must be a reason outside the control of the officer that prevents the arrest (e.g. prosecution declined, victim refused to cooperate, extradition declined, death of perpetrator).
- **INVESTIGATION COMPLETE:** All possible leads have been exhausted.

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3.5.9 SUBMITTING REPORTS

Electronic incident reports shall be Incident Based Reporting (IBR)-validated and approved to "Approval level: 1" by the end of the member's tour of duty, unless a delay has been approved by the member's commanding officer. These reports must be completed in accordance with the RMS Manual. If IBR validation is not successful and the member has exhausted all means of correcting the error(s), an email can be sent to the RMS Support Group at "RMSSUPPORT," located within the department's email distribution list, with the report number, the member's name, and the issue that he/she is having. The RMS Support Group will contact the member with instructions for correcting the issue. In addition, the LMPD Service Center can be contacted at (502) 540-3262 for assistance with any errors on the report.

In extraordinary circumstances, the use of hardcopy incident reports may be approved at the discretion of the Assistant Chief of Police/Administrative Bureau. Hardcopy incident reports shall be completed and forwarded to the Data Integrity Unit by the end of the member's tour of duty, unless a delay has been approved by the member's commanding officer. Only original reports may be sent to the Data Integrity Unit. The ICNs being cleared by an arrest should be listed in the ICN section of the Kentucky Uniform Citation.

Once a month, the Data Integrity Unit submits crime numbers to the Commonwealth of Kentucky, via the KSP. The KSP then submits the statistics to the FBI. The guidelines for submission are provided by the KSP. The crime numbers submitted to the KSP are exported from the RMS.

3.5.10 REVIEWING REPORTS

Supervisors review each hardcopy incident report for errors prior to forwarding the report to the Data Integrity Unit. The reviewing supervisor/sergeant will place his/her code number on the applicable pages in red ink.

Reports submitted electronically to the member's supervisor/sergeant shall be approved to "Approval level: 2" within 24 hours of receipt.

3.5.11 STATUS OF REPORTS

Members shall follow the UCR/NIBRS guidelines when closing reports. Initial reports are considered closed in the following circumstances:

- When an arrest is made;
- When the offense is not prosecutable; or
- When the offense is unfounded.

Supplemental or follow-up information is not required unless the investigating officer or the complainant desires to add additional information at a later date. The clearance of a report shall be made on the original, at the time that the report is taken, or on a supplemental report. If the case status is being changed on the original report, a supplemental report shall be completed which documents the reason that the case status is being changed.

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3.5.11 STATUS OF REPORTS (CONTINUED)

Reports for which the officer has not been able to apprehend the perpetrator require a supplemental or follow-up report. This report shall be entered into the RMS by the investigating unit within 10 to 15 days from the original entry date. The supplemental report shall include the original RMS incident number that was assigned when the incident was first entered into the RMS.

3.5.12 RETURNED REPORTS

The Data Integrity Unit may return a report to the reporting member's supervisor/sergeant for correction. The approving supervisor/sergeant or the Data Integrity Unit can reject an incorrect report for correction. The reporting member shall correct the report and return it to his/her supervisor. If the reporting member is unavailable, the original signing supervisor/sergeant shall correct the report and return it to the Data Integrity Unit. Corrected reports shall be forwarded to the Data Integrity Unit as soon as possible, but no later than four (4) days from the posted date.

All members responsible for submitting, reviewing, or approving reports or supplemental reports shall check their RMS Organizer inbox a minimum of once per tour of duty and approve or fix errors on any reports that are in their inbox, as needed.

3.5.13 DISTRIBUTION OF REPORTS

Reports are stored electronically in the RMS. Members, with access to the RMS, may access appropriate records, for official business, using their unique password.

For accident reports or incident reports requested by the public, citizens may obtain these either from the LMPD Records & Alarms Unit, located at 701 West Ormsby Avenue, or online, via the LMPD website, following set criteria.

In accordance with KRS 189.635(8), a news-gathering organization seeking to obtain copies of accident reports is required to sign and submit documentation verifying that it meets the following statutory requirements:

- A newspaper or periodical is considered a news-gathering organization if it:
 - Is published at least 50 of 52 weeks during a calendar year;
 - Contains at least 25% news content in each issue or no more than 75% advertising content in any issue in the calendar year; and
 - Contains news of general interest to its readers that can include news stories, editorials, sports, weddings, births, and death notices.
- A news-gathering organization does not include any product or publication:
 - Which is intended primarily for members of a particular profession or occupational group; or

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3.5.13 DISTRIBUTION OF REPORTS (CONTINUED)

- With the primary purpose of distributing advertising or of publishing names and other personal identifying information concerning parties to motor vehicle accidents which may be used to solicit for services covered under Subtitle 39 of KRS Chapter 304.

Accident reports shall be made available to a news-gathering organization, solely for the purpose of publishing or broadcasting the news.

Citizens may obtain criminal history reports (e.g. background checks) from the Administrative Office of the Courts (AOC) in Frankfort, Kentucky.

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	Accreditation Standards: KACP: 1.4, 17.6
Chapter: Communications	
Subject: Field Contacts/Pat Down Searches	

3.6 FIELD CONTACTS/PAT DOWN SEARCHES (KACP 17.6)

3.6.1 PURPOSE

Field interviews may be conducted anytime a Louisville Metro Police Department (LMPD) officer detains an individual (e.g. Terry Stop, traffic stop) for the purpose of a criminal investigation. Field interviews shall be used to:

- Detect the perpetrators of past crimes.
- Deter the commission of future crimes.
- Determine if a crime, in fact, has been committed.

3.6.2 POLICY

Field interviews are an important point of contact for officers in preventing and investigating criminal activity. Field interviews may be perceived by some citizens as a means of harassment or intimidation conducted in a discriminatory manner against groups or individuals. In order to maintain the effectiveness and legitimacy of this practice and to protect the safety of officers in approaching suspicious individuals, officers will conduct field interviews and pat down searches in accordance with this policy.

3.6.3 DEFINITIONS

Search: An examination of an individual's premises, person, or property in which he/she has a reasonable expectation of privacy. The purpose of the search is discovering contraband, weapons, or other evidence of guilt, to be used in a criminal prosecution. A search involves a prying into, or manipulating of, concealed or hidden places in order to discover something criminal in nature. Items in plain view shall not constitute a search (KACP 1.4b). A search shall only be conducted pursuant to a warrant, with consent, or under exigent circumstances with probable cause.

Consent: To voluntarily agree to an act or proposal of another.

Consent Search: A search made by law enforcement officers based on the consent of the individual whose person or property is being searched.

Reasonable Suspicion: Articulable facts that, within the totality of the circumstances, lead an officer to reasonably suspect that criminal activity has been, is being, or is about to be committed.

Probable Cause: The level of evidence, held by a rational and objective observer, necessary to justify logically accusing a specific suspect of a particular crime, based upon reliable objective facts.

Field Contact: The gathering of detailed information from a person, either a possible suspect or witness, or visual observation that may provide useful information on criminal activity which has occurred, is occurring, or may occur in the future. A field interview is a component.

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3.6.3 DEFINITIONS (CONTINUED)

Field Interview: The brief detainment of, or consensual contact with, an individual, whether on foot or in a vehicle, based upon reasonable suspicion for the purposes of determining the individual's identity and resolving the officer's suspicions.

Pat Down: A "frisk," or the external feeling of the outer garments of an individual, for weapons. A pat down shall only be conducted on reasonable grounds that the individual being subjected to the pat down is armed and dangerous to the officer or others. A pat down does not include manipulating, or grasping, the outer garments or reaching inside of, or opening, the garments (e.g. pockets, jackets, etc.).

Terry Stop: A stop of an individual by law enforcement officers based upon reasonable suspicion that the individual may have been engaged, is engaging, or is about to engage in criminal activity.

3.6.4 FIELD INTERVIEW PROCEDURES

Officers will conduct a Terry Stop of individuals for the purpose of conducting a field interview only when reasonable suspicion is present. In justifying the stop, the officer must be able to point to specific facts that, when taken together with rational inferences, reasonably warrant the stop.

Based upon an observance of suspicious circumstances or upon information from an investigation, an officer may initiate the stop of a suspect if he/she has an articulated reasonable suspicion of a crime to do so. The following should be done when making an authorized stop to conduct a field interview:

- When approaching the suspect, the officer should clearly identify himself/herself as a LMPD officer and, if in plainclothes, announce his/her identity, displaying his/her credentials.
- Officers will be courteous at all times during the contact but maintain caution and vigilance for movements to retrieve weapons, conceal or discard contraband, or other suspicious actions.
- Before approaching more than one (1) suspect, officers should determine whether the circumstances warrant a request for backup and whether the contact can, and should be, delayed until assistance arrives.
- Officers are not required to advise suspects of their Miranda rights in order to conduct field interviews unless the person is in custody and about to be interrogated.
- Suspects are not required, nor can they be compelled, to answer any questions during field interviews.
- Under no circumstances will an officer detain a suspect for longer than what is reasonably necessary to make reasonable inquiries and either confirm or refute his/her suspicions of criminal activity.

3.6.5 PAT DOWN SEARCH PROCEDURES (KACP 1.4c)

An officer only has the right to perform a pat down search of the outer garments of a suspect for weapons if he/she has been legitimately stopped with reasonable suspicion of a crime and the officer has reasonable grounds to believe that the suspect is armed and dangerous.

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3.6.5 PAT DOWN SEARCH PROCEDURES (CONTINUED)

Not every field interview poses a justification for conducting a pat down search. The following are some of the criteria that may provide the justification for conducting a pat down search. These criteria include, but are not limited to, the following:

- The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
- Prior knowledge of the suspect's use of force and/or propensity to carry deadly weapons.
- The demeanor of the suspect.
- Visual indications that suggest that the suspect is carrying a firearm or other weapon.

When reasonable grounds exist to perform a pat down search, it should be performed with due caution, restraint, and sensitivity. These searches are only justifiable and can only be performed to protect officers, or others, from concealed weapons and shall never be used as a pretext for obtaining evidence. Pat down searches shall be conducted in the following manner:

- If the suspect has a disability, the officer shall conduct the pat down in such a manner to accommodate the disability.
- In a pat down search, officers are only permitted to feel the outer clothing of a suspect. Officers shall not manipulate items, grasp the outer garments, or reach into or open garments (e.g. pockets, jackets, etc.) unless they feel an object that could reasonably be a weapon, such as a firearm, knife, club, or other item.
- If the suspect is carrying an object, such as a handbag, suitcase, briefcase, sack/bag, or any other item that may conceal a weapon, the officer shall not open the item but instead place it out of the suspect's reach. These objects shall only be searched with probable cause or consent.
- If the feeling of the suspect's outer clothing fails to disclose evidence of a weapon, no further search shall be made without further legal justification. If evidence of a weapon is present, an officer shall retrieve that item only. If the item is a weapon, of which the possession constitutes a crime, the officer may arrest the suspect and complete a full custodial search of the suspect.
- If an officer discovers contraband during a pat down search, the contraband shall be seized (refer to SOP 8.24).

3.6.6 FIELD CONTACT

Detailed information on criminal activity is sometimes gained via other means (e.g. suspicious location, suspicious vehicle, etc.). In these situations, a Field Contact Report may be filled out, whenever an officer has a reasonable suspicion that a crime has occurred, is occurring, or is about to occur, for the following:

- Suspicious persons.
- Vehicles.
- Witnesses.
- Businesses (this may include notes taken during a business check).
- Residences.
- Any other locations (e.g. street corners, blocks, parks, parking lots, etc.).

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3.6.6 FIELD CONTACT (CONTINUED)

- Information received from an individual about possible criminal activity.

When identifying criminal activity at any location, detailed information on the activity and times shall be provided in the "Remarks" section.

3.6.7 ELECTRONIC FIELD CONTACT REPORTS

The Records Management System (RMS) is the system of record for all Field Contact Reports. All field contacts shall be entered into the RMS in the "Field Contact" module, utilizing the following fields:

- Location.
- Suspect.
- Vehicle.
- Administrative information (code number and assignment).
- Narrative, in the "Remarks" section of the RMS (reasonable suspicion for the stop). The narrative of the Field Contact Report needs to include the detailed reason for the suspicion.

If more than one (1) person is interviewed during a stop, only one (1) Field Contact Report will be completed for the stop. The first person stopped shall be entered through the "Names" module of the Field Contact Report. Additional persons shall be entered through the "Related Names" function of the Field Contact Report.

Each Field Contact Report will contain a narrative describing the reasonable suspicion or consent and any behaviors that led the officer to initiate contact with the suspect. If the officer conducts a pat down of the suspect, the narrative shall include the reasonable suspicion that led the officer to believe that the suspect was armed and dangerous. If the suspect is searched, the narrative shall include the probable cause that led the officer to conduct a search of the suspect.

Field Contact Reports will not be completed on suspects, victims, or other individuals associated with an existing offense report, collision report, or citation unless the field contact provides new information on other criminal activity unrelated to the existing report(s) (e.g. a person involved in a traffic accident has property that the officer suspects may be stolen).

Field Contact Reports do not require an incident number when submitted into the RMS.

Upon completion, the Field Contact Report will be submitted by the officer and approved to "Approval Level: 1."

Field Contact Reports shall be retained pursuant to applicable records retention schedules.

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<h2>Standard Operating Procedures</h2>	SOP Number: 3.7
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Subject: Legal Requests	

3.7 LEGAL REQUESTS

3.7.1 WRITTEN OPINION

Any member of the Louisville Metro Police Department (LMPD) requesting a written legal research opinion from the Legal Advisor must submit the request to the Chief of Police, through the appropriate chain of command, to be approved and prioritized.

Members shall not ask for written opinions pertaining to department-related matters from outside sources without approval from the Chief of Police.

3.7.2 ORAL OPINION

Members may contact the Legal Advisor directly when seeking an oral legal opinion in regards to department-related matters. If the Legal Advisor cannot be contacted, then the employee may direct his/her question to the First Assistant to the County Attorney, who will either provide the answer or refer the member to the appropriate Assistant County Attorney.

Nothing in this policy prevents an employee from discussing his/her case with the appropriate prosecuting attorney.

3.7.3 ATTORNEY GENERAL OF THE COMMONWEALTH OF KENTUCKY

If a member seeks to obtain the legal opinion of the Attorney General in regard to department-related matters, he/she must first submit a written request to do so, through the appropriate chain of command, to the Chief of Police. The officer may proceed with his/her inquiry only after receiving written permission from the Chief of Police, or his/her designee.

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<h2>Standard Operating Procedures</h2>	SOP Number: 3.8
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	Accreditation Standards: KACP: 17.8, 28.5
Chapter: Communications	
Subject: Communications Equipment Usage	

3.8 COMMUNICATIONS EQUIPMENT USAGE (KACP 17.8)

3.8.1 POLICY

Departmental personnel shall operate all radio and Mobile Data Terminal (MDT) communications equipment in compliance with applicable sections of the Federal Communications Commission (FCC) Rules and Regulations and the Communications Act of 1934. All radio and MDT communications are restricted to official business, using appropriate and concise language, professional demeanor, and proper procedures.

3.8.2 RADIO PROCEDURES

Members will abide by the following radio procedures:

- Members will have their assigned departmental portable radio with them, at all times, when operating their assigned departmental vehicle.
- All members will clearly acknowledge, by voice transmission, any voice communication directed to them. No voice transmission should be considered received until a voice acknowledgement is made by the person to whom the transmission was sent.
- All radio calls will be answered on the first call with the unit number and location. In the case of holdup alarms, radio calls will be answered on the first call, but a location is not needed.
- When initiating radio communication involving protracted information, such as calling off on a traffic stop or other situations where MetroSafe will need to capture substantial information, the member will give his/her unit number and wait for MetroSafe acknowledgment before proceeding with further transmission.
- All calls for service will be made without delay.
- No member may refuse any dispatched call for service without his/her commanding officer's approval.
- Information that might compromise police operations should be communicated by telephone or MDT.
- Members will notify the dispatcher, by radio, of self-initiated police activity as soon as practicable.
- Off-duty officers will use the term "X-ray" followed by his/her call number for all radio communications.
- Members will notify the dispatcher, by voice transmission, when clearing from a call for service. The primary unit may clear all assigned units at one time, by voice transmission, if all units are clearing at the same time. Members may switch to their assigned service channel, if necessary, to clear during periods of heavy radio activity.
- Members may not call out of service or back in service by phone, without prior approval of a commanding officer.

3.8.3 MDT PROCEDURES

Members will notify the dispatcher, by voice transmission, of self-initiated police activity as soon as practicable, even if the activity is entered into the Computer Aided Dispatch (CAD) system by the member, via their MDT. This also applies when a member voluntarily takes a call for service, that he/she observes on his/her MDT screen, that has not yet been assigned by the dispatcher or when members voluntarily backup a primary unit on an assigned call for service.

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3.8.3 MDT PROCEDURES (CONTINUED)

Members clearing from the scene of a call for service, including self-initiated activities, will notify the dispatcher by voice transmission. Members may clear from the scene, via their MDT, during periods of heavy radio activity, but will also notify their dispatcher by voice transmission as soon as possible. Each unit will verify that the dispatcher is advised when they have cleared from the scene. The primary unit may clear all assigned units at one time, by voice transmission, if all units are clearing at the same time.

If a member needs to have his/her MDT password reset, he/she should contact the on-duty MetroSafe supervisor at (502) 574-2117. All other MDT technical issues should be referred to MDT Central by calling the Department of Information Technology (DoIT) Service Desk at (502) 574-4444.

3.8.4 BOLO BROADCASTS

In requesting a "be-on-the-lookout (BOLO)" broadcast, members will differentiate between the following:

- If the subject is wanted for questioning in a case, the radio broadcast will be, "Locate for investigative purposes and contact lead investigator to obtain further information on..."
- If the subject has been definitively identified and has an active arrest or bench warrant out for him/her, the radio broadcast will be, "Wanted for arrest based on warrant for..."

BOLOs that are lengthy or complicated, due to containing detailed information or multiple subjects, should be called in to MetroSafe by phone, if possible.

The following phonetic alphabet will be used for spelling out unusual names of persons and locations. It will also be used when calling in license plate numbers and registrations.

A - Adam	N - Nora
B - Baker	O - Ocean
C - Charlie	P - Paul
D - David	Q - Queen
E - Edward	R - Robert
F - Frank	S - Sam
G - George	T - Tom
H - Henry	U - Union
I - Ida	V - Victor
J - John	W - William
K - King	X - X-ray
L - Lincoln	Y - Yankee
M - Mary	Z - Zebra

3.8.5 ALERT TONES

The following transmissions will be preceded by the major crime alert tone:

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3.8.5 ALERT TONES (CONTINUED)

- Member in trouble (10-30)
- Vehicular pursuits
- Life-threatening injuries
- A unit out of service on a dispatched or self-initiated incident, that is not responding to a status check
- Any incident, involving the reported use of weapons, that is currently in-progress

Holdups

MetroSafe will not engage the major crime alert tone while officers are responding to a confirmed holdup or a reported holdup alarm. The major crime alert tone will be activated after the first responding officer advises the radio operator that he/she has arrived at the scene or is about to arrive at the scene.

If there is any indication that the holdup is in-progress, or life-threatening injuries have occurred, this information will be included at the time of the dispatch and the operator may engage the major crime alert tone. Once the alert tone is activated, only priority traffic for that specific incident will be transmitted, until MetroSafe advises to resume normal traffic. Members may switch to their assigned service channel for immediate radio communications, regarding other activities, or MetroSafe may direct members to another channel. If a commanding officer requests the cancellation of the major alert tone, the operator may comply with the request and continue to update the responding units with necessary information.

3.8.6 USE OF PLAIN LANGUAGE AND TEN CODES

Plain language will be used for all radio communication, with the exception of those 10-Codes listed below, for member safety situations. Members using communication systems that are interoperable with other agencies, while operating as part of a multi-agency unified command, will use plain language for all transmissions, regardless of their nature.

Approved 10-Codes for member safety include:

- 10-12 Are you alone?
- 10-30 Member in Trouble (Needs Help)
- 10-85 Wanted Person
- 10-86 Situation Under Control
- 10-98 Requesting Backup Unit, Code 1

Due to the inherent risk involved with Code 3 responses, a member will communicate 10-30 only when the member believes that he/she, or another member, is in imminent danger of assault, or is being assaulted. The transmission of 10-30 will result in an emergency response to assist the member, as directed by the appropriate commanding officer.

10-98 will be used when there is no imminent danger of assault to the member, but the member would like assistance before taking a police action and it is possible for the member to be overheard by a suspect. If members are in situations where they need additional assistance for other police activities, they should simply

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3.8.6 USE OF PLAIN LANGUAGE AND TEN CODES (CONTINUED)

request assistance by using plain language so that an officer, or officers, can respond in a non-emergency fashion.

3.8.7 RADIO CHANNEL ASSIGNMENT

Under routine operations, departmental units will be assigned to the following radio operations channels:

- Police 1 – Divisions 6 and 7
- Police 2 – Divisions 3 and 8
- Police 3 – Divisions 1 and 2
- Police 4 – Divisions 4 and 5
- Traffic CIS – Traffic Unit, Major Crimes Division and Vehicle Impoundment Unit

In addition to the assigned channels, there are two (2) service channels, Service 1 and Service 2, which, like the operations channels, are monitored by a dispatcher 24/7.

Car-to-car (C2C) communications may be conducted on one (1) of four (4) channels identified as PD C2C 1 through 4. Unless advised otherwise, patrol division members should use the C2C channel that corresponds to their operations channel (e.g. Divisions 6 and 7 should normally use PD C2C1 for car-to-car communications).

Four (4) tactical (TAC) channels, PD TAC1 through 4, are available for conducting special operations, if requested by a commanding officer. The commanding officer must contact MetroSafe if he/she wants the TAC channel monitored by a dispatcher.

If a radio channel is needed for an event, the following procedures will be followed:

- The request will be made by a commanding officer.
- The request will be made by emailing Traci Crenshaw at Traci.Crenshaw@louisvilleky.gov AND Angela Downes at Angela.Downes@louisvilleky.gov at least 24 hours before the channel is needed, if possible.
- The request will include an explanation of the kind of event, along with the dates and times needed.
- The request will indicate the need for a dispatcher, if required.
- MetroSafe will “assign” a channel for the specific request and will send an email confirmation.

If, for some reason, these procedures cannot be followed and a channel is needed immediately, the commanding officer will make the request, via phone, by contacting Traci Crenshaw at (502) 648-1953. If Traci Crenshaw is unable to be reached, the commanding officer will contact the on-duty MetroSafe supervisor at (502) 574-2117.

These procedures prevent the overlapping of radio channels by multiple agencies.

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3.8.8 SCENE SECURE

Fire/Louisville Metro Emergency Medical Services (LMEMS) personnel are prohibited from entering the scene of an incident in-progress until officers have arrived and declared the scene safe. Therefore, officers are authorized to respond Code 3 to incidents in-progress that demand immediate attention by Fire/LMEMS personnel in order to protect human life (e.g. domestic disturbance with a house fire). Officers are encouraged to request that MetroSafe provides specific details regarding the run and will be required to articulate their reasoning for the use of a Code 3 response. A Code 3 response does not relieve an officer from the duty to drive with due regard for the safety of others. Officers will be held accountable for their actions (refer to SOP 8.7). Once officers secure a scene and it appears that there is no danger from criminal violence, he/she should advise the MetroSafe dispatcher, "scene secure."

3.8.9 PORTABLE RADIOS (KACP 28.5)

Members who are required to use the radio communications system will be issued a departmental portable radio. All departmental vehicles are equipped with a mounted portable radio charger. All departmentally-approved portable radio accessories will be issued with the portable radio. Members are prohibited from using any non-issued, unapproved accessories or replacement parts with the portable radio (e.g. earpiece). Members requesting to use or replace any portable radio accessory or part, must complete a MDT/Portable Radio Request form (LMPD #10-0004) and forward it, through the appropriate chain of command, to the Technical Services Lieutenant. Certain specialized unit members may be issued portable radios equipped with additional frequencies, which are available only to those units. If a member leaves a specialized unit, the specialized unit commander is responsible for notifying MetroSafe of the change of status and verifying that the appropriate changes are made.

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3.9 INTERNAL COMMUNICATIONS (KACP 17.1)

3.9.1 COMMUNICATIONS POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to support continuous communication, coordination, and cooperation between all levels of the department. This may be accomplished through either oral or written types of communication. Communication flows both upward, and downward, through the appropriate chain of command, and laterally between bureaus, divisions, sections, units, platoons, officers, and other personnel.

3.9.2 COMMUNICATION METHODS

Communication, coordination, and cooperation between individual members and other members or units within the department may be accomplished through a variety of methods. These methods of communication include, but are not limited to, the following:

- Routine oral exchange of information
- Car-to-car exchange through MetroSafe
- Daily platoon and unit roll calls
- Periodic joint roll calls with detectives, other units, or platoons within a division
- Bureau, division, section, and unit staff meetings
- CompStat meetings
- Briefings/mailings related to active or upcoming special events
- Departmental electronic mail (email) messages containing specific details regarding criminal activity, Wanted flyers (LMPD #06-0046) or Attempt to Locate (ATL) flyers (LMPD #06-0047), "Be-on-the-Lookouts" (BOLOs), or requests for the identification of unknown subjects (refer to SOP 4.21)
- Offense reports and summaries
- Organizer in the Records Management System (RMS)
- Division beat blogs (refer to SOP 4.29)
- AgencyWeb

All members will login to their departmental email account and the AgencyWeb system every workday in order to review their calendar and check for incoming communications.

3.9.3 WANTED FLYER

The following should be met prior to distributing a Wanted flyer (LMPD #06-0046):

- Probable cause must exist for a felony arrest; or
- The suspect has an outstanding arrest/bench warrant.

If the criteria for a Wanted flyer are met and supervisory approval has been obtained, the member will internally disseminate a Wanted flyer. No other forms are permitted.

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3.9.3 WANTED FLYER (CONTINUED)

Information contained in Wanted flyers is privileged, confidential, and intended for **OFFICIAL USE ONLY**. Wanted flyers may be distributed to other law enforcement individuals/agencies for official law enforcement purposes.

Wanted flyers distributed to non-law enforcement individuals/agencies or for public viewing (e.g. LMPD website) will have approval from a commanding officer, with the rank of lieutenant or above, and authorization from the Media and Public Relations Office, with the exception of the Louisville's Most Wanted flyers. The suspects depicted in these Wanted flyers will have active arrest/bench warrants. These Wanted flyers, including Louisville's Most Wanted flyers, will not contain sensitive personal identification information (e.g. Social Security Numbers (SSNs), dates of birth (DOBs), addresses, victim's name, victim's address, etc.) and are not intended for official use.

Any requests for revisions to the LMPD website (e.g. adding information, changes, deletions, etc.) should be submitted, via email, to Strategic Planning.

3.9.4 ATTEMPT TO LOCATE (ATL) FLYER

If a member is seeking a subject or a vehicle for questioning or an investigation, he/she will internally disseminate an ATL flyer (LMPD #06-0047), after supervisory approval. No other forms are permitted.

After locating a subject from an ATL flyer, a member can only ask the subject to remain at the location. He/she cannot detain the subject if the subject refuses to remain at the location.

If the subject refuses to remain at that location, the member will seek basic personal information (e.g. address, DOB, phone number, etc.) regarding the subject.

An ATL flyer is used in situations where there is no warrant or probable cause to arrest the subject.

In order to impound a vehicle listed on an ATL flyer, the member will refer to SOP 7.9.

Information contained in ATL flyers is privileged, confidential, and intended for **OFFICIAL USE ONLY**. ATL flyers must not be distributed to non-law enforcement individuals/agencies.

3.9.5 SIGNIFICANT ACTIVITY NOTIFICATION

The LMPD produces a Significant Activity Report to provide the timely notification of significant activities that occurred during the previous 24-hour period.

The Significant Activity Report is compiled by the Real Time Crime Center (RTCC) and disseminated to all LMPD sworn members.

The Significant Activity Report, and items therein, is considered a law enforcement sensitive, preliminary report that may not be distributed or disseminated outside of the LMPD without the permission of competent authority.

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3.9.5 SIGNIFICANT ACTIVITY NOTIFICATION (CONTINUED)

For the purpose of this policy, competent authority will be at the level of the division commander, or higher, responsible for the investigation into the reported matter. The Chief of Police, or his/her designee, may authorize the dissemination of the Significant Activity Report to other members and/or external entities.

In order for the department to generate a daily Significant Activity Report, supervisors whose members are dispatched on, or otherwise involved in, any of the following will send an email notification to "LMPD Significant Activities," located within the department's email distribution list, as well as to their division/section/unit command distribution lists (e.g. LMPD 1st Division Command Staff, LMPD CIS CO's, etc):

- Homicide/life-threatening assault/suspicious death (to include child deaths)
- Use of deadly force
- High-profile arrest
- Fire death/life-threatening injury due to a fire
- Business burglary (e.g. unusual, part of a pattern, a large dollar value stolen)
- Business robbery
- Felony sexual assault where the suspect is a stranger to the victim
- Fatal/life-threatening traffic accident
- Injury accident involving departmental vehicles
- Injured officer(s)/member(s)
- Search warrant
- Methamphetamine lab
- America's Missing: Broadcast Emergency Response (AMBER) Alert or other missing children (KACP 30.7)
- Missing person, of any age, with serious health/mental issues and/or a developmental disability (e.g. Golden Alert) (KACP 30.5)
- Missing person, of any age, under suspicious circumstances
- Hazardous material (HAZMAT) incident
- Unusual incident (e.g. hate crime, large scale criminal mischief, dog attack, etc.)

The notification email will contain sufficient information for the reader to be fully informed of the event, given the facts known at the time of the email. Information that will not be included in email notifications include:

- Very specific information that could jeopardize an informant's safety.
- Unique details regarding an ongoing critical investigation. As an example, members should not include information regarding specific trauma or a suspected cause of death in a homicide investigation where few details have been released to the general public.

Nothing in this policy prevents division/section/unit commanders from requiring their personnel to send notification emails on incidents not contained in this list.

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3.9.6 COMMAND NOTIFICATION PROCEDURE

The Chief of Police, or his/her designee, will be contacted as soon as possible, via a Command Page through MetroSafe, in the event of any incident that is extraordinary, may result in a liability issue, have an adverse impact on the department, or may spark increased public or media attention. These incidents may include, but are not limited to:

- Serious injury or death of a member
- Death caused by a violent criminal act or traffic crash
- Use of force incident
- Major disaster
- Civil disturbance/disorderly crowd
- Major situation of a sensitive nature

3.9.7 RMS ORGANIZER

The RMS Organizer allows members to send messages regarding suspect information, case files, "alerts", etc. All members who use the RMS will check their RMS Organizer inbox a minimum of once per tour of duty and approve or fix errors on any reports that are in their inbox, as needed. The RMS Organizer is to be used only for information contained in the RMS.

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3.10 INTERPRETER PROCEDURES

3.10.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to provide a consistently high level of service to all members of this community, including those citizens who are deaf, hard of hearing, or Limited English Proficient (LEP). The purpose of this policy is to establish effective guidelines, consistent with Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (ADA), for departmental personnel to follow when providing services to, or interacting with, individuals who are deaf, hard of hearing, or LEP.

3.10.2 DEFINITIONS

Americans with Disabilities Act (ADA): Federal civil rights law that guarantees individuals with disabilities equal opportunity for in state and local government services, public accommodations, employment, transportation, and telecommunications.

Interpretation: The act of listening to a communication in one (1) language and orally converting it to another language while retaining the same meaning.

Limited English Proficient (LEP): LEP individuals are those whose primary language is not English and who have a limited ability to read, write, speak, or understand English.

Primary Language: The language in which an individual most effectively communicates.

Qualified Interpreter: A person who is capable of interpreting and translating criminal, civil, or administrative proceedings for people who are deaf, hard of hearing, or LEP and provide their responses. The qualified interpreter must be able to interpret effectively, accurately, and impartially using any necessary specialized vocabulary and be available as a witness.

Telecommunications Device for the Deaf (TDD): A device that is attached to a telephone and is used by individuals with hearing or speech disabilities to communicate on the telephone using a keyboard with a display for receiving typed text.

Telecommunications Relay Service: An operator-based service that a hearing impaired person may use to contact a person or business not equipped with a text telephone (TTY) or telecommunications device for the deaf (TDD).

Title VI of Civil Rights Act of 1964: National law that protects persons from discrimination based on their race, color, or national origin in programs and activities that receive federal financial assistance.

3.10.3 DEAF OR HARD OF HEARING PERSONS

People who are deaf or hard of hearing are entitled to a level of service equivalent to that provided to other persons. The department will make certain that its members communicate effectively with people who are deaf

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3.10.3 DEAF OR HARD OF HEARING PERSONS (CONTINUED)

or hard of hearing. Effective communication with a person who is deaf or hard of hearing and who is involved in an incident, whether as a victim, witness, suspect, or arrestee, is essential in determining what actually occurred, the urgency of the matter, and the type of situation.

The department must provide communication aids and services needed to communicate with people who are deaf or hard of hearing, except when a particular service would fundamentally alter the nature of the law enforcement activity. The ADA requires that the expressed choice of the individual with the disability, who is in the best position to know his/her needs, should be given primary consideration in determining which communication aid to provide. The department should honor the individual's choice, unless it can demonstrate that another effective method of communication exists given the nature, importance, and duration of the communication, as well as the communication skills of the person who is deaf or hard of hearing. A commanding officer may make this determination and should consult with his/her division commander, if necessary. A person who is deaf or hard of hearing cannot be charged for communication aids or services provided. However, the department does not have to provide personally-prescribed devices, such as hearing aids.

Members have an obligation to provide qualified interpreters to people who are deaf or hard of hearing, who are under arrest, prior to any questioning. If the legality of a conversation will be questioned in court (e.g. where Miranda warnings were issued, Public Integrity Unit (PIU) complaint, witness to a crime, etc.), a sign language interpreter may be necessary. In general, if an individual who does not have a hearing disability would be subject to police action without interrogation, then an interpreter will not be required, unless one is necessary to explain the action being taken.

If an officer is unable to communicate effectively with a victim or witness by use of a notepad or by some other means of communication, the officer shall request an interpreter through MetroSafe. If court proceedings are likely to occur, a qualified interpreter shall be used in communicating with victims or witnesses.

Failure to protect the rights of deaf or hard of hearing individuals during arrests and interrogations presents risks to the integrity of the investigation. Departmental personnel must recognize that miscommunication during the interrogations or crime witness interviews may have a substantial impact on the evidence presented in any related criminal prosecution. A qualified interpreter shall be used for any interrogation, or taking of a formal statement, where the suspect's or witness' legal rights could be adversely impacted.

When encountering a deaf or hard of hearing person, members can take, but are not limited to, the following steps:

- Determine if the person is deaf or hard of hearing.
- Get the person's attention with a wave of the hand or a gentle tap on the shoulder before speaking.
- Speak in a well-lit area, facing the person with his/her mouth visible, and with minimal distractions.
- If the person cannot understand, write a note and ask what communication aid, or service, is needed.
- Use auxiliary aids to communicate with this person. The type of aid that will be required for effective communication will depend on the individual's usual method of communication and the nature, importance, and duration of the communication. Auxiliary aids include:
 - Use of gestures or visual aids to supplement oral communication
 - Use of notepad and pen/pencil to exchange written notes

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3.10.3 DEAF OR HARD OF HEARING PERSONS (CONTINUED)

- Use of a computer or typewriter
 - Use of assistive listening devices to amplify sound
 - Use of the Video Relay Service (1-866-FAST-VRS)
 - Use of qualified oral or sign language interpreters
- Use a paid interpreter, if necessary. The more lengthy, complex, and important the communication, the more likely a qualified interpreter will be required for effective communication.

Members should contact a MetroSafe supervisor, via the service channel or by phone, to request an American Sign Language (ASL) interpreter and advise where the interpreter should go.

Caution should be used when family members or children are utilized as interpreters. They may lack the vocabulary or the impartiality needed to interpret effectively and confidentiality considerations may prohibit their use as well.

3.10.4 LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS

LEP individuals are entitled to a level of service equivalent to that provided to other persons. The department will make certain that its members communicate effectively with LEP individuals. Effective communication with a LEP individual who is involved in an incident, whether as a victim, witness, suspect, or arrestee, is essential in determining what actually occurred, the urgency of the matter, and the type of situation.

The department must provide communication aids and services needed to communicate with people with LEP, except when a particular service would fundamentally alter the nature of law enforcement activity or cause an undue administrative or financial burden. A commanding officer may make this determination and should consult with his/her division commander, if necessary. A person who is LEP cannot be charged for communication aids or services provided.

Members have an obligation to provide qualified interpreters to LEP individuals, who are under arrest, prior to any questioning. If the legality of a conversation will be questioned in court (e.g. where Miranda warnings were issued, PIU complaint, witness to a crime, etc.), an interpreter may be necessary.

If an officer is unable to communicate effectively with a victim or witness, he/she shall follow the below procedures. If court proceedings are likely to occur, a qualified interpreter shall be used in communicating with victims or witnesses.

Failure to protect the rights of LEP individuals during arrests and interrogations presents risks to the integrity of the investigation. Departmental personnel must recognize that miscommunication during the interrogations or crime witness interviews may have a substantial impact on the evidence presented in any related criminal prosecution. A qualified interpreter shall be used for any interrogation, or taking of a formal statement, where the suspect's or witness' legal rights could be adversely impacted.

When encountering a LEP person, members shall take, but are not limited to, the following steps:

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3.10.4 LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUALS (CONTINUED)

- Determine if the person is LEP and his/her level of understanding of the English language.
- Show the Language Identification Form to the person to determine the language needed for interpretation. This form can be found in the "Online Forms" folder on the Louisville Metro Police Department (LMPD) Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Interpreters" folder.
- Call MetroSafe for an on-duty member who speaks the language required. If there is a member available, make a request to the member's commanding officer to utilize him/her for the interview. A list of members and the language(s) that they speak (other than English) can be found in the "Online Forms" folder on the Louisville Metro Police Department (LMPD) Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Interpreters" folder.
- If the time needed for interpretation is less than 30 minutes and an on-duty officer is unavailable for interpretation, utilize the telephone language service, Voiance, contracted by Metro Government, if possible. The telephone language service can be accessed by calling (866) 998-0338. In over-the-phone interpretation, the telephone language service interpreter listens to the LEP person, analyzes the original message, and accurately conveys the original meaning to the member seeking the interpretation. Try to utilize this resource, whenever possible, with minor issues including, but not limited to:
 - Lost motorist
 - Serious, but solvable, issues
 - Report a missing child
 - Initial contact by an officer needing to determine the language required to determine whether it is a domestic violence (DV) case
 - Calls for service
- Use a paid interpreter, if necessary. The more lengthy, complex, and important the communication, the more likely a qualified interpreter will be required for effective communication.

Caution should be used when family members or children are utilized as interpreters. They may lack the vocabulary or the impartiality needed to interpret effectively and confidentiality considerations may prohibit their use as well.

Exigent circumstances may require some deviations from the above procedures. In such circumstances (e.g. obtaining information on a fleeing suspect or identifying information on an injured person), departmental personnel are to use the most reliable, temporary interpreter available. However, once the exigent circumstances have passed, all personnel are expected to revert to the above general procedures.

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3.11 OPEN DATA

3.11.1 POLICY

In accordance with the Mayor's Open Data Executive Order, the Louisville Metro Police Department (LMPD) is committed to increasing the openness and transparency of government to the citizens of this community by sharing data in an open format. Opening data to the public will enhance the trust of community members in the personnel and operations of the LMPD. The LMPD will post its open data on the Louisville Metro Government's Open Data Portal and the LMPD website.

3.11.2 DEFINITIONS

Open Data: Any public record which could be made available online using open format data, as well as best practice open data structures and formats, when possible. Open data is not information that is exempt from the open records law under Kentucky Revised Statute (KRS) 61.878 or federal, state, or local laws or regulations.

Open Data Coordinator (ODC): The departmental member designated to act as the coordinator of open data efforts for the department. The Administrative Bureau Commander will designate the Open Data Coordinator and approve all data sets for publication.

Open Data Portal: An Internet site established by the Department of Information Technology (DoIT) and maintained to showcase open data for viewing, use, reuse, and redistribution by the public.

Open Format: Any widely accepted, non-proprietary, platform-independent, machine-readable method for formatting data, which permits automated processing of such data and is accessible to external search capabilities.

Restricted Data: All data that the department:

- Is restricted from disclosing under federal, state, or local law, rules, or regulations; and
- Is permitted to withhold from disclosure under federal, state, or local law or regulations.

3.11.3 POSTED DATA

Before the data is submitted for publication, the ODC is responsible for confirming that all of the submitted data has been reviewed by the appropriate departmental member for confidentiality, privacy, security, open records law, and all other content limitation issues consistent with the Mayor's Open Data Executive Order and relevant law. All data sets are considered open unless they contain information designated as exempt, sensitive, private, or confidential as defined by federal, state, or local law, rules, or regulations.

The ODC is responsible for identifying an update frequency for each public data set as an element in its data set metadata. The ODC is also responsible for providing data set content updates that are maintained and published according to the data set's identified schedule or to the extent that the department regularly maintains or updates the public data set. The department will provide current open data sets and associated metadata to the extent that the department regularly maintains or operationally updates the public data set.

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3.11.3 POSTED DATA (CONTINUED)

The LMPD retains ownership over data sets that are submitted to the DoIT. Public users acquire no ownership rights to the departmental data or data sets. The data or data sets become a public resource only and are available to anyone with Internet access.

3.11.4 DATA RESTRICTIONS

Data made available to the public pursuant to the Mayor's Open Data Executive Order does not include any data set to which the department may deny access pursuant to the Kentucky Open Records Law or any other provision of a federal, state, or local law, rule, or regulation. The Mayor's Open Data Executive Order does not prohibit departments from releasing such Kentucky Open Records Law deniable data. For a list of data exclusions, refer to the Louisville Metro Government's Open Data Policy.

3.11.5 RETENTION

The retention and disposal of these records will be pursuant to applicable records retention schedules.

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4.1 MOBILE VIDEO SYSTEM

4.1.1 POLICY

The Louisville Metro Police Department (LMPD) has adopted the use of in-car audio/video recording systems for the purpose of documenting official actions taken by officers of the department. In-car recording equipment enhances officer safety, assists in the documentation of events made during motor vehicle stops and other critical incidents and enhances the prosecution of law violations.

The department currently uses a Mobile Video System (MVS) that records data digitally using the Panasonic Arbitrator digital camera.

LMPD Open Records is responsible for the distribution, secured storage, erasure, and destruction of all recordings created using the MVS.

The Evidence and Property Unit (EPU) is responsible for the secured storage, erasure, and destruction of legacy VHS recordings.

4.1.2 PURPOSE

This policy establishes guidelines for the use of mobile audio/video recorders in departmental vehicles and establishes a systematic protocol regarding the storage, viewing, release, and retention of recordings.

4.1.3 DEFINITIONS

Mobile Video System (MVS): A vehicle-mounted camera system with audio and video recording capability.

Arbitrator Digital Camera: An in-car video system with the ability to digitally record audio and video transmissions. The data is stored on a memory card, with limited capacity, which requires the user to upload the stored information onto the server by way of a wireless access point.

Wireless Access Point: Devices that upload data from the Arbitrator Digital Camera to the server when the user comes into range. The process is initiated manually by the user.

4.1.4 STATUTORY PROVISIONS FOR DUI CASES (KACP 17.13b-c)

Kentucky Revised Statutes (KRS) 189A.100 specifically addresses the procedures for securing, reviewing, maintaining, and destroying video or audio evidence in Driving Under the Influence (DUI) cases.

Recordings of field sobriety tests, administered at the scene of an arrest, for a violation of KRS 189A.010 (DUI) or such tests at a police station, jail, or other facility shall be subject to the following conditions:

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4.1.4 STATUTORY PROVISIONS FOR DUI CASES (CONTINUED)

- The testing is recorded in its entirety (except for blood alcohol and analysis testing); and
- The recording shall be used for official purposes only, which includes:
 - Viewing in court;
 - Viewing by the prosecution and defense in preparation for a trial; and
 - Viewing for purposes of administrative proceedings.

Recordings shall otherwise be considered confidential records.

Recordings taken as a result of a DUI shall, upon order of the District Court, be destroyed after the latter of the following:

- 14 months, if there is no appeal of any criminal or traffic case filed as a result of the recording, or if the recording does not depict the actual happening of an accident involving a motor vehicle;
- 14 months after a decision has been made not to prosecute any case upon which an arrest has been made or a citation issued as a result of the recording, if the recording does not depict the actual happening of an accident involving a motor vehicle;
- 26 months, if there is no appeal of any criminal or traffic case filed as a result of the recording, if the recording depicts the actual happening of an accident involving a motor vehicle;
- After all appeals have been exhausted, arising from any criminal or traffic case filed as a result of the recording;
- At the conclusion of any civil case, arising from the events depicted on the recording;
- At the conclusion of all appeals from any law enforcement agency's administrative proceedings, arising from events depicted on the recording.

Officers utilizing, or showing, recordings of DUI arrests, other than as permitted in this section, or permitting others to do so, are in violation of KRS 189A.100(2)(g).

When an officer makes a recording of a transaction and a citation is issued, or an arrest is made, for DUI, the officer shall note on the uniform citation that a recording has been made of the transaction. Officers using the digital camera shall bookmark the recording by selecting the bookmark button on their Mobile Data Terminal (MDT) screen.

4.1.5 PRE-OPERATION PROCEDURES (KACP 17.13a)

Officers will be trained in the operation of the MVS, as required by the department, before engaging in the use of the equipment. MVS equipment installed in a vehicle is the responsibility of the officer to whom the vehicle is assigned and shall be operated according to the manufacturer's recommendations.

MVSs, MDTs and body microphones installed in marked patrol vehicles and unmarked traffic vehicles are assigned to the vehicles and remain with the vehicle when the vehicle is reassigned from one (1) officer to another. All other MDTs are assigned to individual sworn personnel. Upon being transferred from a vehicle with a MVS, the officer giving up possession of the car is responsible for downloading digital data onto the server.

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4.1.5 PRE-OPERATION PROCEDURES (CONTINUED)

The officer taking possession of the vehicle is responsible for checking the operability of the camera. The officer is required to report to MDT Central, located at 3515 Newburg Road, Building B, to have the camera reformatted to include a "login name change" and to have the "officer name display" corrected to reflect the current officer.

Prior to their tour of duty, officers shall perform a routine check of their MVS equipment. The routine check will be recorded on the MVS system. The routine check includes, but is not limited to:

- Checking the functionality of MDT software.
- A verification that the login information is correct, including:
 - Member name (first and last)
 - Code number
 - Agency (not available in the older Model 10 or Model 15 Arbitrator units)
 - Unit (radio call sign) (not available in the older Model 10 or Model 15 Arbitrator units)
 - Shift (day, mid, late)
 - Area (division)
 - Vehicle ID (equipment number)
- Testing of microphone function and synchronization with the MVS unit.
- Verifying that the video display is properly functioning.
- The amount of storage space remaining on the digital media. Any stored video shall be uploaded.

All of the above shall also be included in the monthly vehicle inspections by the division/section/unit commanders, or their designees (refer to SOP 4.18).

If the MVS is not functioning properly, officers shall immediately notify their on-duty supervisor. The on-duty supervisor will immediately make arrangements to have any improperly functioning MVS equipment repaired by authorized MetroSafe personnel, if the repair is installation-related, or by the Department of Information Technology (DoIT), if the repair is related to software. If the repair issues are discovered outside of the normal operating hours of MetroSafe or the DoIT, the supervisor will make arrangements for the repairs on the next business day. MVS equipment shall not be disconnected, removed, or repaired by anyone except an authorized service technician from MetroSafe or the DoIT.

4.1.6 OPERATIONAL PROCEDURES (KACP 17.13a-b)

MVS equipment automatically activates when the vehicle's emergency lights are utilized. The digital cameras equipped with GPS capability also activate when the vehicle reaches 80 mph and will stay activated until manually deactivated. The digital cameras will record data 30 seconds before they are activated and will continue recording for 30 seconds after being deactivated.

Officers shall activate video recording equipment when operating in emergency mode, for all traffic stops and for all pursuits. The MVS should be properly positioned, and adjusted, to record events.

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4.1.6 OPERATIONAL PROCEDURES (CONTINUED)

Officers shall verify that the view of the video recording equipment is not obstructed by anything that would impede its operation. Officers shall not block or cover the lens of any camera on their MVS.

Officers shall not deactivate the MVS until the traffic stop, or enforcement action, is complete, such as when the officer or subject pulls away from the traffic stop.

Backup or secondary units are not required to record a traffic stop, or enforcement action, unless requested by the primary unit or a commanding officer.

The equipment may be manually deactivated during non-enforcement activities, such as protecting an accident scene or taking an accident report.

When using the MVS, the wireless microphone should be activated, at all times, in order to provide narration with the video recording; however, if the audio portion of a law enforcement activity or encounter is captured by the officer's Wearable Video System (WVS), the use of the officer's MVS microphone to capture the audio is not necessary (refer to SOP 4.31).

When outside of their vehicle, officers may turn on their audio and visual equipment if there is a need to utilize the microphone to document official actions, such as at a domestic violence (DV) scene or other call for service.

When two (2) officers occupy a vehicle equipped with a MVS, the microphone may be worn by either officer. The officer wearing the microphone is considered the "primary officer."

Officers shall not alter MVS equipment in any way. This includes, but is not limited to, the GPS functions of the system. Repairs shall only be made by authorized service technicians from MetroSafe or the DoIT.

Officers are required to record the following in its entirety:

- All traffic stops.
- Pursuits.
- Code 3 emergency vehicular operations.
- Transportation of all prisoners, in vehicles with only one (1) camera, the camera shall be pointed to the rear seat area of the police vehicle to record the prisoner during transportation. For vehicles with both front and backseat cameras, the front camera does not need to be pointed to the rear seat area of the vehicle because the backseat camera will record the prisoner seated in the back of the vehicle.
Transportation of a person suffering from a mental illness, or other disorder, to a medical facility for treatment (KACP 30.8). This includes persons who are taken into custody pursuant to a Mental Inquest Warrant (MIW) and persons who voluntarily agree to be transported. In vehicles with only one (1) camera, the camera shall be pointed to the rear seat area of the police vehicle to record the person during transportation. For vehicles with both front and backseat cameras, the front camera does not need to be pointed to the rear seat area of the vehicle because the backseat camera will record the person seated in the back of the vehicle.

Officers are encouraged to use their MVS equipment to:

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4.1.6 OPERATIONAL PROCEDURES (CONTINUED)

- Record the reason for their current, or planned, enforcement action.
- Record the actions of suspects during interviews, or when placed into custody.
- Record the circumstances at a crime or accident scene, or other pertinent events such as the confiscation of evidence or contraband.
- Record the audio portion of a conversation with a citizen.
- Record situations which arise where the officer, by reason of training and experience, determines that the incident should be documented.

Nothing in this section implies that officers should disregard officer safety for the purpose of being in a position for visual recording.

4.1.7 OPERATIONAL USE/RETENTION (KACP 17.13d)

Officers shall not erase, destroy, alter, or tamper with MVS recordings.

Recordings generated on departmental equipment shall be erased, or destroyed, after a period of 12 months, if not designated as evidence or otherwise bookmarked for keeping. Digital recordings bookmarked for keeping are stored on the server for four (4) years from the date of recording, unless otherwise required (e.g. ongoing case, statutory requirement, etc.). It is the duty of the officer responsible for maintaining the evidence to notify the DoIT of the need to hold digital video for a longer period. Recordings containing DUI video evidence shall be maintained and destroyed pursuant to KRS 189A.100.

Recordings generated on departmental equipment are the exclusive property of the LMPD and are available for departmental use in accordance with applicable legal restrictions, or upon direct authority of the Chief of Police, or his/her designee.

Officers shall not be required to discontinue recording an event, situation or circumstance for anyone other than the officer in control of the camera, or upon the instructions of a commanding officer.

4.1.8 RECORDINGS: CONTROL AND MANAGEMENT (KACP 17.13c)

Officers shall verify that they have enough memory on the camera memory card to complete their tour of duty. The memory card will hold between eight (8) and 32 hours of recordings, depending on the camera model. The officer in control of the vehicle shall monitor remaining memory and upload the data onto the server using one (1) of the wireless access points, at least once per shift or more frequently, if necessary. The officer's supervisor shall check the Arbitrator Report database provided by the DoIT to verify that officers are uploading their videos in compliance with this policy. The link to the database is located on the LMPD Intranet. The supervisor shall check at least once every five (5) days for each officer equipped with a digital mobile video camera.

There is a bookmark button located on the MDT screen that officers shall use to document recordings that should not be deleted from the server. The older camera model has four (4) bookmark buttons (A-B-C-D). Users of this camera may bookmark the data by selecting any one of the buttons. The bookmarks will be used for recordings of any of the following incidents:

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4.1.8 RECORDINGS: CONTROL AND MANAGEMENT (CONTINUED)

- All DUI arrests
- Use of force incidents
- Pursuits
- Traffic accidents (when the event was actually recorded)
- Assaults on officers
- Any incident at the discretion of a commanding officer

4.1.9 USE OF RECORDINGS FOR OFFICERS AND SUPERVISORY REVIEW

Division/section/unit commanders, or their designees, are responsible for regular, random audits of MVS recordings to verify compliance with MVS standards, departmental policy, and to assess overall officer performance.

The copying of recordings that have been submitted to the EPU or LMPD Open Records, or stored on the server, shall only be done for official purposes. Officers shall not disseminate a recording in any manner except for official purposes.

Officers needing a copy of a recording for an official purpose may request a copy from LMPD Open Records by emailing a completed Video System Request form (LMPD #15-0013) to "LMPD Video System Request," located within the department's email distribution list.

When a duplicate recording is made, no chain of custody is required to be maintained on the duplicate copy. When the duplicate copy is no longer needed, the tape or CD shall be returned to LMPD Open Records where the VHS tapes will be cleaned and reused and the CDs will be destroyed.

4.1.10 DISTRIBUTION OF RECORDINGS TO OUTSIDE PERSONS OR AGENCIES

Recordings generated on departmentally-owned equipment are the property of the LMPD. Copying or reproducing any recording, or segment of any recording, generated by the LMPD, or the removal of any recording outside of the LMPD, without the written authorization of the Chief of Police, or his/her designee, is prohibited (KACP 17.13d).

Open records requests for copies of recordings, from persons or agencies outside of the LMPD, shall be directed, in writing, to LMPD Open Records. Open records requests submitted by the media shall be directed, in writing, to the Media and Public Relations Office (refer to SOP 3.3) (KACP 20.2b). Anyone may request a copy of a MVS recording by emailing a completed Video System Request form (LMPD #15-0013) to "LMPD Video System Request," located within the department's email distribution list. Any parts of a recording that infringe on an individual's privacy rights or may compromise an investigation may be redacted.

Recordings provided to persons or agencies outside of the LMPD shall be duplicated on new tapes or CDs and will be provided by the department for a reasonable fee.

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4.1.10 DISTRIBUTION OF RECORDINGS TO OUTSIDE PERSONS OR AGENCIES (CONTINUED)

Only that portion of a recording which contains the specific contact in question may be reproduced. When any recording, or any portion of a recording, is to be reproduced for use by an outside person or agency, the officer who generated the video will be notified, in writing, by the Chief of Police, or his/her designee, of the planned reproduction.

Nothing in this section prevents officers from securing, or releasing, copies of MVS recordings to the United States Attorney's Office, Jefferson County Attorney's Office or Office of the Commonwealth's Attorney for official purposes.

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Chapter: Uniforms and Equipment	
Subject: Uniform Guidelines	

4.2 UNIFORM GUIDELINES (KACP 12.1)

4.2.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to present a positive and professional image to the community while serving in an official capacity. Therefore, members will adhere to the prescribed uniform requirements while on-duty or working secondary employment.

4.2.2 UNIFORM TYPES

The wearing of each uniform is directed by the duty assignment or by approval of the Chief of Police. There are five (5) uniforms authorized by the LMPD.

- Class A Uniform (refer to SOP 4.3)
- Class B Uniform (refer to SOP 4.4)
- Class C Uniform (refer to SOP 4.5)
- Class D Uniform (refer to SOP 4.6)
- Class E Uniform (refer to SOP 4.7)

All uniform items will be in accordance with the current LMPD uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Uniform Contracts" folder.

4.2.3 GUIDELINES FOR UNIFORMED MEMBERS

The following apply to uniformed members:

- All uniformed members will wear the uniform, as designated by the Chief of Police.
- The Chief of Police, or his/her designee, may designate the appropriate uniform of the day to be worn during special events and according to the nature of the officer's assignment.
- The Chief of Police, or his/her designee, may designate the appropriate attire to be worn by a specific specialty division/section/unit. This designation is based on the nature and scope of duty of the specialty division/section/unit. Only members who are currently assigned to the specialty division/section/unit may wear the approved attire.
- Members have the option of wearing the long sleeve or short sleeve uniform shirt year-round. This applies to all classes of uniforms, unless otherwise instructed by the Chief of Police, or his/her designee.
- Each respective uniform must be worn in its entirety and be approved by the Chief of Police.
- The uniform will be worn only during on-duty hours, while in court, when working secondary employment, and on other occasions, as approved by the Chief of Police (e.g. awards banquets, memorial services, etc.).
- The Class A, Class B, and Class C uniforms are the standard uniforms worn for secondary employment. It is permissible to request to wear plainclothes (refer to SOP 2.4).

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4.2.3 GUIDELINES FOR UNIFORMED MEMBERS (CONTINUED)

- Members will wear only the uniform prescribed for their position and assignment.
- A member with the rank of lieutenant or above may wear, in lieu of a gun belt and accessories, a departmentally-approved holster and a departmentally-approved pistol (refer to SOP 4.13).
- Civilian clothing will not be worn with any distinguishable part of the uniform.
- The uniform should fit well and be neat, clean, and properly pressed. All metal and leather must be polished.
- The uniform will not be worn with jewelry or personal ornamentation other than those authorized by policy.
- Members are prohibited from carrying any equipment that has not been authorized by competent authority.
- All uniform items and equipment are to be in good repair, free of tears, worn spots, stains, and/or any damage that affects the functionality of the item.

4.2.4 OWNERSHIP OF ISSUED UNIFORM EQUIPMENT

Upon a member's termination of service, issued uniform equipment listed on the Property Checklist for Retired/Resigned/Terminated Officers form (LMPD #05-02-0301) shall be returned to the department. Probationary members must return all issued uniform clothing and departmentally-issued articles prior to an extended leave of absence.

4.2.5 REPLACEMENT OF UNSERVICEABLE UNIFORM ARTICLES

Uniformed members are responsible for replacing issued uniform articles that become unserviceable due to normal duties. Uniformed members possessing issued uniform articles that become unserviceable due to direct enforcement action must:

- Submit a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form (LMPD #03-04-0180).
- Take the damaged article to the member's immediate supervisor and to the division/section/unit commander, who will inspect the article to determine if the damage is irreparable and that the incident occurred as reported. The immediate supervisor and the division/section/unit commander will review the request for replacement.
- The division/section/unit commander will forward the form, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau.
- If the claim is substantiated and the article is found to be unserviceable, a replacement article will be furnished to the member by the department, as required by the current applicable collective bargaining agreement.

4.2.6 HAIR

A member's hair, regardless of style, should not at any time interfere with the proper wearing of any of his/her equipment or the function of any police duties. Extreme hairstyles or radical hair coloring is prohibited.

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4.2.6 HAIR (CONTINUED)

The following apply to male uniformed members' hair:

- Hair will be neatly trimmed and not be worn in a style that extends more than one (1) inch from the head.
- The back of the hair will not extend beyond the top of the uniform shirt collar when the head is held erect.
- Hair will not extend over any part of the ear.
- Sideburns will be neatly trimmed and not extend below the lower opening of the ear.
- Mustaches will be neatly trimmed and not extend down over the upper lip or past either side of the mouth.
- Beards and goatees are prohibited.

Female uniformed members will wear their hair cut to a length that does not extend below the shirt collar or worn in a style (e.g. ponytails, French braids) that does not extend below the shirt collar.

4.2.7 JEWELRY

Members should use discretion in the wearing of jewelry. Choker-type necklaces will not be worn with the uniform. Religious, ornamental, or identification type necklaces may be worn with the uniform, but the necklace and any item connected must be concealed. Members are limited to one (1) ring per hand. Wedding sets are considered one (1) ring. Female members are limited to wearing one (1) ¼" post earring per ear while in uniform. Male members will not wear earrings unless in a covert capacity and with prior approval of their supervisor.

4.2.8 UMBRELLAS

Umbrellas are not considered approved equipment and will not be used by a member in uniform.

4.2.9 BODY ART

Body art is defined as procedures used to alter the body's appearance, such as branding, piercing (other than the earlobe for standard earrings), scarification, tongue splitting, or tattoos. For the wearing of jewelry, refer to SOP 4.2.7.

In order to present a positive and professional image to the community, body art on the hands, neck, face, or any part of the head is prohibited. Members are prohibited from having visible body art, excluding tattoos, on any part of the body, while in uniform, or while performing an official duty in non-uniformed attire, unless otherwise approved by the Chief of Police. This includes secondary employment in an official capacity.

Sleeve tattoos are likewise prohibited. A sleeve tattoo is a very large tattoo, or a collection of smaller tattoos, that covers, or almost covers, a member's entire arm or leg. Half-sleeve or quarter-sleeve tattoos that are visible to the eye, while in uniform, or while performing official duty in non-uniformed attire, are likewise prohibited. A

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4.2.9 BODY ART (CONTINUED)

half-sleeve or quarter-sleeve tattoo is defined as a very large tattoo, or a collection of smaller tattoos that covers, or almost covers, the entire portion of an arm or leg above or below the elbow or knee.

Tattoos that are sexist, racist, vulgar, anti-social, gang-related, extremist group-related, or may bring discredit upon the LMPD are prohibited. Whether a tattoo's content is deemed appropriate or inappropriate, is at the discretion of the Chief of Police.

Prohibited body art will be concealed while on-duty, via one of the following methods:

- Cover the body art with approved clothing/uniform
- Cover the body art with a patch, elastic bandage, or other material that is similar in color to the member's skin tone.
- Conceal the body art with a black or white covering.
- Have the body art removed at the member's expense.

At no time will a member be permitted to violate established uniform guidelines to conceal prohibited body art (e.g. long sleeve shirts will not be worn under a short sleeve uniform to cover tattoos).

Members hired prior to May 21, 2009, who had a visible tattoo(s) before that date that may be prohibited by the above policy, may request an exemption from the Chief of Police. The Chief of Police, or his/her designee, will review photographic evidence of the tattoo(s) and notify the employee if the tattoo(s) is considered to have appropriate or inappropriate content. If the Chief of Police, or his/her designee, determines that the content of the tattoo(s) is inappropriate, the member will be required to cover or remove the tattoo(s) as detailed above. If the Chief of Police, or his/her designee, determines that the content of the tattoo(s) is not considered inappropriate, the photographic documentation will be placed in the member's medical file in Police Human Resources (HR) and the documented tattoo(s) will be considered "grandfathered" and will not need to be covered or removed as detailed above.

4.2.10 HIGH-VISIBILITY APPAREL (KACP 10.5b)

The department provides members, whose job description requires them to perform duties on roadways or other areas affected by vehicular traffic, with a high-visibility vest that complies with current Federal Highway Administration/Department of Transportation (DOT) standards (ANSI/ISEA 207-2006). Members, while on-duty, off-duty, or performing secondary employment, regardless of whether on public or private property, shall wear the high-visibility vest while performing the following traffic control duties:

- Directing traffic
- Stationary traffic checkpoints
- All motor vehicle accident scenes, except those where all involved vehicles have been removed from the roadway, to a parking lot or location where exposure to vehicular traffic is limited
- While performing any task outside of his/her vehicle on any interstate highway/expressway
- Any other situation where he/she is exposed to vehicular traffic for an extended period of time
- At the direction of a commanding officer

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4.2.10 HIGH-VISIBILITY APPAREL (CONTINUED)

Members shall put on the high-visibility vest at the first reasonably practical time, after arriving at the scene of an incident requiring the vest. Members are not required to wear the high-visibility vest on routine traffic or pedestrian stops or during other enforcement actions where it is impractical to wear the vest. Nothing in this policy prevents a member from wearing the high-visibility vest in other situations not listed, where he/she feels it would enhance officer safety. However, consideration should be given to those situations where a member might be exposed to added danger as a result of wearing the high-visibility vest (e.g. possible armed subject).

During inclement weather, when rainwear or a jacket is worn, the high-visibility vest shall be worn over the rainwear or jacket. Members may use personally-owned high-visibility rainwear or jackets, purchased at their own expense, instead of the departmentally-issued vest, as long as they meet or exceed the ANSI/ISEA 207-2006 standard and all departmental uniform policies.

4.2.11 WEARABLE VIDEO SYSTEM (WVS)

Members should refer to SOP 4.31 regarding the proper procedures for wearing and utilizing the WVS.

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Subject: Class A Uniform	

4.3 CLASS A UNIFORM

4.3.1 DEFINITION

The Class A uniform is the standard uniform to be worn by all officers, both on-duty and while engaging in secondary employment. All sworn members will possess and maintain a Class A uniform. All Class A uniform items will be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Uniform Contracts" folder.

4.3.2 SERVICE HAT

- Will be worn as directed by competent authority.
- Must be available to uniformed officers at all times, unless otherwise designated.
- Will be worn in military manner, level on the head, with the proper cap shield for rank, side buttons, cap strap, and grommets.
- The visor will be shiny black, with oak leaves adorning the visor of majors or higher ranks.
- Black or clear cap covers may be worn during inclement weather.
- A high visibility cap cover may be worn when wearing other high-visibility clothing, such as a rain coat.

4.3.3 SHIRTS

- Navy in color and made of the approved material and design.
- Standard shoulder patches will be worn on each sleeve. The patch will be centered with the shoulder epaulet and be worn ½ inch below the top shoulder seam.

4.3.4 T-SHIRTS

A white t-shirt with a plain ribbed crew neck, or white mock turtleneck of no more than two (2) inches, will be worn under the short sleeve uniform shirt. V-neck t-shirts are prohibited with the short sleeve uniform shirt. The sleeve of the t-shirt must not be visible when wearing a short sleeve shirt.

A black t-shirt with a plain ribbed crew neck, or black mock turtleneck of no more than two (2) inches, will be worn under the long sleeve uniform shirt. No lettering, logo, or other marking may be visible.

Unless specifically authorized for a particular uniform, full turtleneck shirts are not permitted.

4.3.5 PANTS

- Navy in color and made of the approved material and design.

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4.3.5 PANTS (CONTINUED)

- The hem will be of appropriate length, so there is no break in the front seam and no exposure of the sock.
- The pants will not be tucked into footwear.

4.3.6 SOCKS

- Must be black or navy in color.

4.3.7 FOOTWEAR

- Must be black, smooth, plain-toed, leather, shoes, or boots, with heels and soles no greater in height than 1½ inches.
- “Cowboy” type boots are prohibited.
- Shoes must be Clarino or highly-polished leather.
- Boots, overshoes, or other rubber footwear may be worn during periods of inclement weather. All such items must be black in color.

4.3.8 INNER BELT

- Must be smooth leather and black in color.
- Must be worn under the gun belt, attached by belt keepers.

4.3.9 GUN BELT

- Black Clarino leather with hidden snaps.
- Belt will be smooth with four (4) rows of stitching.
- Buckle will be silver for officers and gold for commanding officers.
- Accessories must be the same style.

4.3.10 GUN BELT ACCESSORIES

Gun belt accessories will be organized based on the preference of the individual officer. Gun belt accessories include:

- A maximum of one (1) double ammunition pouch, containing fully-loaded magazines.
- Departmentally-approved uniform holster (refer to SOP 4.13).
- Departmentally-approved uniform pistol (refer to SOP 4.13).
- Departmentally-approved handcuffs and case. Handcuffs will be either black in color or silver, chrome,

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4.3.10 GUN BELT ACCESSORIES (CONTINUED)

or other natural colors of metal. Any other colors, excluding handcuffs that have been altered in color by the department, will not be used while on-duty or off-duty.

- Departmentally-approved Conducted Electrical Weapon (CEW) and one (1) spare cartridge (optional for members assigned to plainclothes units and commanding officers with the rank of lieutenant or above).
- Departmentally-approved CEW holster, if applicable. The CEW holster will be positioned on the opposite side of the belt from the firearm.
- Minimum of three (3) belt keepers.

In addition, uniformed officers are strongly encouraged to wear both a departmentally-approved impact weapon and Oleoresin Capsicum (OC) spray as intermediate weapons. However, if a uniformed officer is physically unable to fit all of the equipment on the duty belt, or if wearing both OC spray and an impact weapon causes physical discomfort or problems with weapon accessibility, the officer will wear a departmentally-approved impact weapon. If OC spray is not carried, it must be readily available in the officer's vehicle. The following are departmentally-approved impact weapons:

- Standard baton. The baton will be black in color, with the length no less than 20 inches or more than 24 inches. The baton diameter will be no less than 1½ inches or more than 1¾ inches.
- ASP expandable baton and holder.
- Monadnock expandable baton and holder.
- Rapid Containment Expandable Baton (RCB) (21 inches in length) and holder.

Officers may wear a departmentally-approved tourniquet and hard case, black in color, as an optional gun belt accessory.

4.3.11 OPTIONAL UNIFORM ITEMS

Necktie

- Must be clip-on type or quick disconnect-type and navy in color.
- May only be worn with the long sleeve Class A uniform shirt or v-neck sweater. If a necktie is worn, it must be tucked beneath the shirt between the second and third buttons from the collar.

Jackets

- Heavy winter jackets will be navy in color. Previously issued black is acceptable, until such time that it is necessary to replace the jacket, or until such time as the Chief of Police deems appropriate.
- "Chill Chaser" lightweight jackets (windbreaker style) will be black or navy in color.
- Polyester soft-shell jackets will be black in color.

All of the above jackets will have LMPD shoulder patches, a badge patch (silver for officers, gold for commanding officers) on the left breast area and a name strip (silver for officers, gold for commanding officers) on the right breast area. All jackets will be of the material and design of current contract standards. Any of the

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4.3.11 OPTIONAL UNIFORM ITEMS (CONTINUED)

above jackets may be worn year-round at the discretion of the member.

Sweater

- May be either v-neck or crew neck, black in color, long sleeve pullover type.

Gloves

- Must be smooth leather and black in color.

Winter Hats

- Black fur, trooper in design.
- Toboggans may be worn, but they must be black, "watch cap" military design. Toboggans must fit close to the head. Toboggans will not have logos or markings.
- Black earmuffs may be worn.

Scarves

- Black or navy scarves may be worn if tucked inside of the jacket.

Rain Jacket

- Black/yellow reversible style with optional hood.

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Chapter: Uniforms and Equipment	
Subject: Class B Uniform	

4.4 CLASS B UNIFORM

4.4.1 OVERVIEW

The Class B uniform is an optional tactical patrol uniform that may be purchased, and worn, by any officer, regardless of rank, at his/her discretion. All Class B uniform items will be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the “Research and Development” link under the “LMPD Info” header, click on the “Other Information” link, and double click on the “Uniform Contracts” folder.

The Chief of Police, or his/her designee, may designate the appropriate uniform of the day to be worn during special events and according to the nature of the officer’s assignment.

4.4.2 SHIRTS

- Navy 5.11 Brand Tactical Series—TacLite Class B shirt made of the approved material and design, navy Propper Brand Tactical shirt made of lightweight ripstop material or navy Elbeco Brand ADU shirt made of lightweight ripstop material.
- Standard shoulder patches will be worn on each sleeve. The patch will be centered on the shoulder epaulet and be worn ½ inch below the top shoulder seam.
- Officers will have a silver badge and commanding officers will have a gold badge embroidered on the left breast area.
- The member’s first initial and last name will be embroidered on the right breast area. Lettering will be white for officers and gold for commanding officers.

4.4.3 T-SHIRTS

A black t-shirt with a plain ribbed crew neck or a black mock turtleneck of no more than two (2) inches will be worn under the short or long sleeve uniform shirt. V-neck t-shirts are prohibited. The sleeve of the t-shirt will not be visible when wearing a short sleeve shirt.

Unless specifically authorized for a particular uniform, full turtleneck shirts are not permitted.

4.4.4 PANTS

- Navy 5.11 Brand Tactical Series—TacLite Class B pants made of the approved material and design, navy Propper Brand Tactical pants made of lightweight ripstop material or navy Elbeco Brand ADU pants made of lightweight ripstop material.
- The hem will be of appropriate length, so there is no break in the front seam and no exposure of the sock.
- The pants will not be tucked into footwear.

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4.4.5 SOCKS

- Must be black or navy in color.

4.4.6 FOOTWEAR

- Black, smooth, plain-toed, leather or leather-like, shoes, or boots, with the heels and soles no greater in height than 1½ inches.
- “Cowboy-type” boots are prohibited.
- Shoes must be clean and free of tears or damage.
- Boots, overshoes, or other rubber footwear may be worn during periods of inclement weather. All such items must be black in color.

4.4.7 INNER BELT

- Black in color and made of the approved material.
- Must be worn under the gun belt, attached by belt keepers.

4.4.8 GUN BELT

- Officers have the option of black nylon or Clarino leather.
- Accessories must be the same style.

4.4.9 GUN BELT ACCESSORIES

Gun belt accessories will be organized based on the preference of the individual officer and must match the style of the gun belt. Gun belt accessories include:

- A maximum of one (1) double ammunition pouch, containing fully-loaded magazines.
- Departmentally-approved uniform holster (refer to SOP 4.13).
- Departmentally-approved uniform pistol (refer to SOP 4.13).
- Departmentally-approved handcuffs and case. Handcuffs will be either black in color or silver, chrome, or other natural colors of metal. Any other colors, excluding handcuffs that have been altered in color by the department, will not be used while on-duty or off-duty.
- Departmentally-approved Conducted Electrical Weapon (CEW) and one (1) spare cartridge (optional for members assigned to plainclothes units and commanding officers with the rank of lieutenant or above).
- Departmentally-approved CEW holster, if applicable. The CEW holster will be positioned on the opposite side of the belt from the firearm.
- Minimum of three (3) belt keepers.

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4.4.9 GUN BELT ACCESSORIES (CONTINUED)

Officers must carry, at a minimum, one (1) of the following:

- Standard baton. The baton will be black in color, with the length no less than 20 inches or more than 24 inches. The diameter will be no less than 1½ inches or more than 1¾ inches.
- ASP expandable baton and holder.
- Monadnock expandable baton and holder.
- Rapid Containment Expandable Baton (RCB) (21 inches in length) and holder.
- Departmentally-approved Oleoresin Capsicum (OC) spray and case.

Officers may wear a departmentally-approved tourniquet and hard case, black in color, as an optional gun belt accessory.

4.4.10 OPTIONAL UNIFORM ITEMS

Optional items that may be worn with the Class B uniform are the same as those for the Class A uniform, with the exception of the necktie and the sweater which are not allowed with the Class B uniform (refer to SOP 4.3).

The utility cap may be worn with the Class B uniform. The utility cap:

- Will be a navy blue, baseball-type cap.
- The Metro Police patch will be embroidered on the front and the word "POLICE" will be embroidered on the back. Lettering will be white for officers and gold for commanding officers.
- Will be worn with the bill facing forward at all times.

4.4.11 ALTERNATE BODY ARMOR CARRIER

The following body armor carrier is an optional Class B uniform item that may be purchased by officers:

- Point Blank Tailored Armor Carrier (TAC) (refer to SOP 4.11).

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<h2>Standard Operating Procedures</h2>	SOP Number: 4.5
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Chapter: Uniforms and Equipment	Accreditation Standards:
Subject: Class C Uniform	

4.5 CLASS C UNIFORM

4.5.1 OVERVIEW

The Class C uniform is an optional patrol uniform that may be purchased, and worn, by any officer, regardless of rank, at his/her discretion. All Class C uniform items will be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Uniform Contracts" folder.

The Chief of Police, or his/her designee, may designate the appropriate uniform of the day to be worn during special events and according to the nature of the officer's assignment.

4.5.2 SHIRTS

- Navy blue polo shirt that closely matches the color and material of the shorts/pants.
- Officers will have a silver badge and commanding officers will have a gold badge embroidered on the left breast area.
- Standard shoulder patches will be worn on each sleeve. The patch will be centered on the shoulder, ½ inch below the seam.
- The member's first initial and last name will be embroidered on the right breast area. Lettering will be white for officers and gold for commanding officers.
- "METRO POLICE" will be printed in silver lettering, centered on the back of the shirt.

4.5.3 SHORTS

- Navy 5.11 Brand Tactical Series-TacLite Class C shorts made of the approved material and design, or navy Propper Brand Tactical shorts made of lightweight ripstop material.

4.5.4 PANTS

- The approved Class B uniform pants may also be worn (refer to SOP 4.4).

4.5.5 SOCKS

- Must be low-cut cotton and black or navy in color.

4.5.6 FOOTWEAR

- Solid black athletic shoes.
- Shoes must be clean and free of tears or damage.

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	Effective Date: 07/12/03 Prv. Rev. Date: 04/10/17 Revised Date: 04/08/18
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Subject: Class C Uniform	

4.5.6 FOOTWEAR (CONTINUED)

- If wearing the Class B uniform pants, the approved Class B uniform footwear may be worn.

4.5.7 INNER BELT

- Black in color and made of the approved material.
- Must be worn under the gun belt, attached by belt keepers.

4.5.8 GUN BELT

- Black nylon web gear.
- Accessories must be the same style.
- If wearing the Class B uniform pants, the black Clarino leather belt may be worn.

4.5.9 GUN BELT ACCESSORIES

Gun belt accessories will be organized based on the preference of the individual officer. Gun belt accessories include:

- A maximum of one (1) double ammunition pouch containing fully-loaded magazines.
- Departmentally-approved uniform holster (refer to SOP 4.13).
- Departmentally-approved uniform pistol (refer to SOP 4.13).
- Departmentally-approved handcuffs and case. Handcuffs will be either black in color or silver, chrome, or other natural colors of metal. Any other colors, excluding handcuffs that have been altered in color by the department, will not be used while on-duty or off-duty.
- Departmentally-approved Conducted Electrical Weapon (CEW) and one (1) spare cartridge (optional for members assigned to plainclothes units and commanding officers with the rank of lieutenant or above).
- Departmentally-approved CEW holster, if applicable. The CEW holster will be positioned on the opposite side of the belt from the firearm.
- Minimum of three (3) belt keepers.

Officers must carry, at a minimum, one (1) of the following:

- Standard baton. The baton will be black in color, with the length no less than 20 inches or more than 24 inches. The diameter will be no less than 1½ inches or more than 1¾ inches.
- ASP expandable baton and holder.
- Monadnock expandable baton and holder.
- Rapid Containment Expandable Baton (RCB) (21 inches in length) and holder.
- Departmentally-approved Oleoresin Capsicum (OC) spray and case.

Officers may wear a departmentally-approved tourniquet and hard case, black in color, as an optional gun belt accessory.

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4.5.10 OPTIONAL UNIFORM ITEMS

The jackets, gloves, and rain jacket outlined in SOP 4.3 and the utility cap outlined in SOP 4.4 may be worn.

4.5.11 ALTERNATE BODY ARMOR CARRIER

The following body armor carrier is an optional Class C uniform item that may be purchased by officers:

- Point Blank Tailored Armor Carrier (TAC) (refer to SOP 4.11).

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<h2>Standard Operating Procedures</h2>	SOP Number: 4.6
	Effective Date: 07/12/03 Prv. Rev. Date: 04/10/17 Revised Date: 04/08/18
	Accreditation Standards:
Chapter: Uniforms and Equipment	
Subject: Class D Uniform	

4.6 CLASS D UNIFORM

4.6.1 DEFINITION

The Class D uniform is an optional uniform that may be worn by specialty units. The unit commander and the Chief of Police, or his/her designee, will decide which options are suitable, based on the particular job functions. Division/section/unit commanders, through the Chief of Police, may authorize additional uniform options not covered under policy. All Class D uniform items will be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Uniform Contracts" folder.

4.6.2 SHIRTS

- White, black, gray, navy, or red polo shirt (short or long sleeve).
- The Metro Police patch will be embroidered on the left breast area.
- The member's first initial and last name will be embroidered on the right breast area. Lettering will be navy (on white, gray, or red shirts) or silver (on black or navy shirts) for officers and gold for commanding officers.
- The unit or team name may be added to the left breast area near the patch. The lettering will be in the same color as the member's name.
- Standard shoulder patches are optional and may be worn on each sleeve. The patch will be centered on the shoulder, ½ inch below the top shoulder seam.

4.6.3 PANTS

- Class B uniform style pants in navy or tan.
- Class C uniform style shorts in navy or tan.
- Dress pants in navy or tan.

4.6.4 SOCKS

- Must be black or navy in color.

4.6.5 FOOTWEAR

- Class B footwear will be worn with Class B pants (refer to SOP 4.4).
- Class C footwear will be worn with Class C shorts (refer to SOP 4.5).
- Black or brown close-toed, low heel dress shoes may be worn with dress pants.

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4.6.5 FOOTWEAR (CONTINUED)

- “Cowboy-type” boots are prohibited.
- Shoes must be clean and free of tears or damage.
- Boots, overshoes, or other rubber footwear may be worn during periods of inclement weather. All such items must be black in color.

4.6.6 INNER BELT

- Black in color and made of the approved material.
- Must be worn under the gun belt, attached by belt keepers.

4.6.7 GUN BELT

Division majors will determine which units require a gun belt to be worn.

If the gun belt is to be worn, the following will apply:

- Black nylon web gear.
- Accessories must be the same style.

4.6.8 GUN BELT ACCESSORIES

Gun belt accessories will be organized based on the preference of the individual officer. Gun belt accessories include:

- A maximum of one (1) double ammunition pouch containing fully-loaded magazines.
- Departmentally-approved uniform holster (refer to SOP 4.13).
- Departmentally-approved uniform pistol (refer to SOP 4.13).
- Departmentally-approved handcuffs and case. Handcuffs will be either black in color or silver, chrome, or other natural colors of metal. Any other colors, excluding handcuffs that have been altered in color by the department, will not be used while on-duty or off-duty.
- Departmentally-approved Conducted Electrical Weapon (CEW) and one (1) spare cartridge (optional for members assigned to plainclothes units and commanding officers with the rank of lieutenant or above).
- Departmentally-approved CEW holster, if applicable. The CEW holster will be positioned on the opposite side of the belt from the firearm.
- Minimum of three (3) belt keepers.

Officers must carry, at a minimum, one (1) of the following:

- Standard baton. The baton will be black in color, with the length no less than 20 inches or more than 24 inches. The diameter shall be no less than 1½ inches or more than 1¾ inches.

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4.6.8 GUN BELT ACCESSORIES (CONTINUED)

- ASP expandable baton and holder.
- Monadnock expandable baton and holder.
- Rapid Containment Expandable Baton (RCB) (21 inches in length) and holder.
- Departmentally-approved Oleoresin Capsicum (OC) spray and case.

Officers may wear a departmentally-approved tourniquet and hard case, black in color, as an optional gun belt accessory.

If a gun belt is not worn, officers will have the same equipment required by plainclothes officers, either on them or readily accessible, while in their Class D uniform (refer to SOP 4.12).

4.6.9 OPTIONAL UNIFORM ITEMS

Only the jackets, gloves, and rain jacket outlined in SOP 4.3 and the utility cap outlined in SOP 4.4 may be worn.

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Standard Operating Procedures	SOP Number: 4.7
	Effective Date: 07/12/03 Prv. Rev. Date: 04/10/17 Revised Date: 04/08/18
	Accreditation Standards:
Chapter: Uniforms and Equipment	
Subject: Class E Uniform	

4.7 CLASS E UNIFORM

4.7.1 DEFINITION

The Class E uniform is an optional uniform that is worn by any departmentally-certified bike, All-Terrain Vehicle (ATV), or Electric Standup Vehicle (ESV) officer, who is serving in such capacity, with prior approval of the Chief of Police, or his/her designee. All Class E uniform items will be in accordance with the current Louisville Metro Police Department (LMPD) uniform contract specifications, which can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Uniform Contracts" folder.

4.7.2 UTILITY CAP

- Will be a navy blue, baseball-type cap.
- The Metro Police patch will be embroidered on the front and the word "POLICE" will be embroidered on the back. Lettering will be white for officers and gold for commanding officers.
- Will be worn with the bill facing forward at all times.

4.7.3 SHIRTS

- Navy polo shirt.
- Officers will have a silver badge and commanding officers will have a gold badge embroidered on the left breast area.
- The member's first initial and last name will be embroidered on the right breast area. Lettering will be white for officers and gold for commanding officers.
- Standard shoulder patches will be worn on each sleeve. The patch will be centered on the shoulder, ½ inch below the top shoulder seam.
- "METRO POLICE" will be printed in reflective lettering, centered on the back of the shirt.
- A white t-shirt or mock turtleneck may be worn under the shirt.

4.7.4 PANTS/SHORTS

- Navy cycling pants or bike shorts made of the approved material and design.
- Class B uniform pants or Class C uniform shorts may also be worn.

4.7.5 SOCKS

- Must be low-cut cotton and black or navy in color.

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Subject: Class E Uniform	

4.7.6 FOOTWEAR

- Solid black athletic shoes.
- Shoes must be clean and free of tears or damage.

4.7.7 INNER BELT

- Black in color and made of the approved material.
- Must be worn under the gun belt, attached by belt keepers.

4.7.8 GUN BELT

- Black nylon web gear.
- Accessories must be the same style.

4.7.9 GUN BELT ACCESSORIES

Gun belt accessories will be organized based on the preference of the individual officer. Gun belt accessories include:

- A maximum of one (1) double ammunition pouch containing fully-loaded magazines.
- Departmentally-approved uniform holster (refer to SOP 4.13).
- Departmentally-approved uniform pistol (refer to SOP 4.13).
- Departmentally-approved handcuffs and case. Handcuffs will be either black in color or silver, chrome, or other natural colors of metal. Any other colors, excluding handcuffs that have been altered in color by the department, will not be used while on-duty or off-duty.
- Departmentally-approved Conducted Electrical Weapon (CEW) and one (1) spare cartridge (optional for members assigned to plainclothes units and commanding officers with the rank of lieutenant or above).
- Departmentally-approved CEW holster, if applicable. The CEW holster will be positioned on the opposite side of the belt from the firearm.
- Minimum of three (3) belt keepers.
- ASP expandable baton and holder, Rapid Containment Expandable Baton (RCB) (21 inches in length) and holder or departmentally-approved Oleoresin Capsicum (OC) spray and case.
- Departmentally-approved radio case.
- Departmentally-approved mini flashlight and case.

Officers may wear a departmentally-approved tourniquet and hard case, black in color, as an optional gun belt accessory.

4.7.10 JACKET

- Light navy over dark navy cycling jacket (bolero type).

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4.7.11 OPTIONAL PACKABLE RAIN JACKET

- Royal blue in color with LMPD patches embroidered on each sleeve.
- Officers will have a silver badge and commanding officers will have a gold badge embroidered on the left breast area.
- "POLICE" will be printed in reflective lettering on the right breast.
- "METRO POLICE" will be printed in reflective lettering, centered on the back of the jacket.

4.7.12 SAFETY EQUIPMENT

- Prescription or wrap-around polycarbonate protective eyewear.
- Black protective helmet with "POLICE" printed in white lettering.
- Black cycling gloves.

4.7.13 OPTIONAL SWEATSHIRT

- Navy blue, pullover sweatshirt made of the approved material and design.
- Officers will have a silver badge and commanding officers will have a gold badge embroidered on the left breast area.
- The member's first initial and last name will be embroidered on the right breast area. The lettering will be white for officers and gold for commanding officers.
- "METRO POLICE" will be printed in reflective lettering, centered on the back of the sweatshirt.
- Standard shoulder patches will be worn on each sleeve. The patch will be centered on the shoulder, ½ inch below the top shoulder seam.

4.7.14 ALTERNATE BODY ARMOR CARRIER

The following body armor carrier is an optional Class E uniform item that may be purchased by officers:

- Mocean External Vest Carrier (refer to SOP 4.11).

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Standard Operating Procedures	SOP Number: 4.8
	Effective Date: 07/12/03 Prv. Rev. Date: 04/10/17 Revised Date: 06/10/18
	Accreditation Standards:
Chapter: Uniform and Equipment	
Subject: Formal and Dress Uniforms	

4.8 FORMAL AND DRESS UNIFORMS

4.8.1 DRESS UNIFORM

The dress uniform will be worn by officers attending functions requiring a more professional appearance, such as funerals and awards ceremonies.

The dress uniform consists of a Class A uniform worn with a long-sleeved uniform shirt and a necktie.

Officers with the rank of major or above may choose to wear the formal uniform rather than the dress uniform.

4.8.2 FORMAL UNIFORM

Only the Chief of Police, colonels, lieutenant colonels, and majors are authorized to wear the formal uniform and may do so at their own discretion. The Class A gun belt will not be worn with the formal uniform when wearing the formal jacket.

The formal uniform consists of the following:

Hat

- May be worn as directed by competent authority.
- Will be worn in a military manner, level on the head, with the proper cap shield for rank, side buttons, cap strap, and grommets.
- The visor will be shiny black with oak leaves adorning the visors.
- Black or clear cap covers may be worn in inclement weather.

Dress Shirt

- Long or short sleeve, white in color, and made of the approved material and design. The short sleeve shirt may only be worn when the jacket is not worn. When the short sleeve shirt is worn, the appropriate badge will be worn on the left breast area and a gold nameplate, bearing the individual's first initial and last name, will be worn on the right breast area.
- Standard shoulder patches will be worn on each sleeve. The patch will be centered and worn ½ inch below the top shoulder seam.
- Rank insignia will be worn on the collar, as outlined in the policy regarding insignia and badge placement (refer to SOP 4.10).

Jacket

- Navy in color and of the approved material and design with gold buttons.
- Gold ½ inch braided piping will adorn the cuffs. The amount of piping is dependent upon the rank. Majors will have two (2) lines of piping, lieutenant colonels will have three (3), colonels will have four (4), and the Chief of Police will have five (5).

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Standard Operating Procedures	SOP Number: 4.8
	Effective Date: 07/12/03 Prv. Rev. Date: 04/10/17 Revised Date: 06/10/18
	Accreditation Standards:
Chapter: Uniform and Equipment	
Subject: Formal and Dress Uniforms	

4.8.2 FORMAL UNIFORM (CONTINUED)

- Standard shoulder patches will be worn on each sleeve. The patch will be centered with the shoulder epaulet and will be worn ½ inch below the top shoulder seam.
- Rank insignia will be worn on the jacket, as outlined in the policy regarding insignia and badge placement (refer to SOP 4.10).
- The appropriate metal badge will be worn on the left breast area.
- A gold nameplate, bearing the individual's first initial and last name, will be worn on the right breast area.

Tie

- Navy in color.

Pants

- Navy in color and made of the approved material and design with black, braided stripes along the outside seams.
- The approved Class A uniform pants may be worn with the short sleeve dress shirt.
- The hem will have no exposure of the sock when standing.

Belt

- Black leather with a gold buckle.

Firearm

- A departmentally-approved firearm will be worn concealed in a departmentally-approved uniform holster (refer to SOP 4.13).

Socks

- Black or navy in color.

Footwear

- Black dress shoes made of the approved material and design.

Medals and Awards

- Will not be worn with the formal uniform.

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<h2>Standard Operating Procedures</h2>	SOP Number: 4.9
	Effective Date: 07/12/03 Prv. Rev. Date: 07/10/15 Revised Date: 11/12/17
	Accreditation Standards:
Chapter: Uniforms and Equipment	
Subject: License Plate Reader	

4.9 LICENSE PLATE READER

4.9.1 LICENSE PLATE READER

License Plate Reader (LPR) equipment consists of a camera(s), computer, and computer software used to automatically scan and interpret the characters on vehicle license plates. This data is then compared with law enforcement data. This equipment may be affixed, either permanently or temporarily, to a law enforcement vehicle or to a fixed object.

The use of the LPR equipment is intended to provide Louisville Metro Police Department (LMPD) officers with a tool to identify vehicles, license plates, and registered owners and to document the operations of those vehicles, via digital photographic image, without direct intervention. The equipment will provide information for official law enforcement purposes including, but not limited to:

- Locating stolen or wanted vehicles.
- Identifying stolen license plates.
- Locating missing persons/wanted persons.
- Conducting undercover operations/investigations.

The LPR may be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction, and the recovery of stolen property. The LPR will be utilized only by officers who are trained in the use of the LPR equipment.

The use of the LPR equipment and access to its database records is restricted and will be used in accordance with the manufacturer's recommendations and this policy. Because such data may contain confidential information, it is not open to public review. Officers will not use or authorize the use of the LPR database records for reasons that are not legitimate law enforcement purposes. The misuse of this equipment and associated databases may result in disciplinary action. The LPR systems, associated database records and any associated media are the property of the LMPD and are intended for official law enforcement purposes only.

Technical Investigations is responsible for receiving and approving requests for use of the LPR. Once a request is approved, the division/section/unit making the request will arrange for Technical Investigations to train personnel who will be utilizing the system and to install the equipment, either to a vehicle or a fixed object. Technical Investigations will keep a log of who has the equipment, when it was checked out, and when it was returned. Technical Investigations will forward the documentation, regarding who has been trained on LPR equipment, to the Training Division for inclusion in the officer's training file.

Any damage to LPR equipment will be reported by submitting a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form (LMPD #03-04-0180) to the officer's immediate supervisor. The immediate supervisor and the division/section/unit commander will review the form. The division/section/unit commander will forward the form, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau. LPR operators will never attempt to modify the LPR equipment or software operating system.

LPR cameras must first be removed from the vehicle prior to entering an automatic car washing facility.

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Subject: License Plate Reader	

4.9.1 LICENSE PLATE READER (CONTINUED)

LPR data shall be retained pursuant to applicable federal, state, and local records retention schedules. Data shall be disposed of when any related court cases have been adjudicated or law enforcement actions have been completed.

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<h2>Standard Operating Procedures</h2>	SOP Number: 4.10
	Effective Date: 07/12/03 Prv. Rev. Date: 02/10/13 Revised Date: 04/10/16
	Accreditation Standards: KACP: 12.1
Chapter: Uniforms and Equipment	
Subject: Insignia and Badge Placement	

4.10 INSIGNIA AND BADGE PLACEMENT (KACP 12.1)

4.10.1 POLICY

In order to present a professional appearance, the following procedures apply to uniformed members.

4.10.2 BADGE/INSIGNIA MATERIAL

A metal badge/insignia with appropriate nametag will be worn with the Class A or Formal Dress uniform. Silver is worn for officers/detectives and gold is worn for commanding officers. All other uniforms utilize the cloth badge/insignia with appropriate nametag.

4.10.3 RANK AND COLLAR INSIGNIA TYPE

All members will wear the appropriate rank insignia on their uniform as specified below:

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Chief of Police • Deputy Chief of Police (Colonel) • Assistant Chief of Police (Lieutenant Colonel) • Major • Captain • Lieutenant • Police Training Sergeant • Sergeant • Police Training Officer • Officer • Recruit | <ul style="list-style-type: none"> Silver Star Silver Eagle Silver Oak Leaf Gold Oak Leaf Two (2) Gold Bars One (1) Gold Bar Three (3) Gold Chevrons/Diamond Gold Metro Insignia Three (3) Gold Chevrons Gold Metro Insignia One (1) White Chevron/Diamond Silver Metro Collar Pins Silver Metro Collar Pins Silver Metro Collar Pins |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

A cloth replica of the appropriate rank insignia should be sewn on the Class B uniform shirt.

4.10.4 CHIEF OF POLICE SHIRT

Stars will be worn on the left and right collar points, with a single point of the star directed upwards. They will be positioned so that a line bisecting the center of each star would be parallel to the front edge of each collar. The star will also be centered between the top and bottom collar edges, with their centers positioned one (1) inch from the collar's front edge.

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4.10.4 CHIEF OF POLICE SHIRT (CONTINUED)

Jacket

Stars will be worn on each shoulder so that one (1) star point is pointed toward the center and its edge is $\frac{3}{4}$ inch from the sleeve. They will also be centered directly over the shoulder seams.

4.10.5 DEPUTY CHIEF OF POLICE (COLONEL) SHIRT

The eagles will be worn on the left and right collar points in a horizontal position with the head up, beak to the front, in such a manner that a line bisecting the center of the body and head would be parallel to the front edge of the collar. The insignia will be centered between the top and bottom edges of the collar with the front wing tip positioned $\frac{1}{2}$ inch from the collar's front edge.

Jacket

One (1) eagle will be worn on each shoulder, positioned so that the head points to the center with the beak to the front. Each eagle will also be centered over the shoulder seam with the feet $\frac{3}{4}$ inch from the sleeve seam.

4.10.6 ASSISTANT CHIEF OF POLICE (LIEUTENANT COLONEL) AND MAJOR SHIRT

Oak leaves will be worn on the left and right collar points, with the tops of the leaves pointing upwards. They will be positioned so that a line bisecting the center of each leaf would be parallel to the front edge of each collar. The leaves will also be centered between the top and bottom collar edges, with their centers positioned one (1) inch from the collar's front edge.

Jacket

Oak leaves will be worn on each shoulder so that the top point of each leaf points toward the center and its edge is $\frac{3}{4}$ inch from the sleeve. They will also be centered directly over the shoulder seams.

4.10.7 CAPTAIN AND LIEUTENANT SHIRT

The insignia will be worn on the left and right collar points, with the front edge of the insignia $\frac{1}{2}$ inch from the front of the collar. The insignia will be centered between the top and bottom of the collar.

Jacket

The insignia will be worn on each shoulder, centered directly over the shoulder seam so that the edge of the outer bar is $\frac{3}{4}$ inch from, and parallel with, the sleeve seam.

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Subject: Insignia and Badge Placement	

4.10.8 SERGEANT SHIRT

Gold Metro collar pins will be centered on each collar point between the top seam and the bottom edge. The front edge of the insignia will be $\frac{1}{2}$ inch from, and parallel with, the front edge of the collar.

Three (3) gold cloth chevrons on a black background will be worn on each sleeve, with the topmost point of the chevron centered one (1) inch below the bottom point of the shoulder patch.

Jacket

Three (3) gold metal chevrons, approximately $1\frac{1}{8}$ inch in width, will be worn on each shoulder so that the apex points toward the neck and the bottom of the chevron is $\frac{3}{4}$ inch from the sleeve seam and centered on the epaulet.

4.10.9 POLICE OFFICER SHIRT

Silver Metro collar pins will be centered on each collar point between the top seam and the bottom edge. The front edge of the insignia will be $\frac{1}{2}$ inch from, and parallel with, the front edge of the collar.

Police training officers (PTOs) are authorized to wear a PTO insignia. The PTO insignia is a one-stripe cloth chevron with a white diamond, white in color on a black background. It will be sewn on both sleeves of the uniform shirt, with the topmost point of the chevron centered one (1) inch below the bottom point of the shoulder patch.

4.10.10 SHOULDER PATCHES

Shoulder patches will be worn on the appropriate uniform items. The patch will be centered with the shoulder epaulet and worn $\frac{1}{2}$ inch below the top shoulder seam.

4.10.11 BADGE PLACEMENT

The proper metal badge, depending on the rank, will be worn with the Class A uniform, centered above and perpendicular to the left breast pocket. A white or gold cloth badge, depending on the rank, will be worn on all Class B and Class E uniform shirts, winter jackets, lightweight jackets, sweaters, and raincoats. Cloth badges will be properly centered on the left breast of the garment.

4.10.12 NAMEPLATE

A silver or gold nameplate, depending on the rank, will be worn on the Class A uniform shirt of all officers. Uniform nameplates will be made of the approved metal and centered just above the right breast pocket. The bottom edge of the nameplate will touch the top edge of the right pocket flap. A cloth nameplate, white or gold in color, depending on the rank, will be worn on all Class B uniform shirts, lightweight jackets, winter jackets, and sweaters. All nameplates, other than recruit nameplates, will bear the member's first initial and last name. The

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4.10.12 NAMEPLATE (CONTINUED)

nameplate will also bear the words "SERVING SINCE" followed by the year that the officer was sworn in as a peace officer.

4.10.13 SERVICE HASH MARKS

Service hash marks are optional and may be worn on the left sleeve of the long sleeve uniform shirt. The hash marks must meet the following:

- Each hash mark represents five (5) years of completed service. For sworn members, years of service are calculated from the date that he/she was sworn in as an officer.
- The number of hash marks reflects the number of years, as indicated by the "SERVING SINCE" date listed on the nameplate.
- Hash marks should be 1 $\frac{3}{8}$ inch long with a $\frac{1}{4}$ inch space between each hash mark.
- Hash marks are white for officers and gold for commanding officers.
- Hash marks will not be worn on sweaters.

4.10.14 MEDALS AND BREAST BARS

All service recognition medals and breast bars previously awarded to members of the Louisville Division of Police (LPD) and the Jefferson County Police Department (JCPD) are approved for wear. These decorations may only be worn with the Class A uniform.

Medals and breast bars may be worn $\frac{1}{4}$ inch above, parallel, and centered on the nameplate. If more than one (1) decoration is worn, they should be worn side-by-side, parallel, and centered on the nameplate with the highest decoration worn to the extreme right.

If both medals and breast bars are worn at the same time, the medals will be worn $\frac{3}{8}$ inch above, and parallel to, the breast bars. All should be centered on the nameplate.

4.10.15 SERVICE MEDAL PIN

The service medal pin may be worn on the right uniform pocket flap, with the top edge of the pin $\frac{1}{2}$ inch under, and parallel with, the center of the nameplate.

4.10.16 INSTRUCTOR PINS

Instructor pins may be worn on the left uniform pocket flap, parallel to the top edge of the pocket, and centered between the left and right edges. If more than one (1) instructor pin is worn, they should be placed side-by-side.

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4.10.17 SPECIALIZED UNIT INSIGNIA

Specialized unit insignias may be worn on the left uniform pocket flap, parallel to the top edge of the pocket, and centered between the left and right edges. If more than one (1) insignia is worn, they should be placed side-by-side.

4.10.18 MARKSMANSHIP MEDAL

Marksmanship medals may be worn centered over the left uniform pocket flap, directly beneath the badge.

4.10.19 AMERICAN FLAG PIN

An American flag pin may be worn on the left uniform pocket flap, centered between the bottom and top edges. The flag should measure no more than ½ inch by ½ inch.

4.10.20 SUPPORTING HEROES PIN

The Supporting Heroes pin may be worn on the right uniform pocket flap, with the top edge of the pin ½ inch under, and parallel with, the center of the nameplate. If worn with the service medal pin, they should be placed side-by-side.

4.10.21 KENTUCKY ASSOCIATION OF CHIEFS OF POLICE (KACP) ACCREDITATION PIN

The KACP Accreditation pin may be worn on the right uniform pocket flap, with the top edge of the pin ½ inch under, and parallel with, the center of the nameplate. If worn with the service medal pin, they should be placed side-by-side.

4.10.22 CONCERNS OF POLICE SURVIVORS (C.O.P.S.) PIN

The C.O.P.S. pin may be worn on the right uniform pocket flap, with the top edge of the pin ½ inch under, and parallel with, the center of the nameplate. If worn with the service medal pin, they should be placed side-by-side.

4.10.23 LOUISVILLE METRO POLICE OFFICERS ASSOCIATION (LMPOA) PIN

The LMPOA pin may be worn on the right uniform pocket flap, with the top edge of the pin ½ inch under, and parallel with, the center of the nameplate. If worn with the service medal pin, they should be placed side-by-side.

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	Accreditation Standards: KACP: 10.5
Chapter: Uniforms and Equipment	
Subject: Body Armor	

4.11 BODY ARMOR

4.11.1 POLICY

All officers are strongly encouraged to wear body armor while performing police functions. Although body armor is not mandatory, officers may be required to wear it under certain circumstances, such as the execution of search warrants or high-risk details.

4.11.2 BODY ARMOR ISSUANCE (KACP 10.5a)

The Louisville Metro Police Department (LMPD) issues body armor to all officers. Officers may purchase alternate body armor to be worn while on-duty (refer to SOP 4.11.4). The decision to wear non-issued body armor should be based on the individual needs of each officer.

Issued body armor, regardless of assignment, shall be readily available to all officers during on-duty hours.

4.11.3 BODY ARMOR MAINTENANCE

All officers are responsible for the care and safekeeping of his/her issued body armor, in accordance with the manufacturer's instructions.

Officers shall not wear body armor which has sustained the impact of a gunshot or when the ballistic panel has been damaged.

4.11.4 ALTERNATE BODY ARMOR CARRIERS

The following body armor carriers are optional uniform items that may be purchased by officers.

Point Blank Tailored Armor Carrier (TAC): The (TAC), in midnight blue, is an optional uniform item that can be purchased by any officer. It is worn on the outside of the uniform.

The TAC may be worn with:

- The Class B uniform.
- The Class C uniform (navy blue polo shirt).
- By any sworn member, at any time, during an emergency situation.

The TAC will have:

- The standard LMPD cloth badge. Officers will have a silver badge and commanding officers will have a gold badge embroidered on the left breast area.
- The member's first initial and last name will be embroidered on the right breast area. Lettering will be silver for officers and gold for commanding officers.

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4.11.4 ALTERNATE BODY ARMOR CARRIERS (CONTINUED)

- The protective plates from the officer's issued body armor shall be removed and placed in the TAC (refer to SOP 4.11.2).

Information for purchasing a TAC can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Uniform Contracts" folder.

Mocean External Vest Carrier: The Mocean External Vest Carrier, in dark navy, is an optional uniform item that may be purchased by any departmentally-certified bike, All-Terrain Vehicle (ATV), or Electric Standup Vehicle (ESV) officer. It is worn on the outside of the uniform.

The Mocean External Vest Carrier may be worn with:

- The Class E uniform.
- By any sworn member, at any time, during an emergency situation.

The Mocean External Vest Carrier will have:

- The standard LMPD cloth badge. Officers will have a silver badge and commanding officers will have a gold badge embroidered on the left breast area.
- The member's first initial and last name will be embroidered on the right breast area. Lettering will be white for officers and gold for commanding officers.
- The protective plates from the officer's issued body armor shall be removed and placed in the Mocean External Vest Carrier (refer to SOP 4.11.2).

Officers shall have one (1) of the body armor options readily available at all times.

4.11.5 BODY ARMOR REPAIRS, ALTERATIONS, AND REPLACEMENT

No repairs or alterations to issued body armor shall be made without the approval of the Range Supervisor.

Officers, whose body armor is damaged in the line-of-duty, shall contact the Range Supervisor to obtain a temporary loan of another protective vest.

Officers may be held responsible for the replacement of issued body armor if it is lost, stolen, or damaged beyond serviceability due to negligence. The replacement of any alternate body armor carrier will be at the expense of the individual officer.

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Chapter: Uniforms and Equipment	
Subject: Dress and Equipment Requirements for Plainclothes Sworn Personnel	

4.12 DRESS AND EQUIPMENT REQUIREMENTS FOR PLAINCLOTHES SWORN PERSONNEL (KACP 12.1)

4.12.1 POLICY

All plainclothes officers will abide by this policy with the exception of units specified by the Chief of Police, or his/her designee.

4.12.2 DRESS

Officers will be neat, clean, and well-groomed. Clothing will consist of a business-like appearance that promotes a professional image of the department.

Male plainclothes officers will wear a shirt, tie, and dress slacks. Sweaters, sports jackets, or suits are optional. Earrings are prohibited.

Female plainclothes officers will wear appropriate dress slacks, blouse, sweater, skirt, or dress.

Solid-colored polo shirts, with the official Louisville Metro Police Department (LMPD) patch embroidered on the left breast area, may be worn at the discretion of the division/section/unit commander. The officer's first initial and last name will be embroidered on the right breast area. Division/section/unit commanders are responsible for approving the shirt colors. The departmental patch may only be worn on the approved polo shirts and corresponding attire will maintain business casual standards.

4.12.3 HAIR

Male officers' hair will not extend completely over the ears or below the top of the shirt collar. Extreme hair styles or radical hair coloring is prohibited.

Sideburns will be neatly trimmed and not extend below the lower opening of the ear. Mustaches will not extend down over the upper lip or past either side of the mouth and must be kept trimmed at all times. Beards and goatees are prohibited.

Female officers' hair must be neat in appearance. Extreme hairstyles or radical coloring is prohibited.

If secondary employment dictates that a uniform is to be worn, an officer whose normal duty assignment is non-uniform will conform to the more stringent requirement.

4.12.4 EQUIPMENT

Plainclothes officers will carry the following equipment:

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4.12.4 EQUIPMENT (CONTINUED)

- Firearm with at least one (1) fully-loaded spare magazine
- ASP, baton, Oleoresin Capsicum (OC) spray, or Conducted Electrical Weapon (CEW) (carrying a CEW while in plainclothes is optional)
- Appropriate badge and identification card
- Departmentally-approved handcuffs. Handcuffs will be either black in color or silver, chrome, or other natural colors of metal. Any other colors, excluding handcuffs that have been altered in color by the department, will not be used while on-duty or off-duty.

Plainclothes officers will have departmentally-issued green wristbands readily available at the scene of an incident for identification purposes to other responding officers or civilians (refer to SOP 4.28).

Plainclothes officers are prohibited from carrying equipment that has not been authorized by competent authority.

4.12.5 FIREARMS

Officers wearing civilian attire must have their firearms concealed at all times, unless a tactical situation necessitates otherwise.

4.12.6 BADGE AND IDENTIFICATION

Patrol officers permanently assigned to a detective position will be assigned a detective badge and identification card. Unless approved by the Chief of Police, or his/her designee, only the following sworn personnel will be assigned a detective badge and identification card:

- Major Crimes Division detectives
- Narcotics Division detectives
- Patrol Bureau detectives, including the Ninth Mobile Division
- Crime Information Center (CIC) detectives

If a detective is temporarily assigned to a detail or performs secondary employment requiring a uniform, he/she will wear the detective badge, in accordance with SOP 4.10. If a detective is permanently transferred or reassigned to a uniform position, or if an officer is permanently transferred or reassigned to a detective position, he/she will contact the Assistant Chief of Police/Administrative Bureau, or his/her designee, within seven (7) days to obtain an appropriate replacement badge. Officers and detectives are prohibited from exchanging badges with each other.

Officers and detectives permanently transferred or reassigned to, or from, a uniform or detective position will also go to the LMPD Photo Lab within seven (7) days and obtain an appropriate identification card. Uniformed officers temporarily assigned to a state, federal, or departmental task force will not be issued a detective badge or identification card.

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4.12.7 TEMPORARY ASSIGNMENT

Officers who are temporarily assigned to a unit will dress appropriately for the assignment.

4.12.8 COURT ATTIRE

Officers will appear in court in uniform or appropriate business attire (refer to SOP 8.2).

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	Accreditation Standards: KACP: 1.3, 1.8, 1.9, 1.10, 1.11, 5.3, 27.3
	Chapter: Uniforms and Equipment
Subject: Firearms	

4.13 FIREARMS

4.13.1 AUTHORIZATION TO CARRY

Officers are authorized to carry concealed deadly weapons under Kentucky Revised Statute (KRS) 527.020(3) and Louisville Metro Code of Ordinances (LMCO) 41.03 and 135.06. This authorization allows both on-duty and off-duty officers to carry an authorized weapon within their jurisdiction (refer to SOP 5.1).

Authorized firearms are those that comply with the department's specifications (KACP 1.9). Authorized firearms will be properly inspected and registered with the Firearms Training Center before being approved for service.

It is the policy of the Louisville Metro Police Department (LMPD) to train and qualify all sworn personnel in the use of departmentally-approved weapons, holsters, and ammunition. All sworn personnel will have access to the departmental Standard Operating Procedures (SOPs) and be instructed in the use of force prior to being authorized to carry a weapon (KACP 1.3e, 5.3b).

Officers and recruits will receive departmental training on the proper and safe use of authorized firearms. Training is conducted and documented by certified firearms training instructors (KACP 1.10b). As required by the Firearms Training Center, officers must qualify with their approved uniform service pistol, twice annually, one of which will be in night/low-light conditions. This will be done before the officer is authorized to carry the weapon (KACP 1.10a).

Records of weapon qualifications and results, including the make, model, caliber, and serial number of each firearm, are maintained by the Training Division. This applies to all departmentally-approved weapons, whether on-duty, off-duty, and/or backup weapons.

4.13.2 OFFICIAL DEPARTMENTAL FIREARMS (KACP 1.9)

All firearms will meet the required specifications determined by the Firearms Training Center. LMPD Officers may choose any of the approved uniform service pistols listed below for duty use. All service pistols will be equipped with night sights approved by the Firearms Training Center. Any uniform service pistol with which an officer has qualified prior to February 1, 2017 is considered grandfathered and does not require the sights to be changed. However, any future modifications to the sights require the addition of departmentally-approved night sights.

Plainclothes service pistols are optional and may be used by officers in a plainclothes or administrative assignment when not in uniform in lieu of the approved uniform service pistols.

The "grandfathered" pistols below, chambered in either 9mm or .40 caliber, are only authorized for former Jefferson County Police Department (JCPD) officers who currently own these weapons. Former JCPD officers electing to carry any Glock model pistol while on-duty must complete a Glock Transition Course. Officers of the former Louisville Division of Police (LPD) who are grandfathered and eligible for an issued service pistol may be issued the Glock Model 22.

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4.13.2 OFFICIAL DEPARTMENTAL FIREARMS (CONTINUED)

The following are the official firearms of the department:

Approved Uniform Service Pistols

- Glock Model 17 (black in color) (9mm)
- Glock Model 19 (black in color) (9mm)
- Glock Model 34 (black in color) (9mm)
- Glock Model 22 (black in color) (.40 caliber)
- Glock Model 23 (black in color) (.40 caliber)
- Glock Model 35 (black in color) (.40 caliber)

Plainclothes Service Pistols

- Any of the approved uniform service pistols
- Glock Model 26 (black in color) (9mm)
- Glock Model 27 (black in color) (.40 caliber)

Grandfathered Uniform Service Pistols (Former JCPD Only)

- Sig Sauer Model P226 (black in color or with a stainless steel finish) (9mm or .40 caliber)
- Sig Sauer Model P228 (black in color or with a stainless steel finish) (9mm)
- Sig Sauer Model P229 (black in color or with a stainless steel finish) (9mm or .40 caliber)

Grandfathered Plainclothes Service Pistols (Former JCPD Only)

- Sig Sauer Model P239 (black in color or with a stainless steel finish) (9mm or .40 caliber)

Officers may carry the following departmentally-approved optional accessory weapon-mounted lights (WMLs) for their service pistols if they have been trained and qualified in their use:

- Streamlight TLR-1/HL
- Surefire X300

The Surefire X200 WML is considered grandfathered and approved for departmental use if officers purchased this model prior to October 1, 2017.

The service pistol and WML will be carried in a departmentally-approved holster specifically designed for the pistol and light combination (refer to SOP 4.13.4). The WML will only be activated by the integrated paddle switch using the support hand. The use of grip and/or pressure activation switches is prohibited. The use of the WML does not replace the handheld flashlight as the primary illumination device. Officers wishing to carry the accessory WML will be required to qualify with the WML and handheld flashlight in night/low-light conditions.

Shotgun: Remington 870 (black in color or with a stainless steel finish). Stocks, foregrips, and other accessories must be black in color or have a woodgrain finish. Exceptions must be approved by the Training

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4.13.2 OFFICIAL DEPARTMENTAL FIREARMS (CONTINUED)

Division Commander. All shotguns must meet departmental specifications and be inspected by the Firearms Training Center. The Firearms Training Center shall be consulted on any potential purchases of departmental rifles/shotguns and any optional accessories by officers for qualification or on-duty use prior to purchase.

Rifle: AR-15 style Police Carbine (black in color or with a stainless steel finish) chambered in 5.56mm caliber. Stocks, foregrips, handguards, pistol grips, accessory rails, accessory rail covers, and other accessories must be black in color. Exceptions must be approved by the Training Division Commander. All rifles must meet departmental specifications and be inspected by the Firearms Training Center. The Firearms Training Center shall be consulted on any potential purchases of departmental rifles/shotguns and any optional accessories by officers for qualification or on-duty use prior to purchase. All officers shall successfully pass an approved patrol rifle course prior to carrying a rifle while on-duty.

Non-Lethal/Less-Lethal Weapons (KACP 1.8):

- Pepper ball carbine launcher
- Def-Tech 40mm less-lethal launcher (Special Impact Munitions System (SIMS))
- 12 gauge less-lethal shotgun

The division commander's designee will conduct an inventory and inspect his/her division's launchers monthly for functionality and proper air supply. He/she will also inspect the fill station monthly and re-charge it, as needed.

All less-lethal weapons will be marked by the manufacturer and/or the Firearms Training Center in order to designate that they are only to be used for less-lethal responses. All other markings shall comply with this policy (refer to SOP 4.13.5).

All non-lethal/less-lethal equipment shall be returned to the Firearms Training Center for inspection prior to being reissued to another officer.

Specialty Unit Weapons: All specialty unit weapons shall be approved by the Chief of Police, or his/her designee, and comply with standards established by the team commander and Firearms Training Center. Only trained and authorized members shall use specialty unit weapons. Specialty unit members, possessing weapons approved by the Firearms Training Center, shall attend and successfully complete all applicable training courses and be recertified on these weapons twice annually.

4.13.3 OFF-DUTY/BACKUP WEAPONS

Officers may carry a maximum of two (2) handguns on their person while on-duty. Off-duty/backup weapons will be carried in a holster.

While within Jefferson County, an officer shall carry an approved pistol of .380 caliber or larger, which has a minimum of a five (5) shot capacity, with which he/she has qualified (refer to SOP 5.1). To be approved, the weapon must be from a reputable manufacturer that is ISO 9001 certified and the weapon must be inspected by the Firearms Training Center staff prior to being placed into service.

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4.13.3 OFF-DUTY/BACKUP WEAPONS (CONTINUED)

Officers should carry the pistol in a concealed manner. When an officer's activity is such that concealment is not practical, the weapon will be kept as readily accessible as circumstances permit (refer to SOP 5.1).

The possession of a Carry Concealed Deadly Weapon (CCDW) license by an officer does not relieve him/her of the pistol requirement listed above.

4.13.4 OFFICIAL DEPARTMENTAL HOLSTERS

The following Safariland brand holsters are the only departmentally-approved holsters for uniformed duty use:

- Class A Uniform:
 - Safariland 070 High Gloss Holster (Grandfathered)
 - Safariland 295 High Gloss Holster (Grandfathered)
 - Safariland 6360 ALS High Gloss Holster (with or without WML option)
 - Safariland 7360 High Gloss Holster (with or without WML option)
- Class B, Class C, Class D, and Class E Uniform:
 - Safariland 070 Nylon STX/Plain Black Finish Holster (Grandfathered)
 - Safariland 295 Nylon STX/Plain Black Finish Holster (Grandfathered)
 - Safariland 6360 Nylon STX/Plain Black Finish Holster (with or without WML option)
 - Safariland 7360 Molded Plastic Holster (with or without WML option)

Any of the approved Class A uniform holsters may also be worn with the Class B uniform.

The Safariland 070 and 295 series holsters purchased prior to February 1, 2017 are grandfathered and approved for uniformed duty use.

Any holsters with the SERPA (or similar) style retention and release are prohibited for departmental use, including training. This includes any holster with an external release button primarily designed to be disengaged by use of the trigger finger.

4.13.5 H.R. 218 – THE LAW ENFORCEMENT OFFICERS' SAFETY ACT

Officers traveling outside of Kentucky shall abide by H.R. 218 (Law Enforcement Officers' Safety Act of 2004) in regards to the carrying of concealed firearms. H.R. 218 exempts qualified active law enforcement officers from local and state prohibitions on the carrying of concealed firearms. However, the following laws are still applicable to qualified active law enforcement officers:

- Federal laws or regulations governing the carrying of firearms onto aircraft, in federal buildings, on federal property, and in national parks
- State laws which prohibit the carrying of firearms onto state or local government property

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4.13.5 H.R. 218 – THE LAW ENFORCEMENT OFFICERS’ SAFETY ACT (CONTINUED)

- State laws which allow private entities to prohibit firearms on their private property

The Law Enforcement Officers’ Safety Act excludes machine guns, firearm silencers, and other destructive devices from the definition of firearms.

In order to qualify for H.R. 218, an officer must have his/her departmentally-issued ID card on his/her person. Therefore, if an officer’s police powers have been suspended, for any reason, he/she will not be in compliance with H.R. 218. Additionally, an officer will not be covered under this act if he/she is under the influence of alcohol or drugs.

Officers carrying concealed firearms in accordance with H.R. 218 are further restricted by the department to carry only their approved uniform service pistol and/or the off-duty/backup pistol on which they are currently qualified.

If an officer does not meet the standards as outlined above and is traveling outside of Kentucky, he/she shall abide by all firearms regulations of the jurisdiction through which he/she travels.

4.13.6 ALTERING

Authorized firearms, including magazines, magazine floor plates, and rifle dust covers, shall not be altered in any way unless approved by the Firearms Training Center. Such alterations would include, but are not limited to, the addition of laser sights, ghost ring sights, or any other optics on any of the authorized pistols. These sights are prohibited. Officers who carry approved service pistols shall only utilize night sights authorized by the Firearms Training Center.

Engravings, decals, or other markings on authorized firearms, including magazines, magazine floor plates, and rifle dust covers, are limited to those applied by the manufacturer, for identification purposes only (as approved by the Firearms Training Center) or those required by state or federal law or regulation. A small LMPD patch is authorized. Firearms with unauthorized engravings, decals, or other markings will be removed from service.

4.13.7 AMMUNITION

Officers shall carry only ammunition issued or approved by the Firearms Training Center in all authorized firearms and extra ammunition pouches (KACP 1.9). Ammunition shall not be altered.

Uniformed officers shall carry two (2) complete reloads for their on-duty weapon. Plainclothes officers shall carry at least one (1) complete reload. Weapons shall be loaded to the maximum recommended capacity.

4.13.8 APPROPRIATE DEPLOYMENT OF LONG BARRELED WEAPONS

Officers will be held strictly accountable for the deployment of all long barreled weapons. Officers will handle long barreled weapons as inconspicuously as possible given the totality of the circumstances.

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4.13.8 APPROPRIATE DEPLOYMENT OF LONG BARRELED WEAPONS (CONTINUED)

Situations calling for the deployment of long barreled weapons may include, but are not limited to:

- Potentials for mass violence (e.g. active aggressor).
- Perimeter containment in barricaded suspect situations with a known weapon potential.

4.13.9 FIREARMS ABOARD COMMERCIAL AIRCRAFT

Officers shall abide by all Federal Aviation Administration (FAA), Transportation Security Administration (TSA), and individual airline regulations regarding weapons on aircraft. In order to carry a departmentally-approved firearm aboard a commercial aircraft, officers must first complete the TSA's Law Enforcement Officer Flying Armed (LEOFA) Training Course. Officers should contact the Homeland Security Lieutenant to request the LEOFA Training Course.

For each assignment that requires a departmentally-approved firearm to be carried aboard a commercial aircraft, the officer must complete the Law Enforcement Officers Flying Armed form (LMPD #08-0020) and forward the form to the Chief of Police, or his/her designee, at least 24 hours prior to the planned departure. If approved by the Chief of Police, or his/her designee, he/she will forward the form to the National Crime Information Center (NCIC) Unit. The NCIC Unit will forward the necessary information to the TSA, who will make the final approval or denial. If the request is approved, the TSA will forward a receipt message with a unique alphanumeric identifier to be used, by the officer, at the airport on the day of travel. If the date or route of travel changes, the officer must contact the NCIC Unit to obtain a new unique alphanumeric identifier to reflect the new travel information.

On the day of travel, the officer must identify himself/herself as a LEOFA upon check-in at the airline ticket counter. The officer may be required to complete additional paperwork for the airline with which he/she is flying. Upon arrival at the TSA Security Checkpoint, the officer will be required to use the designated LEOFA checkpoint lane and provide the TSA with his/her departmentally-issued badge/credentials, boarding pass, second form of government identification, the alphanumeric identifier issued by the TSA, and any additional paperwork for the airline with which he/she is flying. The officer will then complete the TSA Checkpoint sign-in log entry and proceed to his/her boarding gate. At the boarding gate, the officer will inform the gate agent of his/her presence and armed status and provide any requested paperwork. The gate agent will identify any additional armed officers on the flight and escort the officer to meet the Pilot in Command, Federal Air Marshal(s), and Federal Flight Deck Officer(s) on the flight.

4.13.10 FIREARMS IN COURTROOM

Officers may be armed in a courtroom at the discretion of the presiding judge. When a presiding judge prohibits a firearm in his/her court, the officer will secure the weapon in a locked receptacle as close to the courtroom as possible. A sworn member, wearing business attire to court, must have his/her firearm concealed at all times.

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4.13.11 FIREARMS IN RESTRICTED AREAS

When an officer enters an area of another government agency that restricts or has regulations governing firearms (e.g. correctional facilities, Central State Hospital, Hall of Justice), he/she shall abide by that agency's regulations. However, under all circumstances, the weapon will be properly secured. Pursuant to state law, officers may carry their firearms on private property (e.g. malls, schools, restaurants, theaters) even if a weapons prohibition is posted. If a private venue denies entry to an off-duty officer with a concealed firearm, the officer should refer to SOP 5.1.

4.13.12 CARE OF FIREARMS

Officers shall not use or handle firearms in a careless or imprudent manner. When storing a handgun in a LMPD vehicle, the handgun must be stored in a locked compartment (e.g. trunk, glove compartment, or console) and the vehicle must be locked. Long barreled weapons shall be carried in the vehicle's trunk or in a locking device inspected and approved by the Firearms Training Center and the Vehicle Impoundment Unit (VIU)/Fleet Lieutenant. For the purposes of this policy, the passenger compartment/cargo area of a truck or sports utility vehicle (SUV) is not considered a trunk. Metro Fleet Services technicians will install the locking device. Firearms will be maintained and stored in such a manner that they will be clean and in serviceable condition.

The armorer has the responsibility to remove from service any weapon determined to be unsafe or nonfunctional. Any officer issued a loaner weapon, under these circumstances, shall qualify with that weapon, prior to carrying it while on-duty or off-duty. Personally-owned weapons deemed unsafe shall be repaired and/or replaced by the officer, at his/her expense, within 60 days and the loaner weapon returned to the Firearms Training Center.

4.13.13 DISCHARGE OF FIREARMS (KACP 1.11a-b)

Officers are required to immediately report any instance of a discharge of an authorized firearm to their division/section/unit commander. The division/section/unit commander is responsible for the investigation of discharges of firearms. If someone is injured as the result of a discharge of an authorized firearm, the Public Integrity Unit (PIU) is responsible for the investigation. This investigation includes the completion of an Administrative Incident Report (AIR), via the BlueTeam link, located on the LMPD Intranet, as required by SOP 3.1. All findings and recommendations will be forwarded, through the appropriate chain of command.

Officers are not required to report the discharge of a firearm for target practice, training purposes, or for the humane destruction of non-domesticated animals (refer to SOP 8.33).

4.13.14 FIREARMS QUALIFICATION

Approved Uniform Service Pistols/Plainclothes Service Pistols

All officers shall qualify with their approved uniform service pistols on a schedule determined by the Firearms Training Center. At a minimum, these qualifications will be held twice annually. Qualifications will be based on proficiency standards and scored on a pass/fail basis (KACP 1.10a).

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4.13.14 FIREARMS QUALIFICATION (CONTINUED)

Officers in plainclothes or administrative assignments may qualify with an approved plainclothes service pistol. The qualification course will be the same as the approved uniform service pistol qualification. A plainclothes or administrative assignment does not alleviate the officer from his/her requirement to qualify with an approved uniform service pistol.

Should an officer fail to qualify with his/her approved uniform service pistol, he/she shall be prohibited from carrying the pistol, while on-duty or off-duty, until a passing score is achieved. Officers experiencing difficulty passing the approved uniform service pistol qualification course will be given remedial training after three (3) failed attempts. Officers failing to obtain a passing score on the uniform service pistol qualification course after three (3) subsequent attempts, following the remedial training, will be required to return the following day to successfully complete the qualification course.

Officers shall be prohibited from qualifying with off-duty/backup weapons and long barreled weapons until a passing score is achieved with the approved uniform service pistol.

Off-Duty/Backup Pistols

Officers shall qualify with their off-duty/backup pistols on a schedule determined by the Firearms Training Center. At a minimum, these qualifications will be held annually. Officers who fail to qualify will be given additional opportunities to meet the qualification standard as the Firearms Training Center staff's time allows. Should an officer fail to qualify with an off-duty/backup pistol, he/she shall be prohibited from carrying the pistol, on-duty or off-duty, until a passing score is achieved at the next scheduled qualification course.

Long Barrel Weapons

All officers shall qualify with their departmentally-approved shotgun and/or patrol rifle on a schedule determined by the Firearms Training Center. At a minimum, these qualifications will be held annually. Qualifications will be based on proficiency standards scored on a pass/fail basis (KACP 1.10a).

Any officer who fails to qualify with his/her patrol rifle for two (2) consecutive qualifications will be de-certified and prohibited from carrying the patrol rifle while on-duty. Officers wishing to re-qualify with the patrol rifle shall successfully pass an approved patrol rifle course prior to carrying the rifle while on-duty.

Administrative Leave or Administrative Reassignment

If an officer is returning to duty after being on administrative leave or administrative reassignment and is issued a temporary or loaned firearm, he/she shall successfully qualify with this firearm prior to returning to duty.

4.13.15 WEAPONS INSPECTIONS

Weapons inspections are the responsibility of the firearms training staff. All weapons will be inspected during regular qualifications, at a minimum of once a year (KACP 27.3), by certified firearms instructors. Weapons will not be inspected at the division/section/unit level during formal or informal inspections.

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4.14 DEPARTMENTAL VEHICLE ASSIGNMENT AND USAGE

4.14.1 POLICY (KACP 17.10)

The Louisville Metro Police Department (LMPD) maintains a 24-Hour Patrol Vehicle Program. Use of assigned vehicles is considered a privilege and not an employment right. The Chief of Police has the right to assign, deny, suspend, or remove any member from the 24-Hour Patrol Vehicle Program.

4.14.2 DEFINITIONS

Departmental vehicle: A car, truck, van, trailer, bus, boat, motorcycle, off-road all-terrain vehicle (ATV), bicycle, Electric Standup Vehicle (ESV), aircraft, or any other vehicle owned, confiscated, leased, rented, maintained, or borrowed by the department.

Administrative Bureau: The Administrative Bureau, working in conjunction with Metro Fleet Services, is responsible for the daily operations (e.g. maintaining records of assignment, maintenance, recalls, and service) of departmental vehicles. The Assistant Chief of Police/Administrative Bureau retains the power to remove any vehicle from use if, in his/her opinion, further operation of the vehicle is unsafe or may cause damage to the vehicle. The Assistant Chief of Police/Administrative Bureau has the authority to make decisions regarding vehicle assignment, equipment, maintenance, repairs, or service to all departmental vehicles.

24-Hour Patrol Vehicle Program: A program whereby officers are assigned departmental take-home vehicles to increase police presence in the community. Officers assigned take-home vehicles are mandated to respond, as needed, to any calls for service as well as to render assistance to the public, in accordance with departmental policy.

Take-home vehicle: A departmental vehicle assigned to a specific member that may be used during off-duty periods, in accordance with the guidelines set forth in this policy.

4.14.3 ASSIGNMENT OF TAKE-HOME VEHICLE

Officers who have completed three (3) years of sworn service with the LMPD may be assigned a departmental vehicle. Officers residing within the boundaries of Jefferson County, Kentucky will be allowed take-home use of their assigned vehicle. Officers residing outside of Jefferson County are not permitted to take their assigned vehicle home. Instead, they are required to park the vehicle within Jefferson County, in a location approved by their division/section/unit commander. Officers residing outside of Jefferson County shall complete the Out-of-County Resident Parking Location form (LMPD #14-0009), in order to record where the vehicle is located during off-duty hours. Once this form has been completed, it will be forwarded, by the officer, either by scanning the form and emailing it, or sending it via interdepartmental mail, to the Vehicle Impoundment Unit (VIU)/Fleet Lieutenant and the Special Investigations Division (SID) Adjutant Lieutenant. In times of need, vehicles assigned to non-residents may be used as pool vehicles.

Supervisors will perform a pre-inspection and post-inspection of any vehicle used in such a fashion to be aware of any damage that may have occurred during temporary use.

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4.14.4 POOL VEHICLES

Each division/section/unit maintains a fleet of vehicles for use by on-duty members not yet eligible for the 24-Hour Patrol Vehicle Program. These vehicles are used at the discretion of the division/section/unit commander. The division/section/unit commander may temporarily issue such vehicles to members who qualify for the 24-Hour Patrol Vehicle Program, while their assigned vehicle is undergoing maintenance. The division/section/unit commander will designate a member of his/her staff to oversee the maintenance schedule of these pool vehicles. Pool vehicles will not be temporarily issued to members for the purpose of secondary employment.

4.14.5 REASSIGNMENT

When an officer is reassigned to another division/section/unit, his/her currently-assigned vehicle will remain in the division/section/unit that he/she is leaving. When an officer is assigned a vehicle within his/her respective division/section/unit, a Vehicle Change of Status form (LMPD #03-00-0065) will be completed and emailed to the Metro Fleet Services Vehicle Coordinator at "LMPD Fleet Management," located within the department's email distribution list. Any variation from this policy must be approved by the VIU/Fleet Lieutenant.

4.14.6 USE OF VEHICLE DURING LEAVE

Any member, who will be off-duty and/or out-of-town for more than seven (7) consecutive days, is required to inform his/her division/section/unit commander in advance. If needed, the member will turn in his/her vehicle prior to leaving town, as directed by his/her division/section/unit commander.

Sworn members, with the rank of major or above, have the authority to allow a member on extended vacation leave in excess of seven (7) days to keep his/her vehicle at his/her residence, if he/she lives within the county. A member who lives out of the county must secure his/her vehicle at his/her respective division/section/unit when on leave in excess of seven (7) days.

If a member is on Family Medical Leave Act (FMLA) or sick leave, he/she is required to turn in his/her take-home vehicle to his/her division/section/unit. If a member is on light-duty, every effort will be made to allow the member to keep his/her take-home vehicle, but the vehicle may need to be turned in to the division/section/unit.

Take-home vehicle privileges may be suspended for members in the following situations:

- Extended leave
- Light-duty
- Limited-duty
- Suspension

The revocation of vehicle privileges is determined by policy, the needs of the department or at the discretion of the Chief of Police. In such cases, the vehicle will be turned in to the appropriate division/section/unit commander.

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4.14.7 VEHICLE USAGE

The following applies to all members:

- Members will adhere to all policies, procedures, laws, rules, and regulations as they pertain to vehicle usage, equipment, operation, and maintenance.
- Members using departmental vehicles in an unauthorized manner or permitting the unauthorized use of a departmental vehicle may be subject to disciplinary action.
- Members using a departmental vehicle should exercise good judgment and avoid any conduct likely to cause unfavorable comment or embarrassment to the department.
- No member will use a departmental vehicle to further personal interests relative to any secondary employment or enterprise without written permission from the Chief of Police.
- Members will have their assigned departmental portable radio with them, at all times, when operating their assigned departmental vehicle.
- Members assigned a departmental take-home vehicle for any month, or portion thereof, will be required to pay a fee, which is assessed according to the fee schedule described in SOP 2.4, to offset the cost of gasoline and wear-and-tear incurred during personal use of the vehicle for secondary employment, even if the personal use is limited to driving to and from secondary employment. This fee will be paid through payroll deduction.
- If a member loses the privilege of using an assigned departmental take-home vehicle, the member's division/section/unit commander will send an email to the Police Human Resources (HR) Director that includes notice of the loss of the vehicle privilege, the member's name, code number, and the date that the member was removed from the department's take-home vehicle program. If the member had use of the vehicle for any portion of the month, he/she will be assessed the usage fee.
- If a member loses the privilege of using an assigned departmental take-home vehicle, he/she will not borrow a departmental vehicle from another member or from a division/section/unit vehicle pool, for purposes other than on-duty responsibilities.
- Members will not loan their departmentally-assigned vehicle to any other member who has lost his/her take-home vehicle privileges.
- Members will not loan their departmentally-assigned vehicle to any other member, even for legitimate departmental use, without the approval of a commanding officer.
- Members assigned a departmental take-home vehicle that is unavailable to the member for any reason (e.g. repairs), will not borrow a departmental pool vehicle for secondary employment, without the written approval of their division commander.
- If a member is eligible to be assigned a departmental take-home vehicle and the member decides that he/she does not wish to be assigned such a vehicle, he/she will inform his/her division/section/unit commander, who will send an email to the Police HR Director that includes notice of the voluntary removal from the department's take-home vehicle program, the member's name, code number, and the date that the member opted out. If the member had use of the vehicle for any portion of the month, he/she will be assessed the usage fee.
- Any member who chooses not to participate in the take-home vehicle program will not use a pool vehicle for secondary employment purposes.

In addition to the above LMPD vehicle usage requirements and prohibitions, Louisville Metro Government vehicle use policies state, in part, that Metro Government employees will not engage in writing, sending, searching, or reading text-based communication on electronic wireless communications devices, whether such

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4.14.7 VEHICLE USAGE (CONTINUED)

devices are owned by Louisville Metro Government or by the employee, including, but not limited to, a cell phone/smartphone, personal data assistant (PDA), pager, laptop, or tablet (e.g. iPad), when operating a moving Louisville Metro Government vehicle, when driving a personal vehicle on official Louisville Metro Government business, or when using electronic equipment supplied by Louisville Metro Government, while driving. Talking on a cell phone while driving is also strongly discouraged, unless hands-free methods (e.g. speaker phone, headset, Bluetooth) are utilized (refer to SOP 4.30).

Mobile Data Terminals (MDTs) assigned to LMPD vehicles are considered an exempt device under the provisions of the Louisville Metro policy prohibitions, when safely used to receive, accept, or clear from calls for service or to perform other legitimate police functions (e.g. rolling license plate check). A member operating a departmental vehicle should not needlessly type, or otherwise manually enter data, which is not related to a dispatched call for service or other legitimate police function (e.g. text messaging or instant messaging), into a MDT while the vehicle is in motion. If the safe operation of the vehicle is impaired by the reading or viewing of the MDT screen (e.g. heavy traffic, higher speed conditions), a member should stop the vehicle in a safe location in order to use the MDT.

The following apply to all volunteers authorized to operate unmarked departmental vehicles:

- All volunteers must obtain prior authorization from the Community Policing Unit Commander before being allowed to operate any departmental vehicle.
- Volunteers who are authorized to operate unmarked departmental vehicles will adhere to all policies, procedures, laws, rules, and regulations as they pertain to vehicle usage, equipment, operation, and maintenance.
- Volunteers may only operate unmarked departmental vehicles.
- Volunteers are only be authorized to operate an unmarked departmental vehicle only after a thorough background check has been conducted, which includes, but is not limited to, operator license status and driving record.
- All volunteers who are driving unmarked departmental vehicles must sign the Agreement to Volunteer and Accept Workers' Compensation Benefits form.
- Volunteers are strictly prohibited from driving any departmental vehicles for personal use.
- The Covenant Not to Sue form (LMPD #03-08-0200) will be signed by any volunteer wishing to do a ride-along with sworn personnel. The Covenant Not to Sue form takes precedence over other forms during the ride-along.
- Division/Section/Unit commanders are responsible for verifying that volunteers under their command have a valid operator's license in their possession while operating a departmental vehicle (refer to SOP 5.1).

4.14.8 OPERATIONAL JURISDICTIONS OF VEHICLES

Members will not operate a departmental vehicle outside of Jefferson County without proper authorization from a commanding officer.

If authorization is given, the member will immediately notify Metrosafe of the location to which he/she will be traveling, his/her car number, and the authorizing commanding officer's name.

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4.14.8 OPERATIONAL JURISDICTIONS OF VEHICLES (CONTINUED)

Upon return to Jefferson County, the member will immediately notify Metrosafe of his/her return.

Exceptions not requiring a commanding officer's prior approval include:

- Making a turnaround to return to the jurisdictional boundaries of the department.
- The authorized pursuit of a suspect or vehicle (refer to SOP 12.1).
- Local travel (refer to SOP 4.14.9).

4.14.9 LOCAL TRAVEL

Trips for official business, utilizing a departmental vehicle and not requiring an overnight stay, are considered local travel. Requests for local travel must be approved by a commanding officer with the rank of lieutenant or above (refer to SOP 2.18).

Additionally, local travel may be authorized for the following reasons:

- Training
- Official business in Frankfort or Richmond
- Firearms enhancement at Jefferson Gun Club
- Firearms enhancement at Knob Creek Gun Range
- Firearms enhancement at OpenRange Indoor Gun Range
- Firearms enhancement at Silver Creek Conservation Club
- Picking up or dropping off departmentally-authorized firearms or equipment at Kiesler Police Supply
- Investigations of crimes committed within Jefferson County
- Testifying in court cases outside of Jefferson County related to duties performed as a departmental member

Members seeking the use of a departmental vehicle for official business requiring an overnight or extended stay should refer to SOP 2.18.

4.14.10 ALCOHOLIC BEVERAGES/INTOXICATING SUBSTANCES

Members are prohibited from:

- Operating a departmental vehicle with any measurable amount of alcohol or any other substance in their system that could impair their ability to operate a vehicle.
- Transporting any intoxicant or illegal drugs in a departmental vehicle, except as required in an official capacity.
- Parking a departmental vehicle within the proximity of any establishment that serves alcoholic beverages as its main source of income, unless in an official capacity.

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4.14.11 TOBACCO USE

In accordance with Metro Government Personnel Policy 1.18(3), the smoking of tobacco products and the use of e-cigarettes are prohibited in all departmental vehicles, which are defined in section 4.14.2 of this policy.

4.14.12 EATING

No more than two (2) marked vehicles and one (1) unmarked vehicle may be parked, at any given time, at a restaurant or other related establishment while on-duty. On-duty members are prohibited from eating at establishments whose primary source of income is derived from the sale of alcoholic beverages. On-duty members are to refrain from eating at the bar area of any establishment.

4.14.13 USE OF SEATBELTS (KACP 21.4)

Members are required to wear seatbelts while operating or riding in a departmental vehicle, unless a tactical situation dictates otherwise. Passengers are required to wear seatbelts, unless physical handicaps prevent proper usage. Small children and infants shall always be secured in a child restraining device or seatbelt, as required by law, and shall be positioned in the rear seats due to airbag concerns.

Any prisoner being transported in a departmental vehicle should be secured with a seatbelt, unless a physical handicap or officer safety issues prevent the proper use of a seatbelt. If a seatbelt cannot be properly secured, members should request his/her commanding officer's assistance with arranging alternate transportation (e.g. booking van). Members should refer to SOP 10.5 for detailed information regarding prisoner transportation.

4.14.14 OFF-DUTY POLICE ACTION

Off-duty officers who are operating a departmental vehicle are required to monitor the police radio and take appropriate action to offenses that occur in their presence or requests for assistance from other officers. Appropriate action is that which is both necessary, considering the totality of the circumstances, and within his/her ability to handle at the time (e.g. availability of weapon, radio communication, physical condition). At a minimum, an off-duty officer will brief on-duty officers of pertinent information (e.g. license number, descriptions, circumstances).

4.14.15 PASSENGERS

A member may use his/her assigned vehicle while off-duty to transport persons who he/she might normally transport in a personally-owned vehicle, in accordance with the following:

- If possible, off-duty officers who are responding to a serious offense or emergency should have any passengers exit the vehicle at a safe and secure location before proceeding to the call.
- Members will be held accountable for the appearance and conduct of their passengers.

On-duty officers are authorized to transport the following:

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4.14.15 PASSENGERS (CONTINUED)

- Civilian riders (refer to SOP 8.10)
- Prisoners (refer to SOP 10.5)
- Civilians under police-related circumstances (refer to SOP 7.10)
- Other departmental members

4.14.16 PARKING

Members are prohibited from parking in handicapped zones, fire lanes, no parking or stopping zones (including peak time no parking), turning lanes, tow away zones, bus stops, or reserved parking spaces (e.g. media parking only, Crime Scene Unit (CSU) parking only, MetroSafe, Office of the Commonwealth's Attorney, etc.).

Members should not utilize parking meters in the downtown area unless they are on official business or they pay the appropriate parking fee. The downtown area is defined as the area bounded by Roy Wilkins Avenue (9th Street), Brook Street, Broadway, and the Ohio River. Official business is defined as handling a call for service, taking some type of self-initiated activity, conducting criminal investigations, or attending meetings at the direction of competent authority. Members on official business must display their "official business" parking permit on the dash of the departmental vehicle.

Official business privileges are not extended to members attending court, the Grand Jury, or official meetings at the Jefferson County Attorney's Office or Office of the Commonwealth's Attorney.

Members attending court or meetings near the courthouse buildings may park in the lot provided by the Fraternal Order of Police (FOP), via the lease agreement with Metro Government, or in the Advocacy Parking Garage, located at 701 West Jefferson Street, but are prohibited from parking in the back parking lot of LMPD Headquarters. Members who are authorized to park their vehicles in the back parking lot of LMPD Headquarters are issued a parking permit and are required to display their parking permit on the driver's side dash or rearview mirror of their vehicle. Members are prohibited from loaning their parking permit to other members without prior approval from the Administrative Services Division Commander. The Operations Manager is responsible for parking enforcement in the back parking lot of LMPD Headquarters.

If a member, who is in control of a departmental vehicle, receives a parking citation while not on official business, he/she is required to pay the fine in the same manner as a private citizen. The fine must be paid within seven (7) working days. Nothing in this policy prevents a member from appealing a parking citation, using the same appeals process as a private citizen.

If a member, who is in control of a departmental vehicle, receives a parking citation while conducting official business, he/she shall write a letter that states when and where the citation was issued prior to the end of his/her next tour of duty. The letter should state the nature of the official business and the reason for parking in the particular location. The letter and a copy of the parking citation shall be forwarded, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau. Any member, who fails to pay a parking citation when required to do so or to make the proper written notifications if the parking was justified, will be subject to disciplinary action.

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4.14.17 UNATTENDED VEHICLES

Members should not leave departmental vehicles unsecured or running unattended. If circumstances are such that the officer is unable to secure the vehicle, the vehicle shall be secured as soon as possible.

4.14.18 IDLING

Members should not leave vehicle engines idling for extended periods, unless required for operational reasons, such as for the safety of police canines or human occupants or the active use of emergency lighting. Members should adopt fuel conservation practices, including reducing unnecessary engine idling.

4.14.19 VEHICLE APPEARANCE

Members are responsible for the appearance and cleanliness of their vehicle, regardless of whether the vehicle is temporarily or permanently assigned.

Members may take their vehicles to a vendor under contract with Metro Government no more than once every two (2) weeks. Members may also wash and clean the vehicles themselves or pay for a commercial car wash, as needed.

Some vehicles may require detailed cleaning. In such cases, the member will complete a Vehicle Detailing Request form (LMPD #17-0006) and submit it, through the appropriate chain of command, to the VIU/Fleet Lieutenant for approval. This form is available in the "Online Forms" folder on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Vehicle" folder. Departmental vehicles will not be used for the transportation of bulk material(s) protruding from the trunk or interior compartment. Exceptions to this standard would include departmental equipment or evidence.

4.14.20 DAMAGE TO/COLLISIONS INVOLVING DEPARTMENTAL VEHICLES

When a departmental vehicle is involved in a collision or damage is caused to a departmental vehicle, it shall be reported on the Vehicle Damage or Collision Report form (LMPD #03-07-0190). Collisions must be reported even if there is no apparent damage to a departmental vehicle. If criminal charges are filed, damage to any property shall be noted in the arrest/citation narrative. Members shall obtain a copy of the property damage appraisal or the Newburg Road garage invoice and present to the prosecutor in order to request restitution for the damages. The request for restitution should be part of the plea agreement or sentencing.

If a member alleges that a mechanical defect or failure was a factor in the collision, the departmental vehicle will be immediately towed to Metro Fleet Services for a mechanical inspection. Under no circumstances will a member operate a vehicle that is alleged to have a mechanical defect or failure. The vehicle in question must first be inspected and cleared by Metro Fleet Services before it can be operated again.

A commanding officer or a Traffic Unit officer will complete a Vehicle Damage or Collision Report form, as soon as possible following the incident. The investigating officer will also create a diagram of the collision. The

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4.14.20 DAMAGE TO/COLLISIONS INVOLVING DEPARTMENTAL VEHICLES (CONTINUED)

Vehicle Damage or Collision Report form, including the collision report number, if applicable, will be forwarded electronically, no later than the end of the commanding officer's or Traffic Unit officer's tour of duty, to "LMPD Vehicle Damage Notification," located within the department's email distribution list. The original report will then be forwarded through the appropriate chain of command. Photographs of all damaged vehicles are to be taken by the investigating or responding supervisor, the collision investigator, or the Crime Scene Unit (CSU). These photos will be entered into the Digital Image Management System (DIMS), via any DIMS download station, and copies attached to the original Vehicle Damage or Collision Report form. Any other paperwork (e.g. uniform citation, collision diagrams, etc.) associated with the damage will be submitted with the form (refer to SOP 7.7).

Members with damaged departmental vehicles shall contact the Metro Fleet Services supervisors within seven (7) days of the damage to arrange for the vehicle's evaluation and/or repair estimate. Members with rental vehicles shall contact the leasing vendor within seven (7) days of the damage. Once the property damage assessment is complete, members have seven (7) days to schedule the needed repairs through the Metro Fleet Services supervisors. Officers will be responsible for keeping their scheduled appointment.

4.14.21 VEHICLE MAINTENANCE

Members should refer to SOP 4.15 for departmental vehicle maintenance procedures.

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4.15 VEHICLE MAINTENANCE (KACP 21.5)

4.15.1 OPERATIONAL MAINTENANCE

Members shall be responsible for maintaining any departmental vehicles under their control. A departmental vehicle is defined as a car, truck, van, trailer, bus, boat, motorcycle, off-road all-terrain vehicle (ATV), bicycle, Electric Standup Vehicle (ESV), aircraft, or any other vehicle owned, confiscated, leased, rented, maintained, or borrowed by the department. Maintenance includes, but is not limited to, the following:

- Tire pressure
- Tire treadwear
- Brake performance
- Emergency equipment
- Vehicle wiper blades
- Vehicle fluid levels
- Vehicle operational lighting (e.g. headlights, taillights, side marker lights, parking lights, turn signals, etc.)
- Vehicle safety devices (e.g. seatbelts, safety barrier, horn, hitch, etc.)
- Any other item required for the safe operation of the vehicle

Each division/section/unit maintains and stores oil, transmission fluid and window washer fluids for the vehicles within their respective fleets.

If a member discovers any equipment defects, the member shall contact Metro Fleet Services or MetroSafe Communication Services to arrange repairs as soon as practicable.

If the defect renders the operation of the vehicle unsafe, the member will not operate the vehicle and immediately notify his/her commanding officer.

4.15.2 PREVENTIVE MAINTENANCE

Metro Fleet Services has developed a preventive maintenance (PM) schedule for departmental vehicles. Members are responsible for having preventive maintenance performed on their assigned vehicles as directed by the Metro Fleet Services PM schedule:

- Severe Service (Emergency Response Vehicles) – every 4,000 miles or four (4) months. These vehicles include marked police interceptor patrol vehicles, traffic enforcement vehicles, Vehicle Impoundment Unit (VIU) wreckers, and any marked patrol-related vehicles.
- Normal Service (Emergency Response Vehicles) – every 5,000 miles or five (5) months. These vehicles include administrative use vehicles, detective vehicles, sport utility vehicles (SUVs), trucks, vans, and other non-pursuit vehicles.

Appointments for service should be made before taking the vehicle to the repair facility.

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4.15.2 PREVENTIVE MAINTENANCE (CONTINUED)

Members requesting repairs and/or regular preventive maintenance shall complete a Metro Vehicle Defects Report form. The forms are available at the maintenance facility or in the "Online Forms" folder on the Louisville Metro Police Department (LMPD) Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Vehicle" folder. Members will present the form and the vehicle to their designated maintenance facility or contract vendor.

4.15.3 TRAVEL: EMERGENCY REPAIRS

When minor repairs (e.g. headlight, taillight, fuse, hose, belt, etc.) are required on departmental vehicles that are being utilized for out-of-town travel, members may take the vehicle to a local repair facility or perform the repairs themselves. When requesting reimbursement for repairs or replacement parts, the member shall complete an Office of Management and Budget (OMB) Request for Purchase form, located on the LMPD Intranet.

When major repairs are required for departmental vehicles utilized during out-of-town travel, members shall contact their supervisor and inform him/her of the situation. The supervisor will contact the Metro Fleet Services Vehicle Coordinator to authorize any major repairs. The supervisor will then contact the member with the appropriate information.

4.15.4 REPAIR OR MAINTENANCE AFTER HOURS

A member may deliver a vehicle to its designated repair facility during non-working hours. The member should place the vehicle's keys and a completed Metro Vehicle Defects Report form in the drop box.

If the vehicle is inoperable and towed to the shop, the member shall contact Metro Fleet Services or complete the Metro Vehicle Defects Report form by the next business day.

4.15.5 PICKING UP REPAIRED VEHICLES

After repairs have been made, a member may pick up his/her vehicle, at any time, in a designated parking lot. Members will follow the designated repair facility's preferred method of retrieving the key during normal business hours.

4.15.6 MANUFACTURER RECALL

Metro Fleet Services is responsible for notifying the Administrative Bureau of any manufacturer recall affecting departmental vehicles. The Administrative Bureau notifies departmental members if their vehicles are affected by a manufacturer recall. Upon notification, the member shall take the vehicle to the dealer/location for repairs and forward any resulting paperwork to the Administrative Bureau. A designated division/section/unit member will be responsible for handling pool cars affected by recalls.

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4.15.7 DEPARTMENTAL ROADSIDE SERVICES

Departmentally designated wreckers provide roadside services (e.g. tire changes, jump-starts) to all on-duty officers. Off-duty officers may request a departmentally designated wrecker for service. However, MetroSafe may classify an off-duty request as a lower priority. Off-duty officers may utilize civilian roadside services for their departmental vehicles at their own expense. When the reason for roadside assistance is a flat tire, officers are responsible for taking the flat tire to their vehicle's designated repair facility, at their earliest convenience.

4.15.8 VEHICLE FUELING

All departmental patrol vehicles are to be maintained with a minimum of one-half (½) tank of fuel at all times.

A member is required to enter the current mileage of a departmental vehicle and his/her four-(4) digit code number or specially assigned number when refueling. No reimbursement is given to officers purchasing fuel from fuel providers not contracted with the department.

Contracted fuel providers assign each departmental vehicle its own fuel card, specifically coded for that vehicle, for the purchase of regular unleaded fuel. Members are prohibited from using a fuel card to refuel any other vehicle.

Each month, the division/section/unit commander, or his/her designee, should verify that all pool vehicles and rental cars have a working fuel card.

4.15.9 LOST, STOLEN, AND DAMAGED FUEL CARDS

Members are required to make appropriate efforts to prevent the loss, theft, or damage of fuel cards. Members shall report lost, stolen, or damaged fuel cards to their immediate supervisor by completing a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form (LMPD #03-04-0180) before the end of their tour of duty. The form is available in the "Online Forms" folder on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Requests" folder. The member's commanding officer must notify Metro Fleet Services at (502) 238-4127 to deactivate and/or issue a new card.

The member shall complete a Fuel Card/Fuel PIN Access Number Request form and submit the form to Metro Fleet Services. The form is available in the "Online Forms" folder on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Vehicle" folder. Metro Fleet Services will contact the member when the replacement card is available. All replacement fuel cards require the signature of the receiving member. Broken or damaged cards must be turned in before the replacement card will be issued.

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4.16 VEHICLE EQUIPMENT

4.16.1 COMMUNICATION SERVICES

MetroSafe Communication Services personnel are responsible for installing and repairing departmentally-approved, non-factory electronic equipment on departmental vehicles.

Electronic equipment, except for that outlined in section 4.16.8, which is installed in a member's departmental vehicle and which was not installed by MetroSafe Communication Services personnel, will be inspected by a MetroSafe Communication Services technician for proper installation before being used.

4.16.2 EMERGENCY EQUIPMENT

Members seeking to repair, replace, or augment any equipment on their assigned vehicles will submit the Vehicle Marking/Equipment Change Request for Authorization form (LMPD #04-04-0187) to the Vehicle Impoundment Unit (VIU)/Fleet Lieutenant, through the appropriate chain of command.

Divisions/sections/units are prohibited from purchasing additional lighting or other emergency equipment for a departmental vehicle, including a specialty vehicle, without coordination through the Metro Fleet Services Vehicle Coordinator and prior approval from the VIU/Fleet Lieutenant, or his/her designee.

4.16.3 MARKED VEHICLES

Marked patrol vehicles are conspicuously decalated with departmentally-approved insignias and are equipped with the following:

- Fully-charged fire extinguisher
- 12 or more road flares
- Mobile two-way radio charger
- Public address (PA) system
- Exterior-mounted emergency lighting package
- Alternating flashing headlight system
- Siren system
- Flashlight charger
- Spare tire and jack (unless removed by the Metro Fleet Services Vehicle Coordinator)

Vehicle equipment that needs to be repaired, replaced or replenished should be taken to MetroSafe Communication Services, for communication or lighting issues, or Metro Fleet Services, for all other issues.

4.16.4 UNMARKED VEHICLES

Unmarked vehicles should be used primarily for investigative and administrative purposes. Unmarked vehicles should not normally be used for routine patrol. All unmarked vehicles are equipped with the following:

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4.16.4 UNMARKED VEHICLES (CONTINUED)

- Fully-charged fire extinguisher
- 12 or more road flares
- Mobile two-way radio charger
- Emergency lighting package
- Alternating flashing headlight system (except on models that are not compatible with aftermarket flashers, e.g. projector lenses, etc.)
- Siren system
- Spare tire and jack

Vehicle equipment that needs to be repaired, replaced, or replenished should be taken to MetroSafe Communication Services, for communication or lighting issues, or Metro Fleet Services, for all other issues.

4.16.5 SPECIALTY UNMARKED VEHICLES

Surveillance or undercover cars are equipped to suit the needs of the division/section/unit.

4.16.6 SPECIAL PURPOSE VEHICLES (KACP 21.3)

Special purpose vehicles include the following:

- Bomb Squad truck
- Canine Unit vehicles
- Mobile Command Post
- Educational display police cars
- Expressway/traffic patrol
- School buses
- Dive Team boat
- River Patrol boats
- Helicopter
- Special Weapons and Tactics (SWAT) Team van (KACP 19.6b)
- Hostage Negotiating Team (HNT) van (KACP 19.7b)
- Police Report Technician (PRT) vehicles
- All-terrain vehicles (ATVs)
- Police mountain bikes (weather permitting)
- Electric standup vehicles (ESVs)
- Crime Scene Unit (CSU) vehicles

Special purpose vehicles are marked and equipped to suit the needs of the specialty unit and the department. Special purpose vehicles may only be operated as emergency vehicles when equipped with lights and siren, as required by state law.

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4.16.6 SPECIAL PURPOSE VEHICLES (CONTINUED)

Members must have authorization from an appropriate commanding officer prior to operating a special purpose vehicle. If required by law, the appropriate specialized driver's license and/or specialized training are required for the operation of certain special purpose vehicles. Officers assigned as full-time or part-time bike, ESV, or ATV officers are assigned at the discretion of the appropriate division commander. Bike officers must complete the Louisville Metro Police Department (LMPD) 40-hour Police Mountain Bike In-Service Training class and comply with safety equipment requirements (refer to SOP 4.7). ESV and ATV officers must complete a departmentally-approved training course and wear a United States (US) Department of Transportation (DOT)-approved helmet. ATVs may be operated on roadways only if equipped with emergency lights and siren.

In order to act as the Pilot in Command, officers assigned as a LMPD Air Unit pilot must possess at least a Private Rotorcraft License and be rated for the particular type of aircraft to be flown. It is the responsibility of the Chief Pilot to verify that each pilot remains credentialed and current with Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) regulations so that crew members may continue to perform their duties.

Officers assigned to the LMPD River Patrol or Dive Team must successfully complete the Kentucky Department of Fish and Wildlife Resources (KDFWR) Boating Safety Course (8.0 hours).

4.16.7 FIREARMS

Only departmentally-approved firearms may be stored in a departmental vehicle. Long barreled weapons shall either be stored in a departmentally-approved "in-car" mount or secured in the trunk (refer to SOP 4.13). When storing a handgun in a vehicle, the handgun must be stored in a locked compartment (e.g. trunk, glove compartment, or console) and the vehicle must be locked. Officers shall not leave any firearm in an unattended departmental vehicle when the vehicle is being serviced. However, officers having their cars washed may leave firearms in their vehicles if the firearms have been secured in the trunk or "in-car" mount.

When storing departmentally-approved firearms in the trunk of a departmental vehicle, the vehicle's rear fold down seats, if applicable, must be disabled by Metro Fleet Services. Furthermore, if the vehicle has an interior trunk release button, this button must be disabled, or set to open only when the ignition is engaged, by Metro Fleet Services. Firearms may also be stored in a locked gun cabinet or shotgun/rifle rack that is installed in the vehicle by Metro Fleet Services. For the purposes of this policy, the passenger compartment/cargo area of a truck or sports utility vehicle (SUV) is not considered a trunk.

If the departmental vehicle has none of the above listed features, the firearms need to be removed from the departmental vehicle and stored in the officer's home while he/she is off-duty.

4.16.8 ALTERATIONS TO DEPARTMENT VEHICLES

Members shall not affix any decal, insignia, ornament, bumper sticker, front license plate, window stickers, or items of a similar nature to departmental vehicles, unless approved by the Chief of Police, or his/her designee. Additionally, members are prohibited from installing trim rings, wheel-covers, fog/driving lights, additional external antennas, trailer hitches, additional lights, window tinting, or other equipment of a similar nature.

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4.16.8 ALTERATIONS TO DEPARTMENT VEHICLES (CONTINUED)

Members requesting additional departmental equipment or the use of personally-owned equipment will complete the Vehicle Marking/Equipment Change Request for Authorization form (LMPD #04-04-0187) and submit it, through the appropriate chain of command, to the VIU/Fleet Lieutenant. Items that derive their power from a cigarette plug/adaptor, and are not permanently mounted to the vehicle (e.g. cell phone chargers, personal laptops), are exceptions. If there are any doubts as to whether or not an item or piece of equipment would require authorization, the member should seek clarification from a commanding officer. The VIU/Fleet Lieutenant will consider each request on a case-by-case basis, taking into account the needs of the member and the division/section/unit. MetroSafe personnel will not install or modify any additional equipment without an approved form. MetroSafe personnel will not be responsible for the installation, calibration, maintenance, and/or repair of any personally-owned equipment.

4.16.9 RADAR AND LIDAR UNITS (KACP 22.6b)

The department uses speed detection devices (radar/lidar) as one (1) technique in its traffic law enforcement program.

Officers shall, at all times, be aware of potential traffic hazards created by stopping violators and exercise good judgment with regard to safe stopping areas.

Officers who utilize radar or lidar units must complete a training course with a certified instructor. Operators of the radar or lidar unit are required to know the function of the radar or lidar unit by setting up the radar or lidar unit and testing the unit to verify that it is working properly. A copy of this training certificate is retained in the officer's training file in the Training Division (KACP 22.6c).

Officers shall be familiar with the manufacturer's recommendations for the specific radar or lidar unit's operation. Officers shall follow the operational procedures as outlined in the radar or lidar unit's instruction manual and departmental training (KACP 22.6a). Radar or lidar units shall be tested before and after each shift. The Training Division shall provide the Court Liaison Office (CLO) with the names and course dates for all officers who have completed radar or lidar training at the conclusion of each course. The CLO will provide a copy of this information to the Jefferson County Attorney's Office.

The ICU Commander will conduct yearly audits of departmentally-owned and personally-owned radar or lidar units. The ICU Commander will forward a copy of the audit to the Jefferson County Attorney's Office.

Departmentally-Owned Radar or Lidar Equipment

Departmentally-owned radar or lidar equipment shall comply with all federal and state standards and will only be issued to officers who are trained on radar or lidar operation. Radar or lidar operators are responsible for first-line maintenance, care, and certification of assigned units. In the case of units used by more than one (1) operator in a division/section/unit, the Division Commander's designee is responsible for the overall maintenance, care, and certification of the unit. Departmentally-owned radar or lidar units shall be certified annually, by a manufacturer-authorized repair agency or technician, so that all units meet calibration standards. The certificate of calibration is retained within the radar or lidar calibration file at the officer's division/section/unit. A copy of the certification will remain with the radar or lidar unit, and a copy shall be

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4.16.9 RADAR AND LIDAR UNITS (CONTINUED)

forwarded to the CLO. Currently, only the following radar or lidar models are approved for purchase by a division/section/unit for departmental use:

- Radar:
 - Stalker DSR
 - Stalker DSR 2X
 - Stalker II MDR
 - Stalker II SDR

- Lidar:
 - Laser Technology Inc. UltraLyte 100

Departmentally-owned radar or lidar units that were purchased prior to September 30, 2015 are considered grandfathered and are allowed to remain in service.

Personally-Owned Radar or Lidar Equipment

If an officer wishes to use personally-owned radar or lidar equipment, he/she will submit the Vehicle Marking/Equipment Change Request for Authorization form (LMPD# 04-04-0187), with an attached memorandum, to the ICU Commander for approval. The following should be included in the memorandum:

- Name, code number, and assignment
- Certificate of training for radar or lidar operation
- Vehicle equipment number
- Brand and model number of the unit
- Certification of calibration and the date of last calibration
- Information on how the unit will be installed
- Information on who will perform the installation
- A copy of the instruction manual for the radar or lidar unit

Only personally-owned radar or lidar units that derive power from a cigarette lighter plug, power adapter, or are rechargeable will be considered for approval. Radar or lidar units that require permanent modifications to a departmental vehicle will not be authorized. The installation of an approved, personally-owned radar or lidar unit is the responsibility of the officer. Neither the LMPD nor MetroSafe will install a personally-owned radar or lidar unit.

Personally-owned radar or lidar equipment shall comply with all federal and state standards and may be used only by officers who are fully trained on radar or lidar operation. Officers are responsible for the overall care, maintenance, and certification of their personally-owned radar or lidar unit.

Every personally-owned radar or lidar unit shall be certified annually, by a manufacturer-authorized repair agency or technician, to meet calibration standards. The certificate of calibration is retained within the radar or lidar calibration file at the officer's division/section/unit. A copy of the certification will remain with the radar or

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Subject: Vehicle Equipment	

4.16.9 RADAR AND LIDAR UNITS (CONTINUED)

lidar unit, and a copy shall be forwarded to the CLO. Currently, only the following radar or lidar models are approved for purchase by officers for departmental use:

- Radar:
 - Stalker DSR
 - Stalker DSR 2X
 - Stalker II MDR
 - Stalker II SDR

- Lidar:
 - Laser Technology Inc. UltraLyte 100

Personally-owned radar or lidar units that were purchased prior to September 30, 2015 are considered grandfathered and are allowed to remain in service.

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Chapter: Uniform and Equipment	
Subject: Vehicle Insurance	

4.17 VEHICLE INSURANCE (KACP 2.2)

4.17.1 POLICY

Off-duty members of the Louisville Metro Police Department (LMPD) operating departmental vehicles are covered under Louisville Metro Government's self-insured automobile liability program. This liability insurance offers up to \$100,000 per accident for any bodily injury or property damage caused by the member's negligent operation of a Metro vehicle. This coverage is dependent upon the member's cooperation with Louisville Metro Government in its investigation or defense of any suit. This insurance will not cover the member for amounts exceeding the \$100,000 limit. Therefore, it is recommended that each member purchase supplemental insurance coverage at his/her own expense.

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4.18 INSPECTIONS AND COMPLIANCE

4.18.1 PURPOSE

It is the purpose of this policy to establish guidelines for inspections to verify that all personnel, facilities, equipment, and unit operating procedures are in compliance with the Louisville Metro Police Department's (LMPD) Standard Operating Procedures (SOPs).

4.18.2 INSPECTIONS AND COMPLIANCE UNIT (ICU) RESPONSIBILITIES

The Inspections and Compliance Unit (ICU) Commander reports to the Administrative Services Division Commander. The ICU conducts inspections, including personnel, facilities, and equipment.

The ICU's responsibilities include:

- Assuring compliance with the department's SOPs and the Kentucky Association of Chiefs of Police (KACP) accreditation standards. This applies to personnel, facilities, and equipment, including the maintenance of stored equipment in a state of operational readiness, the accessibility of required vehicle equipment, and the responsibility for monitoring compliance with the department's inventory policy (KACP 8.7, 27.3).
- Collaborating with the LMPD Research and Development (R&D) Supervisor to verify compliance, by departmental personnel, with the acknowledgement of all new and revised Louisville Metro and LMPD policies and procedures, using monthly PowerDMS reports.
- Conducting regular inspections to verify that all members are in compliance with policy and equipment standards and that the departmental facilities are properly maintained. The ICU may conduct inspections as directed by the Chief of Police, or his/her designee, and these inspections may be announced or unannounced.
- Overseeing all secondary employment (refer to SOP 2.4) (KACP 10.3d).
- Conducting an audit of the Evidence and Property Unit (EPU), jointly with the new EPU Commander, upon a change in command.
- Conducting an announced and unannounced annual audit/inspection of the property and evidence held by the department (KACP 27.3).
- Conducting an in-depth staff inspection of every division/section/unit at least once every three (3) years.
- Conducting an administrative review of temporary detention areas/interview rooms at divisions and other locations at least once every three (3) years and reviewing the procedures for those areas at least once every three (3) years (refer to SOP 8.30).
- Conducting yearly audits of departmentally-owned and personally-owned radar or lidar units and confirming that the Court Liaison Office (CLO) maintains a list of all officers who have completed radar or lidar training. The CLO is responsible for forwarding this list to the Jefferson County Attorney's Office.
- Forwarding a copy of all annual audits and staff inspections to the Accreditation Manager for proof of compliance for accreditation.
- Overseeing the CLO.
- Overseeing R&D.
- Overseeing LMPD Open Records.

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4.18.2 INSPECTIONS AND COMPLIANCE UNIT (ICU) RESPONSIBILITIES (CONTINUED)

- Maintaining the unit's annual budget.

4.18.3 STAFF INSPECTIONS

Staff inspections provide an objective review of facilities, property, equipment, personnel administration, and operational activities in addition to the normal line inspections. This process verifies that all administrative procedures are being followed. Staff inspections are conducted throughout the department on a routine basis. Each division/section/unit is inspected by the ICU at least once every three (3) years. The Chief of Police may order other inspections or spot-check inspections of any organizational component which does not appear to be functioning properly or as a matter of policy. Written notice of a formal inspection will be provided to the division/section/unit commander to be inspected no less than five (5) days prior to the inspection. However, spot-check inspections may be conducted on an unscheduled basis and require no advance notification. If the spot-check inspection reveals the need for a more comprehensive inspection, a pre-inspection notification will be initiated prior to a formal inspection.

The ICU will submit a written report to the Chief of Police at the conclusion of the inspection. The report will identify areas where deficiencies were found, along with recommendation(s) for improvement and/or correction(s). It will also identify areas that were found to be exemplary. The report will be discussed with the division/section/unit commander prior to finalization. Further distribution of the report will be at the discretion of the Chief of Police. When conditions warrant, the Chief of Police may require a written response by the command staff personnel held accountable for the conditions cited in the staff inspection report.

A follow-up written report will be completed to report any deficiencies that cannot be immediately corrected at the time of the original inspection. This report will be forwarded to the Chief of Police and a copy sent to the Accreditation Manager.

4.18.4 PERSONNEL INSPECTIONS

Supervisors are responsible for inspecting all personnel, under their direct supervision, at the beginning of each tour of duty. This process may be an informal procedure to verify compliance with policy standards regarding grooming, uniforms, and proper equipment. Members in violation of policy shall be asked to correct the violation immediately. A follow-up inspection will be made to verify that the appropriate corrective action has been taken. Members who have uniform articles that are damaged or not serviceable due to normal wear and tear have five (5) working days to repair or replace the item or to have a replacement ordered.

Supervisors shall conduct a formal inspection monthly (KACP 27.3) by completing the LMPD Personnel and Vehicle Inspection form (LMPD #17-0001). Personnel inspections are conducted to verify compliance with policy standards regarding grooming, uniform, and equipment and to verify that officers have a valid driver's license and departmental ID card on their person. Copies of the previous month's LMPD Personnel and Vehicle Inspection forms will be placed in the "Inspections and Compliance" folder, located on the J drive, by the close of business on the 7th day of each month.

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4.18.4 PERSONNEL INSPECTIONS (CONTINUED)

Members who have been on extended leave for more than 180 days shall be inspected by a supervisor upon return to duty. The LMPD Personnel and Vehicle Inspection form will be completed and forwarded to the ICU.

4.18.5 VEHICLE INSPECTIONS (KACP 21.5)

The inspection of vehicles should be an ongoing process; however, formal vehicle inspections will be conducted monthly by division/section/unit commanders, or their designees, to verify that the vehicles are serviceable and in compliance with the standards set forth in the SOP vehicle policy. Supervisors will document the inspection by completing the LMPD Personnel and Vehicle Inspection form (LMPD #17-0001). Copies of the previous month's LMPD Personnel and Vehicle Inspection forms will be placed in the "Inspections and Compliance" folder, located on the J drive, by the close of business on the 7th day of each month.

Additionally, when performing vehicle inspections, the following equipment will be inspected:

- Air-purifying respirator (APR) and riot helmet
- Vest
- Personal protective equipment (PPE) (refer to SOP 12.2)
- Fire extinguisher and flares

4.18.6 FACILITIES AND INVENTORY

Facilities include buildings, grounds, and furnishings. A visual inspection of facilities should be an ongoing, daily process. An inspection and inventory of LMPD facilities will be conducted monthly by division/section/unit commanders, or their designees, and captured on the LMPD Monthly Building Inspection form (LMPD #11-0030). Copies of the previous month's LMPD Monthly Building Inspection forms will be placed in the "Inspections and Compliance" folder, located on the J drive, by the close of business on the 7th day of each month.

Departmental equipment that is stored (e.g. handcuffs, batons, radar, cameras, etc.) will be maintained in a state of operational readiness. This includes care and cleaning, preventive maintenance, repair, workability, and responsiveness of the equipment. Stored equipment will be inspected at regular intervals.

On a daily basis, division/section/unit commanders will inspect and account for any equipment that is signed out on a regular basis (e.g. radios, flashlights, shotguns, etc.).

Agency equipment designated for use in unusual occurrence situations will be inspected at least once a month to verify operational readiness (KACP 19.4).

Division/section/unit commanders, or their designees, are responsible for the following:

- Establishing and updating a division/section/unit inventory. A copy of the inventory will be forwarded, through the appropriate Bureau Commander, to the ICU annually.

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4.18.6 FACILITIES AND INVENTORY (CONTINUED)

- Verifying that the equipment needed daily, or for special/unusual occurrences, is available, inventoried, properly maintained, and stored.

4.18.7 SPECIALTY TEAM INSPECTIONS

Specialty team commanders are responsible for conducting annual inspections of team members, the equipment, and uniforms specifically related to their specialty team tasks (KACP 27.3). These annual inspections will be documented on the LMPD Personnel and Vehicle Inspection form (LMPD #17-0001). Copies of any of the previous month's completed LMPD Personnel and Vehicle Inspection forms will be placed in the "Inspections and Compliance" folder, located on the J drive, by the close of business on the 7th day of each month.

Specialty team commanders, or their designees, will conduct annual inspections of vehicles specifically assigned to their unit. The vehicle inspection should coincide with personnel inspections. The LMPD Personnel and Vehicle Inspection form (LMPD #17-0001) will be completed. Copies of the previous month's completed LMPD Personnel and Vehicle Inspection forms will be placed in the "Inspections and Compliance" folder, located on the J drive, by the close of business on the 7th day of each month.

Specialty team commanders will establish, and annually update, an inventory of equipment and vehicles assigned to their teams, and forward a copy to the ICU. A copy will be kept on file at the specialty team level.

4.18.8 WEAPONS INSPECTIONS

Weapons inspections are the responsibility of the firearms training staff. All weapons will be inspected during regular qualifications, at a minimum of once a year (KACP 27.3), by certified firearms instructors. Weapons are not inspected at the division/section/unit level during formal or informal inspections.

4.18.9 MEMBER RESPONSIBILITIES

Damage to LMPD Equipment or Vehicle

Members are responsible for inspecting all uniform and equipment articles issued to them, or under their immediate control, in order to verify serviceability, as well as checking for damage prior to each tour of duty. Members are required to handle all equipment in accordance with training and manufacturer's guidelines.

Members shall make appropriate efforts to prevent the loss, theft, or damage of LMPD equipment. Members shall report lost, stolen, defective, or damaged LMPD equipment to their immediate supervisor by completing a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form (LMPD #03-04-0180) before the end of their tour of duty. If the defective or damaged property is a LMPD vehicle, a Vehicle Damage or Collision Report form (LMPD #03-07-0190) will be completed and sent electronically to "LMPD Vehicle Damage Notification," located within the department's email distribution list (refer to SOP 7.7). Any other paperwork (e.g.

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4.18.9 MEMBER RESPONSIBILITIES (CONTINUED)

Kentucky Uniform Citation) associated with the damage to their LMPD equipment or LMPD vehicle will be submitted with the appropriate form. A Uniform Incident Report will be completed when departmental property has been lost, stolen, or damaged as a result of criminal activity. If criminal charges are filed, damage to any property will be noted in the arrest/citation narrative. Members will obtain a copy of the property damage appraisal or the Newburg Road garage invoice and present it to the prosecutor in order to request restitution for the damages. The request for restitution should be part of the plea agreement or sentencing. The officer's immediate supervisor is responsible for contacting the EPU or Firearms Training Center to replace the damaged, lost, or stolen LMPD duty gear, if possible. Division commanders will forward a copy of all paperwork, through the appropriate Bureau Commander, for further distribution.

When off-duty or working approved secondary employment, if a member's LMPD equipment or vehicle is damaged, the member will follow the steps outlined above. Any damage will be reported to the member's immediate supervisor by completing the appropriate Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form or Vehicle Damage or Collision Report form prior to the start of his/her next tour of duty.

Damage to Personal Property

By contract, the LMPD is only responsible for the maximum reimbursement set forth in the contract for personal property which has been lost, stolen, or damaged while on-duty. Weapons and uniforms are not included in this ceiling cap. Reimbursement for personal property will be requested as follows:

- Complete a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form.
- Attach all associated paperwork (e.g. Kentucky Uniform Citation). If an arrest is made, the subject will be charged with the appropriate criminal mischief.
- Submit all paperwork, through the appropriate chain of command, to the division commander. Division commanders will inspect the equipment or uniform item to determine if the item is still serviceable.
- The division commander will determine if restitution or other forms of reimbursement (e.g. criminal court orders, insurance) can be obtained. If restitution can be made, the paperwork will be returned to the officer. Once all avenues of restitution have been exhausted and reimbursement cannot be made, the officer will complete the reimbursement section of the original Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form, indicating that reimbursement cannot be made. The officer will include an accompanying explanation and re-submit the paperwork through the appropriate chain of command. If the item is a uniform article, the LMPD Uniform Replacement Guide form (LMPD #07-0019) will also be submitted. If restitution cannot be made (e.g. no arrest possible) and the explanation is satisfactory, the division commander will approve the Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form and forward the paperwork to the appropriate Bureau Commander.
- The officer's immediate supervisor is responsible for contacting the EPU or the Firearms Training Center and determining if duty gear can be loaned to the officer until the officer can purchase new gear.
- If reimbursement has been made to the officer through means other than the LMPD, the Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form does not have to be re-submitted.

If the request is approved and the uniform article or equipment is ordered, the officer has 30 days from the date of notification that the item is in, to pick up the item from the appropriate vendor. If the officer fails to pick the item up within the required time, the item will be shipped back to the company from which it was ordered.

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4.18.9 MEMBER RESPONSIBILITIES (CONTINUED)

Accreditation Standards

Members will take all responsible and reasonable steps to preserve and enhance the credibility and integrity of the accreditation program through continued compliance with all applicable standards and tasks required by the KACP.

Division/section/unit commanders are ultimately responsible for compliance with accreditation standards, even if the responsibility for compiling accreditation proofs is delegated to R&D or other personnel. The division/section/unit commander will coordinate accreditation work through the designated division/section/unit administrative commanding officer, under the direction of the Accreditation Manager.

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Subject: Civilian Attire	

4.19 CIVILIAN ATTIRE (KACP 12.1)

4.19.1 POLICY

Civilian members officially represent the department in their contacts with the public and with other professionals in the criminal justice community. It is imperative that these members present a neat, clean, and professional appearance. Civilian members will be dressed in attire that reflects a business-like appearance and promotes a professional image of the department. Civilian members will be neat, clean, and well-groomed.

4.19.2 DRESS REQUIREMENTS FOR CIVILIAN ATTIRE

All civilian members will abide by this policy unless job function or special situations allow for deviation. In such cases, prior approval must be obtained by the division/section/unit commander.

4.19.3 DRESS – NON-UNIFORMED MEMBERS

Civilian members are required to meet the following:

Appropriate Business Attire:

- Blouses or collared shirts are recommended. Shirts must be properly fitted and non-offensive.
- Solid-colored polo shirts, with the official Louisville Metro Police Department (LMPD) patch embroidered on the left breast area, are acceptable. The member's first initial and last name will be embroidered on the right breast area. Division/section/unit commanders are responsible for approving the shirt colors. The departmental patch may only be worn on the approved polo shirts and corresponding attire will maintain casual business standards.
- Pants and dress slacks will be free of tears and worn spots.
- Dress capris (also known as crop pants, long pants, three-quarter pants, or clam diggers) are mid-calf pants that extend below the knee and end at, or above, the calf. Capri pants are permitted as long as they extend to mid-calf or lower.
- Skirts will be no shorter than two (2) inches from the top of the knee or have extreme slits. Denim skirts are permitted, provided they comply with the policy for skirts.
- Dresses will be no shorter than two (2) inches from the top of the knee or have extreme slits. Denim dresses are permitted, provided they comply with the policy for dresses.
- Footwear will be clean, in good repair and have a professional appearance. Footwear will be appropriate for the assignment and comply with standards of safety and proper business attire.

Inappropriate Business Attire:

- T-shirts with team logos, obscene or slang slogans, cartoon characters, or "advertising" printed on them are prohibited.
- Low revealing necklines, see-through material, halters, midriffs, crop tops, and tube tops are prohibited.

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4.19.3 DRESS – NON-UNIFORMED MEMBERS (CONTINUED)

- Sweatshirts are not to be worn as an outer garment.
- Bib overalls.
- Sweatpants or exercise wear.
- Stirrup pants, leggings, yoga pants, and stretch pants.
- Shorts (e.g. athletic shorts, Bermuda shorts, cut-offs, skorts, suit shorts).
- Skirts/Mini-skirts (more than two (2) inches from the top of the knee).
- Flip-flops, jellies, shower shoes, or bare feet.
- Leather or canvas athletic shoes (except on *Casual Friday*).
- Hats are prohibited and are not to be worn inside of any Metro Government facility.

Due to the fact that job duties, responsibilities, and contact with the public vary according to assignment, clothing guidelines may also vary for civilian members. Civilian members will conform to the dress requirements specified in this policy, unless otherwise directed by the division/section/unit commander.

If a member has any doubt as to whether or not an article of clothing is appropriate for work, the member should opt for a selection that is more conservative.

Supervisors of civilians will be primarily responsible for the enforcement of this policy.

4.19.4 DRESS – UNIFORMED MEMBERS

Crime Scene Unit (CSU):

- Navy blue or khaki tactical duty uniform (TDU) pants (6-pocket cargo pants).
- Short or long-sleeved navy blue polo-style shirt. The member's first initial and last name will be embroidered on the right breast area. The CSU patch embroidered on the left breast area. "Forensics" will be printed in reflective lettering, centered on the back of the shirt.
- Black, smooth, plain-toed, leather or leather-like, shoes, or boots, with the heels and soles no greater in height than 1½ inches.
- Black or navy blue socks.
- Black duty-wear coat with member's first initial and last name embroidered on the right breast area. "Forensics" will be printed in reflective lettering, centered on the back of the coat.
- Black rain jacket with hood.
- Navy blue baseball-type cap. The CSU patch will be embroidered on the front and the member's last name embroidered on back.
- Black leather belt.
- Black nylon flashlight holder for forensic light.
- Black mesh key ring holder.
- Badge holder.
- For court, navy blue oxford button-down long sleeve shirt. The member's first initial and last name will be embroidered on the right breast area. The CSU patch will be embroidered on the left breast area.

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4.19.4 DRESS – UNIFORMED MEMBERS (CONTINUED)

Vehicle Impoundment Unit (VIU):

The daily uniform, as described below, is the standard uniform to be worn by all VIU Tow-In Equipment Operators and Storage Equipment Operators. All uniform items are to be worn in accordance with the current LMPD uniform contract specifications. No part of the uniform will have the word “police” written on it.

The following items are mandatory uniform items. Some are purchased by the department per contract and are labeled. Others are to be purchased by the member.

Shirts

The following apply to shirts purchased by the department:

- Button down navy in color and made of the approved material and design, as supplied by the current contract vendor.
- Standard shoulder patches will be worn on each sleeve with the word “IMPOUNDMENT” embroidered as the top rocker. The patch will be centered with the shoulder and will be worn ½ inch below the top shoulder seam.

Alternate – The following shirts may be purchased by the member and worn in place of the departmentally purchased shirt listed above:

- Navy blue 5.11 Brand Tactical Series - TacLite Class B shirt made of the approved material and design or navy blue Propper Brand Tactical shirt made of lightweight ripstop material. Standard VIU shoulder patches will be worn on each sleeve. The patch will be centered on the shoulder epaulet and will be worn ½ inch below the top shoulder seam. The member’s first initial and last name will be embroidered on the right breast area in white lettering.
- Navy blue polo shirt that closely matches the color and material of the shorts/pants. Standard VIU shoulder patches will be worn on each sleeve. The patch will be centered on the shoulder, ½ inch below the seam. The member’s first initial and last name will be embroidered on the right breast area. Lettering will be white.

T-Shirts

The following apply to shirts purchased by the member:

- A white t-shirt with a plain ribbed crew neck, or white mock turtleneck of no more than two (2) inches, will be worn under the short sleeve uniform shirt. V-neck t-shirts are prohibited. The sleeve of the t-shirt will not be visible when wearing a short sleeve shirt.

Pants

The following apply to pants purchased by the department:

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4.19.4 DRESS – UNIFORMED MEMBERS (CONTINUED)

- Dickies style work pants navy blue in color and made of the approved material and design as supplied by the current contract vendor. The hem will be of appropriate length, so there is no break in the front seam and no exposure of the sock.
- The pants will not be tucked into footwear.

The following apply to alternate pants purchased by the member:

- Navy blue 5.11 Brand Tactical Series - TacLite Class B pants made of the approved material and design, or navy Propper Brand Tactical pants made of lightweight ripstop material.
- The hem will be of appropriate length, so there is no break in the front seam and no exposure of the sock.
- The pants will not be tucked into footwear.

Footwear

The following apply to footwear purchased by the department:

- Black shoes or boots with a steel safety toe will be worn.
- "Cowboy" type boots are prohibited.

Socks

The following apply to socks purchased by the member:

- Navy blue or black

Jackets (if necessary)

The following apply to jackets purchased by the department:

- Heavy winter jackets will be navy blue in color as supplied by the current contract vendor. Jackets will be adorned with VIU shoulder patches.

The following apply to alternate jackets purchased by the member:

- "Chill Chaser" lightweight jackets (windbreaker style) will be navy blue in color.
- Polyester soft-shell jackets will be navy blue in color.

All of the above jackets will have VIU shoulder patches and a name strip embroidered on the right breast area. All jackets are to be of the material and design of current contract standards. Any of the above jackets may be worn year-round, at the discretion of the member.

Optional Uniform Items:

The below listed items are optional and may be purchased and worn at the member's expense.

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4.19.4 DRESS – UNIFORMED MEMBERS (CONTINUED)

Hats

- Plain navy blue ball cap.
- Toboggans may be worn during cold weather, but they must be black or navy blue, “watch cap” military design. Toboggans must fit close to the head. Toboggans will not have logos or markings.
- Black earmuffs may be worn.

Scarves

- Black or navy blue scarves may be worn if tucked inside of the jacket.

Shorts

- Navy blue 5.11 Brand Tactical Series - TacLite Class C shorts made of the approved material and design or navy blue Propper Brand Tactical shorts made of lightweight ripstop material.

4.19.5 CASUAL FRIDAY

Casual Friday is at the discretion of the division/section/unit commander. Denim pants (jeans) may be acceptable attire on *Casual Friday*. Denim will not be torn or patched. Jeans will be worn with an appropriate top or shirt. Athletic style shoes will be allowed on *Casual Friday* only. It is expected that all clothing worn on *Casual Friday* will meet the standards and restrictions as stated regarding lengths, proper fit and repair or condition.

4.19.6 HAIR

Civilian hairstyles are to be kept neat and clean. Facial hair should be trimmed and professional in appearance. Radical hairstyles or extreme coloring are prohibited.

Civilian members in uniform will refer to SOP 4.2 regarding hair requirements.

4.19.7 BODY ADORNMENT

Civilian members may wear necklaces, bracelets, watches, rings, decorative pins, earrings, and hair accessories in moderation. All other body piercings will remain hidden from public view.

Body adornment of all types should be worn in a manner which does not alarm, offend, or distract from the professional environment.

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4.20 COMPUTER RESTRICTIONS

4.20.1 DEFINITIONS

Information Resources: Any and all computer printouts, online display devices, magnetic storage media, and all computer-related activities involving any device capable of receiving email, browsing websites, or otherwise capable of receiving, storing, managing, or transmitting electronic data, including, but not limited to: mainframes, servers, personal computers, notebook computers, handheld computers, personal digital assistants (PDAs), pagers, distributed processing systems, network-attached and computer-controlled medical and laboratory equipment (e.g. embedded technology), telecommunication resources, network environments, telephones and cell phones/smartphones, fax machines, printers, and service bureaus. Additionally, it is the procedures, equipment, facilities, software, and data that are designed, built, operated, and maintained to create, collect, record, process, store, retrieve, display, and transmit information.

Department of Information Technology (DoIT): The Metro Government department responsible for computers, networking, and data management.

4.20.2 OWNERSHIP (KACP 5.2)

All information resources are owned by Metro Government and shall be used in accordance with the directives outlined in the Louisville Metro Police Department's (LMPD's) Standard Operating Procedures (SOPs) and Metro Government's computer policies. Messages, files, and documents, including personal messages, files, and documents located on information resources, are owned by the department. This data may be subject to open records requests and shall be accessed in accordance with this policy. Therefore, members should have no expectations of privacy in their email messages, whether sent or received, or in any other data files residing on Metro-owned hardware. Members should report any incidents of possible misuse or violations directly to the DoIT.

In order to protect the department's interests and to verify that members are properly using information resources, the DoIT may use software to monitor and log each user's activity on departmental equipment. The software restricts the use of information resources for personal benefit and may also be used to restrict access to certain programs. The use of information resources for unauthorized purposes may lead to the immediate removal of information resources access and possible disciplinary action.

4.20.3 EQUIPMENT REQUIREMENTS

All computers/servers must have a DoIT-approved operating system image and have the ability to be managed by the DoIT.

All computers/servers connected to the network must be in compliance with the Metro Government Network Access/Configuration policy.

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4.20.3 EQUIPMENT REQUIREMENTS (CONTINUED)

Members shall not:

- Remove labels or change the labels placed on any equipment by the DoIT.
- Move or add equipment without the approval of the DoIT. This includes moving computers to another desk, printers, network equipment, etc. and installing software on Metro devices.
- Use external peripherals, such as USB devices, that are capable of storing data, unless approved by the DoIT.
- Purchase computer equipment for departmental use, without the approval of the DoIT.
- Purchase or install firewalls, routers, repeaters, switches, hubs, or wireless access points, without the approval of the DoIT.
- Alter network hardware, in any way.
- Use personal computers as a routing device or to extend the network.

4.20.4 USAGE

To aid in the maintenance and security of the network, members shall:

- Logoff, but leave the computer turned on, while not in use.
- Not store data on a local hard drive (C: Drive). All LMPD data is required to be stored on the network drives (U: Drive) and shall be backed up by the DoIT. Data is backed up, via virtual libraries and offsite storage, on a regular basis, depending on the type of information. This could be on an hourly, nightly, or weekly basis. The DoIT monitors this backup to prevent needed data from being lost. Data stored on a local hard drive will not undergo network backup, and therefore, may be lost. No attempt will be made to recover data from the local hard drive.
- Not store data on active desktops. Storing data on active desktop increases logon time and, if damaged, the data may be lost. Creating shortcuts on the desktop that point to data on the network drive is recommended.

The DoIT maintains a central data center and two (2) secondary data centers for high availability and disaster recovery capability.

4.20.5 USAGE RESTRICTIONS

Members are prohibited from using information resources:

- For personal benefit or profit.
- To engage in illegal activity in violation of local, state, federal, or international law.
- To intentionally access, create, store, or transmit material which the department deems offensive, indecent, or obscene. The only permissible exception of this prohibition is for investigation purposes with the explicit approval of the division/section/unit commander.
- To engage in activities contradictory to the mission and values of the department.
- To access live Internet (streaming) video or audio sources or personal relationship sites/chat rooms.

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4.20.5 USAGE RESTRICTIONS (CONTINUED)

- To violate the rights of any person or company protected by copyright, patent, other intellectual property, or similar laws and regulations. This includes, but is not limited to, the installation or distribution of "pirated," or other software products, that are not appropriately licensed for use by Metro Government.
- To create unauthorized copies of copyright material for which Metro Government, or the end user, does not have an active license. This includes, but is not limited to, digitization and distribution of photographs from magazines, books, or other copyrighted sources, copyrighted music, and the installation of any copyrighted software.
- To provide information to parties outside of Metro Government regarding departmental members.
- To engage in an intentional breach of a local, state, or federal government information system user agreement or regulation.

As a convenience to the department-user community, incidental use of information resources is permitted. The following restrictions apply:

- Incidental use of electronic mail, Internet access, fax machines, printers, copiers, etc. is restricted to departmentally-approved users only. This does not include members' family, friends, or acquaintances.
- Incidental use that results in direct costs to the department is prohibited.
- Incidental use that interferes with the normal performance of a member's work duties is prohibited.
- No files or documents shall be sent, or knowingly received, that may cause legal action against, or discredit to, the department.

Members are prohibited from putting a victim's, suspect's, or other's personally identifiable information (e.g. date of birth (DOB), Social Security Number (SSN), etc.) in the Computer Aided Dispatch (CAD) narrative from a Mobile Data Terminal (MDT) or other computer.

Due to the sensitive nature of the information, members are prohibited from copying, pasting, or otherwise entering National Crime Information Center (NCIC) information from a NCIC Terminal, MDT, or any other device into any other document, computer program, or other electronic system. However, the information may be summarized and included in case documentation. Members are also prohibited from taking photographs/screen shots of NCIC information. The NCIC shall not be left visible on the screen when the computer is not in use.

Members accessing Kentucky Department of Transportation (DOT) driver's license photographs through the Mobile for Public Safety (MPS)/Informer client may use these photographs for identification purposes only. These photographs shall not be printed, copied, pasted, emailed, or otherwise entered into any other document, computer program, or other electronic system. Members are also prohibited from taking photographs/screen shots of information obtained through the MPS/Informer client. To obtain a driver's license photo of a suspect in a criminal investigation, members may request the photo from the Kentucky State Police (KSP) by emailing a request, using the LMPD email system, to livescan@ky.gov. The photo request, at a minimum, shall include the following:

- Investigating officer's last name, first name, and middle initial
- Investigating officer's code number
- Investigating officer's contact phone number
- Department name

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4.20.5 USAGE RESTRICTIONS (CONTINUED)

- Division/section/unit
- County
- Case number(s)/report number(s)
- Offense(s) committed
- Offense date(s)
- Suspect's/accused's last, first, and middle names
- Suspect's/accused's date of birth (DOB)
- Suspect's/accused's Social Security Number (SSN)
- Suspect's/accused's Kentucky driver's license number

4.20.6 SECURITY RESTRICTIONS

Members should report any weaknesses in departmental computer security, as well as any incidents of possible misuse or violations, directly to the DoIT.

Members shall not violate the security of the network by:

- Actively seeking out vulnerabilities/weaknesses in the network.
- Effecting disruptions of network communication (e.g. network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information).
- Introducing malicious programs into the network (e.g. viruses, worms, Trojan horses, email bombs).
- Attempting to access another member's account.
- Attempting to access data for which they do not have authorization or explicit consent. This includes, but is not limited to, data from this department and/or any outside source. Anyone attempting unauthorized access will be considered in violation of KRS 434.853.
- Sharing accounts, passwords, personal identification numbers (PIN), or similar information or devices used for identification and authorization purposes. If a member contacts the DoIT Service Desk for computer support, DoIT technicians may be required to ask for a member's password in the troubleshooting process. If so, the password must be changed upon the user's next login.
- Using or installing any software (e.g. commercial, shareware, or freeware) without explicit consent from the DoIT. Unauthorized software includes, but is not limited to:
 - Any software that monitors users (e.g. Spyware or Adware)
 - Peer-to-Peer software (e.g. Napster, WinMX, Kazaa, Grokster, and File Mule)
 - Instant Messaging software (e.g. AOL Instant Messenger or Yahoo Messenger)

The DoIT shall conduct audits, at least annually, to verify passwords, access codes, and to determine possible access violations.

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4.21 COMPUTER EMAIL

4.21.1 DEFINITION

Electronic Mail (email): An electronic system for sending and receiving messages via a computer network.

4.21.2 USAGE

The Louisville Metro Police Department (LMPD) provides technology resources for business purposes. Although members may use these resources occasionally for personal non-business purposes, such use will be in strict compliance with this policy.

Due to the limited amount of email storage space, all members must maintain their mailboxes in an appropriate manner. Organizing email into folders, and deleting unneeded email messages from the inbox and deleted items folders, makes file management easier and reduces the strain on the finite amount of storage space on departmental servers. Information contained in the system is retained pursuant to applicable records retention schedules.

Members will utilize the "Automatic Replies (Out of Office)" feature in accordance with SOP 3.4.

Departmental members will read all messages from the Department of Information Technology (DoIT) regarding system issues (e.g. downtimes, upgrades) as they relate to the email system and other departmental applications.

4.21.3 EMAIL RESTRICTIONS

Members are prohibited from:

- Using departmental email for personal gain or profit, except for approved secondary employment. Members are prohibited from sending secondary employment requests to persons or agencies outside of the LMPD, including other agencies of Louisville Metro Government.
- Sending or forwarding email to the group email distribution lists of outside businesses or agencies, including other Louisville Metro Government agencies (e.g. Louisville Metro Department of Corrections (LMDC), etc.). Exceptions may be approved and sent or forwarded by a commanding officer with the rank of lieutenant or above. Exceptions may be made for LMPD business purposes only (e.g. Wanted and/or Attempt to Locate flyers, etc.).
- Using their departmental email as an email address for personal accounts (e.g. bank accounts, eBay), unless it has a direct relation to the member's departmental duties.
- Sending, forwarding, or storing email that is intimidating, harassing, indecent, or obscene, except to a supervisor or the DoIT, for reporting purposes.
- Sending, forwarding, or storing unsolicited email messages, including the sending of "junk mail", "SPAM", or other advertising material to individuals who did not specifically request such material, except to a supervisor or the DoIT, for reporting purposes.

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4.21.3 EMAIL RESTRICTIONS (CONTINUED)

- Creating or forwarding “chain letters”, or other “pyramid” schemes, of any type.
- The unauthorized use or forging of email header information.
- Soliciting email for any other email address, other than that of the poster’s account, with the intent to harass or to collect replies.
- Using a departmental email address to send or receive correspondence for a private company or business.
- Using email for the purpose of political lobbying or campaigning, except as allowed by the collective bargaining agreement with the Fraternal Order of Police (FOP), Lodge 614.
- Violating copyright laws by inappropriately distributing protected works.
- Emailing National Crime Information Center (NCIC) information inside or outside of the department due to its sensitive nature.
- Posing as another person, unless authorized by the division/section/unit commander, when conducting an investigation or when authorized to send messages on behalf of another when serving in an administrative support role.
- Accessing outside personal email accounts (e.g. Hotmail, Yahoo, AOL, etc.) unless approved for investigative purposes by the Assistant Chief of Police/Administrative Bureau, or his/her designee.
- Sending, forwarding, or “broadcasting” messages or materials to numerous recipients without authorization from a commanding officer or civilian supervisor. Authorization will only be granted for the following:
 - Messages with a demonstrable departmental business purpose.
 - Notifications and announcements of births, illness or death of members and their immediate family or retirements of members.
- Using unauthorized email software (e.g. Pegasus, Eudora) or “plug-ins” not approved by the DoIT.
- Transmitting hoaxes (e.g. “Do not use cell phones at gas pumps!” or virus warnings). If in doubt, contact the DoIT, who will verify and advise users of possible hoaxes.
- Sending or forwarding excessively large messages.
- Sending or forwarding email likely to contain computer viruses.
- Attempting to bypass the file blocking of email attachments.
- Attempting to bypass system virus protection.
- Divulging their usernames or passwords, via email. Exemptions must be approved by the DoIT Service Desk or the Technical Services Lieutenant. If solicited, via email, for usernames or passwords, members will assume that it is a scam. Members will contact the DoIT Service Desk at (502) 574-4444 and advise them of suspicious solicitations.
- Responding to any SPAM email received via departmental email. As a large organization, Metro Government is constantly under attack by SPAM emails. These emails search for valid accounts to direct more email or security threats to. Often, these emails contain a hyperlink to remove the recipient from the SPAM email list. These hyperlinks are frequently a ploy to gain additional information on the recipient.

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4.21.4 OUTSIDE CORRESPONDENCE

Email messages distributed outside of the department will be viewed as direct correspondence from the department. Email users are prohibited from representing the department, either implicitly or explicitly, unless authorized by a commanding officer to do so. External emails will automatically be accompanied with a general purpose email disclaimer, placing the content responsibility upon the sending or forwarding member.

If an email or an email attachment contains sensitive or private information (e.g. Social Security Numbers (SSNs), personal identification information) appropriate steps to protect that information should be taken. Users will include the phrase "[encrypt]" in the subject line so that emails containing sensitive materials will be encrypted. Personal information contained in Wanted and/or Attempt to Locate flyers sent for law enforcement purposes to other law enforcement individuals/agencies is exempt. If in doubt, contact the DoIT for guidance.

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Subject: Computer Internet Usage	

4.22 COMPUTER INTERNET USAGE

4.22.1 DEFINITIONS

Internet: A global system interconnecting computers and computer networks. The computers and networks are owned separately by a host of organizations, governmental agencies, companies, and colleges.

Intranet: A private network for communications and sharing of information that, like the Internet, is based on transmission control protocol/internet protocol (TCP/IP), but is accessible only to authorized users within an organization.

Vendor: Someone who exchanges goods or services for money.

World Wide Web (WWW): A system of Internet hosts that supports documents formatted in Hypertext Markup Language (HTML) and contains links to other documents (hyperlinks) and to audio, video, and graphic images. Users can access the web with special applications called browsers, such as Microsoft Internet Explorer, Microsoft Edge, Mozilla Firefox, or Google Chrome.

4.22.2 MONITORING AND VIRUS SCANNING

In order to protect the department's interests and verify the proper usage of information resources, the Department of Information Technology (DoIT) may use software to monitor and log each user's activity on departmental equipment. The software verifies that members are not using the information resources for personal benefit and may also be used to restrict access to certain programs. The use of information resources for unauthorized purposes may lead to the immediate removal of information resources access and possible disciplinary action.

All files downloaded from the Internet are scanned for viruses using the current virus detection software provided by the DoIT.

4.22.3 INTERNET USAGE RESTRICTIONS

The following restrictions of Internet usage and software apply:

- Additional software for browsing the Internet or Internet tool bars (e.g. instant messages or hot bars) are prohibited, unless authorized by the DoIT.
- Non-business-related purchases made over the Internet are prohibited. Business-related purchases are subject to departmental policy.
- Personal use of Internet access is restricted to approved departmental users and will not result in direct cost to the department.
- Internet use must not interfere with the normal performance of a member's work duties.
- No files or documents may be transmitted that may cause legal liability for, or embarrassment to, the department.

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4.22.3 INTERNET USAGE RESTRICTIONS (CONTINUED)

- Storage of personal files and documents within the department's information resources should be kept to a minimum.

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4.23 COMPUTER PASSWORDS

4.23.1 PASSWORD SECURITY

The network will automatically prompt users to change passwords every 90 days. Users will be notified several days in advance of the expiration date. If a password is allowed to expire, the user's account will be locked and the user will need to call the Department of Information Technology (DoIT) Service Desk at (502) 574-4444 to reactivate his/her account. Passwords of at least nine (9) characters will be constructed with at least three (3) of the following embedded:

- English upper-case characters (e.g. A-Z)
- English lower-case characters (e.g. a-z)
- Digits (e.g. 0-9)
- Non-alphabetic characters (e.g. @\$%^&*()_+)

When constructing a password, the following are not recommended:

- User's account name or parts of the user's full name that exceed two (2) consecutive characters
- Words found in English or foreign dictionaries
- Slang, dialect, jargon, etc.
- Previously used passwords
- Names of family members, pets, friends, coworkers, etc.
- Computer terms and names, commands, sites, companies, hardware, or software
- Personal information (e.g. birthdays, addresses, phone numbers)
- Letter or number patterns (e.g. aaabbb, qwerty, 123321)
- Any of the above preceded or followed by a digit (e.g. 1secret, secret1)

Passwords are to be kept secure and confidential. Any suspected loss of password information must be immediately brought to the attention of the Technical Services Lieutenant, so that a new one may be issued. The DoIT will conduct an audit, on at least an annual basis, of all personnel accessing the Louisville Metro Police Department (LMPD) network for verification of passwords and/or access codes or to determine possible access violations. If passwords and/or access codes do not meet these requirements, the user's account may be disabled.

4.23.2 PASSWORD RESTRICTIONS

Password users will be held accountable for all actions taken with their account. Workstations must be secured anytime the computer is left unattended.

Employees must logoff, lock the computer, or activate a password-protected screen saver each time the workstation is left unattended. The use of the screen saver idle time lock activation is mandatory.

All passwords are to be considered confidential departmental information. To maintain password security, users shall not:

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4.23.2 PASSWORD RESTRICTIONS (CONTINUED)

- Use the same password for departmental accounts as for personal accounts (e.g. ISP accounts, web mail, financial institutions).
- Reveal a password in an email, over the telephone, on questionnaires, or on security forms.
- Reveal a password to supervisors, family members, coworkers, or others.

4.23.3 CONTRACTUAL EMPLOYEES, UNPAID INTERNS, AND VOLUNTEERS

It is the responsibility of the commanding officer of the contractual employee, unpaid intern, or volunteer to notify the DoIT Service Desk at (502) 574-4444 upon the contractual employee, unpaid intern, or volunteer's departure from the department, so that his/her computer account can be disabled.

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	Prv. Rev. Date: 08/10/13
	Revised Date: 02/25/16
Chapter: Uniforms and Equipment	Accreditation Standards:
Subject: Air-Purifying Respirator (APR)	

4.24 AIR-PURIFYING RESPIRATOR (APR)

4.24.1 DEFINITION

Air-Purifying Respirator (APR): A full face-piece respirator which is used to reduce the wearer's risk of inhaling hazardous airborne particles, gases, or vapors. The term APR, as used in this policy, refers to the National Institute for Occupational Safety and Health (NIOSH) approved chemical, biological, radiological, or nuclear (CBRN) APRs and filter assembly currently issued by the Louisville Metro Police Department (LMPD) to all sworn officers and certain civilian members (e.g. Crime Scene Unit (CSU) personnel). It should be noted that APRs will not protect a user against all hazardous particles, gases, or vapors.

4.24.2 POLICY

Special equipment is needed in order to provide members with proper protection and to facilitate the successful resolution of tactical operations. In order to meet the need for respiratory protection of LMPD personnel, the department issues a NIOSH CBRN-compliant APR and two (2) filters to members with a risk of exposure to certain hazardous materials. The department's Health and Safety Officers (HSOs) are responsible for providing for the maintenance, repair, or replacement of the APRs, if necessary.

4.24.3 ACCESSIBILITY

Officers shall store their APR in their departmentally-assigned vehicle so that it is readily available during an emergency. On-duty members who do not have a departmentally-assigned vehicle shall have their APR readily available at their respective division/section/unit. All members shall have their APR readily available while assigned to a special detail.

4.24.4 APPROVED EQUIPMENT

Members shall only use issued APRs and filter for which they have received training on their use and have been annually fitted.

4.24.5 ANNUAL FIT TESTING

Departmental HSOs are responsible for coordinating annual fit testing of all members who are issued an APR. This is conducted based on Occupational Safety and Health Administration (OSHA) standards 1910.134 Appendix A: Fit Testing Procedures. Each member is allowed to pick the most acceptable APR from a sufficient number of APR models and sizes so that the APR correctly fits the user. Members who feel that their mask does not currently fit properly may contact a HSO to have fit testing completed at any time.

All members who are issued an APR will submit the Hazardous Material Response Respiratory Medical Evaluation Questionnaire (LMPD #13-0006), either electronically or via interoffice mail, to the HSO, before arriving for their annual fit test.

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4.24.5 ANNUAL FIT TESTING (CONTINUED)

The fit test will not be conducted if there is any facial hair growth (e.g. stubble, beard, mustache, or sideburns) between the skin and the face-piece sealing surface of the mask. Any type of apparel which interferes with a satisfactory fit will be altered or removed. If a member exhibits difficulty in breathing during the tests, he/she will be referred to the departmental physician or other licensed healthcare professional, as appropriate, to determine whether the test subject can wear an APR while performing his/her duties. If the member finds that the fit of the APR is unacceptable, the member will be given the opportunity to select a different APR and be retested. The APR is appropriately configured in consideration of whether the member is right-handed or left-handed.

Members who are issued an APR will also receive annual training in the wear, use, and care of their assigned APR. This includes a refresher on how to use the Emergency Response Guidebook (ERG), which is issued to each officer and is also located on the LMPD Intranet. To access the ERG, click on the "Research and Development" link under the "LMPD Info" header, click on the "Manuals" link, and double click on the "HAZMAT" folder. Training is provided by certified departmental chemical agent instructors and/or departmental HSOs.

4.24.6 MAINTENANCE

Care should be taken, in accordance with departmental training, to store and maintain assigned masks in such a manner as to avoid damage to the mask components and filter. Members shall maintain their assigned APR in good working condition and clean them in accordance with departmental training guidelines after an exposure to a chemical agent environment.

While cleaning the APR, care should be taken to avoid getting liquids on the filter or valve parts of the mask. Any maintenance, other than routine cleaning, will be done by a departmental HSO or a certified departmental chemical agent instructor.

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Chapter: Uniforms and Equipment	Accreditation Standards:
Subject: Metro Watch Cameras	

4.25 METRO WATCH CAMERAS

4.25.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to install and utilize overt cameras, within public areas, for the purpose of public safety. The Metro Watch system utilizes cameras, which are capable of transmitting video images to a secure server, installed within the LMPD. The cameras are selectively monitored by the Real Time Crime Center (RTCC). It is also the policy of the LMPD that operators of Metro Watch cameras will be required to attend user training conducted by Technical Investigations. Nothing in this policy applies to the use of covert cameras utilized to further undercover investigations.

4.25.2 ACCESSIBILITY TO VIDEO IMAGES

Video feeds or images from Metro Watch cameras may be accessed, or viewed, by individuals outside of the LMPD only for specific needs, if requested. All such requests from individuals outside of LMPD divisions/sections/units or from MetroSafe will be submitted to, and approved by, the Chief of Police, or his/her designee.

4.25.3 VIDEO IMAGE ARCHIVE

Unless limited by technological constraints, the recordings are maintained in the Metro Watch system hard drive for a period of 30 days.

4.25.4 REQUESTING VIDEO IMAGES

In accordance with Metro video retention policies, Metro Watch video images are deleted after 30 days. Video requests must be made prior to the end of the 30-day period. Requests should be made at the earliest available opportunity in order to make certain that the request can be fulfilled. The request for video research from the Metro Watch system must be authorized by a commanding officer. All requests for recorded video images by LMPD personnel will be sent to the Administrative Services Division Commander. If approved, the Administrative Services Division Commander will forward the request to Technical Investigations. Technical Investigations will have the responsibility to provide the recorded video within 72 hours, unless urgent circumstances exist due to the investigative nature of the request. Requests will be made by written memorandum or email and must contain the following information:

- The date and time of the incident
- The location of the incident
- The reason for the request
- The name and contact information of the requesting member
- The name of the authorizing commanding officer
- The date when the video will be needed (if urgent circumstances exist)
- The request should also include the following information, if applicable:

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4.25.4 REQUESTING VIDEO IMAGES (CONTINUED)

- The nature or type of occurrence (e.g. accident, offense)
- A description of suspect(s) or victim(s)
- Significant landmark(s) or point(s) of reference

Requests made by the news media for video images will be forwarded to the Media and Public Relations Office for review. Requests will be granted based on compliance with Kentucky Open Records Statutes (refer to Kentucky Revised Statutes (KRS) 61.870-61.884). Requests from other law enforcement agencies will be forwarded to the Administrative Services Division Commander for approval.

4.25.5 RETRIEVAL OF RECORDED INFORMATION

The authority to access, research, and retrieve recorded information from the Metro Watch system is restricted to the members of Technical Investigations and the RTCC. Technical Investigations retains the authority to release recorded videos from the Metro Watch system to individuals who have made an appropriate request in compliance with the procedures outlined in this policy.

4.25.6 PROHIBITED USES

The operation or use of Metro Watch system cameras to observe known private areas or those where there may be a reasonable expectation of privacy is prohibited. All reasonable efforts shall be taken in order to protect the privacy rights of individuals in areas not accessible to the public.

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Chapter: Uniforms and Equipment	Accreditation Standards: KACP: 18.8
Subject: Digital Image Management System (DIMS)	

4.26 DIGITAL IMAGE MANAGEMENT SYSTEM (DIMS)

4.26.1 POLICY

Digital photographic images, audio files, and video files are critically important to the operation of the Louisville Metro Police Department (LMPD). In order to protect the quality, accuracy, consistency, and relevancy of digital images, audio files, and video files, taken by LMPD members, all of these images and files will be stored and processed, utilizing the Digital Image Management System (DIMS), maintained by the Department of Information Technology (DoIT). For the purposes of this policy, audio and video files from Mobile Video Systems (MVS) and Wearable Video Systems (WVS) are excluded and subject to SOP 4.1 and SOP 4.31.

If a member experiences an issue/problem with his/her digital camera or a DIMS download station, he/she should:

- Contact the Photo Lab at (502) 574-2081 for digital camera-related issues.
- Contact the DoIT Service Desk at (502) 574-4444 for DIMS download station-related issues or password issues.

If a DIMS download station in a patrol division is currently not working, the member will contact an adjacent division to see if the DIMS download station located in that division is working. If the DIMS download station in the adjacent division is working, the member will download his/her images into the DIMS in the adjacent division. If the DIMS download station in the adjacent division is not working, the DIMS may be experiencing a system-wide failure and the DoIT Service Desk should be contacted.

If a member is experiencing difficulties downloading images into the DIMS due to password issues, etc., he/she should contact the DoIT Service Desk for assistance. If the DoIT is unable to correct the problem at the time of the call, the member will utilize a DIMS download station in another division to download the images or deposit his/her media card into the Evidence and Property Unit (EPU) for chain of custody purposes and download the images into DIMS once the issue has been corrected.

4.26.2 DIGITAL CAMERAS

Members capturing digital image evidence will employ a departmentally-issued camera and media card. Digital cameras and media cards are issued to members whose duties may include taking photographs. All equipment should be maintained in accordance with the manufacturer's specifications and recommendations as contained in the operating manual. **No personal photographs shall be taken using departmental equipment.**

4.26.3 DIGITAL IMAGES USED AS EVIDENCE

When digital images may be used as evidence, the photographer must be able to testify that the image accurately represents what he/she observed and that it has not changed. Digital images taken for evidentiary

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4.26.3 DIGITAL IMAGES USED AS EVIDENCE (CONTINUED)

purposes should be previewed to judge the quality. If the quality of the image is not sufficient (e.g. too dark, too light, or blurred), adjust for the problem and take another image. Even if an image is retaken, the original will not be deleted.

The removable media card, upon which images are recorded, will be treated as the original until the digital images are archived in the DIMS. Members will download all digital images from the media card into the DIMS, via any departmentally-designated DIMS download station. Members will not delete any digital image from a media card, regardless of the quality, until all images have been downloaded. Images will be downloaded by the end of the member's tour of duty. Once the images have been downloaded into the DIMS, members will format their media card in order to remove the images and prevent image duplication.

Digital images, taken by LMPD members, will reside in the main DIMS server and shall be distributed only for official purposes. The Photo Lab is responsible for producing "official" photographs and burning images onto a compact disc (CD) for LMPD cases. The Photo Lab will print the images and make a CD, if requested. The printing of images should only be requested if absolutely necessary.

An incident control number (ICN) will be obtained prior to downloading images into the DIMS. A "preliminary ICN" will be used for situations when no incident report is required. These situations include incomplete or ongoing investigations in which an arrest is not yet made or a specific offense has not yet been determined.

Members entering images from a public relations event, Administrative Incident Report (AIR) (refer to SOP 3.1), Damage to Equipment Report or other such incident, where no ICN is associated with the incident, will also request a preliminary ICN. Members will not utilize individual unit case numbers or any self-generated number to enter images into the DIMS.

Digital images from only one (1) incident at a time should be taken on a media card before downloading the images into the DIMS.

4.26.4 JUVENILE IMAGES

Digital images of juveniles will be identified as such, when entering them into the DIMS, by selecting the "Juvenile" button on the download screen (KACP 18.8). If a case involves both juveniles and adults, the user will highlight only the juvenile images and select the "Juvenile" button for proper flagging.

4.26.5 IMAGES OBTAINED FROM OUTSIDE SOURCES

Photographic images obtained from sources outside of the LMPD shall not be downloaded into DIMS. These images may be received from sources such as citizens, businesses, or the media, and may be in the form of film or various types of digital image memory devices (e.g. media card, CD, flash memory stick). Members receiving images of this nature will transport the film or memory device to the Photo Lab. The Photo Lab will process the images, print them and return them to the member.

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4.26.6 AUDIO/VIDEO FILES

Members shall only use departmentally-issued digital audio and video recorders. **No personal recordings shall be taken on departmental equipment or downloaded to the Metro Government network.**

Audio and video files, recorded by LMPD members for law enforcement use, will reside in the main DIMS server. Audio and video files will be downloaded into departmentally-designated DIMS download stations by the end of the member's tour of duty. Members will not delete audio or video files until the files have been downloaded.

Members should select the audio or video option in the DIMS when requesting copies of audio or video files. The Photo Lab will make CD/DVD copies of audio or video files, if requested, and return them to the member.

4.26.7 DAMAGED EQUIPMENT

If a departmentally-issued camera is damaged or not functioning properly, the member will complete and submit a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form (LMPD #03-04-0180), to his/her immediate supervisor. The immediate supervisor and the division/section/unit commander will review the form. The division/section/unit commander will forward the form, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau. The media card or internal camera memory will be downloaded into the DIMS, or placed into the EPU for chain of custody purposes, prior to any service/repair on the camera.

The Photo Lab will determine if the camera is repairable. The member's division/section/unit will be responsible for the costs of the repair or replacement. Repair or replacement services will be conducted by an approved vendor.

4.26.8 SEPARATION FROM SERVICE

Members separating from service by retirement or resignation will take their departmentally-issued digital camera to Administrative Services to determine serviceability of the camera for reissue. Prior to taking the issued camera to Administrative Services, members will download all images from the camera into DIMS and format the media card, in order to remove the images and prevent image duplication.

Members who are terminated will turn in their departmentally-issued digital camera to their commanding officer, who is responsible for taking the digital camera to Administrative Services to determine the camera's serviceability.

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Subject: Mobile Data Terminals	

4.27 MOBILE DATA TERMINALS

4.27.1 DEFINITIONS

Mobile Data Terminals (MDTs): Portable computers by which members can access the following:

- National Crime Information Center (NCIC)
- National Law Enforcement Telecommunications System (NLETS)
- Kentucky Open Portal Solution (KYOPS)
- Law Information Network of Kentucky (LINK)
- Computer Aided Dispatch (CAD) software
- Arbitrator In-Car Camera
- CourtNet
- eWarrants
- Louisville Metro Department of Corrections (LMDC) LawWeb
- Field-Based Reporting
- Aspen
- Inspection Selection System (ISS)
- Any other software or websites authorized by the Louisville Metro Police Department (LMPD)

MDT Central: Authorized facility for issuing, receiving and servicing MDTs and related equipment. MDT Central is located at 3515 Newburg Road, Building B.

MDT Coordinator: Responsible for overseeing the MDT program. Duties include the ordering of MDTs and peripherals, setup of equipment, acquisition and maintenance of software packages, development of security rules and procedures, coordination of training of members, assistance with training in the use of software, and overall coordination of the MDT program. The MDT Coordinator is an employee of the Department of Information Technology (DoIT).

Department of Information Technology (DoIT) Service Desk: Provides support for members regarding MDTs and related software.

4.27.2 POLICY

It is the policy of the LMPD that MDTs shall be:

- Used for official business only.
- Installed in, and assigned to, marked patrol vehicles and unmarked traffic vehicles. All other MDTs will be assigned to individual personnel. MDTs, installed in marked patrol vehicles and unmarked traffic vehicles, are assigned to the vehicles and will remain with the vehicle when the vehicle is reassigned from one (1) officer to another.
- Removed from the vehicle prior to shopping the vehicle. This includes repairs at the Newburg Road garage location, as well as any other vendor location (e.g. vehicle dealer).

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4.27.2 POLICY (CONTINUED)

- Locked in vehicles equipped with permanently-mounted docking stations. If the vehicle does not have a permanently-mounted docking station, the MDT will be locked in the trunk or any other locked compartment of the vehicle, or secured in the home of the member, when not in use. For the definition of a departmental vehicle, refer to SOP 4.14.
- Turned in to MDT Central if the member is on a leave of absence from the department.

It will further be the policy of the LMPD that MDTs shall **not** be:

- Used while the vehicle is in motion, except under circumstances outlined in SOP 4.14.
- Loaded with unapproved software or connected to any unapproved devices. Any requests to change the software or hardware must be submitted on the Vehicle Marking/Equipment Change Request for Authorization form (LMPD #04-04-0187). All changes to the MDT software will be coordinated and performed by the MDT Coordinator or MDT Central.
- Attached to any outside networks (e.g. Internet cafes, home-based networks, etc.), as this would make the system vulnerable to virus attacks and could grant access to unauthorized personnel. The member may utilize his/her MDT on the departmental network or via designated hot spots, as this network is properly secured and has safe access to email and the Internet.
- Altered, in any way, by the member. Members will not attempt to change the settings or configuration of the MDT at any time.

Any member utilizing the MDT must be NCIC certified. When accessing the NCIC, the MDT must be inside of the vehicle (KACP 26.3). When the NCIC is accessed on a MDT in a departmental vehicle, the MDT screen shall be positioned so that it is out of the view of any passengers. The NCIC shall not be left visible on the screen when the MDT is not in use.

The NCIC shall only be accessed:

- On secured MDTs that are docked in a departmental vehicle; or
- On departmental computers in an approved, secured area.

Any departmental laptop that is used to access the NCIC must have dual authentication (mobile messenger) installed for operation.

Due to the sensitive nature of the information, members are prohibited from copying, pasting, or otherwise entering NCIC information from a NCIC Terminal, MDT or any other device into any other document, computer program, or other electronic system. However, the information may be summarized and included in case documentation. Members are also prohibited from taking photographs/screen shots of NCIC information.

If a vehicle equipped with an installed MDT is reassigned from one (1) member to another, the officer receiving the vehicle will report to MDT Central to have the MDT reconfigured.

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4.27.3 MDT SERVICE & REPAIR

When service is required, members will contact the DoIT Service Desk at (502) 574-4444 to schedule a time to inspect the equipment and resolve the problem. If a member contacts the DoIT Service Desk outside of the normal operating hours of the DoIT, and the problem is of an urgent nature, a DoIT employee will page the on-call technician. For non-emergencies, if they are unable to correct the problem at the time of the call, a ticket will be opened for the problem to be resolved during normal operating hours.

Any damage to the MDT will be reported, through the appropriate chain of command, on a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form (LMPD #03-04-0180). A member shall not attempt to repair the MDT on his/her own. MDT Central shall authorize repairs to the MDT at an approved repair facility.

If the MDT is lost or stolen, in addition to completing a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form, the member will notify the DoIT Service Desk by email as soon as is practical to prevent the potential compromise of information.

If the virus software detects a virus on the computer, the member shall immediately shut down the MDT and contact the DoIT Service Desk for assistance. The DoIT Service Desk will advise the member of where to bring the MDT for service.

Any repairs needed to the MDT mount will only be performed at the MetroSafe Communication Services, the "Transmitter," located at 3519 Newburg Road.

Requests for new issues of MDTs, or transfers of MDTs, will be made on the MDT/Portable Radio Request form (LMPD #10-0004) and sent, through the appropriate chain of command, to the Technical Services Lieutenant.

4.27.4 USERNAMES & PASSWORDS

Each member is responsible for setting and maintaining his/her passwords. The MDT Coordinator will issue a username and default password for the MDT unit. Upon initially logging on to the MDT, the user shall change the default password to a more secure password of his/her choosing. The following restrictions apply when choosing a new password:

- It must be a minimum of eight (8) characters.
- It should not be a dictionary word or proper name.
- It should not be the same as the username.
- It must be changed at least every 90 days.

The system will automatically prevent previously used passwords from being used again. If a member forgets his/her password, it will need to be reset by the DoIT Service Desk.

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Chapter: Uniforms and Equipment	
Subject: Plainclothes and Undercover Officers	

4.28 PLAINCLOTHES AND UNDERCOVER OFFICERS

4.28.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that officers, when taking police action while in plainclothes, whether on-duty or off-duty, make every reasonable effort to identify themselves as police officers to other officers or the general public in order to minimize any potential hazards. It is imperative that officers in plainclothes be mindful of the potential danger to themselves and fellow officers when they become involved in police action, if they have not previously identified themselves.

4.28.2 PURPOSE

The purpose of this policy is to establish guidelines concerning the actions of LMPD personnel when involved in law enforcement activities while wearing plainclothes. The department recognizes the importance of an officer in plainclothes being easily identified by civilians, other LMPD officers, and officers of other police agencies. The safety of the officer and any other persons involved in the incident or activity is paramount.

4.28.3 DEFINITIONS

Undercover Officer: An officer whose primary duties involve collecting information, conducting surveillance, and transactions with criminals when an immediate arrest may not occur. Normally, the work is covert in nature and may involve situations in which the officer has broken ties with the department. In some situations, the officer may assume an entirely different identity in order to infiltrate different targets (e.g. drug dealers, gambling syndicates, fencing operations, etc.).

Plainclothes Officer: An officer who performs law enforcement tasks while wearing civilian attire. This includes, but is not limited to:

- Major Crimes Division detectives
- Narcotics Division detectives
- Division detectives
- Public Integrity Unit (PIU) detectives
- Professional Standards Unit (PSU) detectives
- Officers temporarily assigned to a plainclothes detail
- All off-duty officers wearing civilian attire.

Patrol division detectives may wear business casual attire, while on-duty, on the days that they do not have to attend court. T-Shirts or shirts with any writing are prohibited with the exception of the official LMPD polo shirts.

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4.28.4 PROCEDURES

Undercover Officers

Undercover officers should make every effort to avoid revealing their true identity. When an undercover officer observes an incident requiring immediate police action, the undercover officer should not intervene unless the incident involves a life-threatening situation. If the situation is not life-threatening, the undercover officer will notify the appropriate personnel as soon as practical.

If the undercover officer takes some official action and/or needs assistance from other police units, time permitting, he/she should contact MetroSafe, via radio or telephone. If the situation dictates, undercover officers will notify MetroSafe of their own race, sex, and clothing description so that the information can be provided to responding units.

Plainclothes Officers

Plainclothes officers, responding to a crime in-progress or an incident in which the possibility of danger exists, should notify MetroSafe of their presence and that they are in plainclothes. Circumstances permitting, they may also advise the dispatcher of their own race, sex, clothing description, and a brief description of their vehicle for broadcast to all responding units. If practical, plainclothes officers should wait until the information has been broadcast to all responding units before engaging in any police activity.

Plainclothes officers performing routine investigative tasks should notify the dispatcher of their location. If the nature of their work is secretive, such as a stationary surveillance or stakeout, plainclothes officers should notify MetroSafe or their commanding officer, by telephone, of their location and activity.

Uniformed Officers

Uniformed officers responding to a crime or an incident in-progress should immediately notify MetroSafe when they observe a plainclothes officer in the area.

4.28.5 IDENTIFICATION

Departmentally-issued green wristbands shall be used at the scene of an incident to assist in the identification of plainclothes officers to other responding officers or civilians. The wristbands shall be used when plainclothes officers become involved in a situation where officer identification is likely to be a problem and where its use will not compromise a covert operation. When responding to a crime scene or an incident in which the possibility of danger exists, plainclothes officers shall affix their reflective LMPD wristband to their shooting wrist. This should be done prior to taking any police action, if practical.

Situations where a plainclothes officer's identification may be more critical include, but are not limited to:

- Responding to a scene outside of the division to which the officer is assigned.

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4.28.5 IDENTIFICATION (CONTINUED)

- Responding to a scene outside of the normal working hours of the officer.
- Responding to a scene at night or at other times of reduced visibility.
- Responding to a scene where officers from other divisions or units may be present.
- Responding to a scene where officers from allied agencies may be present.
- Anytime the plainclothes officer feels that other officers may not easily recognize him/her by sight.

4.28.6 CHALLENGE BY ANOTHER OFFICER

In circumstances where a uniformed officer confronts a plainclothes/undercover officer, the challenged plainclothes/undercover officer shall comply with the commands of the challenging officer and then identify himself/herself at the first opportunity. If the plainclothes/undercover officer has a weapon, he/she shall not make any movements, unless instructed to do so by the uniformed officer.

If requested by the uniformed officer, or plainclothes officer whose identity has been established or is otherwise known, the challenged plainclothes officer shall show his/her credentials to the challenging officer, allowing the challenging officer to make a positive identification of the plainclothes officer.

4.28.7 OFF-DUTY OFFICERS

Off-duty officers in plainclothes who encounter a crime shall adhere to the above policy and refer to SOP 4.14.

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Chapter: Uniforms and Equipment	Accreditation Standards:
Subject: Division Beat Blogs	

4.29 DIVISION BEAT BLOGS

4.29.1 DEFINITION

Division Beat Blog: A system of internal investigative discussions (message board) between officers. Crime patterns and potential suspects may be posted on the blog. The use of the blog will facilitate communication between officers on the same beat, in the same division, or in a different division. Communications are of a preliminary investigative nature.

4.29.2 MONITORING

In order to protect the Louisville Metro Police Department's (LMPD's) interests and verify the proper usage of information resources, the Department of Information Technology (DoIT) may use software to monitor and log each user's Intranet activity and blog entries. Commanding officers, with the rank of sergeant or above, are responsible for monitoring the postings of members under their command. Members shall not delete information from the blog without the prior approval of their supervisor. The use of the Intranet for unauthorized purposes may lead to disciplinary action.

4.29.3 BEAT BLOG USAGE

Beat blogs are used to disseminate preliminary investigative information in a timely manner in order to provide better crime prevention service to the general public. Even though field contact information is disseminated to those beats and divisions that need it, this does not relieve members from the responsibility of entering field interview (FI) information into the Records Management System (RMS). All field contact information will still be entered into the RMS.

The following restrictions for beat blogs apply:

- Postings will be related to departmental operations.
- Postings will be of a professional nature.
- Language used will not be inappropriate for business-type communication.
- No posting is allowed that is demeaning to any person or group.
- Information from the beat blog is for internal use only. Some information contained in the beat blog may be of a sensitive, confidential, or personal (e.g. Social Security Number (SSN), birthdate, etc.) nature. Information shall not be forwarded or copied to persons outside of the department without prior approval from the Chief of Police, or his/her designee.
- Due to the sensitive nature of the information, no National Crime Information Center (NCIC) information shall be posted on a beat blog.
- No medical or other information (e.g. HIV status or other health-related issues) that may be protected under the Health Insurance Portability and Accountability Act (HIPAA) shall be posted.

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4.29.3 BEAT BLOG USAGE (CONTINUED)

There are many benefits to the use of beat blogs, including the fact that information is:

- Distributed to officers on a specific beat.
- Accessible to all officers.
- Updated immediately.
- Found in one (1) place.
- Kept for a minimum of 30 days.

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Chapter: Uniforms and Equipment	Accreditation Standards:
Subject: Cell Phones	

4.30 CELL PHONES

4.30.1 POLICY

The Louisville Metro Police Department (LMPD) issues cell phones/smartphones and accessories to be utilized by members in the course of their duties. Departmental cell phones/smartphones may be used by members to conduct official business when the use of radio communications or landline telephones is inappropriate, unavailable, or inadequate to meet communication needs and when the cell phone/smartphone is used in accordance with this policy. Members are responsible for the proper care of their departmentally-issued cell phones/smartphones and accessories. The use of a departmental cell phone/smartphone is a privilege that may be revoked at any time due to inappropriate use. Due to the expense of the equipment and the associated service fees, the use and accountability of the equipment must be controlled.

Landline telephones will remain the primary means of telephone communication for the department. Cell phones/smartphones are not meant to replace the use of landline phones. Departmental cell phone/smartphone numbers should not be used as the primary point of contact. Whenever possible, members responding to calls for service or involved in investigating evolving criminal incidents should communicate using the departmental radio system.

Studies on cell phone-related vehicular accidents reveal that those individuals using cell phones/smartphones while driving were significantly more likely to have an accident than those not using cell phones/smartphones. Therefore, cell phone/smartphone use while driving is strongly discouraged. If it is necessary to use a cell phone/smartphone while operating a vehicle, members are encouraged to use hands-free methods (e.g. speakerphone, headset, Bluetooth). When engaged in a priority response or vehicular pursuit, members are urged not to use cellular devices in any capacity. Texting while driving is regulated by SOP 4.14 and prohibited by state statute. Cell phone cameras, personal still/video, or any other cameras shall not be used to photograph, record video, or otherwise record any crime or accident scenes, suspects, arrestees, evidence, or any other official departmental activity (refer to SOP 4.26).

Members are responsible for any download fees related to the use of their departmental cell phone/smartphone (e.g. ringtones). Members are prohibited from installing any software applications on their departmental cell phone/smartphone without prior approval from Telephone Services and/or the Department of Information Technology (DoIT) security. Any Internet usage on departmental cell phones/smartphones shall be in compliance with SOP 4.22.

Members are prohibited from using a departmental cell phone/smartphone to make harassing or threatening phone calls.

4.30.2 PROCEDURE

Telephone Services is responsible for all departmental cell phones/smartphones and accessories. Prior to being issued a cell phone/smartphone, the member will sign the Cell Phone User Agreement form (LMPD #11-0010), which will be kept on file in the Telephone Services office, located at 633 West Jefferson Street.

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4.30.2 PROCEDURE (CONTINUED)

Cell phones/smartphones issued by the LMPD are intended for business purposes. However, the LMPD is aware that it sometimes may be necessary to use a departmental cell phone/smartphone for personal calls.

In accordance with Internal Revenue Service (IRS) guidelines, there are no free personal calls. This includes ALL calls in the evening, on weekends, and mobile-to-mobile cell phone/smartphone calls. Because of these IRS requirements, LMPD members will review their cell phone/smartphone bills monthly and identify any personal calls (incoming and outgoing). Members will reimburse the department for the cost of all personal calls and all personal data usage (e.g. text messaging, pictures, ringtones, music, and game downloads) at the current rates listed on the LMPD Intranet and on documentation attached to the monthly invoices. Changes to the reimbursement rate will be announced by memorandum.

Division/section/unit commanders will receive monthly cellular phone invoices from Telephone Services for all departmental cell phone/smartphone users in their respective area. The division/section/unit commander, or his/her designee, will distribute the invoices to all individual cell phone/smartphone users under his/her command. The individual cell phone/smartphone users will sign and date their invoices and indicate if there was any personal use of their cell phone/smartphone, using the following:

- All personal calls must be highlighted. Any personal calls must be reimbursed by check or cash for the total personal call amount included in the invoice. Checks should be made payable to the "Louisville Metro Treasury." If the member pays in cash directly to the Office of Management and Budget (OMB) Cash Management, located at 611 West Jefferson Street, 1st Floor, a copy of the payment receipt will be attached to the invoice when it is returned to his/her commanding officer, or his/her designee.
- If a member is on an extended leave, or is otherwise unable to return his/her invoice, this must be documented on the invoice by the division/section/unit commander, or his/her designee, and the invoice returned to Telephone Services.
- If the division/section/unit receives an invoice for a member who is no longer in that particular area, the invoice will be returned to Telephone Services with a note advising of the member's current assignment.
- All invoices will be signed and returned to the division/section/unit commander, or his/her designee, including invoices with no personal activity.

The division/section/unit commander, or his/her designee, will collect all of the invoices and review them for compliance with the above requirements. The invoices will then be returned to Telephone Services, en masse, by the date specified on the invoice.

Up to ten (10) minutes per billing cycle for personal calls will be considered "de minimis" and not require reimbursement. If the member exceeds ten (10) minutes of personal use during any billing cycle, the member will pay for all personal calls made during that cycle. Identification of personal calls will be performed even if the monthly rate plan is not exceeded, and the invoice will be returned to Telephone Services.

The IRS considers cell phones/smartphones to be "listed property," meaning that they are items obtained for use in a business but lend themselves easily to personal use. As such, the personal use of cell phones/smartphones is considered a taxable benefit by the IRS. If the invoice is not signed and returned to Telephone Services, even if no personal calls were made, the IRS may view it as personal use and taxable. Members should consider making a copy of the invoice for their records.

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4.30.2 PROCEDURE (CONTINUED)

The failure to comply with this policy may result in appropriate corrective action, denial of future cell phone/smartphone use, and/or formal disciplinary action.

4.30.3 TRAVEL

Members traveling on LMPD business may use their assigned cell phone/smartphone for personal calls. The daily allotment for personal calls is \$10 per day. Any amounts over the allotment will be reimbursed to the department in accordance with SOP 4.30.2.

Members will use free directory assistance by calling (800) 373-3411.

Long distance cell phone/smartphone calls placed outside of the continental United States are prohibited. Members traveling outside of the continental United States on LMPD business will notify Telephone Services, in advance, so international calling arrangements may be made.

4.30.4 REPLACEMENT

Cell phones/smartphones and accessories will not be reassigned or loaned to another person. Any new issues or reassignments will be completed through Telephone Services, upon approval from the Assistant Chief of Police/Administrative Bureau, or his/her designee.

Cell phones/smartphones that are malfunctioning may be brought directly to Telephone Services for replacement.

Any cell phone/smartphone that needs to be replaced due to being lost, stolen, defective, or damaged shall immediately be reported to the member's supervisor. The member will complete a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form (LMPD #03-04-0180), have it signed by his/her commanding officer, and bring a photocopy of the form and the device to Telephone Services for replacement. The original form will be forwarded to the officer's immediate supervisor. The immediate supervisor and the division/section/unit commander will review the form. The division/section/unit commander will forward the form, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau.

If cellular service is no longer required, the cell phone/smartphone, and all departmental accessories, will be returned to Telephone Services immediately in order to terminate service. If the member is retiring from the LMPD, the equipment will be turned in to Telephone Services on, or before, the member's last working day.

4.30.5 PASSWORDS

Users of departmentally-issued cell phones/smartphones are required to use a four (4) digit password/PIN. This protects the device if it is lost or stolen. The network will automatically prompt users to change passwords every 90 days.

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4.30.6 PERSONAL CELL PHONES

Members may also carry personal cell phones/smartphones, but are subject to SOP 4.30.1 while on-duty. The use of personal cell phones/smartphones should be restricted to essential communications and should be limited in length. Engaging in multiple or extended conversations unrelated to police business, or a similar use that interferes with the performance of job tasks, is prohibited.

Due to the numerous distractions already present while operating a departmental vehicle (e.g. radio, MDT, departmental cell phone/smartphone), it is strongly recommended that personal devices be turned off or set to go to voicemail while carried in a departmental vehicle.

The department will not provide repair or replacement services if the personally-owned cell phone/smartphone or other electronic device is lost, stolen, or damaged.

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4.31 WEARABLE VIDEO SYSTEM (WVS)/BODY-WORN CAMERA (BWC)

4.31.1 POLICY

The Louisville Metro Police Department (LMPD) has adopted the use of wearable, on-officer cameras to further the mission of the department and enhance service to the community by accurately documenting events, actions, conditions, and statements made during citizen encounters, traffic stops, arrests, and other incidents in order to promote officer and public safety. The Wearable Video System (WVS) allows hands-free video and audio recording of important or critical incidents from the perspective of the user as they are occurring. This allows the officer to record locations and activities that are not available to in-car recording equipment. The WVS may be used as a stand-alone recorder or in conjunction with, and to supplement, the Mobile Video System (MVS) (refer to SOP 4.1). Officers will only utilize the WVS issued by the LMPD. The WVS shall only be used by officers working in an official law enforcement capacity. This policy does not govern the use of covert recording devices, such as those used in undercover operations.

4.31.2 PURPOSE

The LMPD has adopted the use of the WVS to accomplish the following objectives:

- Enhance officer safety.
- Document statements and events during the course of an incident.
- Enhance the officer's ability to document statements and actions for both internal reporting requirements and for court preparation/presentation.
- Preserve visual and audio information for use in current and future investigations.
- Provide an impartial measurement for self-critique and field evaluation during officer training.
- Enhance the public's trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings, strengthening departmental transparency, and reducing complaints.
- Allow for the supervisory review of officer-citizen contacts, critical incidents, and other police operations.

4.31.3 DEFINITIONS

Wearable Video System (WVS): Body-worn camera system with secured internal memory for the storage of recorded video and audio.

Law Enforcement Activity: Any activity performed by an officer in an official capacity for the purposes of maintaining public order and enforcing the law, particularly the activities of prevention, detection, and investigation of crime and the apprehension of criminals.

WVS Issue Tracking Form: Form that will be completed by supervisors, or acting supervisors, when notified of a malfunction with the officer's WVS.

WVS Audit Log: Form that will be completed by supervisors to verify compliance with WVS standards, departmental policy, and to assess overall officer performance.

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4.31.4 TRAINING (KACP 17.13a)

Officers will successfully complete WVS training regarding the activation, use, uploading of data, inspection, and storage for each device prior to being deployed with a WVS.

4.31.5 PROCEDURES (KACP 17.13a-b)

WVS equipment is the responsibility of the individual officer to whom it is assigned. WVS devices shall only be stored in designated, secured locations at LMPD facilities, inside of the officer's home, or in secured LMPD vehicles when they are not in use. Officers are to exercise reasonable care and maintenance of the WVS equipment. During their tour of duty, or while engaged in uniformed law enforcement-related secondary employment, officers shall maintain their WVS in a constant state of operational readiness. The WVS shall be used to record all calls for service and law enforcement activities/encounters (e.g. arrests, citations, stops, pursuits, Code 3 operations/responses, searches, seizures, interviews, identifications, use of force incidents, collisions, transports, warrants, etc.). Officers will immediately activate their WVS in recording mode when they acknowledge all calls for service. Officers will also immediately activate their WVS in recording mode prior to engaging in all law enforcement activities or encounters. Officers will verify that their WVS is functioning in recording mode by listening for the audible tone and/or checking the visible light indicator. In extremely rare situations, an encounter may be sudden and unanticipated. If an officer is involved in a sudden and unanticipated incident where exigent safety concerns prevent the immediate activation of his/her WVS, he/she shall activate the WVS at the first opportunity, when it is safe to do so, in order to capture the immediate aftermath of the situation.

Officers shall utilize their WVS when assisting other law enforcement or governmental agencies that are engaged in any official law enforcement activities.

The WVS may not be used to record the following:

- Activities of officers on federal task forces, at the request of the host agency and with the approval of the Chief of Police, or his/her designee;
- Activities of the Bomb Squad, Dignitary Protection Team (DPT), Hostage Negotiating Team (HNT), or Special Weapons and Tactics (SWAT) Team command posts; or
- Incidents where the Bomb Squad Commander, Hazardous Incident Response Team (HIRT) Commander, or chief fire official believes that the use of the WVS may create a danger of fire, explosion, or other risk to public safety.

If the officer neglects to activate his/her WVS at a scene which requires recording, fails to record the complete incident, or interrupts the recording, he/she will notify his/her supervisor, prior to the end of his/her tour of duty, and complete a Failure to Activate Wearable Video System form (LMPD #17-0002). This form is available in the "Online Forms" folder on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Reports" folder. The form shall be forwarded, through the chain of command, to the appropriate Bureau Commander by the end of the officer's next tour of duty. If data is lost, the officer shall document the reason in a memorandum and forward it, through the appropriate chain of command, to his/her Bureau Commander by the end of the officer's next tour of duty.

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4.31.5 PROCEDURES (CONTINUED)

When an officer activates his/her WVS and such activation is not required by policy and the circumstances do not require continued recording, he/she may use his/her discretion when deciding to deactivate the WVS (KACP 17.13c).

The WVS shall not be used for non-law enforcement/personal use or to record personal activities. Officers shall not post recordings to any website, including social media websites (KACP 20.5b-c). Officers shall not use other devices (e.g. cell phones, cameras, etc.) to record video and/or audio from the WVS. Members shall only access their own WVS recordings or those that they have a legitimate purpose to review (e.g. review by detectives involved in the case, review by LMPD Open Records as a result of an open records request, etc.).

Supervisors should refer to SOP 4.31.13 regarding WVS supervisory review procedures. The evidence.com storage system maintains an audit log that documents the videos that have been viewed and any actions taken by LMPD members. Officers are prohibited from using the WVS to record conversations of departmental members without their knowledge during routine, non-law enforcement-related activities. This includes, but is not limited to, the following:

- Casual conversations
- Roll calls
- Meetings
- Training
- Supervisor reviews
- Performance evaluations
- Employee coaching
- Restroom areas
- Meals

The WVS shall not be used inside of Louisville Metro Youth Detention Services (LMYDS). Officers are required to turn off their WVS prior to entering the facility.

School Resource Officers (SROs) who are issued a WVS shall only record legitimate law enforcement activities while on school property or during school-related events. SROs will maintain their WVS in a constant state of operational readiness during their tour of duty. SROs will activate their WVS in recording mode when called for assistance on the school's radio system.

The WVS shall not be used in places where an exceptional expectation of privacy exists (e.g. restrooms, locker rooms, dressing rooms, etc.) unless the recording is required for a specific law enforcement activity. Officers have the right to record if they have a legal right to be at, or in, the location (e.g. responding to a call for service, pursuant to a valid search warrant, consent of the resident, etc.).

Officers may be required to turn off their WVS at any hospital or medical facility at the request of the medical staff, unless they are engaging in a law enforcement activity or encounter (e.g. active shooter, unruly patient/visitor, etc.).

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4.31.5 PROCEDURES (CONTINUED)

The WVS camera shall routinely be positioned to record video and audio from the officer's point of view. Officers shall not routinely record undercover officers or confidential informants in order to protect their identities; however, this is at the discretion of the officer in control of the WVS. If it is necessary to record a confidential informant, the officer may wish to record the audio portion only by positioning the camera away from the informant. Officers will categorize video containing recordings of confidential informants as both the type of crime being investigated (e.g. felony, misdemeanor/violation) and as "Special Circumstances" in evidence.com.

Officers shall use their WVS to record all consent searches in their entirety. This includes recording the subject giving consent to the search.

When conducting strip searches, officers shall video and audio record a 360 degree view of the location where the strip search is taking place. However, officers shall only record the audio portion of the actual strip search by positioning the camera away from the person on whom the strip search is being conducted.

Officers shall not intentionally obstruct the view of the WVS camera except in the situations outlined above.

Officers should inform their commanding officer of any recording that may be of evidentiary value (with the exception of DUI, which is covered in SOP 4.31.7).

4.31.6 OPERATION (KACP 17.13a)

Officers shall inspect their WVS to verify that it is fully-charged and does not contain any recordings from a prior tour of duty. Officers shall immediately upload any prior recordings. Officers shall inspect their WVS and its components for damage and verify that it is functioning properly prior to, and during, their tour of duty. Officers should refer to SOP 4.31.12 regarding the procedures for handling any lost, stolen, defective, damaged, or malfunctioning WVS component.

The WVS camera shall either be worn on the officer's head or positioned on the collar of the officer's uniform or plainclothes attire, using only the departmentally-issued mounting equipment, at the beginning of his/her tour of duty and shall be worn throughout his/her tour of duty. Officers will not wear the WVS on the same side as their radio microphone. Officers shall maintain their WVS in a constant state of operational readiness. Officers will make certain that their WVS is not pointed excessively high or low. Officers shall not remove, dismantle, or tamper with any hardware/software component or part associated with the WVS.

If the audio portion of a law enforcement activity or encounter is captured by the WVS, the use of the officer's MVS microphone to capture the audio is not necessary.

Officers shall not discontinue recording based solely on a person's verbal request, unless the person wishes to submit an anonymous tip, in which the decision to record is at the discretion of the officer. The officer may contact his/her commanding officer for further guidance in these situations, if needed. Officers shall not be required to discontinue recording an event, situation, or circumstance for anyone other than a commanding officer.

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4.31.6 OPERATION (CONTINUED)

If a member is on an extended scene with a low likelihood of taking law enforcement action (e.g. downed power lines, downed tree, blocking intersection, etc.), a commanding officer may authorize him/her to discontinue recording. He/she shall reactivate his/her WVS during any public contact at the scene.

At the conclusion of a recorded event, officers shall choose the appropriate storage category for their WVS recording in order to allow for later review and appropriate retention. The proper categorization of recordings determines how long the recordings are retained, to whom access is granted, and whether the recording can be released to the public/media. The recordings shall be reviewed by a sergeant in order to verify that they have been properly placed into the appropriate tagging categories in the WVS software.

WVS recordings are not a replacement/substitution for written reports. Officers shall notate that a recording was made in the narrative section of the Administrative Incident Report (AIR) in BlueTeam, Uniform Incident Report, Kentucky Uniform Citation, or Kentucky Uniform Collision Report. The notation shall state "WVS activated."

Officers should refer to SOP 4.31.11 regarding the procedures for recharging the WVS and uploading recordings.

4.31.7 STATUTORY PROVISIONS FOR DUI CASES (KACP 17.13b-d)

Kentucky Revised Statutes (KRS) 189A.100 specifically addresses the procedures for securing, reviewing, maintaining, and destroying video and audio evidence in DUI cases.

Recordings of field sobriety tests, administered at the scene of an arrest, for a violation of KRS 189A.010 (DUI) or such tests at a police station, jail, or other facility shall be subject to the following conditions:

- The testing is recorded in its entirety (except for blood alcohol and analysis testing); and
- The recording shall be used for official purposes only, which includes:
 - Viewing in court;
 - Viewing by the prosecution and defense in preparation for a trial; and
 - Viewing for purposes of administrative proceedings.

Recordings shall otherwise be considered confidential records.

Recordings taken as a result of a DUI shall, upon order of the District Court, be destroyed after the latter of any of the following:

- 14 months, if there is no appeal of any criminal or traffic case filed as a result of the recording, or if the recording does not depict the actual happening of an accident involving a motor vehicle.
- 14 months after a decision has been made not to prosecute any case upon which an arrest has been made or a citation issued as a result of the recording, if the recording does not depict the actual happening of an accident involving a motor vehicle.

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4.31.7 STATUTORY PROVISIONS FOR DUI CASES (CONTINUED)

- 26 months, if there is no appeal of any criminal or traffic case filed as a result of the recording, if the recording depicts the actual happening of an accident involving a motor vehicle.
- After all appeals have been exhausted, arising from any criminal or traffic case filed as a result of the recording.
- At the conclusion of any civil case, arising from the events depicted on the recording.
- At the conclusion of all appeals from any law enforcement agency's administrative proceedings, arising from events depicted on the recording.

Officers utilizing, or showing, recordings of DUI arrests, other than as permitted in this section, or permitting others to do so, are in violation of KRS 189A.100(2)(g).

4.31.8 COURT/CIVIL PROCEEDINGS (KACP 17.13d)

The WVS shall not be used to record any court proceedings or conferences with prosecutors or defense attorneys. The WVS shall not be used to record any civil depositions or proceedings.

4.31.9 SPECIAL EVENTS (KACP 17.13b)

The use of the WVS for recording official activities at special events shall be at the discretion of the Support Bureau Commander, Community Services Division Commander, Special Events Unit Commander, or the commander of the special event. The commander shall instruct officers on the types of activities that shall be recorded. Officers shall record citizen contacts as described in SOP 4.31.5.

4.31.10 SECONDARY EMPLOYMENT (KACP 17.13b)

Officers who are issued a WVS and wear an official departmental uniform while working secondary employment shall record official law enforcement activities with the WVS pursuant to this SOP.

4.31.11 UPLOADING VIDEO

Officers shall turn off and recharge their controller/power pack at the end of their tour of duty. The WVS shall not be removed from the charger until the video and audio has been uploaded. All WVS recordings shall be uploaded prior to, or at the beginning of, the officer's next tour of duty, including when an officer is working secondary employment. The use of overtime may be authorized for situations other than the normal, routine uploading of WVS video. WVS recordings should be uploaded immediately following a critical incident or use of force incident. A commanding officer may order an officer to upload WVS recordings at any time during his/her shift or following a critical incident or use of force incident.

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4.31.12 LOST/STOLEN/DEFECTIVE/DAMAGED/MALFUNCTIONING WVS COMPONENTS (KACP 17.13a, c)

Officers shall inspect their WVS for damage and verify that it is functioning properly prior to, during, and after their tour of duty. Any WVS component that needs to be replaced due to being lost, stolen, defective, damaged, or malfunctioning shall immediately be reported to his/her commanding officer. The officer is required to complete a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form (LMPD #03-04-0180). The officer will forward the original form, through his/her chain of command, to the appropriate Bureau Commander. The officer will then take a copy of the form and the WVS component, if not lost or stolen, to the Evidence and Property Unit (EPU) for replacement.

A Uniform Incident Report will be completed when a WVS has been lost, stolen, or damaged as a result of criminal activity. If criminal charges are filed, damage to any property will be notated in the arrest/citation narrative (refer to SOP 4.18). Officers will complete the report using violation code *03024 Property Lost* or the appropriate theft charge report. The report will be forwarded to the National Crime Information Center (NCIC) Unit for entry pursuant to SOP 8.11.

If the WVS eyewear is lost, stolen, or damaged, the officer will complete a Report of Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form and forward it to the Technical Services Lieutenant for replacement.

If the WVS camera or controller/power pack is damaged/malfunctioning, the officer will notify his/her supervisor, who will complete the WVS Issue Tracking form on the LMPD Intranet, documenting the circumstances surrounding the time of the damage/malfunction and if any video has been captured on the damaged/malfunctioning WVS. Technical Services will attempt to retrieve any captured video from the damaged/malfunctioning WVS.

If the captured video is unable to be retrieved from the damaged/malfunctioning WVS, officers are required to forward a memorandum, through the appropriate chain of command, to the Technical Services Lieutenant by the end of the officer's next tour of duty. This memorandum will include a description of the activity that was captured by the video that was unable to be retrieved. This will verify that evidentiary standards are met (refer to SOP 4.31.15). If the captured video was successfully downloaded from the damaged/malfunctioning camera, the officer is responsible for the proper categorization of the video.

If the WVS camera is lost or stolen, officers are required to forward a memorandum, through the appropriate chain of command, to the Technical Services Lieutenant by the end of the officer's next tour of duty. This memorandum will include a description of the activity that was captured by the lost or stolen WVS and the circumstances surrounding its loss or theft.

4.31.13 SUPERVISOR RESPONSIBILITIES (KACP 17.13a)

Supervisors shall verify that the WVSs of officers under their command are operating properly. Supervisors will also verify that officers are wearing their camera in a manner to capture incidents and their WVS is not pointed excessively high or low. This shall be included in the supervisor's monthly personnel inspection (refer to SOP 4.18).

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4.31.13 SUPERVISOR RESPONSIBILITIES (CONTINUED)

If an officer is involved in a critical incident, the commanding officer who responds to the scene will verbally inform the involved officer to turn off his/her WVS after the scene is safe and the incident is under control. This command will be captured by the WVS prior to the WVS being turned off.

At least quarterly, commanding officers will be notified, via reports downloaded from the WVS Issue Tracking form, of officers under their command who fail to activate their WVS and were not in compliance with this policy.

4.31.14 REVIEW (KACP 17.13c)

Supervisors shall review the WVS recordings of officers under their command in the following situations:

- The investigation of a complaint against an officer or to review a specific incident (e.g. critical incident) in which the officer was involved.
- Obtaining videos for training purposes/instructional use.
- The evaluation of a probationary officer by a Police Training Evaluator (PTE) during his/her probationary period.
- WVS video will be reviewed during the performance evaluation process to provide feedback (positive and negative).
- The investigation of an officer who has a pattern of allegations of misconduct or poor performance.
- When an AIR is required to be completed, via the BlueTeam link, located on the LMPD Intranet (refer to SOP 3.1).
- On a routine basis in order to verify compliance with WVS standards, departmental policy, and to assess overall officer performance. These reviews will be documented on the WVS Audit Log, located on the LMPD Intranet.

Officers shall be permitted to review their WVS footage of any incident in which they were involved prior to making a statement or report regarding the incident.

4.31.15 RETENTION/DISTRIBUTION (KACP 17.13d)

Officers shall not delete/erase, destroy, copy, reuse, alter/modify, or tamper with WVS recordings. Recordings generated on departmental equipment are the exclusive property of the LMPD and shall be available for departmental use in accordance with applicable legal restrictions, or upon direct authority of the Chief of Police, or his/her designee (Deputy Chief of Police or Assistant Chief of Police). WVS recordings shall be used for official law enforcement purposes only.

WVS recordings that include exculpatory evidence (*Brady* material) shall be retained and turned over to the appropriate prosecutor (refer to SOP 11.7).

WVS recordings that contain a record of a confidential informant will be labeled as "Special Circumstances" on the disk given to the officers and the prosecutors. LMPD Open Records shall notify the Jefferson County

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4.31.15 RETENTION/DISTRIBUTION (CONTINUED)

Attorney's Office and the Office of the Commonwealth's Attorney of any open records requests for a video containing a confidential informant prior to any release.

Copying or reproducing any recording, or segment of any recording, generated by the LMPD, or the removal of any recording outside of the LMPD, without the written authorization of the Chief of Police, or his/her designee (Deputy Chief of Police or Assistant Chief of Police), is prohibited.

Open records requests for copies of recordings, from persons or agencies outside of the LMPD, shall be directed, in writing, to LMPD Open Records. Open records requests submitted by the media shall be directed, in writing, to the Media and Public Relations Office (KACP 20.2b). Anyone may request a copy of a WVS recording by emailing a completed Video System Request form (LMPD #15-0013) to "LMPD Video System Request, located in the department's email distribution list. Any parts of a recording that infringe on an individual's privacy rights or may compromise an investigation may be redacted.

Recordings provided to persons or agencies outside of the LMPD shall be duplicated on discs and will be provided by the department for a reasonable fee. The unauthorized duplication of recordings is prohibited.

Only that portion of a recording which contains a specific contact in question may be reproduced.

Nothing in this section prevents officers from securing, or releasing, copies of WVS recordings to the United States Attorney's Office, Jefferson County Attorney's Office, or Office of the Commonwealth's Attorney for official purposes.

WVS recordings shall be retained for a minimum of 30 days (non-evidentiary recordings), with the exception of those recordings which need to be retained longer (evidentiary recordings) due to an investigation (including criminal, administrative, AIR, etc.), litigation, or open records request. These recordings shall be maintained until all investigative or legal activity is completed, pursuant to KRS or applicable records retention schedules. Recordings containing DUI video evidence shall be maintained and destroyed pursuant to KRS 189A.100.

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Chapter: Uniforms and Equipment	
Subject: Covert Surveillance Equipment	

4.32 COVERT SURVEILLANCE EQUIPMENT

4.32.1 POLICY

Any electronic covert surveillance operations conducted by Louisville Metro Police Department (LMPD) officers must be coordinated with the Technical Operations Team (TOT). In order to prevent unauthorized or duplicate purchases, officers will contact the TOT to inquire about any audio/visual or tracking equipment that may be needed in the course of covert surveillance operations. This equipment includes, but is not limited to, the following:

- GPS tracking devices
- Still and video cameras
- Covert audio/video recording devices
- Audio repeaters
- Any and all audio/video detection equipment

This policy pertains only to electronic equipment used for covert surveillance operations. This policy does not apply to regular still or video cameras that members may need in the course of their duties or to Metro Watch cameras (refer to SOP 4.25).

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Standard Operating Procedures	SOP Number: 5.1
	Effective Date: 08/07/03 Prv. Rev. Date: 11/10/17 Revised Date: 11/25/17
	Accreditation Standards: KACP: 4.5, 12.1, 26.1, 26.3
Chapter: Rules and Conduct	
Subject: Rules and Conduct	

5.1 RULES AND CONDUCT (KACP 12.1)

5.1.1 DEFINITIONS

Competent Authority: The rank or position to which the Chief of Police has delegated the responsibility commensurate with the authority to deal with specific areas or tasks within the department.

Official Duties: Any behavior or obligation a member is required and properly authorized to perform in accordance with the laws of the United States, the Commonwealth of Kentucky, Metro Government, or the requirements of the department.

Official Credentials: For officers, the departmentally-issued badge and identification (ID) card; for other members, the departmentally-issued identification card and properly designated badge, if applicable.

Member: Any employee of the Louisville Metro Police Department (LMPD).

Officer: A sworn member of the LMPD.

Operator's License: A valid and current Kentucky or Indiana license, which permits the member to legally operate a motor vehicle.

Untruthfulness: Untruthfulness is defined as:

- Intentionally making a false, misleading, or untrue oral or written statement, report, record, and/or communication (including electronic communication);
- Intentionally failing to accurately report all facts pertaining to an investigation;
- Intentionally misrepresenting any matter by:
 - Knowingly submitting any false official statement(s) or report(s).
 - Knowingly making any false statement(s) before, to, or during:
 - Any court proceedings;
 - Grand Jury proceedings;
 - Board meetings;
 - Commission meetings;
 - Departmental hearing or inquiry; or
 - Any official investigation of the department, including an investigation initiated by a commanding officer.

5.1.2 OBEDIENCE TO RULES AND REGULATIONS

Members of the LMPD shall not commit any act that constitutes a violation of any of the laws and ordinances applicable in their current respective location. Members shall notify their commanding officer or civilian supervisor of any pending or new criminal charges against the member.

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5.1.2 OBEDIENCE TO RULES AND REGULATIONS (CONTINUED)

Members shall also obey all rules, orders, policies, and procedures of the department. Members who violate any of the above may be dismissed or be subject to other punishment, as directed for such a violation.

All members shall abide by the Standards of Ethical Conduct, located in the Louisville Metro Government Personnel Policies (Section 1.5). The policies are available via the departmental Intranet. All members shall receive initial training on departmental ethical standards of conduct and the Training Division is responsible for providing members with additional training on ethics at least once every two (2) years.

5.1.3 CONDUCT UNBECOMING

Conduct unbecoming is any conduct that adversely affects the morale, operations, or efficiency of the department or any conduct that adversely affects, lowers, or destroys public respect and confidence in the department or the member. Members shall conduct their private and professional lives in such a manner as not to impede the department's efforts to achieve its policies and goals, bring discredit upon the department or upon the individual as a member of the department.

Such violations include, but are not limited to:

- Incompetence
- General inefficiency
- Neglect of duty
- Uncleanliness
- Incapacity for duty
- Absent without leave (AWOL)
- Cowardice
- Insubordination
- Immorality

Members should refer to SOP 2.31 regarding the proper procedures for maintaining departmental and personal social media website accounts (e.g. MySpace, Facebook, Twitter, Instagram, YouTube, etc.).

5.1.4 OBEDIENCE TO ORDERS (KACP 4.5)

Members shall obey any lawful order of a superior, including any order relayed from a supervisor by a member of the same or lesser rank. Members needing clarification, regarding details of a relayed order, shall seek such information from the appropriate supervisor. Upon receiving conflicting orders, members shall advise the person issuing the conflicting order of the previous order given. If the conflict remains, the last order given shall stand with the responsibility resting with the person giving the conflicting order.

Supervisors shall not knowingly issue an unlawful order. Members are not required to obey unlawful orders and shall report the incident as outlined in SOP 1.12.

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5.1.5 TRUTHFULNESS/UNTRUTHFULNESS

Members are required to be honest and truthful in all matters related to their scope of employment and operations of the department. Untruthfulness is prohibited and may warrant termination. Untruthfulness is conduct that is intentional, malicious, and/or deceptive and may take one (1) of three (3) forms:

- An intentional deceptive action in a formal setting, such as testifying in court or in front of another official governmental body, during a Professional Standards Unit (PSU) investigation, during an investigation initiated by a commanding officer or supervisor, when responding to a commanding officer or supervisor, or the submission of deceptive documents.
- The intentional failure to bring forward information involving criminal action by other members or the intentional failure to bring forward information involving the administrative misconduct of other members.
- The creation of false evidence that could implicate another in a criminal act or administrative misconduct.

This policy does not prohibit the use of deception, as appropriate, in a criminal investigation.

5.1.6 REPORTING OF VIOLATIONS

Members knowing, or suspecting, other members of violating any laws, orders, or policies shall report the infraction immediately to their supervisor. Members inhibited from reporting violations through the appropriate chain of command are required to submit the information directly to the Chief of Police or the Special Investigations Division (SID) Commander.

Complaints against members involving the physical or sexual abuse of a minor will be immediately investigated by the Public Integrity Unit (PIU) and immediately reported to the Office of the Commonwealth's Attorney, the Jefferson County Attorney's Office, the Kentucky State Police (KSP), and the Kentucky Cabinet for Health and Family Services (CHFS). Documentation of notification will be retained in the investigative case file.

5.1.7 POLICE BUSINESS – CONFIDENTIAL (KACP 26.1)

Members are required to treat official business of the department as confidential. Members are prohibited from revealing information gained through police employment to persons outside of the department, unless the information is a matter of public record or required by law, competent authority, or departmental policies and procedures. This includes computer-generated information, such as the Law Information Network of Kentucky (LINK), National Crime Information Center (NCIC), Records Management System (RMS), CourtNet, eWarrants, and the Louisville Metro Department of Corrections (LMDC) LawWeb (KACP 26.3). This also includes any suspect or crime trend bulletins or any intelligence or intelligence gathering capabilities/activities.

NCIC information shall not be emailed inside or outside of the department due to its sensitive nature.

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5.1.8 IDENTIFICATION TO THE PUBLIC

All officers shall verbally provide their name and display their badge to any citizen who requests identification. If additional identification is requested, officers shall present their departmentally-issued ID card. The ID card should be displayed for an appropriate length of time to allow the citizen to read the card and obtain the necessary information. Additionally, if requested, officers shall provide their name, rank, and code number, in writing, to any citizen who asks for this information (refer to SOP 5.1.31). These requirements do not apply when it may compromise officer safety or jeopardize a police action.

5.1.9 OFFICIAL CREDENTIALS/ABUSE OF AUTHORITY

Sworn members are required to have their official credentials (e.g. badge and ID card) on their person at all times while in Louisville Metro or while they are on official police business outside of Louisville Metro.

Non-sworn members are required to have their official credentials (e.g. badge for Traffic Guards, Vehicle Impoundment Unit (VIU), or Evidence Technicians and/or ID card) on their person during their normal working hours.

Members are prohibited from giving or lending their official credentials to any person not legally appointed to use the official credentials.

Members are further prohibited from giving or lending their official credentials to another person legally appointed to use the official credentials, except when granted permission by a competent authority.

Members are prohibited from using their position of authority, or their official credentials, to solicit personal or financial gain or to obtain privileges that are not otherwise available to them.

Members are prohibited from authorizing the use of their names, photographs, or official titles identifying them as employees, in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief of Police.

5.1.10 OFF-DUTY POSSESSION OF FIREARMS

While within Louisville Metro, an off-duty officer shall carry an approved weapon with which he/she has qualified. The weapon shall be carried in a concealed manner. When an officer's activity is such that concealment is not practical, the weapon shall be kept as readily accessible as circumstances permit. An officer may carry a concealed weapon anywhere in the Commonwealth, but must have his/her official credentials in his/her possession.

If an off-duty officer attempts to enter a public venue with a concealed firearm and that venue denies entry, the officer will call an on-duty supervisor to assist in resolving the matter. If the venue management still denies entry, the officer may only attend the event after securing his/her weapon. The supervisor will complete an incident report setting out the facts of what occurred. The incident report will include who denied entry and the manager on-duty at the time of the incident. A copy of the incident report will be sent to the Legal Advisor.

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5.1.10 OFF-DUTY POSSESSION OF FIREARMS (CONTINUED)

If a venue allows entry, but utilizes a reasonable system for identifying law enforcement and/or where they are seated, the off-duty officer will comply with the regulations set forth by the management. If there is a question of reasonableness of a system, the officer shall forward their concerns, in writing, to the Assistant Chief of Police/Administrative Bureau.

Nothing in this section precludes an officer from not attending the event.

5.1.11 COURTESY

Members shall be courteous and civil to the public and to one another, exercising patience and diplomacy in the performance of their duties. Appropriate rank shall be used when addressing other members in an official capacity or public setting. All federal, state, and local officials shall be called by their official titles when acting in an official capacity.

5.1.12 ASSOCIATIONS WITH PERSONS OF QUESTIONABLE CHARACTER

Members shall not knowingly associate with persons who they should reasonably know to be criminals, persons under criminal investigation or indictment, or who have reputations in the community for present involvement in felonious or criminal behavior, except as necessary in the performance of official duty.

5.1.13 FREQUENTING QUESTIONABLE ESTABLISHMENTS

Members shall not knowingly enter or frequent an establishment where ordinances or laws are violated, except as necessary in the performance of official duty.

5.1.14 POSTING OF BOND

Members are prohibited from posting bond for any person under arrest, with the exception of a member's immediate family. Other exceptions can be made upon approval of competent authority.

5.1.15 RECOMMENDING SERVICES

Members performing official duties, or otherwise representing the department, shall not endorse a particular professional or commercial service.

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5.1.16 CRITICISM OF THE DEPARTMENT

Members shall not publicly criticize or ridicule the department, its policies, or other members by speech, writing, or expression or in any other manner when such expression is defamatory, obscene, unlawful, or made with reckless disregard for the truth.

5.1.17 INTERFERING WITH JOB PERFORMANCE

Members shall not interfere with other members' lawful job performance or withhold, alter, or conceal information related to job performance. Furthermore, members shall not authorize, instigate, condone, excuse, participate in, ratify, or support any job action that interferes with, or brings discredit upon, the department or its efficiency.

5.1.18 POLITICS

Members shall not be active in politics or work for the election of candidates while on-duty. While off-duty and out of uniform, members may engage in political activity pursuant to the law.

5.1.19 DISSIDENT GROUPS

Members shall not, except in performance of their duty, knowingly associate with any persons or organizations which advocate hatred, oppression, or the persecution of any person or group.

5.1.20 PREJUDICE

Members shall not express any prejudice concerning an individual's actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics.

5.1.21 SEXUAL ACTIVITY

Unless necessary in the performance of official duty and with the approval of the member's commanding officer, members are prohibited from soliciting, or engaging in, sexual conduct or activity:

- While on-duty.
- In a police vehicle under control of the department.
- In, or at, a police or governmental facility.
- Utilizing LMPD or Louisville Metro Government computer systems or networks.

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5.1.22 GIFTS AND GRATUITIES

Members shall not accept any reward, gift, fee, gratuity, loan, token, or money for favors provided as an inducement to perform, or refrain from performing, any official act.

5.1.23 RANDOM DRUG TESTING

The LMPD is a drug-free workplace and has zero tolerance for illegal or illicit drug use by LMPD members. Random drug testing is performed in accordance with current collective bargaining agreements.

5.1.24 REASONABLE SUSPICION TESTING FOR DRUGS/ALCOHOL

If reasonable suspicion exists to indicate that a member's health or ability to perform work may be impaired, he/she may be asked by a commanding officer, with the rank of lieutenant or above, to submit to drug and/or alcohol testing. Factors which could establish reasonable suspicion, unless otherwise described or set forth in a collective bargaining agreement, include, but are not limited to:

- Sudden changes in work performance.
- Repeated failure to follow instructions or operating procedures.
- Violation of safety policies.
- The discovery or presence of substances in a member's possession or near the member's workplace.
- Odor of alcohol and/or residual odor attributable to some chemical or controlled substance.
- Unexplained and/or frequent absenteeism.
- Personality changes or disorientation.
- An arrest or conviction for the violation of a criminal drug or alcohol statute.
- Information provided by reliable and credible sources or information independently corroborated.

5.1.25 NOTIFICATION FOR TESTING

Testing for drugs/alcohol, based upon reasonable suspicion, shall be done, as soon as possible, without any prior notification to the member. Members notified of their selection for testing shall be transported immediately to the collection site by a supervisor.

A testing laboratory, duly accredited by the United States Department of Health and Human Services (HHS), will perform the urinalysis of a member who is required to submit to a drug and/or alcohol test.

5.1.26 ALCOHOLIC BEVERAGES

Members shall not consume or purchase alcoholic beverages while on-duty, except in the performance of official duties and upon prior approval of their supervisor.

Members shall not report to duty with any measurable amount of alcohol in their system.

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5.1.26 ALCOHOLIC BEVERAGES (CONTINUED)

While off-duty, members shall not consume alcoholic beverages to the extent that they are unfit to report to their next tour of duty.

Members shall not consume or possess alcoholic beverages in a police facility, except in the performance of official duties.

Members shall not transport alcoholic beverages in departmental vehicles, while on-duty or off-duty, except in the performance of official duties.

Members shall not operate a departmental vehicle with any measurable amount of alcohol or any other substance in their system that could impair their ability to operate a vehicle.

5.1.27 MEDICATIONS

Members shall advise their supervisor when taking any prescription or over-the-counter medication which may affect their ability to perform assigned duties.

5.1.28 TOBACCO USE

Members shall not use tobacco products when dealing with the public in an official capacity. Pursuant to Louisville Metro Government Code of Ordinances Chapter 90 and Metro Government Personnel Policy 1.18, smoking of tobacco products in police facilities or departmental vehicles (as defined in SOP 4.14) is prohibited.

Personnel shall not smoke tobacco products within 50 feet of any entrance to Metro Government office buildings or workplaces.

5.1.29 EATING ON-DUTY

While on-duty, members shall not eat at any establishment whose primary source of income is from the sale of alcohol.

5.1.30 TELEPHONE CALLS

Personal telephone calls during working hours should not interfere with a member's performance or required tasks.

5.1.31 BUSINESS CARDS

Information on a member's departmental business card is limited to:

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5.1.31 BUSINESS CARDS (CONTINUED)

- Name, rank/civilian position, and assignment.
- Departmental name, address, and phone number(s).
- Departmental pager/cell phone number.
- Departmental logo/badge.
- Departmental email address.

If requested, members shall provide their name, rank/civilian position, and code number, in writing, to any citizen who asks for this information while on-duty, while acting in an official capacity, or while working secondary employment. Generic business cards are provided to members by their division/section/unit for this purpose.

5.1.32 APPROPRIATE ACTION

On-duty officers are expected to seek out criminal activity, respond to calls for service, perform assigned job tasks, and take appropriate action when performing their duties. Certain non-sworn members (e.g. Crime Scene Unit (CSU) technicians and Police Report Technicians (PRTs)) are expected to respond to calls for service, perform assigned job tasks, and take appropriate action when performing their duties. Patrol officers should stay in their geographically assigned areas during their tour of duty, unless otherwise directed by a commanding officer.

Detectives are required to diligently pursue their assigned cases or assignments as directed by a commanding officer.

Circumstances may require a patrol officer to travel outside of his/her division in order to access an expressway ramp or roadway. In those instances, the officer should take a direct route and return immediately to his/her assigned area. If a need arises to dispatch an officer into another division, the MetroSafe dispatcher will notify the officer's commanding officer of the run location and run nature, and will request permission to send the officer out of his/her assigned division. If permission is granted by the commanding officer, the MetroSafe dispatcher will dispatch the officer on the run and will additionally notify the commanding officer of the division that the officer has been dispatched into regarding the run location, run nature, and assigned units. Officers shall inform the MetroSafe dispatcher when he/she has returned to his/her geographically assigned area.

If an officer must leave his/her geographically assigned area to complete his/her police assignment, such as transporting a prisoner to jail or retrieving a warrant, the officer must notify his/her commanding officer or the MetroSafe dispatcher who, in turn, will notify the commanding officer. If a commanding officer directs an on-duty officer to perform a task outside of his/her assigned division, the officer should inform MetroSafe that he/she will be leaving the division and will complete his/her task and immediately return to his/her geographically assigned area.

An off-duty officer is expected to take appropriate action to offenses that occur in his/her presence. Appropriate action is that which is both necessary, considering the totality of the circumstances, and within his/her ability to handle at the time (e.g. availability of weapon, radio communication, physical condition). At a minimum, an off-duty officer will brief on-duty officers of pertinent information (e.g. license number, descriptions).

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5.1.33 PUNCTUALITY/REPORTING TO DUTY

Members are required to be punctual in reporting for their scheduled tour of duty or assigned detail.

When unable to report to duty, members are required to personally speak to a supervisor one (1) hour prior to their regularly scheduled tour of duty. Notification by voicemail, pager, text message, or email is not acceptable.

Members are prohibited from switching duty schedules (e.g. vacation days, off-days) without prior approval from their immediate supervisor.

Members are required to report to duty in a declared emergency immediately upon receipt of, and in compliance with, the directions of competent authority.

The collective bargaining agreement between Metro Government and the Fraternal Order of Police (FOP) - Officers and Sergeants states in Article 15, Health and Safety, Section 2 - "No Member shall be scheduled for pre-planned event details or regular work shifts without a minimum of ten (10) hours between details or regular work shifts unless the Chief deems an emergency exists."

The collective bargaining agreement between Metro Government and the FOP - Lieutenants and Captains states in Article 15, Health and Safety, Section 2 - "No Member shall be scheduled for pre-planned event details, or otherwise, without a minimum of ten (10) hours between details unless the Chief deems an emergency exists."

If an event schedule is issued and is in obvious conflict with either contract, the division commander will take steps to eliminate the conflict by adjusting shift schedules or by contacting the detail commanding officer and making alternate plans, such as a personnel substitution. In situations where an officer, sergeant, lieutenant, or captain is held over on a detail and is in conflict with the applicable contract, he/she will call his/her commanding officer one (1) hour prior to his/her scheduled tour of duty and advise when he/she was released from the detail. The commanding officer will tell the officer, sergeant, lieutenant, or captain to report to work at a time that is ten (10) hours after the time that he/she was released from the detail. The member will work the remainder of his/her normal shift and be released at his/her normal shift end time, but will receive pay for the entire shift.

5.1.34 CHANGE OF STATUS

Members are required to notify their immediate supervisor of any change in name, telephone number, address, or marital status within 48 hours.

PeopleSoft is the official record of personal information of departmental members. As a result, members shall update and maintain their personal information in PeopleSoft. Members are required to list, at a minimum:

- One (1) emergency contact.
- One (1) personal telephone number. Either home number or personal cell phone number is permitted. If a personal cell phone number is listed, the phone type should be Cell-Personal.
- Any and all departmentally-issued cell phone numbers. When departmental cell phone number(s) are listed, the phone type(s) should be Cellular.
- Any and all departmentally-issued pager numbers.

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5.1.34 CHANGE OF STATUS (CONTINUED)

- Primary work telephone number.
- Primary address.

Exemptions to any of the above listed requirements must be approved by the appropriate Bureau Commander, who will notify Police Human Resources (HR) of the exemption.

Changes to personal information shall be made in PeopleSoft, by the member, within 48 hours of the change.

5.1.35 CONTRACTUAL AGREEMENTS

Members are required to abide by contractual agreements entered into by Metro Government and the recognized collective bargaining agents of the LMPD.

5.1.36 COURT RESTRICTIONS

Members who intend to, or have been summoned or subpoenaed to, testify on behalf of a party adverse to Louisville Metro Government, its agencies, or employees are required to notify the Chief of Police, in writing, prior to testifying in such action. A copy of any summons, subpoena, or other communication shall be included with the notification to the Chief of Police.

Members are prohibited from participating in pre-trial agreements to settle a criminal case in return for any personal gain.

Members are prohibited from changing their working hours in order to obtain court pay or court-related overtime.

5.1.37 ORGANIZATION MEMBERSHIP

Members are prohibited from using police facilities, equipment, or resources, in any way, to conduct, enhance, or assist the business or affairs of any private organization without the prior authorization of the Chief of Police.

This includes such organizations as the FOP, United Way, and the Credit Union. Items posted in accordance with FOP contracts are approved by the Chief of Police.

Members are prohibited from membership or participation in the activities of any organization, association, society, or group whose activities or purpose may, in any way, adversely influence or control the work or service of such members in their official capacity.

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5.1.38 MERCHANDISING IN POLICE FACILITIES

Members are prohibited from soliciting contributions and/or buying or selling any merchandise, from any person, within police facilities, except with permission of competent authority, unless the solicitation, purchase, or sale is directly related to official police business.

5.1.39 DEPARTMENTAL PROPERTY

Members are required to report, in writing, the loss, damage, theft, or defective/unserviceable condition of any departmental property or equipment assigned to them, as required in SOP 4.18. Members are responsible for the prudent care and use of all departmental equipment issued to them. Members shall not abuse, alter, damage, misuse, carelessly operate, or handle any departmental equipment. Equipment shall be used only in the manner that it was designed or intended to be used and be maintained in proper working condition. Any use of departmental equipment that results in the injury of a member or another person shall be documented and reported on an Administrative Incident Report (AIR), via the BlueTeam link, located on the LMPD Intranet (refer to SOP 3.1). Members shall take steps to prevent departmental equipment from being subject to loss, damage, or theft.

Use of departmental equipment is for law enforcement use only. Departmental equipment includes, but is not limited to:

- Camcorders and cameras
- Video equipment
- DVD players

5.1.40 NEPOTISM

The LMPD does not prohibit employment of immediate family members (parents, spouse, and children) in the same division/section/unit, provided that one (1) family member is not under the direct supervision of another family member.

5.1.41 TELEPHONE ETIQUETTE

In many cases, the only contact that the public has with the LMPD is over the phone. It is therefore essential that all phone calls are handled professionally and with courtesy. In order to provide professional, efficient, and courteous service to the public, the following procedures shall be utilized:

- Answer incoming phone calls as promptly as possible. As a general rule, calls should be answered within three (3) rings.
- Be professional and polite at all times. Treat the caller with respect.
- Members will identify themselves to the caller as well as their location within the department. Civilians will identify themselves using their first and last name. Civilian members may, with supervisor approval, identify themselves using only their first name. Sworn personnel will identify themselves using their rank and last name. Members should inquire as to what can be done to assist the caller.

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5.1.41 TELEPHONE ETIQUETTE (CONTINUED)

- Remember to speak clearly and in plain language. Do not assume that the caller understands police jargon.
- When putting a caller on hold, always ask permission. If a caller has been on hold longer than two (2) minutes, return to the caller and thank him/her for waiting. If members are unable to assist the caller, ask him/her to continue to hold and advise him/her that someone will assist him/her shortly. If members determine that they will not be able to help the caller within five (5) minutes, ask someone else to handle the call.
- If the caller needs to speak to another member or division/section/unit, transfer the caller to the direct extension of the member or division/section/unit. Inform the caller to whom he/she is being transferred and, if appropriate, provide him/her with the direct phone number in the event that the call is disconnected.
- On the initial call, try to get as much information as possible from the caller so that the caller does not get transferred numerous times. If a caller has been transferred several times and the member is unable to be of assistance, try to avoid another transfer.
- The caller's attitude should not be taken personally.
- If a caller is using profanity and/or inappropriate remarks, politely inform him/her that help cannot be given if he/she continues to use inappropriate language. If he/she continues, inform the caller that because of his/her language, the call must be ended. DO NOT hang up on a caller without first giving the warning and then explaining that the call will be ended.
- When taking a phone message, include the following information:
 - Caller's name (ask for the correct spelling).
 - Time and date of the call.
 - The subject of the call.
 - The caller's phone number, including the area code and applicable extensions. If possible, also get an alternate phone number.
- When taking a message from a caller who is requesting a return phone call, the message taker will email the member to whom the message is directed as well as the member's first line supervisor. It is the member's responsibility to return the call no later than the next work day or next tour of duty. The supervisor's responsibility is to verify that the member has complied. If the member is out of the office (e.g. on vacation, off-day, etc.), the first line supervisor will return the phone call and explain these circumstances.
- Messages that are forwarded to a member's voicemail message box should be checked and responded to no later than the next work day or next tour of duty. The member is encouraged to use a voicemail greeting if he/she will be out of the office or on an extended absence.

5.1.42 DEPARTMENTAL DOCUMENTS

Any personnel and financial documents requiring a signature (e.g. payroll forms) shall be hand signed and dated in ink. The use of a rubber signature or date stamp, in lieu of a handwritten signature and date, on any departmental personnel or financial forms, documents, etc. is prohibited.

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5.1.43 AGENCYWEB AND PEOPLESOFT

Members shall only access his/her own personal information in AgencyWeb and PeopleSoft. Supervisors and acting supervisors have access to the information of those under his/her supervision in AgencyWeb and PeopleSoft for the purpose of entering the member's time or viewing subpoenas. Police HR and/or Louisville Metro HR have access to all personnel records, as needed, for business purposes. Other personnel may be granted access to AgencyWeb if permission is given by his/her division/section/unit commander.

5.1.44 OPERATOR'S LICENSE

All members shall have in their possession a valid operator's license while operating any departmental motor vehicle. Some specialized departmental vehicles may also require an additional special certification (refer to SOP 4.16). Any member whose license is expired, suspended, or revoked, for any reason, shall immediately advise his/her immediate supervisor and not operate any departmental vehicle. Any member, whose special certification is expired, suspended, or revoked, for any reason, shall immediately advise his/her immediate supervisor and specialized unit commander(s), if the loss of the certification affects the operation of a departmental specialized vehicle. Any member, whose license or special certification is lost or stolen, shall immediately advise his/her immediate supervisor and obtain a replacement, as soon as possible.

Supervisors of both sworn and civilian members shall verify that their subordinates possess a valid and current operator's license before allowing them to operate a departmental vehicle, whether the vehicle is assigned to the member or is a pool vehicle.

5.1.45 NEIGHBORHOOD AND FAMILY DISPUTES

Members shall not take law enforcement action, intentionally become involved, or attempt to intervene in a quarrel or dispute involving their family members or immediate neighbors unless failing to do so would likely result in property damage, physical injury, or death. Members will request an on-duty, disinterested officer, via MetroSafe, to respond to the scene, as soon as practical, to handle any quarrel or dispute involving their family members or immediate neighbors when law enforcement action is required. If law enforcement action is taken, officers will request an on-duty, disinterested commanding officer, via MetroSafe, to respond to the scene to review the actions taken.

5.1.46 RECUSAL

Members shall recuse themselves from investigations when a conflict of interest exists. Any of the following conditions existing between the involved party and the investigating party that could lead to a perception of bias may be considered to be a conflict of interest:

- Family relationship
- Close personal relationship
- Romantic relationship
- Close business relationship/business interest

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	Effective Date: 08/07/03 Prv. Rev. Date: 11/10/17 Revised Date: 11/25/17
	Accreditation Standards: KACP: 4.5, 12.1, 26.1, 26.3
Chapter: Rules and Conduct	
Subject: Rules and Conduct	

5.1.46 RECUSAL (CONTINUED)

Members recusing themselves from a criminal investigation shall forward a memorandum outlining the conflict of interest, through the appropriate chain of command, to the division commander. A copy of the memorandum should be forwarded to the Legal Advisor and placed in the case file.

Members recusing themselves from a PSU investigation shall forward a memorandum outlining the conflict of interest, through the appropriate chain of command, to the Chief of Police. A copy of the memorandum should be forwarded to the Legal Advisor and placed in the case file.

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<h2>Standard Operating Procedures</h2>	SOP Number: 6.1
	Effective Date: 05/10/14 Prv. Rev. Date: 02/25/16 Revised Date: 01/26/17
	Accreditation Standards: KACP: 18.9
Chapter: Expungements	
Subject: Expungements	

6.1 EXPUNGEMENTS

6.1.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to verify that all criminal records are expunged/sealed in compliance with court orders. This will be done within 60 days of receipt of the expungement order, as stated on the order. At no time will correspondence that contains any identifying information regarding the expunged/sealed case be sent electronically.

6.1.2 COURT-ORDERED EXPUNGEMENT (KACP 18.9b)

The Expungement Unit receives expungement orders from the courts. When an expungement order, issued by a judge with jurisdiction in Jefferson County, Kentucky, has been received by the LMPD, the Expungement Unit Supervisor, or his/her designee, will expunge/seal the affected record within the Records Management System (RMS).

The Inspections and Compliance Unit (ICU) Commander oversees expungement case file compliance from the divisions in coordination with Records Management (refer to SOP 1.8 and SOP 10.9). The Expungement Unit Supervisor, or his/her designee, will determine, based on the information in the expungement order and in the RMS, which division/section/unit as well as which officer/detective handled the case. He/she will send a memorandum, through interdepartmental mail, to the point of contact (POC) in the appropriate division/section/unit advising him/her of the expungement order. The memorandum will contain all identifying information regarding the case and the subject involved. Upon receipt, the POC will locate all paper records, case files, documents, videotapes/CDs/DVDs, printed photographs, etc. related to the case and the subject identified in the expungement order. The POC will contact the officer(s)/detective(s) who handled the case to verify that they have not retained any related records or documents.

If the case is closed, the POC will gather all known paper records, case files, documents, videotapes/CDs/DVDs, printed photographs, etc. related to, and covered under, the expungement order. The POC will change the jacket status and incident type or number to "Expunged/Sealed." The POC will send the original records, all copies, and the memorandum, through interdepartmental mail, back to the Expungement Unit Supervisor. The Expungement Unit Supervisor, or his/her designee, will place all related case documentation in an envelope, seal the envelope, and write the incident control number (ICN) or arrest report number and retention date on the outside of the envelope. Expungement orders with similar retention dates may be boxed together to be sent to Metro Archives for storage, in accordance with applicable records retention schedules and Metro Archives policies and procedures for handling expunged/sealed records. A Records Transmittal Form will be attached to the files upon transfer to Metro Archives.

All departmental records, files, or documents, whether maintained electronically or in any other form, are subject to the regulations governing retention schedules and destruction procedures defined by law and contained in this policy.

If the case has not been closed or there are other defendants involved, only the person for whom an expungement order has been issued will have all identifying information removed or redacted. If there are other defendants, then anywhere there is information that could reveal the identity of the subject of the expungement

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Subject: Expungements	

6.1.2 COURT ORDERED EXPUNGEMENT (CONTINUED)

order will be redacted and the word "Expunged/Sealed" entered.

The expungement of all electronic records maintained by the LMPD will be handled by the Expungement Unit Supervisor, or his/her designee, in Records Management of the Administrative Services Division. However, if any such electronic records are maintained in separate division/section/unit level databases, the POC will verify that they have been removed or redacted.

6.1.3 JUVENILE EXPUNGEMENT (KACP 18.9c)

Pursuant to the Commonwealth of Kentucky Records Retention Schedule, juvenile case files will be stored until the defendant reaches the age of 23, unless a signed order to expunge is received from the courts.

The following records are not destroyed when the defendant reaches the age of 23, but are retained in the same manner as adult case files, pursuant to applicable records retention schedules:

- Case files of juveniles who are tried as an adult
- Case files where a juvenile is the suspect in a child abuse case
- Juvenile traffic offense cases
- Juvenile vehicular accident records

The ICU Commander oversees juvenile case notifications to verify compliance from the divisions in coordination with Records Management (refer to SOP 1.8 and SOP 10.9). The Expungement Unit Supervisor, or his/her designee, will run a report twice a week which will show juvenile arrestees within the RMS who have turned 18 years of age and are considered adults. Copies of this report will be distributed to each POC in the divisions and the ICU Commander. If the case is closed, the POC will gather all known paper records, case files, documents, videotapes/CDs/DVDs, printed photographs, etc. relating to the subject and specific case on the list. The POC will change the jacket status and incident type or number to "Expunged/Sealed." The POC may send the original records, all copies, and the memorandum, through interdepartmental mail, back to the Expungement Unit Supervisor for storage and/or archiving. The Expungement Unit Supervisor, or his/her designee, will then place all related case documentation in an envelope, seal the envelope, and write the incident control number (ICN) or arrest report number and retention date on the outside of the envelope. Juvenile records with similar retention dates may be boxed together to be sent to Metro Archives for storage, in accordance with applicable records retention schedules and Metro Archives policies and procedures for handling expunged/sealed records. A Records Transmittal Form will be attached to the files upon transfer to Metro Archives.

The Expungement Unit Supervisor, or his/her designee, will also run a report daily to identify juvenile case files where the subject has reached the age of 23. These case files will be expunged in the RMS. The Expungement Unit Supervisor, or his/her designee, will determine, based on the information on the list and in the RMS, which division/section/unit as well as which officer/detective handled the case. He/she will send a memorandum, through interdepartmental mail, to the POC in the appropriate division/section/unit advising him/her of the names on the list. The memorandum will contain all identifying information regarding the case and the subject involved. Upon receipt, the POC will locate all paper records, case files, documents, videotapes/CDs/DVDs, printed photographs, etc. related to the case and the subject identified on the list. The POC will contact the officer(s)/detective(s) who handled the case to verify that they have not retained any related records or

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Subject: Expungements	

6.1.3 JUVENILE EXPUNGEMENT (CONTINUED)

documents. This documentation will be sent to the Expungement Unit for expungement/destruction.

If the case has not been closed or there are other defendants involved, only the person on the list will have all identifying information removed or redacted. If there are other defendants, then anywhere there is information that could reveal the identity of the subject on the list will be redacted and the word "Expunged/Sealed" entered.

All departmental records, files, or documents, whether maintained electronically or in any other form, are subject to the regulations governing retention schedules and destruction procedures defined by law and contained in this policy.

6.1.4 REQUESTS FOR FILES FROM METRO ARCHIVES

Before requesting a file from Metro Archives, members will check the case number in the RMS to verify that the case file does not contain any expunged names. If the case file does contain expunged names, the member will redact all references to the person for those charges that have been expunged.

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	Effective Date: 11/06/03 Prv. Rev. Date: 01/11/15 Revised Date: 02/25/16
	Accreditation Standards: KACP: 21.1, 22.4, 23.1, 23.3
Chapter: Traffic Control and Collisions	
Subject: Report Requirements	

7.1 REPORT REQUIREMENTS

7.1.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to investigate and complete a report on (KACP 22.4c):

- Vehicular collisions resulting in personal injury or death (KACP 21.1a, 23.1a)
- Hit-and-run collisions (KACP 21.1b, 23.1c)
- Non-injury vehicular collisions occurring on a public roadway (KACP 23.1b)
- Non-injury vehicular collisions, regardless of location, provided that one (1) of the following criteria is met:
 - A criminal incident is associated with the collision (e.g. Driving Under the Influence (DUI), no operator's license, or insurance) (KACP 21.1c, 23.1d)
 - The collision involves hazardous materials (KACP 23.1e, 23.3)
 - The collision involves a Metro Government-owned vehicle or property (KACP 21.1d)
 - The collision involves a school bus
 - The collision involves damage to federal, state, or local governmental property (e.g. buildings, stop signs, guardrails, etc.)

Kentucky Revised Statute (KRS) 189.580 requires that any vehicle involved in a traffic accident on an interstate highway, not involving death or known and/or visible injury, to be moved off of the roadway. This does not relieve the officer from any of the report requirements in this section.

In addition to the above circumstances, an officer will respond to the scene of a vehicular collision if either of the following situations occurs, regardless of whether a report is needed:

- There is a disturbance between individuals involved in the collision (KACP 21.1e)
- There is major traffic congestion as a result of the collision (KACP 21.1f)

Except as noted above, a response to non-injury collisions will not be initiated in the following circumstances:

- Collisions occurring on a public access lot.
- Hit-and-run collisions on private property (defined as specific real property currently owned by an individual, company, or agency in the Commonwealth of Kentucky) or a parking lot, if the complainant is unable to provide identifying information on the suspect vehicle (KACP 21.1b, 23.1f).
- Vehicular damage occurring on the driver's property (e.g. car vs. garage) (KACP 23.1f).
- Vehicular damage resulting from natural causes (e.g. fallen tree).

7.1.2 EXCEPTIONS TO REPORT REQUIREMENTS

When situations overload the department's capability to respond to scenes of non-injury collisions (e.g. inclement weather), an Assistant Chief of Police or above may direct MetroSafe to temporarily suspend the

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Subject: Report Requirements	

7.1.2 EXCEPTIONS TO REPORT REQUIREMENTS (CONTINUED)

dispatch of non-injury collisions in multiple divisions, or throughout the Louisville Metro area.

MetroSafe will advise complainants to exchange names and addresses and to complete a Kentucky Civilian Traffic Collision Report Form, which may be obtained from the nearest police division or online via the LMPD or the Kentucky State Police (KSP) website.

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<h2>Standard Operating Procedures</h2>	SOP Number: 7.2
	Effective Date: 11/06/03 Prv. Rev. Date: 10/30/15 Revised Date: 11/09/15
	Accreditation Standards: KACP: 22.1, 22.4, 23.1, 23.3, 25.1
	Chapter: Traffic Control and Collisions
Subject: Non-Injury Collisions	

7.2 NON-INJURY COLLISIONS (KACP 22.1, 23.1b-d)

7.2.1 INVESTIGATING NON-INJURY COLLISIONS

Louisville Metro Police Department (LMPD) division personnel have the responsibility for investigating all traffic collisions occurring on surface streets and hit-and-run collisions not resulting in death or serious physical injury. When an officer comes upon such a collision, he/she will conduct the investigation and complete a report. If the on-duty officer is under a time constraint, he/she will stand by at the scene and request another on-duty unit to relieve him/her.

Off-duty officers should stop at all traffic collisions, assess the situation, and render aid, if necessary (KACP 25.1). The officer will remain at the scene if exigent circumstances exist (e.g. traffic hazard, driver is intoxicated, persons are injured, extended delay in on-duty response, etc.) until an on-duty unit arrives (KACP 23.3). MetroSafe will dispatch an on-duty unit to the collision location.

If stopping and assisting at a collision scene would compromise a police assignment or unduly impact the safety of the officer, or others under his/her control, the officer will, at a minimum, advise MetroSafe of the collision location.

When investigating a non-injury collision, officers will adhere to the Kentucky "Quick Clearance Law" (KRS 189.580(1b)) which states that accidents not involving injuries are to be quickly removed from an interstate highway, parkway, on-ramp, or off-ramp to reduce the possibilities of secondary accidents/deaths, as well as to free up congestion/commerce (refer to SOP 7.1).

7.2.2 PHOTOGRAPHS

Where unusual or extenuating circumstances exist, photographs may be taken by division personnel.

7.2.3 REPORTS (KACP 22.4c)

Reports will be completed in accordance with the Kentucky Uniform Traffic Collision Report Form Manual. All non-injury and less-serious injury collision reports will be completed and forwarded to Records Management at the end of the investigator's tour of duty. This may be extended up to 24 hours by the investigator's commanding officer. Electronic reports taken through the Kentucky Open Portal Solution (KYOPS) system will be transmitted by the end of the investigator's tour of duty.

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Standard Operating Procedures	SOP Number: 7.3
	Effective Date: 11/06/03
	Prv. Rev. Date: 03/25/16
	Revised Date: 09/25/16
Chapter: Traffic Control and Collisions	Accreditation Standards:
Subject: Injury/Fatal Collisions	KACP: 22.1, 22.4, 23.1, 23.3, 25.3, 27.6

7.3 INJURY/FATAL COLLISIONS (KACP 22.1, 23.1a)

7.3.1 DUTIES OF THE FIRST RESPONDING OFFICER

The first officer on the scene of an injury/fatal collision will provide emergency care in accordance with his/her level of training, and will advise if other support units are necessary (e.g. in the case of fire hazards and/or hazardous materials) (KACP 23.1e, 23.3, 25.3). The scene will be treated as a crime scene.

7.3.2 DEFINITIONS

Fatal: Death occurs within 30 days of the collision.

Serious Injury: Grave injury which may result in death, life-threatening physical trauma, incapacitating injuries, dismemberment of a body part, or sufficient trauma to suggest possible dismemberment.

7.3.3 INVESTIGATIVE RESPONSIBILITY (KACP 23.3)

Upon arrival at the scene of a collision, the officer will determine the seriousness of the injury. If injuries appear to be serious or life-threatening, the Traffic Unit will be consulted in order to determine if the Traffic Unit or division personnel will be conducting the investigation. Collisions resulting in a fatal or life-threatening injury will be investigated by the Traffic Unit. Injury collisions not meeting these criteria will be investigated by division personnel. The fact that a victim is transported to Room 9 or an emergency room (ER) facility does not automatically render the injury as life-threatening. The officer must confirm the severity of the injuries before requesting Traffic Unit personnel to respond to the scene. The Traffic Unit will be immediately contacted if alcohol or drug impairment is suspected as a factor in the collision. Officers will not disturb the accident scene, in any manner (e.g. requesting to have vehicle(s) towed, removing debris, etc.), without first consulting with the investigating officer.

In situations where division personnel are responsible for the investigation and the circumstances appear to justify felony charges being placed against one of the drivers, the on-duty division commanding officer will be contacted. That commanding officer will contact the on-duty Traffic Unit commanding officer to determine the appropriateness of the Traffic Unit's involvement in the investigation.

If no Traffic Unit personnel are on-duty, MetroSafe will contact off-duty Traffic Unit personnel, in the event of a fatal or life-threatening collision (KACP 27.6).

The Traffic Unit investigator will be considered the officer-in-charge at the scene of all fatal and life-threatening collisions. He/she will be responsible for completing the report and developing the case through final disposition.

7.3.4 PHOTOGRAPHS

Photographs will be taken by personnel from the Traffic Unit or the Crime Scene Unit (CSU) for all fatal and life-threatening collisions.

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<h2>Standard Operating Procedures</h2>	SOP Number: 7.3
	Effective Date: 11/06/03 Prv. Rev. Date: 03/25/16 Revised Date: 09/25/16
	Accreditation Standards: KACP: 22.1, 22.4, 23.1, 23.3, 25.3, 27.6
	Chapter: Traffic Control and Collisions
Subject: Injury/Fatal Collisions	

7.3.5 COLLISION DIAGRAMS

Investigating officers will create collision diagrams for all injury/fatal collisions.

7.3.6 BLOOD, BREATH AND URINE TESTING (KACP 23.1d)

To comply with KRS 189A.105, the lead investigating officer will seek a search warrant for blood, breath, or urine testing if a motor vehicle accident occurs in which there was a fatality, unless the testing has already been completed by consent. Any blood, breath, or urine specimen sought will be obtained in compliance with SOP 7.6.

7.3.7 REPORTS (KACP 22.4c-d)

All preliminary fatal and life-threatening collision reports will be forwarded to Records Management within ten (10) days.

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<h2>Standard Operating Procedures</h2>	SOP Number: 7.4
	Effective Date: 11/06/03 Prv. Rev. Date: 12/05/06 Revised Date : 04/10/16
	Accreditation Standards: KACP: 17.5, 22.1, 22.4, 23.1
Chapter: Traffic Control and Collisions	
Subject: Hit-and-Run Collisions	

7.4 HIT-AND-RUN COLLISIONS

7.4.1 INVESTIGATING HIT-AND-RUN COLLISIONS

Traffic Unit personnel investigate all hit-and-run collisions resulting in death or life-threatening injury (KACP 17.5, 22.1, 23.1a, c).

Officers will not be dispatched to non-injury hit-and-run collisions occurring on private property or parking lots if the complainant is unable to provide identifying information on the suspect vehicle (KACP 23.1f).

Division personnel investigate all other hit-and-run collisions and complete the following reports (KACP 22.4c-d, 23.1c):

- A Uniform Collision Report will be completed for injury hit-and-run collisions. If identifiable suspect/vehicle information or investigative information is available, an offense report will also be completed.
- A Uniform Collision Report will be completed for non-injury hit-and-run collisions occurring on a designated roadway. If identifiable suspect/vehicle information or investigative information is available, an offense report will also be completed.
- A Uniform Collision Report will be completed for all hit-and-run collisions involving Metro Government vehicles. An offense report will be completed, when appropriate.

7.4.2 PHOTOGRAPHS

Photographs will be taken by a division supervisor or Traffic Unit personnel of all hit-and-run collision scenes involving Metro Government vehicles.

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<h2>Standard Operating Procedures</h2>	SOP Number: 7.5
	Effective Date: 11/06/03 Prv. Rev. Date: 11/10/14 Revised Date: 12/10/15
	Accreditation Standards: KACP: 21.1, 23.1, 24.1, 25.2
Chapter: Traffic Control and Collisions	
Subject: Unusual Traffic Incidents	

7.5 UNUSUAL TRAFFIC INCIDENTS

7.5.1 DELAYED COLLISION REPORTS

Upon receiving a complaint of a non-injury delayed collision report, MetroSafe will advise the complainant to obtain a copy of the Kentucky Civilian Traffic Collision Report from the nearest police division or online, via the Kentucky State Police (KSP) website.

When an officer is in contact with a complainant involving a non-injury delayed collision report run, the officer will provide the complainant with a copy of the Kentucky Civilian Traffic Collision Report.

7.5.2 INTENTIONAL COLLISIONS

The Kentucky Uniform Collision Report shall not be completed if the investigation reveals that the collision was an intentional act. The appropriate investigative unit shall be notified.

7.5.3 DEATH BY NATURAL CAUSES

If circumstances indicate that a victim may have died of natural causes and was involved in a motor vehicle collision, the investigation will be conducted as a fatal collision until the coroner rules otherwise. If the coroner rules that the death was a result of natural causes, the investigation will be conducted as both a collision and a corpse investigation.

7.5.4 DRIVING UNDER THE INFLUENCE (DUI)/LMPD OFFICER INVOLVED (KACP 21.1c, 23.1d)

Officers who respond to a collision involving an on-duty or off-duty officer suspected of being under the influence of alcohol/drugs shall immediately contact their commanding officer and request that he/she respond to the scene. This applies regardless of whether the officer is operating a departmental or privately-owned vehicle. The commanding officer is responsible for the investigation of the collision and may request technical assistance, if needed, from the Traffic Unit. If the commanding officer believes that there is probable cause to make an arrest, the commanding officer shall immediately notify the Public Integrity Unit (PIU) Commander of the arrest. The results of the investigation will be provided to the PIU as soon as practical. If the collision results in the death of, or serious physical injury to, any of the parties involved, the PIU is responsible for the investigating the critical incident with assistance from the Traffic Unit (refer to SOP 8.12).

7.5.5 MALFUNCTIONING, DAMAGED, OR MISSING TRAFFIC CONTROL DEVICES (KACP 25.2)

Upon arrival at an accident scene where there is a malfunctioning, damaged, or missing traffic control device, the responding officer will immediately contact MetroSafe to advise Metro Public Works and Assets of the situation. Metro Public Works and Assets is responsible for correcting the problem. In some circumstances, it may be necessary for the responding officer to remain at the scene and manually direct traffic until Metro Public Works and Assets responds (KACP 24.1). This decision will be made by the responding officer's immediate

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<h2>Standard Operating Procedures</h2>	SOP Number: 7.5
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	Accreditation Standards: KACP: 21.1, 23.1, 24.1, 25.2
Chapter: Traffic Control and Collisions	
Subject: Unusual Traffic Incidents	

7.5.5 MALFUNCTIONING, DAMAGED, OR MISSING TRAFFIC CONTROL DEVICES (CONTINUED)

supervisor (KACP 21.1f).

When completing a collision report, if the officer personally observes the control device malfunction or if the control device is missing or damaged, the officer should indicate the observation as fact on the report. If the malfunction is not observed by the officer, but only reported by the driver or witnesses, the officer should note these statements in the narrative section of the collision report, emphasizing that the statement has not been independently verified. This distinction is important if the collision results in litigation.

7.5.6 MALFUNCTIONING OR DAMAGED FIRE HYDRANTS

Officers on patrol may discover fire hydrants which have been damaged by traffic accidents or other means. Upon learning of damage to Metro fire hydrants, officers will immediately notify MetroSafe, via the service channel, of the location of the damaged or malfunctioning fire hydrants.

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Standard Operating Procedures	SOP Number: 7.6
	Effective Date: 11/21/03
	Prv. Rev. Date: 01/23/17
	Revised Date: 09/28/17
Chapter: Traffic Control and Collisions	Accreditation Standards: KACP: 23.1
Subject: Collision Evidence	

7.6 COLLISION EVIDENCE

7.6.1 GENERAL EVIDENCE

Collision evidence shall be handled and secured in accordance with departmental evidence handling procedures.

7.6.2 VEHICLE INSPECTIONS

In situations where it appears that mechanical problems may have contributed to a serious or fatal traffic collision, the vehicle may be held for a mechanical inspection. In such cases, the investigating officer shall complete the Request for Mechanical Inspection form (LMPD #04-11-0072) and provide his/her commanding officer with the request. If the commanding officer approves the request, the commanding officer shall forward the completed form to the Vehicle Impoundment Unit (VIU)/Fleet Lieutenant.

7.6.3 OBTAINING BLOOD/URINE AS EVIDENCE (KACP 23.1d)

There are four (4) ways to have the results of blood/urine tests admitted into court:

- **Written Consent:** Written consent from a suspect, whose blood and/or urine is being sought, is the preferred option for obtaining specimens for evidentiary purposes, except when a suspect is injured or is not being charged at the time. A Specimen Collection Consent form (LMPD #03-07-0303) should be signed by the suspect and witnessed by another person. If verbal or other clearly identifiable permission is given, but the suspect refuses, or is unable to sign (e.g. physically impaired due to injury), the reason shall be noted, in detail, on the form and a witness's signature shall be obtained. The officer shall provide a Kentucky State Police (KSP) Blood/Urine Collection Kit.
- **Implied Consent:** KRS 189A.103 dictates that when a person, suspected of a violation of KRS 189A.010(1) or KRS 189.520(1) (Driving Under the Influence (DUI)), is unconscious and unable to give written or verbal consent, or cannot gesture his/her consent, his/her condition shall indicate implied consent. The officer shall complete the Implied Consent form (LMPD #03-07-0302), marking the appropriate box and explaining the suspect's condition. The officer shall obtain the signature of a witness on the form. The officer shall provide the hospital staff with a KSP Blood/Urine Collection Kit.
- **Search Warrant:** In cases where a person is suspected of a violation of KRS 189A.010 or KRS 189.520 as part of an injury collision and is unwilling to consent to a blood and/or urine sample, the investigating officer should consider obtaining a search warrant for blood and/or urine evidence. This evidence can be collected by writing a search warrant to have the suspect's blood drawn or to collect those samples already obtained by the hospital. The officer should contact a commanding officer for guidance as to whether blood and/or urine evidence collection is appropriate, based on the nature of the injuries. Officers may contact the Office of the Commonwealth's Attorney or the Jefferson County Attorney's Office during normal business hours for assistance. Non-Traffic Unit officers may contact an on-call prosecutor after hours, by contacting a Traffic Unit officer and requesting assistance, if necessary. The officer shall provide the hospital staff with a KSP Blood/Urine Collection Kit.

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	Revised Date: 09/28/17
Chapter: Traffic Control and Collisions	Accreditation Standards: KACP: 23.1
Subject: Collision Evidence	

7.6.3 OBTAINING BLOOD/URINE AS EVIDENCE (CONTINUED)

- **Medical Records:** In cases where the above criteria are not met, or when a medical facility fails or refuses to cooperate in the collection of blood and/or urine evidence, hospital records may be subpoenaed to court with the assistance of the Office of the Commonwealth's Attorney or Jefferson County Attorney's Office. Seeking hospital records, by subpoena, should be initiated by the prosecutor.

All blood/urine specimens will be processed according to departmental evidence procedures.

Blood alcohol concentration testing should be administered within two (2) hours of cessation of operation or physical control of a motor vehicle in order for it to be admissible in court. However, if more than two (2) hours have elapsed, a blood alcohol concentration test should still be administered. To obtain blood and/or urine specimens in a DUI investigation, the officer shall transport, or arrange to have transported, if appropriate, an injured adult subject who has consented, or whose consent is implied under statute or who is compelled by a search warrant to submit, to blood and/or urine testing, to the University of Louisville Hospital Emergency Room (ER), unless the subject requests to be taken to a different hospital for treatment. Louisville Metro Department of Corrections (LMDC) medical personnel will collect blood or urine specimens from subjects who are uninjured and do not require hospitalization (refer to SOP 7.12). All juvenile drivers who have been involved in a vehicle collision shall be taken to Norton Children's Hospital for examination prior to being transported to Louisville Metro Youth Detention Services (LMYDS), in compliance with LMYDS policy, unless the juvenile's parent or legal guardian is present and requests a different hospital. Legal requirements for obtaining blood, breath, or urine testing are the same for juveniles and adults. Breath testing for adult and juvenile subjects is conducted at the LMDC.

KRS 189A.105 dictates that if a person submits to alcohol and/or substance tests requested by an officer, he/she shall be advised that he/she has the right to have an independent blood test (IBT) performed by a person of his/her choosing, at his/her own expense, as described in KRS 189A.103 (the "implied consent" statute), within a reasonable amount of time after his/her arrest. Immediately following the administration of the final test requested by an officer, the subject shall again be informed of his/her right to an IBT, by asking "Do you want such a test?" If a subject requests an IBT, the officer shall transport the subject to the medical facility of his/her choice. The officer must make a reasonable effort to allow the subject to obtain an IBT. If the requested medical facility will not perform the IBT, the officer shall transport the subject to a second medical facility of the subject's choosing. If the second medical facility refuses to perform the IBT, the officer shall then transport the subject to the LMDC. If a subject requests an IBT, but is unfit for transport to another medical facility of their choosing, due to sustaining injuries requiring admission to the initial medical facility, the officer shall advise the subject, if possible, that he/she is unable to be moved, but that he/she may request that the initial facility perform an IBT. The officer shall also advise medical personnel at the admitting facility of the subject's request for an IBT. The officer shall note in the narrative of the arrest citation, that the subject requested an IBT, but was unable to be transported due to injuries. If the medical facility where the subject is admitted declines the subject's request for an IBT, the officer should obtain the name of the person denying the request and record it in his/her notes.

The officer should advise the subject they are responsible for all costs associated with an IBT. No subject will be transported outside of Jefferson County for the purpose of obtaining an IBT.

Officers shall not make statements regarding the wisdom of obtaining an IBT and in no way attempt to discourage a subject from requesting one.

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<h2>Standard Operating Procedures</h2>	SOP Number: 7.6
	Effective Date: 11/21/03 Prv. Rev. Date: 01/23/17 Revised Date: 09/28/17
	Accreditation Standards: KACP: 23.1
Chapter: Traffic Control and Collisions	
Subject: Collision Evidence	

7.6.3 OBTAINING BLOOD/URINE AS EVIDENCE (CONTINUED)

The officer shall obtain a KSP Blood/Urine Collection Kit from his/her division and verify that the expiration date on the box has not passed. Divisions are responsible for maintaining an adequate supply of blood/urine kits. Blood/urine kits may be obtained from the Kentucky State Police, Jefferson Laboratory Branch, located at 3600 Chamberlain Lane #410. The KSP Jefferson laboratory Branch can be contacted at (502) 426-8240.

When obtaining samples, the officer shall provide a copy of the search warrant or Specimen Collection Consent form to the hospital. The original copy should be retained in the officer's file for court proceedings. Upon arrival at the hospital, the officer shall:

- Notify the triage nurse of his/her intention to have a blood and/or urine specimen drawn.
- Request the appropriate nurse to fill both blood tubes for alcohol and drug testing.
- Personally witness the collection of the blood/urine specimen(s).
- Request that urine samples be taken two (2) times. The second urine sample needs to be taken 30 minutes after the first urine sample.
- Request that blood be drawn two (2) times. The second blood draw needs to be taken one (1) hour after the first blood draw.
- Request that a non-alcohol prep be used prior to obtaining blood.
- Note the location on the body from which blood is drawn on the Specimen Collection Consent form.
- Fill in the blanks on the sample containers and the evidence box.
- Seal the evidence in the box and deposit it in a mailbox as soon as possible.

A hospitalized suspect may be cited and released for a DUI only under the conditions mentioned in SOP 7.12. This decision will be based on the suspect's injuries and the length of time that the suspect is to be hospitalized. Blood evidence must be drawn and an officer shall request the approval of a commanding officer before a suspect may be cited in lieu of arrest. For the purpose of determining the appropriateness of issuing a citation in lieu of arrest, an acting sergeant is not considered a commanding officer. The commanding officer shall complete an Administrative Incident Report (AIR), via the BlueTeam link, located on the Louisville Metro Police Department (LMPD) Intranet (refer to SOP 3.1). An acting sergeant may complete the AIR, listing the commanding officer who authorized issuing a citation in lieu of arrest. Blood may be drawn at the request of the officer or for treatment purposes by medical personnel.

7.6.4 MOBILE VIDEO SYSTEMS (MVS)

Officers shall upload the data onto the server at least once per shift (refer to SOP 4.1).

A Public Integrity Unit (PIU) investigator shall secure any digital recording when an officer is involved in a critical incident resulting from a collision (refer to SOP 8.12)

7.6.5 WEARABLE VIDEO SYSTEM (WVS)

Officers shall upload WVS recordings pursuant to SOP 4.31.

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<h2>Standard Operating Procedures</h2>	SOP Number: 7.7
	Effective Date: 11/06/03 Prv. Rev. Date: 07/25/16 Revised Date: 10/09/17
	Accreditation Standards: KACP: 23.1
Chapter: Traffic Control and Collisions	
Subject: Departmental Vehicles	

7.7 DEPARTMENTAL VEHICLES

7.7.1 WITHIN LMPD JURISDICTION

In cases where property damage occurs as the result of a collision involving a departmental vehicle, a commanding officer from the division where the collision occurred will respond to the scene and complete the report. If criminal charges are filed, damage to any property will be noted in the arrest/citation narrative. Members will obtain a copy of the property damage appraisal or the Newburg Road garage invoice and present to the prosecutor in order to request restitution for the damages. The request for restitution should be part of the plea agreement or sentencing.

The Public Integrity Unit (PIU), with the assistance of the Traffic Unit, will investigate all officer-involved collisions resulting in death or life-threatening injury (KACP 23.1a). The PIU, with the assistance of the Traffic Unit, will also investigate any officer-involved collisions in which the officer could face criminal charges. In such cases, the investigator will report all findings directly to the PIU Commander.

7.7.2 OUTSIDE OF LMPD JURISDICTION

When a departmental vehicle is involved in a collision outside of the jurisdiction of the Louisville Metro Police Department (LMPD), the report will be completed and processed by the appropriate law enforcement agency. The operator of the vehicle will obtain a copy of the report and notify his/her supervisor, as soon as possible, after the collision.

7.7.3 PHOTOGRAPHS

All collisions involving departmental vehicles will be photographed by the investigating officer or the Crime Scene Unit (CSU). Exceptions may be made when time or distance constraints dictate.

7.7.4 COLLISION DIAGRAMS

The investigating officer will create a collision diagram of any collision involving a departmental vehicle.

7.7.5 VEHICLE DAMAGE OR COLLISION REPORT

A Vehicle Damage or Collision Report form (LMPD #03-07-0190) will be submitted in the following circumstances (KACP 23.1b):

- When a departmental vehicle sustains damage by striking a fixed object
- When a departmental vehicle is involved in a collision
- When a departmental vehicle sustains damage that is not the result of a traffic collision
- When a Vehicle Impoundment Unit (VIU) wrecker is involved in a collision and the car being towed is damaged as a result of the collision

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7.7.5 VEHICLE DAMAGE OR COLLISION REPORT (CONTINUED)

A commanding officer or a Traffic Unit officer will complete a Vehicle Damage or Collision Report form (LMPD #03-07-0190) as soon as possible following the incident. The Vehicle Damage or Collision Report form, including the collision report number, if applicable, will be forwarded electronically, no later than the end of the commanding officer's or Traffic Unit officer's tour of duty, to "LMPD Vehicle Damage Notification," located within the department's email distribution list. The original report will then be forwarded through the appropriate chain of command. Photographs of all damaged vehicles will be taken by the investigating or responding supervisor, the investigating officer, or the Crime Scene Unit (CSU). Photos will be entered into the Digital Image Management System (DIMS), via any DIMS download station, and copies attached to the original Vehicle Damage or Collision Report form. Any other paperwork (e.g. Kentucky Uniform Citation, collision diagrams, etc.) associated with the damage will be submitted with the form.

Additionally, the on-duty supervisor, upon learning of damage to any LMPD departmental vehicle, will send an email to "LMPD Vehicle Damage Notification," located within the department's email distribution list. This email will be sent by the end of the supervisor's tour of duty and will include the following information:

- The date and time of the incident
- The location of the incident
- The incident report number or Incident Control Number (ICN)
- The member's name, code number, and assignment
- The vehicle equipment number
- The description of vehicle damage
- The narrative of how the damage occurred
- A list of names, addresses, and phone numbers of anyone injured, along with a description of the injuries
- Criminal charges (if applicable)
- Witness information
- Property damage, other than LMPD property, which includes the owner's name, address, and phone number

Members with damaged departmental vehicles shall contact the Metro Fleet Services Vehicle Coordinator within 14 days of the damage to arrange for the vehicle's evaluation and/or repair estimate. Members with rental vehicles shall contact the leasing vendor within 14 days of the damage.

7.7.6 EVIDENCE RETENTION

All evidence relating to motor vehicle accidents involving departmental vehicles is retained for a period of no less than two (2) years following the date of the accident, unless it needs to be retained longer. Members shall obtain written approval from the Legal Advisor prior to destroying any evidence. Such evidence includes, but is not limited to, the following:

- Handwritten notes
- Audio and video recordings
- Dispatch transmissions

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7.7.6 EVIDENCE RETENTION (CONTINUED)

- Photographs

If video camera evidence relating to motor vehicle accidents needs to be retained longer than two (2) years after the accident, members should contact the Department of Information Technology (DoIT) Service Desk at (502) 574-4444, for digital recordings, or the Evidence and Property Unit (EPU) at (502) 574-2410, for VHS recordings.

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<h2>Standard Operating Procedures</h2>	SOP Number: 7.8
	Effective Date: 11/06/03 Prv. Rev. Date: 07/25/16 Revised Date: 10/09/17
	Accreditation Standards:
Chapter: Traffic Control and Collisions	
Subject: Metro Government Vehicles and Governmental Property	

7.8 METRO GOVERNMENT VEHICLES AND GOVERNMENTAL PROPERTY

7.8.1 METRO GOVERNMENT VEHICLES

When a collision involving a Metro Government-owned vehicle, other than a Louisville Metro Police Department (LMPD) vehicle, occurs, a division officer will respond to the scene. A collision report will be completed, regardless of the location (e.g. parking lot) or the amount of damage to the vehicle.

The investigating officer or the Crime Scene Unit (CSU) will take photographs of all collisions involving a Metro Government-owned vehicle, other than a LMPD vehicle. Exceptions may be made for time or distance constraints.

The investigating officer will create a collision diagram of any collision involving a Metro Government-owned vehicle, other than a LMPD vehicle.

7.8.2 EVIDENCE RETENTION

All evidence relating to motor vehicle accidents involving Metro Government-owned vehicles is retained for a minimum of two (2) years following the date of the accident, unless it needs to be retained longer. Members shall obtain written approval from the Legal Advisor prior to destroying any such evidence. Such evidence includes, but is not limited to, the following:

- Handwritten notes
- Audio and video recordings
- Dispatch transmissions
- Photographs

If video camera evidence relating to motor vehicle accidents needs to be retained longer than two (2) years after the accident, members should contact the Department of Information Technology (DoIT) Service Desk at (502) 574-4444, for digital recordings, or the Evidence and Property Unit (EPU) at (502) 574-2410, for VHS recordings.

7.8.3 GOVERNMENTAL PROPERTY

When a member encounters federal, state, or local governmental property (e.g. buildings, stop signs, guardrails, etc.) that has been damaged, the member shall report the damage(s) to the appropriate agency. If criminal charges are filed, the damage to the property will be noted in the arrest/citation narrative and a case file will be opened. All damage to governmental property will be photographed by the investigating officer or the CSU. These photos will be entered into the Digital Image Management System (DIMS), via any DIMS download station (refer to SOP 4.26).

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7.8.3 GOVERNMENTAL PROPERTY (CONTINUED)

The Damage to Governmental Property form (LMPD #15-0001) will be emailed to "LMPD Damaged Government Property," located within the department's email distribution list, before the end of his/her tour of duty.

When attending court for damage to governmental property, the member shall inform the prosecutor of the damage and request restitution for the damage.

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	Accreditation Standards: KACP: 21.1, 25.1, 25.4, 25.5, 30.3
Chapter: Traffic Control and Collisions	
Subject: Impoundment and Towing of Vehicles	

7.9 IMPOUNDMENT AND TOWING OF VEHICLES (KACP 25.5)

7.9.1 ILLEGALLY PARKED VEHICLES

An officer may cite and/or impound a motor vehicle that is parked, stopped, or encroaching upon a street or public way within his/her jurisdiction, when it is in violation of an ordinance or statute prohibiting:

- Parking in restricted areas (e.g. bus zones, fire lanes, no stopping/parking anytime, etc.)
- Parking during restricted times (e.g. no stopping/parking from 7 AM – 9 AM or no stopping/parking except on Sundays)
- Parking in a restricted manner (e.g. more than six (6) inches from the curb, not parallel to the curb, two (2) wheels on the sidewalk, etc.)

7.9.2 ABANDONED VEHICLES

Abandoned vehicles will be checked through the National Crime Information Center (NCIC) to determine if they are stolen. Officers may impound abandoned vehicles in the following situations (KACP 25.4):

- Vehicles left on a driving portion of the roadway
- Vehicles left on a shoulder of an interstate, in excess of six (6) hours, after having been marked with a warning
- Vehicles parked in one (1) place upon a public way, for three (3) consecutive days, after having been marked with a warning

An Abandoned Vehicle sticker (LMPD #03-07-0300) or a Vehicle Check sticker (LMPD #03-07-0301) will be placed on the vehicle window closest to the roadway. This sticker documents the amount of time that the vehicle has been abandoned in its location and serves as a notice to the owner/operator that it is subject to impound. The vehicle may be impounded, and a citation may be issued, after the expiration period has passed.

7.9.3 JUNKED VEHICLES

A junked vehicle will be considered any vehicle that is inoperative or reasonably appears to be inoperative, wrecked, dismantled, partially dismantled, or discarded. Conditions which may indicate that a motor vehicle is junked include, but are not limited to:

- Extensive rusting
- Deflated/flat tires
- Missing wheels
- Missing or cracked windshield or windows
- Missing major chassis components
- Missing brake lights
- Missing any other vehicle component as required by law
- Missing, or expired, license plates or registration tags

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7.9.3 JUNKED VEHICLES (CONTINUED)

Junked vehicles located on the public roadway are subject to immediate impoundment. A complaint of junked vehicles located on private property, by a non-owner of the property, should be referred to the Department of Codes & Regulations.

7.9.4 DEVICES NOT CAPABLE OF SELF-PROPULSION

It is a parking violation to park, or store upon a public way, any device which is not capable of being driven under its own power or which cannot legally be operated on public ways. Such devices include, but are not limited to, trailers and boats. Any such device parked on a public way may be impounded.

Mobility devices (e.g. wheelchairs) may not be taken to the Vehicle Impoundment Lot. These devices can either be taken to the Evidence and Property Unit (EPU) or may be dropped off at the owner's residence, if the address is known. If the mobility device can be transported in a departmental vehicle, the officer will transport the mobility device to one (1) of the two (2) locations listed above. If the mobility device is an electric wheelchair or scooter, a wrecker may be utilized.

7.9.5 DEBRIS AND JUNK-FILLED VEHICLES/DEVICES

Officers seeking to tow or impound a vehicle/device, heavily laden with junk and debris, will notify Public Works and Assets to clean the vehicle/device prior to towing and impoundment.

7.9.6 ILLEGAL DUMPING

Per Louisville Metro Ordinance 51.510, no person shall deposit, drop, dump, place, or throw any waste or hazardous waste onto public or private property that is not licensed for the purpose of disposal of waste by the Louisville Metro Government Waste Management District and in compliance with all applicable laws and regulations. Any motor vehicle used for illegal dumping shall be impounded for a period of not more than 12 months. The Code Enforcement Board will determine the length of impoundment. Louisville Metro Police Department (LMPD) officers have the authority to enforce these provisions. The impounded vehicle will remain in the Vehicle Impoundment Lot until the LMPD is notified by Metro Government that the registered owner has posted bond or all outstanding citations and fees have been paid.

A summary of the Dumping Ordinance and an instruction sheet for violators are available on the LMPD Intranet by clicking on the "Forms" link and then double clicking on the "Ordinance and Appeal Information" folder. The summary provides officers with guidelines to handle the enforcement of the ordinance.

The instruction sheet must be attached to every citation and given to the violator. Only handwritten paper citations will be used for violations of the illegal dumping ordinance. Electronic citations (eCitations) are not approved for violations of this ordinance. All citations will be forwarded to the Code Enforcement Board and a copy will be scanned and emailed to Pete Flood of the Waste Management District at Pete.Flood@louisvilleky.gov.

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7.9.6 ILLEGAL DUMPING (CONTINUED)

Cameras have been placed in certain areas in the city known for high rates of illegal dumping. Citizens can view photos on the Louisville Metro Solid Waste Management website (<http://www.louisvilleky.gov/SolidWaste/illegaldumping/>) and help identify the individual(s) pictured.

7.9.7 CLEARING THE ROADWAY

When an attended vehicle is rendered inoperable, impeding traffic, or posing a danger to the public, the responding officer will employ the most expedient means of removing the vehicle. This may include the use of a Vehicle Impoundment Unit (VIU) wrecker or contract wrecker to move the vehicle to the nearest safe location. When a member requests a wrecker to clear the street, he/she should identify a safe and legal public parking location within visible sight of the original scene, if available, where the wrecker driver may drop the wrecked or disabled vehicle (KACP 25.1). Officers will not request that wrecker drivers move a vehicle to private property, unless permission is obtained from the property owner. If the vehicle owner/occupant is present or informed, officers may clear the street by moving the vehicle to a temporary drop location. The vehicle owner/occupant is responsible for moving the vehicle from the temporary drop location as soon as possible. If other circumstances prevent the vehicle owner/occupant from moving the vehicle (e.g. receiving medical treatment) or the vehicle owner/occupant is not present, the vehicle will be impounded if it meets the criteria above. Any hold placed on a vehicle will be in compliance with SOP 7.9.15.

Some considerations when making the decision to clear the street or impound the vehicle may include whether a safe and legal public parking location is available, whether the vehicle will create a public hazard because it is severely damaged, and whether the owner can remove the vehicle in a timely fashion.

If a motorist requests a private wrecker or already has one en route, the officer may choose to cancel or continue a VIU wrecker or contract wrecker, depending on estimated times of arrival and the danger posed to the public. If the vehicle poses a danger to the public, the officer will remain at the scene until the vehicle is removed (KACP 25.1).

While officers will not recommend a particular private wrecker service to the motorist, if the motorist requests a specific private wrecker service, the officer will relay that request to MetroSafe, specifying that the tow is at the owner's expense.

7.9.8 TRACTOR-TRAILERS AND BIG TRUCKS

Contract wreckers will be utilized when towing or impounding tractor-trailers or other oversize trucks weighing in excess of 10,000 pounds (5 tons).

7.9.9 WRECKED VEHICLES

When a vehicle is rendered inoperable and it is impeding traffic, the investigating officer will have it towed from the collision scene (KACP 21.1g).

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7.9.9 WRECKED VEHICLES (CONTINUED)

If the owner/operator of the vehicle is not present at the time that the vehicle is towed, the vehicle will be impounded in the storage lot of the wrecker company providing the service.

If the owner/operator is present at the time that the vehicle is towed, he/she may elect to use a private wrecker service. However, if private arrangements will interfere with the officer completing an investigation or clearing a collision location, the officer may use a VIU wrecker or contract wrecker service (KACP 21.1g). If a vehicle is merely cleared from the roadway, it will be moved to a safe and legal public parking location within visible sight of the original scene, if possible, or as described in SOP 7.9.7.

7.9.10 VEHICLES USED IN CRIMINAL ACTS

An officer will impound a vehicle only when there is probable cause to believe that the vehicle:

- Constitutes an instrument or fruit of a crime.
- Contains evidence of a crime.
- Is subject to seizure or forfeiture (KACP 30.3).

Any vehicle towed for evidentiary purposes should be towed by a VIU wrecker, whenever possible. Any such vehicle with a gross weight under 10,000 pounds (5 tons) will be stored in the Vehicle Impoundment Lot. Vehicles weighing more than 10,000 pounds (5 tons) may be stored in a contractor's impound lot.

For any vehicle impounded for an investigation, the impounding officer must write "Investigation" in the narrative portion of the tow citation, followed by the letter "V" to designate that the vehicle owner is the victim of a possible crime. Without this designation, it will be assumed that the vehicle owner is a person of interest in the investigation.

7.9.11 TOWING OF VEHICLES FOLLOWING ARREST

When an operator is placed under arrest and his/her vehicle is on the traveled portion of the roadway, the officer may have the vehicle impounded. If the individual has pulled off of the traveled portion of the roadway (e.g. shoulder, parking lot), the arresting officer will not impound the vehicle unless the person requests that he/she do so, the vehicle is an instrument of the crime, or the vehicle creates a traffic hazard.

If an arrested person elects to leave his/her vehicle in a non-hazardous traffic location, the arresting officer is not obligated to secure the vehicle or its contents more securely than it was at the time of the arrest.

If the owner/operator elects to turn the vehicle over to a third party, the arresting officer must confirm that the third party has a valid operator's license and is not under the influence of intoxicants.

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7.9.12 VEHICLE REMOVAL FROM PRIVATE PROPERTY

The owner of the property may request an officer to run a registration and stolen vehicle check. If no violation exists, the officer will assist the property owner by providing him/her with the owner's name and address. If the vehicle is located on private residential property, the property owner may sign a liability waiver to allow the vehicle to be removed by a VIU wrecker or contract wrecker. If the vehicle is located on private commercial property, the business will be advised to contact a private wrecker service to have the vehicle removed. Apartment complexes are considered private commercial property.

If the vehicle has been reported stolen or involved in a criminal act, the officer shall impound the vehicle and the property/business owner need not sign a waiver.

7.9.13 USE OF WRECKER SERVICE

All requests for wrecker service will be handled through MetroSafe. All cancellations of wrecker service will also be handled through MetroSafe. Officers are permitted to cancel the contract wrecker at the scene, but will advise MetroSafe that they have done so. A stolen vehicle check will be performed by the impounding officer, on any vehicle that is to be towed.

Information needed when requesting wrecker service is as follows:

- Officer's unit number
- Location
- Vehicle make, model, and color
- Vehicle license plate number or Vehicle Identification Number (VIN)
- Reason for the tow (e.g. accident, clear the roadway, abandoned vehicle, etc.)
- Citation number
- Whether the vehicle is two (2)-wheel or four (4)-wheel drive
- Whether or not the vehicle is drivable
- Whether or not all of the tires are inflated on the vehicle

The impoundment portion of the parking citation must be completed and attached to the vehicle before a contract wrecker will tow the vehicle. Officers will remain with vehicles that are being towed until the wrecker has left the scene in the following circumstances:

- Vehicle is located in the driving lanes of a roadway
- Recovery of stolen/possible stolen vehicle
- Vehicle with "hold" on it
- Any other situation that the officer believes may present a danger to the wrecker driver or the public

Officers will properly complete the LMPD Records and Impoundment Instruction Sheet (LMPD #04-07-0300) when a vehicle is towed or left at the scene of an arrest or accident. The division phone number, report number, officer's name, officer's code number, and the date will be filled out. The sheet is to be given to the owner/operator of the vehicle, if present. No form is needed if the owner/operator is not present.

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7.9.13 USE OF WRECKER SERVICE (CONTINUED)

A service call on police equipment must include the following information:

- Location
- Equipment number
- Vehicle make, model, and color
- Whether the vehicle is two (2)-wheel or four (4)-wheel drive
- Whether or not the vehicle is drivable
- Whether or not all of the tires are inflated on the vehicle
- Reason for the service/tow
- On-duty or off-duty status

Tow requests for police equipment should be handled by VIU wreckers, whenever possible.

7.9.14 TOWED VEHICLE DAMAGED IN COLLISION

When a VIU wrecker is involved in a collision, it will be reported on the Vehicle Damage or Collision Report form (LMPD #03-07-0190). Damage done to any vehicle being towed will also be included on this form. Collisions must be reported even if there is no apparent damage to a departmental vehicle.

A commanding officer of the division where the collision occurred or a Traffic Unit officer will complete a Vehicle Damage or Collision Report form, as soon as possible following the incident. The Vehicle Damage or Collision Report form, including the collision report number, if applicable, will be forwarded electronically, no later than the end of the commanding officer's or Traffic Unit officer's tour of duty, to "LMPD Vehicle Damage Notification," located within the department's email distribution list. The original report will then be forwarded through the appropriate chain of command. Photographs of all damaged vehicles will be taken by the investigating or responding supervisor, the collision investigator, or the Crime Scene Unit (CSU). These photos will be entered into the Digital Image Management System (DIMS), via any DIMS download station, and copies attached to the original Vehicle Damage or Collision Report form. Any other paperwork (e.g. Kentucky Uniform Citation) associated with the damage will be submitted with the form (refer to SOP 7.7).

7.9.15 OWNER/OPERATOR CANCELLATION OF TOW

The owner/operator of an abandoned or illegally parked vehicle may remove the vehicle, at any time, prior to the vehicle becoming attached to a VIU wrecker or contract wrecker.

After a vehicle has been attached to the wrecker, but before the wrecker has left the scene, the owner/operator may take possession of the vehicle. In such situations, neither the department nor the owner/operator will be responsible for any wrecker fees. The wrecker driver will issue a release to the owner/operator. Such release will be in the form of a receipt and signed by the wrecker driver acknowledging the release of the vehicle from the tow truck before actual towing.

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	Accreditation Standards: KACP: 21.1, 25.1, 25.4, 25.5, 30.3
Chapter: Traffic Control and Collisions	
Subject: Impoundment and Towing of Vehicles	

7.9.15 OWNER/OPERATOR CANCELLATION OF TOW (CONTINUED)

Neither the removal of a vehicle by an owner/operator, nor the issuance of a release by the wrecker driver, will be construed as relieving the owner/operator from the responsibility for any violation of the traffic code with which he/she may be charged.

7.9.16 HOLDS AND RELEASES

A hold will be placed on a vehicle only if an officer has probable cause to believe that the vehicle is evidence of a crime or evidence regarding a crime can be obtained from the vehicle. When a hold is placed, officers will adhere to the following:

- The towing officer will obtain approval from a commanding officer by radio, phone, or in-person prior to placing a hold on an impounded vehicle. The commanding officer will determine if probable cause exists to hold the vehicle.
- An officer placing a hold on a vehicle will request a wrecker and have the vehicle towed to the Vehicle Impoundment Lot, located at 1487 Frankfort Avenue.
- The probable cause for the hold will be noted on the Louisville Jefferson County Metro Parking Citation.
- The towing officer will complete a LMPD Vehicle Hold form (LMPD #05-0019) and list the probable cause for holding the vehicle by initialing the appropriate spaces on the form.
- If the towing officer is placing a hold on a vehicle at the request of another officer, the officer requesting the hold will be entered as the "hold" officer.
- The name of the commanding officer authorizing the hold will also be listed on the LMPD Vehicle Hold form.
- The impoundment portion of the parking citation and the original LMPD Vehicle Hold form will be attached to the vehicle. Vehicles towed without a properly completed LMPD Vehicle Hold form attached may be released at the discretion of the VIU/Fleet Lieutenant, or his/her designee.
- An officer will remain with the vehicle until the wrecker has left the scene.
- The towing officer, if different than the hold officer, will notify the hold officer that the vehicle has been located, impounded, and held. Once notified, the hold officer will immediately arrange for Crime Scene Unit (CSU) processing and/or will contact the Auto Theft Investigations Team for special storage arrangements (e.g. secured lot), if needed.

Officers shall not place a vehicle on "hold" for improper registration plates. Legitimate reasons to hold a vehicle are as follows:

- Fatal or serious injury accidents.
- The vehicle is evidence of a crime or is believed to contain evidence of a crime. The fact that a vehicle was used in a crime does not automatically make the vehicle evidence. A vehicle may be considered evidence in cases such as assaults, in which the vehicle was used as a weapon.
 - If the vehicle does contain evidence, it must be legally removed from the vehicle and taken to the EPU as soon as practical, either incident to the arrest or if the vehicle is already moved, by a signed Consent to Search form (LMPD #06-0036), taped oral consent, or search warrant.

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7.9.16 HOLDS AND RELEASES (CONTINUED)

- Once evidence is removed from the vehicle, the officer who retrieved the evidence will immediately remove the hold, unless the vehicle itself is to be seized as evidence or for forfeiture (KACP 30.3).
- CSU processing: The CSU Technician will advise the VIU personnel when the processing of the held vehicle is complete.
- Seized for forfeiture: If the vehicle is to be held for forfeiture, the nature of the offense(s) committed will be listed and the hold officer is responsible for completing all of the other appropriate forms associated with vehicle seizures and forfeitures (refer to SOP 11.1). The officer will note **“Vehicle seized for forfeiture”** in the block for vehicle holds on the parking citation and on the LMPD Vehicle Hold form (KACP 30.3).

A vehicle impounded for “stolen” or “investigation of stolen” shall not have a hold placed on it, unless a hold is appropriate for one (1) of the previously-listed circumstances. Stolen, or suspected stolen, vehicles will be released when the owner provides proper proof of ownership to the VIU personnel.

Only the hold officer, his/her supervisor, authorized detective, Assistant Chief of Police/Administrative Bureau, or his/her designee, may release the hold on a vehicle. The hold officer is responsible for releasing the hold on the vehicle in a timely manner. The VIU is responsible for notifying the owner when the hold is released. Owners of impounded and held vehicles, who wish to inspect or remove property from them, must have written permission from, or be accompanied by, the hold officer. The owner and officer must make contact with the VIU personnel before the owner can inspect, or remove property from, the vehicle.

If the rightful owner of the vehicle is deceased, the vehicle will only be released pursuant to a court order.

7.9.17 QUARTERLY VEHICLE RELEASE FORMS

A list of vehicle holds will be sent by the VIU to each division/section/unit quarterly. Officers named on the list will complete a Hold/Release/Transfer/Continue form (LMPD #06-0052) on all vehicles that they have on-hold and forward the completed forms to the VIU/Fleet Lieutenant. Officers will release the hold on all vehicles, unless the vehicle is evidence of a crime or is being confiscated through court proceedings.

Any request to continue the hold must be approved by the officer's division/section/unit commander and include the CourtNet printout showing the next court date. Failure to complete and return the Hold/Release/Transfer/Continue form, within 30 days of issuance of the hold list, to the VIU, will be cause for an automatic release of the vehicle.

7.9.18 PROPERTY IN IMPOUNDED VEHICLES

An officer will secure any valuable property that is in plain view in the vehicle before it is impounded. Property may be secured by placing it in the EPU or by removing it from plain view (e.g. placing property under the seat or in the glove box). If the property is money, excluding change, and the officer is not going to seize it or collect it as evidence, the officer should return the money to the rightful owner or place the money in the EPU, if the owner is not present (refer to SOP 11.3). If the vehicle cannot be secured (e.g. broken windows or door locks),

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7.9.18 PROPERTY IN IMPOUNDED VEHICLES (CONTINUED)

the officer will remove the property, prior to impoundment, and store it in the EPU. Officers are not required to remove property installed in the vehicle (e.g. stereo system, speakers etc.).

Officers are not be responsible for removing property when impounding an unattended vehicle that was secure before the officer's arrival.

Officers will not tow a vehicle that is transporting live animals until the animals have been removed. Wrecker drivers may refuse to impound a vehicle with unsecured, valuable property, until the officer removes it.

Prior to impounding a vehicle, officers are required to roll up the windows of the vehicle, if possible, if the windows are down.

7.9.19 TOWING METRO GOVERNMENT VEHICLES

Officers are not required to complete a Louisville/Jefferson County Metro Parking Citation for Louisville Metro Government vehicles towed by VIU wreckers. However, officers will complete paperwork required by contract wreckers when a Louisville Metro Government vehicle is towed.

7.9.20 COURT PROCEEDINGS

An officer does not have the authority to waive towing or impoundment fees in court proceedings.

7.9.21 RECORDS

All records of vehicles removed or towed at the direction of departmental personnel will be maintained by MetroSafe and entered into their Records Management System (RMS).

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Chapter: Traffic Control and Collisions	
Subject: Additional Services	

7.10 ADDITIONAL SERVICES

7.10.1 MOTORIST ASSIST

Officers operating a departmental vehicle on-duty or off-duty should assist a stranded motorist by stopping, ascertaining his/her needs, and assisting him/her in obtaining help. If stopping and assisting would compromise a police assignment or unduly impact the safety of the officer, or others under his/her control, the officer should advise MetroSafe of the motorist's location (KACP 25.1).

Officers shall not recommend a particular private wrecker service to a motorist. If the motorist requests a specific private wrecker service, the officer shall relay that request to MetroSafe, specifying that the tow is at the owner's expense. If the motorist wishes, MetroSafe will provide him/her with the phone number of the wrecker service of his/her choice so that he/she may contact the wrecker service directly. This will enable the motorist to have any questions answered concerning the time frame of arrival, etc. and will allow for clarifications concerning exactly where the car is located, where the car is to be taken, and how the motorist will pay for the services (KACP 25.5).

7.10.2 DEBRIS IN ROADWAY (KACP 25.2)

When an officer observes debris in the roadway, it should be removed to the extent that normal traffic flow is not impeded. In the event of a collision where a towing service must be called, it is the responsibility of the towing service operator to remove any associated debris from the accident scene. In order to protect evidence, the removal of accident debris shall only be done after the officer has given his/her approval. If a towing service is not required, the officer or the vehicle owner or occupant, who is removing the vehicle from the roadway, is responsible for removing any associated debris from the roadway or having the debris removed, pursuant to Kentucky Revised Statute (KRS) 189.754. If the officer needs assistance cleaning up and/or removing the debris, he/she should have MetroSafe contact Metro Public Works and Assets.

If there is any liquid debris in the roadway (e.g. gas, oil, etc.), the officer shall have MetroSafe contact the appropriate fire department for removal.

7.10.3 HAZARDOUS CONDITIONS

It is the responsibility of any officer to report to MetroSafe any roadway defect, hazardous condition, the lack of, or damage to, traffic control devices, or any other dangerous/hazardous condition encountered. MetroSafe will contact the appropriate agency to correct the defect/condition, as soon as possible. If the severity of the situation presents an imminent danger, the officer should remain on the scene, until properly relieved or until a sufficient number of emergency warning devices are in place. If stopping, or directing, traffic poses too great of a hazard to the officer or increases the danger to other motorists (e.g. officer is in an unmarked car without lights and would only be putting himself/herself, or others, at greater risk), then he/she should immediately notify MetroSafe of the situation (KACP 25.2).

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7.10.4 TRAFFIC ESCORTS (KACP 24.2)

All law enforcement traffic escort requests, including funeral procession escorts, must be approved in advance by the Chief of Police, or his/her designee.

In general, escorts are not permitted because they require the use of emergency equipment (blue lights and sirens) in non-emergency situations. However, there are circumstances when they are permitted. Except as noted below, all escort requests, including funeral procession escorts, must be submitted to, and approved by, the Chief of Police, or his/her designee.

7.10.5 ESCORT OF A SICK OR INJURED PERSON

An officer responding to a civilian vehicle containing a sick or injured person should offer to summon emergency medical assistance and offer to provide first aid, pending its arrival. Officers are prohibited from escorting vehicles carrying injured or ill persons. However, if an injured person can be moved to a police vehicle without further injury, the injured person may be transported in the police vehicle.

When there is a life-threatening situation and the escort by a departmental vehicle would be the best option available, escorts of emergency vehicles (e.g. ambulance) may be authorized by a commanding officer. Officers conducting these escorts must do so with due regard for the safety of others.

7.10.6 PROCEDURES FOR ESCORTS

The Louisville Metro Police Department (LMPD) shall provide services to the community in a safe and balanced manner, which may include limited law enforcement traffic escorts that shall comply with all applicable laws. Unless otherwise noted, all traffic escorts shall adhere to the following:

- Officers, with the proper approval from the Chief of Police, or his/her designee, can perform a law enforcement traffic escort.
- A Secondary Employment Request form (LMPD #03-02-0100) must be completed for each police escort.
- Escorts shall only be conducted with marked vehicles.
- Emergency hazard flashers (white or amber to the front and red or amber to the rear) may be used during a police escort per KRS 189.043.
- Any escort must be done with due caution with regard to crossing traffic (KRS 189.378(3)). Officers shall remind all parties involved in the escort to obey all traffic laws.
- Officers shall obtain the route that the escorted party wishes to take before proceeding.
- At no time shall the officer use his/her emergency equipment (blue lights or siren) except in response to a police emergency, or in accordance with KRS 189.378, Funeral Processions.

There are four (4) types of law enforcement traffic escorts: civilian escort, funeral procession, civic event and dignitaries.

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7.10.7 TYPES OF TRAFFIC ESCORTS

Civilian Escort: Officers, with the proper approval from the Chief of Police, or his/her designee, can perform a law enforcement traffic escort either on-duty or off-duty. Officers can lead and/or follow the motorcade involved.

Funeral Procession (KRS 189.378): Officers, with the proper approval from the Chief of Police, or his/her designee, can perform a law enforcement traffic escort, provided that the following conditions are met:

- Funeral procession escorts will include two (2) or more marked law enforcement vehicles.
- A funeral procession has the right-of-way at an intersection and may proceed through the intersection if the procession is led by an escort vehicle displaying flashing yellow, red, or blue lights, except:
 - When the right-of-way is required by an emergency vehicle, as defined by KRS 189.910.
 - When vehicles in the procession are directed otherwise by a police or safety officer.
 - When the vehicle is a train or locomotive.
- Before assuming the right-of-way, a person who drives a vehicle in a funeral procession shall exercise due caution with regard to crossing traffic.
- Persons authorized to use flashing lights, as defined in KRS 189.920, may use them while accompanying a funeral procession to warn traffic that a procession is approaching or that it is in-progress.

Civic Events: A request by a group to escort vehicles that will be gathering the public's attention during a specified route of travel. This includes, but is not limited to, parades and celebrity protection. The Chief of Police, or his/her designee, may, on occasion, deem the use of emergency equipment necessary to protect the parties involved or the community.

Dignitaries: A request by a governmental agency or individual requesting a police escort for a specific route of travel and protection. This would include local, state, federal, or international dignitaries. The Chief of Police, or his/her designee, may, on occasion, deem the use of emergency equipment necessary to protect the parties involved or the community.

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<h2>Standard Operating Procedures</h2>	SOP Number: 7.11
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	Accreditation Standards: KACP: 10.5, 22.1, 24.1
Chapter: Traffic Control and Collisions	
Subject: Traffic Direction and Control	

7.11 TRAFFIC DIRECTION AND CONTROL (KACP 22.1, 24.1)

7.11.1 RESPONSIBILITIES

When directing traffic, a Louisville Metro Police Department (LMPD) officer, traffic guard, or traffic control officer will position himself/herself for maximum visibility and use distinct hand and arm signals that are easily understood by the public. The officer, traffic guard, or traffic control officer will wear departmentally-issued, high-visibility clothing, or personally-owned approved high-visibility clothing that meets or exceeds ANSI/ISEA 207-2006 standards (refer to SOP 4.2), when directing traffic (KACP 10.5b).

7.11.2 MANUAL TRAFFIC DIRECTION

Officers, traffic guards, or traffic control officers may manually direct traffic in the following situations:

- When traffic control devices at an intersection are not functioning properly. The officer, traffic guard, or traffic control officer will immediately notify MetroSafe when a traffic control device is not functioning properly.
- At collision scenes to protect the scene and/or the motoring public.
- At identified crossing intersections for school children.
- At special events or disaster situations when manual traffic control is necessary for the safety of pedestrians and motorists.
- At fire scenes in order to divert vehicles around the fire scene so as not to impede firefighting equipment.
- Other situations where temporary manual traffic control would expedite the flow of traffic or increase the safety of pedestrians or motorists.

Officers, traffic guards, or traffic control officers in assignments that may require manual traffic direction at intersections may be issued master keys to Louisville Metro area traffic light control boxes in order to allow lights to be switched off and on, or to the four (4)-way flash position. If an officer, traffic guard, or traffic control officer unlocks a traffic light control box in order to allow for manual traffic direction, he/she will verify that the box is locked before leaving the location. For safety and efficiency, officers, traffic guards, or traffic control officers with access to traffic control buttons are encouraged to use them to facilitate the movement of traffic during special events or other incidents requiring manual traffic direction.

7.11.3 TEMPORARY TRAFFIC CONTROL DEVICES

Officers, traffic guards, or traffic control officers are not required to provide manual traffic direction if temporary traffic control devices are available and provide adequate safety to pedestrians and the motoring public.

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Chapter: Traffic Control and Collisions	
Subject: Traffic Enforcement	

7.12 TRAFFIC ENFORCEMENT (KACP 22.1)

7.12.1 TYPES OF TRAFFIC ENFORCEMENT ACTION (KACP 22.3, 22.4a-b, 23.2)

Officer discretion is encouraged when enforcing traffic laws. He/she may choose to give a verbal or written warning, issue a citation, or arrest a violator. Officers shall consider the totality of the circumstances, the uniqueness of the violation, the driver's state of mind, and the seriousness of the violation when deciding which enforcement option to exercise. Any actions taken by the officer shall be commensurate with applicable laws and Louisville Metro Police Department (LMPD) Standard Operating Procedures (SOPs). The following list includes some, but not all, of the traffic violations listed under the Kentucky Revised Statutes (KRS):

- Operation of a vehicle by an individual driving under the influence (DUI) of alcohol/drugs (refer to SOP 7.12.6 and SOP 10.1)
- Operation of vehicle after driving privileges have been suspended or revoked
- Speed violations
- Hazardous violations
- Off-road vehicle violations
- Equipment violations
- Public carrier/commercial vehicle violations
- Pedestrian and bicycle violations

Officers should refer to the KRS regularly in order to stay informed of newly enacted laws and/or regulations concerning motor vehicle violations and citations.

To help decrease the number of traffic violations and accident fatalities, traffic safety tips are available on the LMPD website.

7.12.2 CITATIONS

Officers may issue a citation electronically, using the Kentucky Open Portal Solution (KYOPS) system, to any motor vehicle operator found to be in violation of any of the offenses listed in KRS chapters 186 and 189. Accountability for issued eCitations and voided eCitations is the responsibility of the Kentucky State Police (KSP).

Paper citations, which should only be used if the KYOPS system is down or the officer does not have access to a Mobile Data Terminal (MDT), are issued to officers from their respective division/section/unit. All officers must sign the Citation Accountability Log (LMPD #06-0017) for all paper citations issued to them. Any voided paper citations must be turned in to the division/section/unit and logged on the Voided Citation Log (LMPD #06-0048) (KACP 22.4a). Unused paper citations shall be stored in a secure location in each division/section/unit.

Traffic enforcement data is kept by the KSP and retained in the KYOPS system. The KYOPS system allows for daily reporting of crime data and the ability to query all data that is contributed to the repository. The Traffic Unit can retrieve this data at any time, using queries based on location, in order to better utilize resources.

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7.12.2 CITATIONS (CONTINUED)

Officers issuing a citation shall complete the "Post-Arrest Complaint" narrative of the Kentucky Uniform Citation. The officer will specify the offense(s) being charged and enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation. The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s). Merely re-stating the charges or making a reference to an incident report number is not sufficient for establishing probable cause or meeting the elements of the offense (refer to Kentucky Rules of Criminal Procedure [(RCr) 3.02(2)]).

Traffic citations for non-residents of Jefferson County are processed in the same manner as citations for local residents. Pursuant to KRS 189.999, traffic citations issued to juvenile drivers, under the age of 18, are not pre-payable. An officer issuing a citation to a juvenile driver shall appropriately mark the "Court" box on the citation and issue a valid court date based on the court assignment calendar and Jefferson County Office of the Circuit Court Clerk (OCCC) guidelines.

When citing a driver for multiple traffic violations, officers shall list all applicable charges in the "Charges" section of the traffic citation. Each line in the "Charges" section must be completed before moving to the next citation to list additional violations. Officers are prohibited from writing multiple traffic citations to one (1) operator when all of the charges would appropriately fit on one (1) citation. Any motor vehicle operator receiving citation(s) for multiple violations, either simultaneously or at different times, is required to satisfy the requirements of the citation(s).

Civilian members who have limited authority to issue citations for non-moving violations (e.g. Traffic Control Officers (TCOs), Tow-In Equipment Operators, Storage Equipment Operators) shall not issue citations while off-duty or working secondary employment, unless authorized, in writing, by the Chief of Police, or his/her designee.

7.12.3 METROCALL COMPLAINTS

MetroCall complaints regarding traffic violations on surface streets are forwarded to the appropriate division/section/unit for assignment, investigation, and handling. An officer assigned a complaint will evaluate the complaint and take appropriate enforcement action. A log will be maintained, indicating the date and time that the complaint is received, the officer assigned, and any action taken. MetroCall complaints will be returned by the assigned suspense date with documentation of the action taken. The Traffic Unit handles complaints on the interstate system.

7.12.4 RECERTIFICATION BY LICENSING AUTHORITY

If an officer observes an operator who demonstrates physical or mental infirmities that render him/her unsafe to operate a motor vehicle, the officer may request the state to recertify the operator.

To request recertification, the officer shall complete a Medical Review Board Affidavit. In the statement section, the officer shall list any known, or suspected, medical impairment (e.g. low visual acuity, hearing problems, incoherency, etc.). The officer shall also report his/her observations and reasons for the request. If it is the officer's opinion that the operator has caused a motor vehicle collision, the officer shall attach a photocopy of the

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7.12.4 RECERTIFICATION BY LICENSING AUTHORITY (CONTINUED)

collision report to the request form. A copy of this form and its attachments will be retained in the division/section/unit files.

The officer will forward the completed form and its attachments to the appropriate Bureau Commander within his/her chain of command. The commander will forward the information to the Division of Driver Licensing, located in Frankfort, Kentucky. The Division of Driver Licensing will notify the operator of the pending recertification.

7.12.5 TRAFFIC COLLISIONS (KACP 23.2)

Officers issuing a citation or making an arrest as a result of a traffic collision shall record the assigned incident control number (ICN) on the citation. In the case of injury collisions, the severity of the injuries shall be noted in the post arrest complaint section. Information of other persons involved may be listed in the witness section.

Traffic collision data is maintained by Records Management. Electronically-entered traffic collision data will be reviewed and approved by the Data Integrity Unit of Records Management in the KSP Accident Database (refer to SOP 7.2, SOP 7.3, and SOP 7.4). Officers should refer to SOP 7.1 on the requirements for writing these reports.

The Traffic Unit reviews traffic collision data to identify the locations where traffic engineering issues may need to be improved or corrected. The Traffic Unit also reviews traffic collision data and traffic enforcement data to see if increased enforcement results in the reduction of the number of collisions at identified locations.

TRIMARC holds quarterly Freeway Incident Management meetings for District 5 (Jefferson County, Bullitt County, Franklin County, Henry County, Oldham County, Shelby County, and Trimble County) in Kentucky. The Traffic Unit, Louisville Metro Emergency Medical Services (LMEMS), KSP, towing agencies, etc. participate in these meetings to discuss highway closures and traffic-related issues.

7.12.6 DRIVING UNDER THE INFLUENCE (DUI) (KACP 21.1c, 23.1d)

DUI presents a grave danger to public safety. Given this danger, it is the policy of the LMPD that officers arrest operators where probable cause exists that a violation of DUI has occurred. There are certain circumstances where it is not possible to arrest an operator who has violated these statutes (e.g. hospitalization). In these circumstances, blood evidence shall be drawn and an officer shall request the approval of a commanding officer before a suspect may be cited in lieu of arrest. Under no circumstances may an officer issue a warning to operators who have committed a DUI violation.

When an officer's observations lead him/her to believe that an operator may be committing a DUI offense, the officer shall conduct field sobriety exercises. If conducting the field sobriety exercises poses a danger to the safety of the officer or the operator, the officer may elect not to use them and should make note of such reasons in the post arrest complaint. The officer shall take appropriate enforcement action based upon the results of the field sobriety exercises and his/her observations.

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7.12.6 DRIVING UNDER THE INFLUENCE (CONTINUED)

If the officer arrests the operator and has reason to believe that alcohol is the primary influencing factor, he/she shall transport the subject, as soon as possible, to the Louisville Metro Department of Corrections (LMDC), if medical attention is not required, and present him/her to the Breath Alcohol Technician (BAT). The technician shall take custody of the prisoner. He/she is responsible for requesting that the individual take a chemical test and offering the individual the chance to contact an attorney. Officers shall not be present during the BAT's observation period of the prisoner. The BAT will prompt the officer by reminding him/her that the observation period is about to begin. At this time, the officer shall exit the room and remain in the sally port until the testing is complete. After the technician completes the testing, he/she will turn the prisoner back over to the officer, along with the results of the test.

If the officer arrests the operator and has reason to believe that the primary influencing substance is not alcohol, or the operator's actions are not consistent with his/her physical condition, he/she shall transport the suspect, as soon as possible, to the LMDC, if medical attention is not required, and present him/her to a BAT. If the subject's breath alcohol level is below .08, the arresting officer should consider contacting a Drug Recognition Expert (DRE), through MetroSafe, to evaluate the suspect's condition. Officers shall obtain approval of a Traffic Unit commanding officer before contacting a DRE. A blood and/or urine sample shall be requested by the BAT, the DRE (if present), or the arresting officer, following the evaluation. The operator must consent to any and all blood, breath, and/or urine tests requested by the officer or he/she shall be charged with refusal to submit to a chemical test (KRS 189A.105).

In instances where a person is suspected of intoxication and registers .000 at the LMDC and a DRE evaluation does not support intoxication, the officer shall notify a commanding officer and determine the appropriateness of continuing with an arrest. If the decision is made to release the operator, an Administrative Incident Report (AIR) shall be completed, via the BlueTeam link, located on the LMPD Intranet, pursuant to SOP 3.1.

Only after complying with all tests requested by the officer, may the operator request, at his/her own expense, to have an independent blood test (IBT) conducted by an authorized medical technician (refer to SOP 7.6).

An operator may only be cited and released for a DUI offense when all of the following conditions are met:

- The operator is to be hospitalized. Hospitalization is defined as placing a person in the hospital as a patient for a period of time. Treatment in the emergency room (ER) does not constitute hospitalization.
- The operator is physically injured to such a degree that he/she is no longer a danger to himself/herself or others due to intoxication and cannot voluntarily leave the hospital. If the operator is still physically capable of leaving the hospital, the officer must remain with the operator until he/she is no longer a danger to himself/herself or others due to intoxication, before citing the operator in lieu of arrest.
- Blood evidence has been drawn. This may be done at the request of the officer or for treatment purposes.
- A commanding officer has granted approval for the operator to be cited in lieu of arrest. In these circumstances, the commanding officer will complete an AIR, via the BlueTeam link, located on the LMPD Intranet (refer to SOP 3.1). For the purpose of determining the appropriateness of issuing a citation in lieu of arrest, an acting sergeant is not considered a commanding officer. An acting sergeant may complete the AIR, listing the commanding officer who authorized issuing a citation in lieu of arrest.

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Subject: Traffic Enforcement	

7.12.7 STRATEGIES & TACTICS OF PATROL STOPS (KACP 22.5)

Traffic stops can be very serious situations for officers. Unknown and high-risk situations can create a problematic mood for both officers and violators. As a result, officer discretion and caution will be exercised while conducting traffic stops. Officers shall use caution while approaching violators in order to evaluate the behavior of the violator and the seriousness of the situation.

Officers making contact with violators during a traffic stop shall observe the following, as outlined in the Strategies and Tactics of Patrol Stops (S.T.O.P.S.) lesson plan, whenever possible:

- The officer will greet the violator and identify himself/herself by name.
- The officer should explain the reason for stopping the violator.
- The officer will ask the operator of the vehicle if there was a legitimate reason for doing what he/she did.
- The officer will ask where the driver's license, insurance, and registration information is located before asking him/her to retrieve any of them.
- The officer will give instructions to the violator to follow (e.g. remain in the vehicle and buckle up) as he/she reviews documentation and decides what action to take.
- The officer will issue the appropriate warning or citation and let the violator know that the traffic stop is over.

7.12.8 MOBILE RADAR TRAILERS

The LMPD utilizes mobile radar trailers to promote roadway safety. The trailers have wheels and are placed on select roadways and highways within Louisville Metro. The trailers inform drivers of their current speed and alert drivers when their speed exceeds the posted speed limit. The trailers are to be used for informational purposes only and should not be used as a measurement of speed when issuing a citation to a violator.

7.12.9 HAZARDOUS ROADWAY CONDITIONS

All officers encountering hazardous roadway conditions are responsible for reporting these conditions to the appropriate agency for corrective action. If an officer discovers a visual obstruction (e.g. debris, defects in the roadway, missing or damaged road signs, lighting, traffic control devices, or roadside hazards), the officer will immediately contact MetroSafe, via radio or telephone. The officer will report the nature of the problem and the exact location. MetroSafe will contact the appropriate agency responsible for addressing or correcting the problem. If the roadway hazard presents a potential danger to motorists, the officer should take the necessary action to address the safety of the motorists and expedite the flow of traffic. If the officer is off-duty, then the officer will request assistance from on-duty personnel. The action taken may require the manual direction of traffic, using temporary control devices requested through MetroSafe or physically removing the obstruction or hazard from the roadway.

Citizen complaints or suggestions regarding traffic engineering deficiencies (e.g. signs, potholes, markings, traffic lights, etc.) should be referred to MetroCall at (502) 574-5000 or 311. MetroCall is responsible for notifying the appropriate agency for improvement or correction.

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7.12.9 HAZARDOUS ROADWAY CONDITIONS (CONTINUED)

The Traffic Unit and MetroSafe are responsible for reporting traffic engineering deficiencies and traffic enforcement data to the appropriate agency (e.g. Public Works and Assets, Kentucky Transportation Cabinet, etc.) for improvement or correction.

7.12.10 SUPERVISORY REVIEW

Commanding officers will review the paper citations and arrest slips issued by the officers under their direct supervision. The commanding officer will place his/her code number on the upper right hand corner of the citation, indicating that he/she has reviewed the citation. The citation review includes, but is not limited to, the following:

- Missing/incomplete personal information of the offender
- The Vehicle Stop Reporting form control number (if applicable)
- The appropriate charges
- The arrest or citation date, time, and location
- The arrest or citation narrative, statement of probable cause, and elements of the crime
- The valid court date, time, and location
- The report number, if the citation or arrest is related to clearing a reported incident
- Language indicating how the defendant posed a risk of danger (if applicable) (refer to SOP 10.1)
- Language describing how the defendant failed to follow the officer's reasonable instructions (if applicable) (refer to SOP 10.1)
- Language indicating why there are reasonable grounds to believe that the defendant will not appear in court (if applicable) (refer to SOP 10.1)
- Legible handwriting

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Chapter: Traffic Control and Collisions	
Subject: Stationary Traffic Checkpoints	

7.13 STATIONARY TRAFFIC CHECKPOINTS (KACP 24.3)

7.13.1 POLICY

Stationary traffic checkpoints may be conducted for the purposes of promoting highway safety and determining the sobriety of motorists. Traffic checkpoints for general crime control purposes are prohibited. Checkpoints for the sole purpose of checking for violations of KRS 189.125, regarding mandatory seatbelt usage, are prohibited by statute. The authorization for a stationary traffic checkpoint must come from a commanding officer, with the rank of lieutenant or above. A commanding officer must be present at the checkpoint for the duration of the operation. For the purpose of this policy, an acting sergeant is not considered a commanding officer.

7.13.2 SITE SELECTION

The site selected should allow for the safety of the public and the officers involved. The site will be highly visible, have sufficient road surface with an adjacent pull-off area, and not unnecessarily interfere with nearby businesses or residents.

7.13.3 PERSONNEL AND VEHICLES

Checkpoints will be staffed by a sufficient number of uniformed officers utilizing marked vehicles. Police vehicles being used for traffic control and direction will utilize their emergency lights. Additional warning devices (e.g. traffic cones, warning signs, etc.) and lighting may be required. Vehicles equipped with in-car cameras may be arranged to record the selection of vehicles to be inspected. All officers will wear departmentally-approved high-visibility clothing (e.g. traffic vests) (KACP 10.5b).

Officers shall maintain their Wearable Video System (WVS) in a constant state of operational readiness. Pursuant to SOP 4.31, officers shall activate their WVS in recording mode for any law enforcement encounter during a checkpoint and to record Driving Under the Influence (DUI) suspects. At the conclusion of the recorded event, officers shall choose the appropriate storage category for their WVS recording in order to allow for later review and appropriate retention. Any applicable forms or citations shall include a "WVS activated" notation in the narrative section. All WVS recordings shall be uploaded prior to, or at the beginning of, the officer's next tour of duty (KACP 17.13a-c).

7.13.4 PLANNING AND PROCEDURE

The commanding officer of the checkpoint is responsible for the following:

- Notifying MetroSafe of the location, times, and personnel involved in the operation.
- Requesting that MetroSafe assign a channel to use for the operation.
- Determining whether every vehicle, or every third, fifth, sixth etc. will be stopped. This determination will be made after observation of traffic flow upon arrival at the checkpoint and in accordance with current law.

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7.13.4 PLANNING AND PROCEDURE (CONTINUED)

Officers may not deviate from the original sequence chosen by the commanding officer. However, the commanding officer may choose to refrain from stopping vehicles for a period of time if available manpower and workload make it necessary. When officers resume stopping vehicles, the commanding officer may choose a new sequence based on the previously mentioned factors.

7.13.5 PUBLIC NOTIFICATION

The media must be given prior notification of stationary traffic checkpoints to be conducted, but will not be provided with the specific selection criteria or the location.

7.13.6 DOCUMENTATION (KACP 22.4c-d)

Following each stationary traffic checkpoint operation, the commanding officer of the detail will submit a report, through the appropriate chain of command, to the division/section/unit commander. The report will include the following information:

- Date
- Beginning and ending times
- Mobile Video System (MVS) tape numbers (when applicable)
- Location
- Number of officers involved
- Number of arrests and citations issued
- Copies of paperwork generated from the operation

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Chapter: Field Operations	
Subject: Search Warrants	

8.1 SEARCH WARRANTS

8.1.1 POLICY

Officers are required to obtain the approval of a commanding officer prior to applying for a search warrant. A commanding officer must be present when the warrant is executed on persons or premises. For the purposes of this policy, acting sergeants will be considered commanding officers.

In unusual or legally complex situations, officers may choose to review the case with the Office of the Commonwealth's Attorney, prior to seeking a search warrant.

8.1.2 AFFIDAVIT PREPARATION (KACP 1.4a)

An affidavit supporting the application for a search warrant is required. The accuracy of the affidavit is vital to the validity of the search warrant; therefore, officers should verify that the information is as complete, accurate, and specific as possible.

8.1.3 DWELLING OR PREMISES SEARCH

In cases where premises are to be searched, references on the affidavit should include:

- The complete street address, including apartment number (if applicable), city, county, state, and zip code.
- The geographical location of the property (e.g. the property is located on the north side of Broadway between 1st Street and 2nd Street). Photographs, maps, or diagrams can help to specify the location in question. Google Maps or other satellite photographs, as well as actual photographs, may be utilized.
- The physical description of the premises, which may include color, size, number of floors, landscaping, and any other specific identifying characteristics.
- All areas officers desire to search should be identified as clearly as possible. In cases where officers wish to conduct a complete search of a home and its surroundings, the affidavit should specify a "premises" to search and identify any outbuildings, such as garages, tool sheds, or barns, where appropriate.
- Motor vehicles present on the property that are also the subject of the search should be specified by make, model, year, color, license plate/tag number, and registration information.

8.1.4 SEARCH OF PERSONS DURING SEARCH WARRANT EXECUTION

When possible, the affidavit should specify the names of the owner, and/or occupant, or a detailed description of individuals to be searched if no names, or full names, are known. Officers who request, on the affidavit, to search all persons found in the premises during the execution of the warrant are advised that this alone does not provide blanket authority to search everyone present. However, an individual's presence at a dwelling to be searched is enough reasonable suspicion for an officer to detain, question, and obtain their identification.

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8.1.4 SEARCH OF PERSONS DURING SEARCH WARRANT EXECUTION (CONTINUED)

The decision to search a person for weapons must be based on reasonable suspicion. A more extensive search of a person for contraband must be based on probable cause, unless that person is named, or described, in the warrant.

Persons present during the execution of a search warrant may be searched under the following circumstances:

- They are named, or described, in the warrant.
- There is reasonable suspicion to believe that they may be armed and dangerous.
- Circumstances, developments, or information obtained at the scene provide the officer with probable cause.
- The individual commits an offense and is searched incidental to arrest.

Prior to searching a person, a person's premises, or a person's vehicle, the officer will inquire as to the presence of needles or other sharp objects, in the areas to be searched, that may cut or puncture the officer and will offer to not charge a person with possession of drug paraphernalia if the person declares to the officer the presence of the needle or other sharp object (Kentucky Revised Statute (KRS) 218A.500(6)(a)).

If the person admits to the presence of a needle or other sharp object prior to the search, the person will not be charged with, or prosecuted for, possession of drug paraphernalia for the needle or sharp object or for possession of a controlled substance for residual or trace drug amounts present on the needle or sharp object.

8.1.5 PERSONAL PROPERTY

Only items described in the search warrant may be seized, with the exception of contraband found in plain view or in a location properly searched pursuant to the warrant (KACP 1.4b). Checking the boxes on the affidavit does not give the officer blanket authority to seize property.

The affidavit should specify, and officers should verify that the warrant includes, the following:

- Items listed specifically and described in detail. This would include serial numbers, when known. If an item can be dismantled (e.g. firearms, computers), the warrant should authorize a search for parts, pieces, or components of that item.
- All anticipated instrumentalities of the crime.
- Any current evidence, such as mail, linking the suspect's residency to the location of criminal conduct.

Officers anticipating a search of a computer, or other related high-technology equipment, may consult with the Kentucky Regional Computer Forensics Laboratory (KRCFL) for appropriate language to use in the affidavit and for the procedures governing the seizure of hardware and software.

A search warrant is required to search the contents of a cell phone or other electronic device unless exigent circumstances and probable cause exist. In situations where officers can articulate truly exigent circumstances beyond the basic encryption or remote wipe argument, then the exigent circumstances exception may be applicable to justify a search without a warrant (refer to SOP 8.45).

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8.1.6 PROBABLE CAUSE

The inclusion of all facts supporting probable cause allows the reviewing judge to accurately assess the likelihood that evidence or contraband will be found on the premises. The initial section of the search warrant affidavit should detail the information that prompted the investigation. The offense should be described in reference to the appropriate KRS, when possible. Officers should not rely solely upon personal opinion, unauthenticated third-party information, or hearsay.

Probable cause may be based on:

- Personal observation/knowledge of the officer.
- The information contained in police reports. This should be detailed in the first section of the probable cause portion of the affidavit and include the report number, narrative, description, and name of the suspect, if known.
- Information from a reliable source (e.g. either named or unnamed informant, victim, witness, or suspect). An officer should state when the information was received and when the reliable source obtained the information. In order to protect confidential informants, an officer may state when the information was obtained in more general terms (e.g. "within the past 48 hours").
- Corroborated information from informants. When sources are used, particularly confidential informants, the reliability of the source, and of the information provided, should be specified.

8.1.7 CREDIBILITY OF INFORMANTS

Establishing the credibility of an informant can be shown in the affidavit by indicating one (1), or more, of the following:

- The informant is a law enforcement officer.
- The name of the informant.
- The statement of the informant was against his/her penal interest.
- The informant has previously given reliable information.
- The informant's information has been duplicated by another independent source.
- The officer has been able to corroborate some of the information through independent investigation.

8.1.8 INDEPENDENT INVESTIGATION

Whenever possible, officers should corroborate and verify investigative information, regardless of the initial source. This section should include every investigative step that the officer took after receiving the initial information. Independent investigation may include:

- Surveillance information.
- Record checks (e.g. arrest, utilities, telephone book, Criss-Cross Directory, city and county directories, Probation and Parole, pawn, auto registration, serial number checks, etc.).
- Witness statements.

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8.1.8 INDEPENDENT INVESTIGATION (CONTINUED)

- Physical evidence, such as fingerprints or DNA.
- Information from other agencies or individual police officers. An officer may show probable cause by coordinating, and corroborating, the knowledge of several officers.
- Strong circumstantial evidence, when combined with one (1) of the above.

8.1.9 TIME AND METHOD OF SEARCH

A search warrant may be served at any time of the day or night.

Anticipatory search warrants may be sought when it can be shown that the evidence in question will be at a specific location at some time in the near future. The evidence must be in place before the search warrant is executed.

A search warrant may be applied for, and obtained, after the premise has been secured. For example, if an officer responds to a dispatched run and notices contraband or stolen goods, the officer may secure the premises until a search warrant can be obtained.

In securing the premises, the officer may search only for persons and only in places capable of hiding a person. Any other search must wait for a search warrant. However, in the course of searching for persons when securing the premises, any evidence found may also be added to the probable cause listed in the affidavit.

8.1.10 SEALING SEARCH WARRANTS/AFFIDAVITS

KRS 17.150 exempts law enforcement reports and records of ongoing, or incomplete, investigations from public disclosure. KRS 17.150(3) provides that if a demand is made for inspection of the sealed records, the custodian bears the burden to justify the refusal with "specificity." Therefore, an officer must be able to articulate specific reasons for the decision to seal a search warrant and affidavit. Such reasons may include the following:

- Informant confidentiality
- Protecting a juvenile's identity
- Protecting the integrity of an ongoing investigation

Any request to seal a search warrant should be reviewed by the unit commander.

In order to have a search warrant and/or affidavit sealed prior to service, the officer must take the order to seal and the original warrant to the judge simultaneously for signing. The judge will submit the original order to seal along with the search warrant/affidavit to the District Court Administrator's Office.

In order to have a search warrant and/or affidavit sealed after service, the officer must have the order to seal signed by a judge. It is not necessary to have the same judge sign the order to seal that signed the original search warrant.

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8.1.10 SEALING SEARCH WARRANTS/AFFIDAVITS (CONTINUED)

Once sealed, the original documents will remain in the possession of the clerk's office until directed otherwise by the court that issued the original order. Nothing in this policy or in KRS relieves an officer from the requirement to provide a copy of the search warrant and inventory, if any, to the owner/occupant of the premises searched, as described in SOP 8.1.12.

Upon receiving a request to unseal the warrant, the clerk's office is responsible for forwarding the sealed documents to the Chief Judge of the appropriate court, who will make the decision about whether or not to unseal the documents.

If information contained in the sealed documents is discovered by the media before the warrant is served, the lead investigating officer should contact the clerk's office. This will allow the clerk's office to investigate and determine if confidential information is being divulged.

8.1.11 APPLYING FOR SEARCH WARRANTS

During the hours when court is in session, officers may have search warrants and affidavits reviewed, and signed in blue ink, by an on-duty District or Circuit Court Judge. The officer will leave an original signed copy of the warrant and affidavit with the authorizing judge.

The process for applying for a search warrant after court hours is as follows:

- The officer calls the District Court Clerk's Office at (502) 595-3000.
- Depending on the preference of the on-call judge, the clerk will either:
 - Advise the officer to come to the District Court Clerk's Office, located on the 1st floor of the Hall of Justice, where the affidavit and search warrant will be faxed to the judge; or
 - Give the officer the judge's name, obtain the officer's phone number, and contact the judge.
- If the warrant is to be faxed to the judge by the clerk:
 - The officer must go to the District Court Clerk's Office, located on the 1st floor of the Hall of Justice, with an affidavit and search warrant.
 - The clerk will then swear in the officer.
 - The officer will sign the affidavit in blue ink.
 - The clerk will sign the affidavit, noting that the officer was sworn in on that date and time.
 - The clerk will call the on-call judge and fax the affidavit and search warrant.
 - The on-call judge will review the affidavit and warrant, approve (sign) or deny the request, and fax the documents back to the clerk's office.
 - The officer will retain copies of both documents.
 - The original affidavit, copy of the search warrant, and order to seal, if applicable, will be retained by the clerk and forwarded to the Court Administrator's Office.
 - The original search warrant will be turned in to the Court Administrator's Office by the on-call judge.

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8.1.11 APPLYING FOR SEARCH WARRANTS (CONTINUED)

- If the judge prefers to meet the officer in-person, the judge will:
 - Contact the officer and arrange to meet him/her to review the affidavit and warrant.
 - Swear in the officer.
 - Have the officer sign the affidavit and search warrant documents in blue ink.
 - Review the affidavit and warrant, and approve (sign) or deny the request.
 - Retain the original affidavit, search warrant, and order to seal, if applicable, and forward them to the Court Administrator's Office.
- The officer should retain appropriate copies of all search warrant documents.

Under these procedures, the officer may go directly to the District Court Clerk's Office to initiate this process, but he/she is not required to do so, unless instructed by the clerk.

8.1.12 DISTRIBUTION OF COPIES

Copies will be distributed in the following manner:

- One (1) copy of the search warrant and one (1) copy of the inventory sheet will be left with the owner/occupant of the premises. If the owner/occupant is not present, copies will be left in a conspicuous place on the premises.
- One (1) copy of the search warrant, affidavit, inventory sheet, and order to seal, if applicable, will be retained by the officer for the case file.
- One (1) copy of the search warrant, affidavit, inventory sheet, and order to seal, if applicable, will be forwarded to the Legal Advisor's Office. Officers should not send additional documents with the search warrant documents (e.g. risk assessment matrices, operations plans, currency seizure forms), as anything returned to the Jefferson Circuit Court Clerk's Office is subject to open records inspection.

If a search warrant is not executed, a copy of the search warrant, affidavit, and order to seal, if applicable, should be retained by the officer for his/her case file and the remaining copies must be sent to the Legal Advisor's Office with the words "Not Executed" written on the first page of the search warrant.

If the officer wants the search warrant documents to be exempt from open records inspection, he/she must follow the instructions in SOP 8.1.10 for sealing search warrants.

8.1.13 RISK ASSESSMENT MATRIX/SWAT TEAM RESPONSE (KACP 19.6d)

A Risk Assessment Matrix (LMPD #05-0016) will be completed prior to the service of all search warrants. A commanding officer will complete an Arrest/Search Warrant Information Sheet (LMPD #05-0023) and notify the Special Weapons and Tactics (SWAT) Team Commander to coordinate a response if:

- The Risk Assessment Matrix score necessitates the use of the SWAT Team; or

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8.1.13 RISK ASSESSMENT MATRIX/SWAT TEAM RESPONSE (CONTINUED)

- The situation requires a mandatory SWAT Team call-out, as listed on the Risk Assessment Matrix, regardless of the score.

Prior to SWAT Team entry, the SWAT Team Commander will be provided a copy of the search warrant, affidavit, and completed matrix. The SWAT Team will only assist with the entry and security search.

All completed matrices will be forwarded, through the appropriate chain of command, to the Support Bureau Commander or Patrol Bureau Commander. A copy of the completed matrix will be forwarded to the SWAT Team Commander.

Nothing in this section prohibits a commanding officer from consulting the SWAT Team Commander, even if the matrix requirements for a call-out are not met.

8.1.14 CLANDESTINE LAB GUIDELINES

Clandestine labs pose a serious danger to responders and surrounding neighborhoods. Police officers are prohibited from entering a known clandestine drug laboratory without proper equipment and certifications and prior to conducting air monitoring and an explosive sweep.

Laboratory-certified narcotics detectives must be present prior to entry at locations with suspected clandestine labs. Clandestine labs will be treated as hazardous material sites and officers will follow the procedures outlined in SOP 12.4 and SOP 12.12. Officers will have MetroSafe contact the on-call Clandestine Laboratory Enforcement Team (CLET) in the following situations:

- Prior to entering a suspected lab to serve a search warrant, or for any other reason
- If a lab is inadvertently located during other unrelated police activity

8.1.15 HANDLING OF ANIMALS AT SEARCH WARRANT LOCATIONS

In circumstances where officers have sufficient advanced notice that a potentially dangerous domesticated animal (e.g. dog, cat, etc.) may be encountered during the execution of a search warrant, they should develop reasonable contingency plans for dealing with the animal without the use of deadly force. Such plans may include the use of a fire extinguisher, Conducted Electrical Weapon (CEW), Oleoresin Capsicum (OC) spray, or the assistance of Louisville Metro Animal Services (LMAS).

When the officer reasonably believes, based on the facts and circumstances, that the animal on which the force is used poses an immediate threat of injury or damage to the officer, another individual, or property (KACP 1.3b), he/she should use the minimum amount of force necessary to bring the animal under control (KACP 1.3a). Nothing in this policy prohibits any officer from resorting to deadly force to control a dangerous animal if the animal is a danger to the officer or others (refer to SOP 8.33).

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8.1.15 HANDLING OF ANIMALS AT SEARCH WARRANT LOCATIONS (CONTINUED)

If a domesticated animal is injured as a result of an officer using force in response to a humane act or a defensive situation, the officer will complete an Administrative Incident Report (AIR), including when a CEW is used (refer to SOP 3.1).

If an officer has to shoot and kill an aggressive domesticated animal during the execution of a search warrant, he/she will request that MetroSafe contact LMAS for removal, unless the owner elects to take care of the animal.

8.1.16 TIME LIMITATIONS ON SEARCH WARRANT EXECUTION

A warrant issued to search a place where alcoholic beverages are being sold, or possessed, must be executed the day that the officer receives the warrant.

All other search warrants should be executed within a reasonable amount of time, usually within 24-48 hours. If circumstances necessitate a delay in executing a search warrant, the probable cause listed on the affidavit must still exist when the warrant is served. Additional information discovered in the interim, that substantiates probable cause, may be added to the warrant; however, it must be signed again by a judge.

An issued search warrant or affidavit may not be changed in any manner, even to correct spelling, unless it is signed again by a judge.

8.1.17 PREPARATION FOR SEARCH WARRANT EXECUTION

A commanding officer will be responsible for verifying that the search warrant is valid and that the premise to be searched is the location listed on the warrant. For the purposes of this policy, acting sergeants will be considered commanding officers. The lead officer will complete a Search Warrant Operations Plan form (LMPD #05-0025).

Prior to warrant service, the on-scene commander will act as the Incident Commander (IC) for service of the search warrant and the Incident Command System (ICS) will be implemented and followed. The IC will conduct a briefing with all search team personnel. This briefing will include:

- A review of operations and procedures that the search personnel will follow.
- An analysis of conditions at the premises utilizing maps, charts, and diagrams, when appropriate.
- Tactics and equipment that are to be used in the event of forced entry.
- A pre-planned hospital route.

The IC should also determine if any circumstances have changed that would make executing the search warrant, at that time, undesirable.

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8.1.17 PREPARATION FOR SEARCH WARRANT EXECUTION (CONTINUED)

MetroSafe will be notified that a search warrant is being executed. For safety reasons, this notification may be made by phone. If the search warrant is executed within another police jurisdiction, that agency will be notified.

When a search warrant is executed in another division, the on-duty supervisor in the affected division will be notified. If requested, a uniformed officer will be provided to assist.

8.1.18 ENTRY PROCEDURES

All members of the search team will wear body armor.

All non-uniformed officers will be clearly identified as law enforcement officers by a distinctive armband, jacket, or other indicator of position.

8.1.19 NOTIFICATION

Before entry to the premises is made, the officer executing the search warrant will give appropriate notice by identifying themselves as a law enforcement officer and the intent to execute a search. To justify a “no-knock” entry, an officer must have a reasonable suspicion that knocking and announcing his/her presence under the particular circumstances would:

- Be dangerous or futile; or
- Inhibit the effective investigation of the crime (e.g. the destruction of evidence).

If the officer has reasonable suspicion, prior to obtaining a search warrant, that circumstances exist which may justify a “no-knock” entry, he/she should seek a “no-knock” search warrant. To obtain a “no-knock” search warrant, the officer must:

- Obtain prior approval from a lieutenant or above; and
- Describe the circumstances that he/she believes justify the necessity for a “no-knock” search warrant, in the warrant affidavit;
- Notate “no-knock” on the search warrant draft; and
- Verbally advise the reviewing judge that he/she is requesting a “no-knock” search warrant.

The judge will approve (sign) or deny the “no-knock” search warrant. If the signing judge does not approve a “no-knock” entry, the executing officer will give appropriate notice of his/her identity and purpose. If the on-site supervisor becomes aware of exigent circumstances, during the execution of the warrant, that would provide justification for a “no-knock” entry, they may authorize a “no-knock” entry, as needed. All “no-knock” entries will be documented on an AIR. It will be noted in the AIR whether the signing judge approved a “no-knock” entry.

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8.1.19 NOTIFICATION (CONTINUED)

Each situation must be considered individually, based on the facts known prior to, and during, the execution of the search warrant. The officer may use whatever force is reasonable to execute the warrant, including forced entry into the building to be searched.

8.1.20 ON PREMISES ACTIVITIES

The lead officer should verify that members of the search team conduct a security sweep of the premises and secure all persons found.

Before undertaking any search or seizure pursuant to the warrant, the lead officer should give a copy of the warrant to the person to be searched, or the person in apparent control of the premises or vehicle to be searched.

Once the premises have been secured, each room or vehicle should be carefully searched. This search should be conducted by pairs of officers or, at a minimum, officers in visual contact with one another. If manpower permits, each area should be searched twice by different officers.

The lead officer should verify that the entire search warrant execution process is documented. A written record should be supported by photographs and, if practical, a videotaping of the entire search site from start to finish.

Members are required to process property, or evidence, in accordance with established policies and procedures of the Louisville Metro Police Department (LMPD).

Members are prohibited from converting for their own use, manufacturing, concealing, falsifying, destroying, removing, tampering with, or withholding any property, or evidence, in connection with an investigation or other police action, except in accordance with established departmental procedures and statutory law.

8.1.21 SEIZED ITEMS

Items to be seized are as follows:

- Items listed specifically in the warrant.
- Instruments of the crime.
- Fruits of the crime.
- Contraband, or items illegal to possess, such as illegal drugs or stolen property, that are either in plain view or found within the scope of the search (KACP 1.4b).

Suspected stolen articles may not be manipulated, or moved, for the sole purpose of checking for serial numbers or other identifying markings. If, for example, an officer lifts a television set to search for drugs, and notices a serial number that has been listed as belonging to a stolen television, the television can be seized, but the officer must be able to articulate the reason that the television was moved.

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8.1.21 SEIZED ITEMS (CONTINUED)

A logging officer should document the collection of, and be responsible for, the preservation of evidence until the items are transferred to an evidence custodian. All seized items should be photographed, or their location documented, prior to being taken to the logging officer.

The logging officer should complete an inventory sheet that includes the following:

- Items seized.
- Location seized.
- Time seized. Preferably one (1) timepiece should be used to avoid discrepancies.
- Name and code number of the seizing officer.

If an inventory sheet is not utilized, the logging information should be written on the search warrant.

The lead officer will verify that a copy of the search warrant (but not the affidavit) and a list of seized items are left at the site of the search.

The officer in charge must verify that all reports and evidence control forms are completed before the end of his/her tour of duty. The seizing officer will verify that all evidence is properly packaged and turned in prior to the end of his/her tour of duty, unless otherwise directed by competent authority.

8.1.22 DOCUMENTATION OF DAMAGES

If damage occurs during entry that may leave the premises vulnerable, arrangements should be made to secure the premises in a reasonable fashion.

An AIR will be prepared on the actions that caused the damage, including a detailed description of the nature and extent of the damage. The damage will be photographed and the images will be downloaded to the Digital Image Management System (DIMS), via any LMPD DIMS download station. The images will also be uploaded to BlueTeam when completing the AIR (refer to SOP 3.1).

8.1.23 MOTOR VEHICLE TRACKING (KACP 1.4a)

Motor vehicle global positioning system (GPS) tracking during the course of a law enforcement investigation constitutes a search under the Fourth Amendment. Therefore, installing GPS devices on any vehicle or using the data from factory-installed GPS devices to obtain information regarding a suspect's activities or location, without consent, requires a search warrant, unless there are exigent circumstances which would justify the immediate installation or retrieval of data (e.g. a kidnapping suspect's vehicle) (KACP 1.4c). Officers obtaining a search warrant to install a GPS tracking device on any motor vehicle or using the data from a factory-installed GPS device should have the search warrant and affidavit sealed by a Circuit Court Judge prior to installation/use (refer to SOP 8.1.10) and comply with the requirements of the warrant and/or affidavit. These requirements may include, but are not limited to, the following:

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8.1.23 MOTOR VEHICLE TRACKING (CONTINUED)

- The amount of time allowed to install the GPS tracking device on the motor vehicle (e.g. within ten (10) days)
- The allowance for trained personnel to covertly replace the batteries, as needed, within the time frame allowed in the narrative of the affidavit
- The geographic area, if known, in which the GPS tracking device may be placed or the data may be used (e.g. within the boundaries of Jefferson County, etc.)
- The total amount of time that the GPS tracking device may be installed/placed on the motor vehicle or the data from factory-installed GPS devices may be used

Any extension of time for the placement of GPS tracking devices on a vehicle or the use of factory-installed GPS data requires the renewal of the search warrant and/or affidavit (e.g. every 30 days).

Any questions regarding the availability of GPS tracking devices or equipment should be directed to the Technical Investigations Commander before a search warrant is sought.

8.1.24 CELL PHONE PINGS

Cell phone pings are an important investigative tool to track the location of cell phones. Cell phone pings result in financial costs to the department from cell phone providers. As a result, cell phone pings should only be used for felony investigations and when all other investigative means have been exhausted. Cell phone pings are primarily utilized by the Major Crimes Division and the Narcotics Division. All cell phone ping requests require an official search warrant application, search warrant, and order to seal. All non-exigent cell phone ping requests will be coordinated through the Technical Investigations Commander. All exigent cell phone ping requests will be coordinated through the on-duty Real Time Crime Center (RTCC) Supervisor.

Cell phone ping orders will not extend beyond 30 days unless approval has been obtained from the Technical Investigations Commander. Any cell phone ping order exceeding 30 days, without prior approval, will be denied. Extensions to a cell phone ping order will be requested through Technical Investigations three (3) days prior to the expiration date of the order. If a cell phone ping order is no longer needed, the investigator will immediately notify Technical Investigations.

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8.2 COURT

8.2.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that members attend court when properly subpoenaed and represent the LMPD in a professional manner so that cases are properly adjudicated.

8.2.2 RESPONSIBILITIES

Court System Personnel

Jefferson County District Court, Jefferson Circuit Court, and Grand Jury subpoenas for current LMPD members are entered into the AgencyWeb system by Jefferson County District Court and Jefferson Circuit Court personnel and/or by prosecutors from the Jefferson County Attorney's Office and the Office of the Commonwealth's Attorney.

Court Liaison Office

The Court Liaison Office (CLO) acts as a liaison between the LMPD and external criminal justice system agencies that interact within the court system. The CLO is responsible for entering subpoenas received from sources other than the Jefferson County Courts and prosecutors (e.g. federal courts, other counties, private attorneys). The CLO is also responsible for monitoring court attendance and court attire. The CLO will monitor members' attendance in court by conducting a daily audit of court attendance and will audit all dismissed felony cases and those misdemeanor cases that meet the bullet-point criteria found in SOP 8.2.14 to verify compliance with this procedure. Violations discovered during inspections and audits will be documented, in writing, to the Assistant Chief of Police/Administrative Bureau. The CLO maintains a list of all officers who have completed radar or lidar training. The CLO is responsible for forwarding this list to the Jefferson County Attorney's Office. The CLO also maintains certificates of calibration for both departmentally-owned and personally-owned radar or lidar units.

Supervisor Responsibilities

Supervisors will monitor subpoenas received by members under their command, via AgencyWeb, to verify that the subpoenas have been acknowledged. Supervisors who receive a request to acknowledge with exception will review to verify proper justification. Subpoenas received, via AgencyWeb, that have been viewed by a subordinate, but which have not been acknowledged, require that the supervisor contact the member and verify that he/she properly acknowledges the subpoena(s). Subpoenas received, via AgencyWeb, that have not been viewed by a subordinate, due to an extended leave or other legitimate reason, are the responsibility of the member's supervisor, who may acknowledge the subpoena with "exception" or contact the CLO for guidance.

Member Responsibilities

All sworn members, and civilian members in positions that may result in the receipt of a court subpoena, shall log in to AgencyWeb, at least once every tour of duty, and check for new subpoenas. The member will review the information on subpoenas received to verify that his/her name and code number appear on the subpoena.

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8.2.2 RESPONSIBILITIES (CONTINUED)

The member will review the defendant's name to verify that he/she has been properly subpoenaed on a pending court case.

If any of this information is incorrect, the member will contact the CLO with the reason for the exception or error correction. The subpoenaed member shall acknowledge the receipt of all properly delivered and appropriately addressed subpoenas in AgencyWeb. The subpoena information for each member is stored in a calendar within AgencyWeb. Each member is responsible for checking his/her calendar so that he/she does not miss court. Members are responsible for tracking subpoena information for future court dates. This does not prevent a member from using additional methods for tracking his/her court schedule. Members may print a hardcopy of their subpoenas, though it is not required.

8.2.3 ACKNOWLEDGEMENT WITH EXCEPTION (REQUESTS FOR CONTINUANCE)

Members may occasionally have a valid reason for requesting an acknowledge with exception for a court event in AgencyWeb. When subpoenaed members are unable to attend court due to extended illness, vacation, scheduled in-service training, out-of-town training, or any other approved/required leave, the member, or his/her supervisor, shall notify the appropriate court and/or the assigned prosecutor, via AgencyWeb, before the end of his/her current tour of duty. The member's supervisor is responsible for entering an acknowledgement with exception for the affected subpoenas. Specialty unit training (e.g. Special Weapons and Tactics (SWAT) Team, Hostage Negotiating Team (HNT)) is not an acceptable reason to request a continuance of a court case.

The following explanations shall be listed when entering an acknowledgement with exception (court continuance request) in AgencyWeb:

- Court Continuance Requested> In-Service Training (e.g. out of state, out of county, etc.)
- Court Continuance Requested> Military Deployment (possible return date: mm/dd/yy)
- Court Continuance Requested> Military Training (return date: mm/dd/yy)
- Court Continuance Requested> Other (enter an explanation, e.g. special duty, bereavement leave (return date: mm/dd/yy), etc.)
- Court Continuance Requested> Sick Leave (possible return date: mm/dd/yy)
- Court Continuance Requested> Vacation

For cases in District Court, at least five (5) days notice is needed to request a continuance of a court case. For cases in Circuit Court, at least 14 days notice is needed to request a continuance of a court case. Any member requesting an acknowledgement with exception for Circuit Court will complete an Acknowledge with Exception Request form (LMPD #03-08-0100), documenting the reason for the request. The member shall send an email to the assigned Assistant Commonwealth's Attorney, his/her supervisor, and the CLO with an electronic copy of the form attached before the end of his/her current tour of duty.

If a subpoena is received less than the five (5) days needed for District Court or the 14 days needed for Circuit Court, the member shall contact the assigned prosecutor and the Office of the Commonwealth's Attorney in addition to notifying the CLO. In situations with unanticipated leave, please refer to section 8.2.6.

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8.2.4 MEMBERS ON EXTENDED LEAVE

A member's immediate supervisor is responsible for monitoring subpoenas sent to members who are off from work due to injury, sickness, extended leave of absence, military leave, etc. Members are responsible for notifying their supervisors of any anticipated court cases that may occur during their absence from work. In the event of an extended absence, where it appears that the member will not be available to attend court for an extended period of time, the member's supervisor will review the member's pending court cases and determine, in felony or other critical cases, if it is possible that another member is well enough informed about the case to appear in court to offer similar testimony in place of the unavailable member. In these situations, the immediate supervisor may acknowledge the subpoena, with "exception" via AgencyWeb, or will contact the appropriate court and/or assigned prosecutor to provide notification of the member's extended absence. The supervisor will monitor all future court dates and keep prosecutors advised regarding the member's status.

A member who is on administrative leave, administrative reassignment, or suspension shall attend his/her assigned court event(s) as required, unless otherwise directed by the Assistant Chief of Police/Administrative Bureau.

A member who is on Family Medical Leave Act (FMLA) or extended sick leave shall attend his/her assigned court event(s) as required by court order, unless a specific medical condition prevents him/her from attending court. If there is a specific medical condition that prevents the member from attending court, he/she shall notify Police Human Resources (HR). Police HR will discuss the case with the departmental physician and Police HR will inform the member's division commander and the CLO that the member is unable to attend court. In cases involving felonies or other serious crimes, the member's division commander, or his/her designee, will discuss the case with the appropriate prosecutor to determine if a deposition should be conducted in lieu of a court appearance.

In situations with unanticipated leave, please refer to section 8.2.6.

In cases where a supervisor is on extended leave and is responsible for an acknowledgement with exception for other members, the division/section/unit commander, or his/her designee, is responsible for notifying "AgencyWeb Police HR," located in the department's email distribution list, of whom is taking over his/her responsibilities in AgencyWeb.

8.2.5 PERSONAL SERVICE, FAXED JUVENILE COURT, AND HANDWRITTEN SUBPOENAS

Upon receipt of a personal service subpoena, the division/section/unit commander will make appropriate arrangements for the subpoena to be accepted by the member, if available.

If a faxed copy of a juvenile subpoena or other subpoena is received by the division/section/unit on the same date as the court case, the desk clerk or designated staff member will contact an on-duty supervisor, who will immediately attempt to contact the subpoenaed member. Attempts to notify the member will be documented and attached to the subpoena. If the court date on the faxed subpoena is within three (3) calendar days, the desk clerk or designated staff member will advise the subpoenaed member's supervisor, who will attempt to serve the subpoena and will attempt to contact the member by telephone if he/she is absent from work.

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8.2.5 PERSONAL SERVICE, FAXED JUVENILE COURT AND HANDWRITTEN SUBPOENAS (CONTINUED)

If a prosecutor handwrites a subpoena for a member, the following information must appear on the subpoena:

- Member's full name and code number
- Court date
- Case number
- Defendant's name

In order to receive court pay for appearing in response to a personal service, faxed juvenile (or other subpoena), or handwritten subpoena, members will take the subpoena to a CLO sergeant, located in the Hall of Justice, on the date of the appearance, and have it logged in to the CourtTracker system.

8.2.6 ATTENDANCE

Members shall appear in the appropriate courtroom and at the proper time, as specified on the subpoena or as instructed by the court. Members shall be punctual, as if reporting for duty (refer to SOP 5.1).

Release by Prosecutor

If members are subpoenaed, they shall honor their subpoena and appear in court, unless notice is received from a prosecutor that they are released from their subpoena and need not attend. This notice must be provided in one (1) of the following ways:

- In writing from the prosecutor to the member. The notice may be on paper or by email. In this situation, the subpoenaed member shall forward a copy of the notice to his/her respective commanding officer and the CLO, if on paper, or to the respective commanding officer and the CLO via the "Court Liaison" email group, located within the department's email distribution list, if electronic. The member must verify that the defendant's name, the court date/time, and the case number are included in the notice that he/she sends to his/her commanding officer and the CLO.

Any member who is released by a prosecutor shall send an email to the "Court Liaison" email group, located within the department's email distribution list, before the end of his/her next tour of duty. The email shall contain the name of the prosecutor releasing the member, the name(s) of the defendant(s), and the case number(s).

- A commanding officer may contact the prosecutor to discuss cases where multiple members are subpoenaed. This may occur in a proactive fashion so that members are not unnecessarily scheduled to appear, or when a subordinate member brings the matter to the commanding officer's attention. In this situation, the commanding officer will discuss the matter with the appropriate prosecutor, who will advise if any of the subpoenaed members may be released from the subpoena. If members are released from the subpoena, a commanding officer will send an email to the released members and the "Court Liaison" email group, located within the department's email distribution list, documenting the defendant's name, court date/time, case number, names of the members who are released, and the name of the prosecutor releasing the subpoenaed members.

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8.2.6 ATTENDANCE (CONTINUED)

When the CLO receives notice of released members from a commanding officer or prosecutor, the CLO will update CourtNotify to reflect the excused absence. When a member has received notice, as documented above, that he/she is released from a specific court appearance date, time, and defendant, the member will not attend court for that specific appearance.

On-Call Subpoenas (STANDBY)

When a member receives a subpoena that specifically advises that the member is on-call, the member does not have to attend court unless contacted by the prosecutor.

Emergency Court Absence

Occasionally, members may have a personal emergency, such as a sudden illness, that prevents them from attending court. When no acknowledgement with exception has been submitted and unforeseen circumstances prevent a member from attending court, members shall call the CLO at (502) 574-0964, at least one (1) hour prior to the court start time. Unforeseen circumstances should not include the following: in-service training, specialty monthly training, other training, vacation, childcare issues, or out-of-town trips. Members will provide the following information for each case:

- Member's name, code number, and division/section/unit
- Defendant's name
- Courtroom number
- Reason that the member cannot appear
- Phone number or cell phone number where the member can be reached

The CLO will:

- Contact a prosecutor in the courtroom where the member was scheduled to attend, advise him/her of the member's absence, and provide him/her with the member's contact number.
- Assist the prosecutor in obtaining another member to testify, if needed, in order to establish probable cause in the case.
- Send an email notification to the member's division/section/unit commander that advises the commander of the member's missed court appearance and the reason provided by the member.
- Maintain a file of all correspondence with division/section/unit commanders concerning missed court appearances.
- Forward a report of all missed court appearances, from emergency case continuance requests, to the Assistant Chief of Police/Administrative Bureau on the first business day of every month.

The subpoenaed member will:

- Complete an Absence from Court Memorandum (LMPD #10-0003) and submit it to the division/section/unit commander, detailing the reason for his/her absence from court, the defendant's name, the date of appearance, and the highest charge listed on the subpoena. This memorandum will be completed prior to the end of the member's next scheduled tour of duty.

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8.2.6 ATTENDANCE (CONTINUED)

The division/section/unit commander, or his/her designee, will:

- Verify that members under his/her command have submitted a completed Absence from Court Memorandum for any missed court appearance.
- Verify the reason for the missed court appearance that was provided by the member.
- Forward the completed Absence from Court Memorandum to the CLO, indicating whether the member's absence was or was not compliant with this SOP.

When staffing levels prevent a member from attending court, the member's supervisor will call the CLO at (502) 574-0964 and advise that the member will be on-call in the division/section/unit. When practical, this notification should be made one (1) hour prior to the earliest scheduled appearance. The supervisor will provide the CLO with the member's name, the defendant's name, and the applicable courtroom on all cases so the CLO can notify the appropriate prosecutor(s). Supervisors are responsible for entering an acknowledgement with exception for those subpoenas that are affected.

8.2.7 DEMEANOR

Members appearing in court shall avoid any indication of bias, prejudice, or anger. They shall testify in a clear, concise, and distinct manner. Questions shall be answered truthfully, without any trace of evasion. Personal behavior shall be exemplary while in court.

8.2.8 DRESS CODE

Members shall appear in court and Louisville Metro Police Merit Board hearings in uniform or appropriate business attire. Members subpoenaed to testify in a trial or other hearing shall wear the Class A uniform or appropriate business attire. For male members, appropriate business attire consists of a dress shirt, tie, and dress pants. For female members, appropriate business attire consists of a dress, skirt or dress pants, and blouse. Specialty unit assignments do not exempt members from this requirement.

8.2.9 FIREARMS

Sworn members may be armed in a courtroom at the discretion of the presiding judge. When a presiding judge prohibits a firearm in his/her court, the sworn member will secure the weapon in a locked receptacle as close to the courtroom as possible. A sworn member wearing business attire to court must have his/her firearm concealed at all times.

8.2.10 GRAND JURY PRESENTATION

A Grand Jury may issue an indictment, known as a "true bill," if there is probable cause to believe that a crime has been committed by the suspect. Grand Juries are utilized in state and federal courts.

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8.2.10 GRAND JURY PRESENTATION (CONTINUED)

Grand Jury cases are initiated by the Office of the Commonwealth's Attorney or the United States Attorney's Office for felony cases. Most Grand Jury cases require testimony from law enforcement officers. Grand Jurors may ask questions of witnesses and may consult with the presenting prosecutor on legal issues. Rules of confidentiality apply to all Grand Jury proceedings.

Federal Grand Jury documents and submissions are prepared by the United States Attorney's Office and are usually presented by federal authorities. LMPD officers may occasionally testify in federal cases, when subpoenaed.

Before presenting a case to the Jefferson County Grand Jury, appropriate Catch Forms must be completed. Catch Forms may be found in the "Online Forms" folder on the LMPD Intranet. Click the "Forms" link and double click on the "Court" folder. No case will be heard by the Grand Jury until the forms are completed and hand delivered to the Jefferson County Grand Jury Office, located at 514 West Liberty Street, 4th floor, or emailed to gjpackets@louisvilleprosecutor.com.

Catch Forms must be submitted within seven (7) days of probable cause being found by the District Court or the defendant waiving the right to a probable cause hearing. Officers must contact the Jefferson County Grand Jury Office at (502) 595-2384 to schedule the hearing within three (3) days of submitting the Catch Forms. One (1) reschedule is permitted.

By law, if the suspect is in custody, cases must be presented to the Grand Jury within 60 days of incarceration.

Direct submissions to the Grand Jury may be permitted prior to the arrest of a suspect. Direct submissions may be approved in cases where the suspect is out of state and a warrant is needed for extradition or where District Court proceedings could alert a suspect of an ongoing investigation. In such cases, the Catch Forms must be completed and the Office of the Commonwealth's Attorney must approve the direct submission.

When testifying before the Grand Jury, the officer may read from his/her citations, reports, other investigative documents, or the Catch Forms. He/she must identify the offense(s), date of occurrence, the criminal elements, and location of the offense(s) within Jefferson County. Testifying officers should avoid presenting testimony that summarizes any other officer's written or oral testimony.

If an officer will be late or is unable to attend a Grand Jury appearance, he/she will call the Jefferson County Grand Jury Office at (502) 595-2384 and the CLO at (502) 574-0964 (refer to SOP 8.2.6).

8.2.11 OUT-OF-TOWN TESTIFYING

Members subpoenaed to testify in a court outside of Jefferson County, in cases that result from official duties as a LMPD employee, shall maintain a record of time spent in court, travel time, and a copy of the subpoena. The member will notify his/her immediate supervisor of the required appearance. Driving an assigned police vehicle for a court appearance outside of Jefferson County requires prior oral approval from a member with the rank of lieutenant or above (refer to SOP 2.18 and SOP 4.14). The member will submit an Out-of-County Court Notification form (LMPD #08-0016). The subpoena will accompany the request form. This form will be forwarded to the CLO for processing.

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8.2.12 COURT ATTENDANCE DOCUMENTATION

Electronic Court Attendance System

Members shall follow current departmental procedures for seeking compensation for court appearances. When off-duty, members will be reimbursed for court appearances consistent with the appropriate collective bargaining agreement (refer to SOP 8.2.15). When members appear in court while on-duty, they will not be compensated by the department unless the appearance lasts longer than their tour of duty.

Members attending court will swipe in to the electronic court attendance system, before the beginning of court, by using their LMPD identification card. After all cases are properly handled and the member is released by all applicable prosecutors, he/she will swipe out of the CourtTracker using his/her LMPD identification card. Members will swipe in and out for on-duty and off-duty court appearances. Members may not swipe another member in or out of court by using that member's credentials.

Case Disposition Types

When swiping out of court, members will choose the appropriate disposition, in CourtTracker, for each case that they attended.

The disposition must be chosen from a listing of approved CourtTracker dispositions displayed in the system.

If a member fails to bring his/her ID to court for swiping in/swiping out, the member will manually enter his/her username and password in CourtTracker so the member's attendance can be verified and recorded.

While on sick leave, injury leave, light-duty, or limited-duty, members will be paid for court appearances consistent with the appropriate collective bargaining agreement (refer to SOP 2.9) (KACP 10.2c).

8.2.13 JUVENILE COURT

Since juveniles are not entitled to bail, a juvenile charged with a criminal offense may be held in custody while awaiting trial. This may only be accomplished following a detention hearing which must be held within 48 hours of the juvenile's initial arrest. Due to the short time frame, the arresting member's division/section/unit may receive a subpoena, via fax, from juvenile court, within 24 hours of the arrest. If the member is notified, via his/her division/section/unit, that a subpoena has been received, the member shall call the Juvenile Court Office at (502) 574-0148 to determine the time necessary for his/her appearance at the hearing.

8.2.14 DISMISSING CRIMINAL CASES

The LMPD has a direct interest in verifying that court cases are handled appropriately and are not needlessly dismissed because LMPD members failed to appear or adequately assist in prosecution, used poor investigative techniques, or lacked probable cause for the initial arrest. In some situations, it is appropriate and necessary for a LMPD member to request that a prosecutor consider dismissing a case. Examples of appropriate dismissals may include the dismissal of criminal cases where a defendant has already been indicted on the same charges, the defendant is deceased, or witnesses refuse to cooperate with the prosecution.

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8.2.14 DISMISSING CRIMINAL CASES (CONTINUED)

Any officer who requests, for any reason, to have a felony case dismissed where he/she is the primary arresting officer, shall obtain the approval of his/her immediate supervisor prior to requesting the dismissal. If the member's immediate supervisor is unavailable, the officer may proceed with the dismissal request but will be required to justify the appropriateness of the dismissal during the monthly audit of dismissed cases.

The officer should retain notes regarding the dismissal so they can fully explain the reason that the case was dismissed. Nothing in this policy prevents an officer from completing a Case Dismissal Notification form (LMPD #09-0006) at the time that the case is dismissed.

Under the following circumstances, member(s) shall complete the Case Dismissal Notification form and notify the Court Liaison Sergeant prior to signing out of the CourtTracker:

- Any case where no probable cause has been found
- Any case dismissed with prejudice
- Any case where evidence is suppressed
- Any case where no true bill is found in the Grand Jury
- Any case with a not guilty verdict (lead only)

The completed form will be hand delivered to the CLO for review. The CLO will forward their findings to the appropriate division/section/unit commander for additional review. The division/section/unit commander will summarize his/her findings and include his/her recommendations, in memorandum format, and forward the memorandum to the Assistant Chief of Police/Administrative Bureau, or his/her designee, and the Legal Advisor's Office.

If the officer intends to pursue a direct indictment of the defendant, prior to dismissing the case in District Court, the officer must present his/her case to a prosecutor from the Office of the Commonwealth's Attorney in the Rocket Docket Division, as required by the Office of the Commonwealth's Attorney. If the prosecutor from the Office of the Commonwealth's Attorney approves the case for Rocket Docket status, the officer shall have the prosecutor from the Office of the Commonwealth's Attorney indicate his/her approval by writing it on the case jacket. For this type of dismissal request, the officer should check "By Agreement of Assistant Commonwealth's Attorney" on the Case Dismissal Notification form.

Upon the approval of a commanding officer, if the officer wishes to use the defendant as an informant (refer to SOP 8.23), but would like to reserve the right to present the case to the Grand Jury at a later date, the officer must have the case reviewed by a prosecutor from the Office of the Commonwealth's Attorney and obtain his/her written approval on the case jacket prior to dismissing the case in District Court. In the event that the informant fails to work with the officer as agreed, the officer shall contact the Office of the Commonwealth's Attorney and request to proceed with submission to the Grand Jury. Officers using defendants as informants must follow the procedure outlined in SOP 8.23. For this type of dismissal request, the officer should check "By Agreement of Assistant Commonwealth's Attorney" on the Case Dismissal Notification form.

The CLO will audit case dismissals on a monthly basis by using reports of dismissals generated by court officials. Dismissals of misdemeanor charges may also be audited (e.g. Domestic Violence (DV) and Driving Under the Influence (DUI) charges). The purpose of the audits is to determine whether the actions of LMPD officers were appropriate and within policy guidelines. After each calendar month ends, the CLO will receive

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8.2.14 DISMISSING CRIMINAL CASES (CONTINUED)

dismissal reports from court officials and will compile a list of dismissals from the previous calendar month by the primary arresting officer, division/section/unit, and information regarding the specific case(s). Reports of dismissals and available supporting documents will be forwarded by CLO to the appropriate division/section/unit commanders for review. Division/section/unit commanders, or their designees, will meet with the member, who will complete a Case Dismissal Notification form.

Division/section/unit commanding officers will complete their respective section of the Case Dismissal Notification form and the division/section/unit commander will return them, en masse, to the CLO by the return date specified by the Assistant Chief of Police/Administrative Bureau.

8.2.15 OVERTIME

Members will complete a Verification for Court Overtime form (LMPD #04-08-0687) for all court appearances where any overtime pay requests may be made by a member pursuant to his/her current collective bargaining agreement. The form will be signed by the prosecutor who is working on the case and will be submitted to the CLO for approval. Members are prohibited from changing their working hours in order to obtain court pay or court-related overtime.

Court Overtime for Prosecutor Call/Phone Conference

A member is eligible for court overtime for a phone conference if the following conditions are met and will be compensated consistent with his/her current collective bargaining agreement:

- The member must be off-duty and not under subpoena to appear in court.
- The member is contacted by the Jefferson County Attorney's Office or Office of the Commonwealth's Attorney, by phone, for a court case conference.
- The phone conference must be a minimum of eight (8) minutes.

The member will complete a Verification for Court Overtime form for a phone conference and submit it to the CLO for approval.

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	Accreditation Standards: KACP: 1.4
Chapter: Field Operations	
Subject: Strip Searches	

8.3 STRIP SEARCHES (KACP 1.4e)

8.3.1 PURPOSE

This policy provides Louisville Metro Police Department (LMPD) officers with guidelines for determining if, and under what conditions, the use of strip searches and body cavity searches are legally permissible. It also establishes guidelines for the appropriate conduct of such searches. An Administrative Incident Report (AIR) will be completed, via the BlueTeam link, located on the LMPD Intranet, whenever a full, or partial, strip search or a body cavity search is conducted (refer to SOP 3.1).

8.3.2 DEFINITIONS

Full Strip Search: Having a suspect or prisoner remove all clothing exposing the genital areas, anus, or female breasts in order to permit the visual or manual inspection of any, or all, skin surfaces.

Partial Strip Search: When the officer requests the suspect or prisoner remove or arrange one (1), or more, article(s) of clothing in order to expose their genitals, anus, or female breasts.

Body Cavity Search: Any search involving not only visual inspection of skin surfaces but also the internal physical examination of body cavities, such as the anus and vagina. Visual inspection of the mouth, nose, and ears is not a body cavity search.

8.3.3 STRIP SEARCHES IN THE FIELD

Strip searches without a warrant are presumed to be unreasonable and therefore prohibited by the Fourth Amendment, unless there are certain exigent circumstances and probable cause. Strip searches are among the most intrusive actions an officer can make, and consequently, they are subjected to very close scrutiny.

Officers are prohibited from conducting either a partial, or full, body strip search in the field, in public view, unless probable cause of a threat of imminent danger to the officer, or the public, exists. Without an imminent threat of danger, strip searches will be conducted out of public view. Full body strip searches will only occur in extreme cases, with exigent circumstances (KACP 1.4c).

Otherwise, a warrant will be obtained, or an arrest made, before a strip search is conducted.

8.3.4 STRIP SEARCHES INCIDENTAL TO ARREST

The arrest of an individual does not automatically justify a strip search. Before an officer may conduct a strip search incidental to arrest, the officer must have probable cause to believe that the arrestee is carrying a weapon, illegal drugs, or contraband.

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8.3.5 STRIP SEARCH GUIDELINES

The following will apply when conducting a strip search:

- Except in exigent circumstances where time constraints prohibit prior approval, supervisory approval is required before conducting a strip search. In the event that the suspect's actions warrant an immediate search, the supervisor will be notified immediately following the search and apprised of the circumstances.
- The search will be conducted, and witnessed, by officers of the same gender as the suspect. The search will be performed in a location where the search cannot be observed by persons not conducting, or witnessing, the search in an official capacity.
- Officers are prohibited from conducting full body strip searches in the field, in public view, unless probable cause exists regarding a threat of imminent danger to the officer. Full body strip searches will only occur in extreme cases.
- A Terry Stop does not give an officer the authority to conduct a strip search. A Terry Stop only allows for the pat down of the person's outer clothing when the officer has reasonable grounds to believe that the person is armed and dangerous, and is limited in scope to search for weapons for the protection of officers, and others, at the scene (refer to SOP 3.6 and SOP 8.24).

8.3.6 BODY CAVITY SEARCH

If the visual examination of a suspect during a strip search or other information leads an officer to believe that the individual is concealing a weapon, evidence, or contraband within a body cavity, the officer will consult with his/her immediate supervisor to determine whether probable cause exists to seek a search warrant for a body cavity search. Body cavity searches will be performed only by medical personnel in a medical facility, pursuant to a search warrant or court order.

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	Accreditation Standards: KACP: 17.4, 17.5
Chapter: Field Operations	
Subject: Hate Crimes	

8.4 HATE CRIMES

8.4.1 PURPOSE

This policy is designed to assist members in identifying crimes motivated by bias toward an individual's actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics attributed to an individual as a member of such a group and to outline the appropriate steps for aiding victims and apprehending perpetrators.

8.4.2 POLICY

It is the policy of the department to protect the rights of all individuals regardless of their actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics. Any crimes designed to infringe upon these rights are viewed seriously and given high priority.

8.4.3 DEFINITIONS

Bias: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics.

Hate Crime: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against an actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics; also known as a bias crime.

Even if the offender was mistaken in his/her perception that the victim was a member, or the property belonged to a member, of the group that he/she was acting against, the offense is still a hate crime as long as the offender's actions were motivated by bias against the group.

8.4.4 INITIAL RESPONSE PROCEDURES (KACP 17.5)

Before an incident can be reported as a hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

Officers should consider the following factors when determining whether a hate crime has occurred:

- Information received from the victim

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8.4.4 INITIAL RESPONSE PROCEDURES (CONTINUED)

- Evidence observed or collected at the scene
- Knowledge of existing criminal patterns in the area
- Information received from the perpetrator

Obscene or threatening phone calls that contain racial, religious, homophobic, or ethnic slurs are considered hate crimes.

The following procedures should be followed at the scene of a hate crime:

- Identify the injured parties and provide medical assistance, if needed
- Determine whether any perpetrators are present and take appropriate enforcement action
- Identify any witnesses or others who have knowledge of the crime
- Protect the crime scene
- Notify a supervisor
- Complete an incident report

When graffiti is the basis of a hate crime, the responding or investigating officer shall secure video or photographic evidence of the graffiti. The responding or investigating officer shall contact Metro Public Works and Assets to immediately remove the graffiti.

Officers shall document a hate crime in the Records Management System (RMS) in the "offense" section under the "bias" category. These cases shall be forwarded to the detective sergeant before the end of the officer's tour of duty.

8.4.5 SUPERVISORY RESPONSIBILITIES (KACP 17.4)

Supervisors will confer with the initial responding officer to verify the following:

- All necessary preliminary actions have been taken.
- The victim has been provided immediate assistance.
- All relevant facts have been documented appropriately.

After assessing the situation, supervisors will determine if a division detective should be notified and have one respond to the scene, if necessary.

8.4.6 INVESTIGATOR RESPONSIBILITIES

If a follow-up investigation reveals information affecting the categorization of a hate crime, investigators should complete a supplement to the original report for any of the following circumstances:

- If a previously reported crime was motivated by bias and it was not categorized as a hate crime, the supplemental report should indicate that the crime was a hate crime.

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8.4.6 INVESTIGATOR RESPONSIBILITIES (CONTINUED)

- If a previously reported crime was categorized as a hate crime and the follow-up investigation reveals the crime was not motivated by bias, the supplemental report should indicate that the crime was not a hate crime.
- If a previously reported crime was categorized as a specific type of hate crime and the follow-up investigation reveals the crime as another type of hate crime, the supplemental report should indicate the corrected type of hate crime (e.g. racial bias changed to religious bias).

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Subject: False Alarms	

8.5 FALSE ALARMS

8.5.1 POLICY

Burglar alarms will be dispatched by MetroSafe and require an officer's response; however, there are certain circumstances that allow for the temporary termination of response to alarms.

8.5.2 VERIFYING CANCELLATION REQUESTS

There are three (3) types of alarm signals (holdup alarm, panic alarm, and burglar alarm with Emergency Protective Order (EPO), Domestic Violence Order (DVO), or Interpersonal Protective Order (IPO) attached) that require an officer's response, even after the alarm company requests a cancellation. MetroSafe will relay the cancellation information to the responding officer in order to provide the most current information; however, this does not permit the officer to cancel the call. An officer will continue to the scene and verify the cancellation request in response to a holdup alarm, a panic alarm, or a burglar alarm in which the alarm holder has an EPO, DVO, IPO, or any other court domestic/dating violence and abuse order.

8.5.3 TERMINATION OF RESPONSE TO ALARMS

The following apply to the termination of response to burglar alarms:

- Supervisors may authorize the temporary termination of response to burglar alarms when an excessive number of false alarms occur at the same address during the same tour of duty or when there are unusual circumstances, such as storms or electrical problems.
- Supervisors should refrain from broadcasting the termination over the radio and should notify MetroSafe by telephone.
- The temporary termination of response to a particular alarm will expire at the end of the supervisor's tour of duty.

8.5.4 ACCEPTABLE CODES

The use of a uniform set of codes assists in the adherence to Louisville Metro Code of Ordinances (LMCO) Chapter 127, *Burglary and Holdup Alarm Systems*, and ultimately reduces the number of false alarms that are dispatched to officers.

The acceptable entry shall be one of the following six (6) codes:

- **FBAL** (False Burglar Alarm): This code will be used when an officer finds no evidence of a criminal offense or attempted criminal offense, after having completed a timely investigation of the alarm site.
- **FHAL** (False Holdup Alarm): This code will be used when the responding officer finds no holdup in-progress.
- **UTAP** (Unable to Access Property): This code will be used when the responding officer is unable to access the property safely (e.g. a high fence, loose animal, etc.).

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8.5.4 ACCEPTABLE CODES (CONTINUED)

- **UNFO** (Unfounded/Unable to Locate): This code will be used when the officer is unable to find the property address relayed by MetroSafe.
- **CXAC** (Canceled by Alarm Company): This code will be used when the alarm company calls MetroSafe to cancel the alarm before the officer arrives on the scene.
- **CVAL** (Cleared Valid Alarm): This code will be used when an officer is dispatched on a valid alarm but the situation does not require the completion of an incident report.

In the case of a false burglar or holdup alarm, the responding officer will leave a false alarm brochure at the alarm site. This is a tri-fold brochure entitled *False Alarm Reduction Program*. Officers must legibly complete the following fields on the brochure:

- To (address that the officer is dispatched to)
- Date and time of arrival
- Name and code number of the responding officer(s)

If possible, the brochure should be given to someone present at the alarm site (e.g. employee, family member, key holder, etc.). If no one is present at the alarm site, the brochure should be attached to a conspicuous location, using the peel-off adhesive strip. Additional copies of these brochures may be obtained from the Records & Alarm Unit, located at 701 West Ormsby Avenue.

8.5.5 AUTHORITY TO ISSUE CITATIONS

Civilian members of the Records & Alarm Unit who have limited authority to issue citations for violations of LMCO Chapter 127 shall not issue citations while off-duty or working secondary employment, unless authorized, in writing, by the Chief of Police, or his/her designee.

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Chapter: Field Operations	
Subject: Domestic/Dating Violence and Abuse	

8.6 DOMESTIC/DATING VIOLENCE AND ABUSE (KACP 30.1)

8.6.1 POLICY

The Louisville Metro Police Department (LMPD) recognizes domestic/dating violence and abuse incidents as serious crimes and gives these incidents a high priority classification. The failure of officers to properly respond to, and handle, domestic/dating violence and abuse investigations exposes individuals, and the community, to potential danger. When responding to, and investigating, cases of domestic/dating violence and abuse, officers are required by Kentucky Revised Statute (KRS) 403.785 and 456.090 to undertake additional responsibilities in order to prevent further acts of domestic/dating violence and abuse.

A JC-3 report shall be completed on all actual, or suspected, cases of child abuse, adult abuse, or domestic/dating violence and abuse.

Victim and witness safety are the most important aspects in domestic/dating violence and abuse incidents. Officers will promote safety through preventative means including arrest, providing a safety plan, and the transportation of victims and children to a more secure location, when necessary.

The LMPD uses an all-inclusive approach to respond to, investigate, and arrest those who commit domestic/dating violence and abuse offenses. Whenever appropriate, trained patrol officers will respond to the scene of a domestic/dating violence assault, report domestic/dating violence offenses, and arrest perpetrators. The Domestic Violence Squad investigates felony domestic/dating violence and abuse incidents. The Domestic Violence Squad will also follow-up on misdemeanor domestic/dating violence and abuse incidents where beat officers have not made an immediate arrest.

8.6.2 DEFINITIONS

Domestic Violence and Abuse: Physical injury, serious physical injury, stalking, sexual abuse, assault or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault between family members or members of an unmarried couple.

Dating Violence and Abuse: Physical injury, serious physical injury, stalking, sexual abuse, assault or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault occurring between persons who are, or have been, in a dating relationship.

Family Member: A spouse, including a former spouse, parent, grandparent, grandchild, child, stepchild, or any other person living in the same household as a child, if the child is the alleged victim.

Unmarried Couple: Each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of an unmarried couple who are living together or have formerly lived together. This definition includes same-sex couples.

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8.6.2 DEFINITIONS (CONTINUED)

Dating Relationship: A relationship between individuals who have, or have had, a relationship of a romantic or intimate nature. It does not include a casual acquaintanceship or ordinary fraternization in a business or social context. The following factors may be considered, in addition to any other relevant factors, in determining whether the relationship is, or was, of a romantic or intimate nature:

- Declarations of romantic interest;
- The relationship was characterized by the expectation of affection;
- Attendance at social outings together as a couple;
- The frequency and type of interaction between the persons, including whether the persons have been involved together over time and on a continuous basis during the course of the relationship; and
- Other indications of a substantial connection that would lead a reasonable person to understand that a dating relationship existed.

Order of Protection: An Emergency Protective Order (EPO), Domestic Violence Order (DVO), Interpersonal Protective Order (IPO), and includes a Foreign Protective Order (FPO).

Foreign Protective Order (FPO): Any judgment, decree, or order of protection issued by a court of a state of the United States or of any other court which is entitled to full faith and credit in this state.

8.6.3 DEPARTMENT GOALS

Through active enforcement of all appropriate domestic/dating violence and abuse laws, the LMPD has established the following goals:

- To treat all acts of domestic/dating violence and abuse as criminal conduct
- To reduce domestic/dating assaults and homicides
- To reduce injuries to officers at domestic/dating violence and abuse incidents
- To comply with the statutory mandates to report cases of known, or suspected, abuse and enforce the law against perpetrators
- To provide training on domestic/dating violence and abuse, as required by law

8.6.4 DUTIES OF LAW ENFORCEMENT AGENCIES

Officers must complete a JC-3 report on all incidents of actual, or suspected, domestic/dating violence, adult or child abuse, neglect, or exploitation. Only JC-3 reports in which the victim is a juvenile or a vulnerable adult will be forwarded to the Cabinet for Health and Family Services (CHFS), Department for Community Based Services, within 48-hours of learning of the incident or suspected incident. This duty exists whether or not an arrest has been made. The death of an adult or a child does not relieve the officer of the responsibility to report the circumstances surrounding the death, related to abuse or neglect. All other JC-3 reports will be retained pursuant to applicable records retention schedules.

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8.6.5 DOMESTIC/DATING VIOLENCE AND ABUSE INVESTIGATIONS

Patrol Officer Responsibilities

Initial responding officers will be responsible for the primary investigation (KACP 17.5). In cases of actual domestic/dating violence and abuse, police intervention should include:

- Checking the Law Information Network of Kentucky (LINK)/National Crime Information Center (NCIC) for outstanding warrants or orders of protection and verifying that service has been made (KACP 26.3).
- Making a physical arrest, when appropriate.
- Completing a JC-3 report, with appropriate charge(s) and violation code(s).
- Taking photographs in all cases of domestic/dating violence and abuse where evidence of physical injury and/or property damage exists.
- Collecting all evidence at the scene that will support the prosecution of the perpetrator.
- When weapons are involved, including firearms, collect the weapons as evidence and run through the NCIC.
- Giving the victim a copy of the report number and the victim's rights information on the lower portion of the JC-3 report.
- Providing the victim with information on legal remedies and available community services. Officers may transport the victim to a safer location, or to District Court, to obtain a warrant or an order of protection.
- Providing the victim with information about what to do if he/she, or another family member, feels threatened by the perpetrator.
- Canvassing the immediate area if the perpetrator has fled the scene and/or obtaining information from witnesses regarding the perpetrator's location.

Patrol officers who make on-scene arrests in domestic/dating violence and abuse incidents will be responsible for all follow-up and prosecution of these cases. Patrol officers shall arrest domestic/dating violence and abuse perpetrators for misdemeanor or felony domestic/dating violence assault offenses when the investigation reveals that the perpetrator committed the offense, and the perpetrator is still on-scene. If an officer makes a felony domestic/dating violence and abuse arrest, he/she may contact the Domestic Violence Squad for assistance in documentation of the investigation.

Domestic Violence Squad Responsibilities

The primary responsibility of the Domestic Violence Squad is to investigate felony domestic/dating violence assaults. The Domestic Violence Squad will also follow-up on misdemeanor domestic/dating violence and abuse incidents where beat officers have not made an immediate arrest. They will also work with community partners to offer support services to victims of domestic/dating violence and abuse. Patrol officers may contact the Domestic Violence Squad for follow-up assistance when they arrest a perpetrator for a felony domestic/dating violence assault.

8.6.6 LETHALITY ASSESSMENT PROGRAM (LAP)

The LMPD understands that many victims of domestic/dating violence and abuse are in danger of serious physical injury or death at the hands of their abusers. As a result, the LMPD has adopted a Lethality

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8.6.6 LETHALITY ASSESSMENT PROGRAM (LAP) (CONTINUED)

Assessment Program (LAP) to aid in identifying domestic/dating violence and abuse victims who are in danger of serious physical injury or death and providing greater access to victim advocacy resources.

Officers responding to domestic/dating violence and abuse incidents involving intimate partners only, where there is evidence of physical injury, should initiate a lethality screening. The lethality screening includes the completion of a Domestic Violence Lethality Screen for First Responders form (LMPD #12-0006). Officers will complete the form in the presence of the domestic/dating violence and abuse victim and ask the victim to give his/her honest answers to the questions on the form. Officers will also notate in the appropriate box if the victim refuses to answer any, or all, of the questions on the form. If a victim exhibits a positive screening or if the screening is negative but the officer still believes that the victim is in danger, he/she will convey this information to the victim and make a protocol referral. The protocol referral consists of the officer calling a counselor at the Center for Women and Families (CWF) Crisis Hotline at (502) 753-5595 and relaying the victim's screening information and present condition to the counselor. The officer will ask the victim to speak to the counselor by relaying the seriousness of his/her present situation. If the victim agrees to speak with a counselor, the officer will give the phone to the victim when told to do so by the counselor. If a victim refuses to speak to a counselor, the officer must still call the Crisis Hotline and pass on safety information to the victim. All protocol referral calls will be conducted at the scene of the incident.

Officers will turn in completed Domestic Violence Lethality Screen for First Responders forms to their commanding officer by the end of their tour of duty. Commanding officers, or their designees, are responsible for forwarding the completed forms to the Domestic Violence Squad daily.

8.6.7 FELONY ARRESTS WITHOUT A WARRANT (KACP 1.6)

The procedure for making felony arrests for domestic/dating violence and abuse offenses is the same as in any other felony situation. The felony must have been committed in the officer's presence, or he/she must have probable cause to believe that the perpetrator has committed a felony. When an officer has probable cause to believe that a person has intentionally, or wantonly, caused serious physical injury to a family member, a member of an unmarried couple, or a member of a dating relationship, as defined in this policy, he/she shall arrest the person, without a warrant, for the appropriate felony offense.

When a felony assault has occurred in a domestic/dating violence and abuse incident that results in serious physical injury to the victim, officers are encouraged to request a Domestic Violence Squad detective to respond to the scene. The Domestic Violence Squad detective will become the lead investigator for the on-scene investigation and be responsible for all follow-up. Domestic Violence Squad detectives monitor the Traffic CIS radio channel.

In situations where the victim has been strangled by the perpetrator, the Office of the Commonwealth's Attorney encourages officers to charge the perpetrator with Wanton Endangerment in the First Degree, when any of the following elements have been met:

- The victim articulates not being able to breathe (e.g. everything was going dark)
- The victim loses consciousness
- The victim has a loss of bladder control

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8.6.7 FELONY ARRESTS WITHOUT A WARRANT (CONTINUED)

- The victim describes having difficulty or pain trying to swallow or talk

Under these circumstances, a Domestic Violence Squad detective will be contacted to respond to the scene, regardless if an arrest has been made.

8.6.8 MISDEMEANOR ARRESTS WITHOUT A WARRANT (KACP 1.6)

When an officer has probable cause to believe that a person has intentionally, or wantonly, caused physical injury to a family member, a member of an unmarried couple, or a member of a dating relationship, as defined in this policy, he/she shall arrest the person without a warrant for Assault in the Fourth Degree. The release of a perpetrator, or an issuance of a citation, is not permitted in domestic/dating violence and abuse incidents when grounds for an arrest are present.

If there is probable cause to believe that any condition of bail or pretrial release has been violated and the officer has verified that the offender has had notice of the conditions (KRS 431.064(2)), the officer shall, without a warrant, arrest the offender whether the violation was committed in or outside of the presence of the officer (KRS 431.005(5)). Pretrial release conditions issued for defendants charged with assault or sex offenses will be entered into the computer system of the Administrative Office of the Courts (AOC) and are accessible through the LINK (KACP 26.3). Officers should not assume that the absence of a pretrial release condition in the computer system indicates that no such pretrial release condition exists.

8.6.9 ORDERS OF PROTECTION

Officers, having probable cause to believe that a respondent has violated the conditions of an EPO, DVO, or IPO shall arrest the offender without a warrant (refer to SOP 8.6.10 for FPOs) (KACP 1.6). Prior to any arrest, the officer will:

- Contact MetroSafe to verify the existence and service of the EPO, DVO, or IPO.
- Give the respondent notice of the contents of the EPO, DVO, or IPO and make arrangements with the Jefferson County Sheriff's Office (JCSO) for personal service, if personal service has not occurred.
- Enforce the terms of the EPO, DVO, or IPO, once the respondent has received notice/personal service, for subsequent acts.
- Verify that the conditions, for which the arrest is made, are prohibited in the EPO, DVO, or IPO.

8.6.10 FOREIGN PROTECTIVE ORDERS (FPOs)

Officers shall enforce all FPOs. Officers, having probable cause to believe that a respondent has violated the terms of a FPO, shall arrest the offender without a warrant (KACP 1.6). The following conditions should be considered when enforcing a FPO:

- Orders shall be enforced in their entirety.
- All FPOs are presumed to be valid upon presentation to an officer. They do not have to be entered into

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8.6.10 FOREIGN PROTECTIVE ORDERS (FPOs)

the LINK to be enforceable. In some cases, a FPO may have been filed by the complainant in the Circuit Court Clerk's Office. If the order has been filed with the clerk's office, it may be verified by the officer through the LINK (KACP 26.3).

- Officers will assume that the respondent was given notice of the FPO and has knowledge of its contents.
- All arrests will follow the same procedures as an arrest for a violation of a Kentucky order of protection. The charge will be a Violation of a Foreign Protective Order (KACP 1.6).

8.6.11 OBTAINING WARRANTS/ORDERS OF PROTECTION

The Jefferson Circuit Court Clerk, Family Court Division provides 24-hour accessibility for victims to obtain EPOs at the Domestic Violence Intake Center. Domestic/dating violence and abuse warrants may be obtained at the Domestic Violence Intake Center from 0730 to 0030 hours, Monday through Friday, and from 1000 to 1800 hours on Saturday and Sunday. During the hours when the office is closed, emergency arrest warrants and EPOs may be obtained by going to the Hall of Justice and contacting the on-duty JCSO commanding officer. The JCSO commanding officer will contact the on-call Jefferson County Domestic Violence prosecutor for assistance.

If domestic/dating violence and abuse has been committed and the officer is unable to arrest the perpetrator, the officer will offer to assist the victim in obtaining an arrest warrant and/or order of protection. The officer may apply for an arrest warrant when there is sufficient information to establish probable cause. A victim's lack of cooperation will not be a factor when seeking warrants; however, officers must have other evidence to support prosecution.

8.6.12 VICTIM PROTECTION

In situations where the officer has reason to suspect that a family member, a member of an unmarried couple, or a member of a dating relationship, as defined in this policy, has been a victim of domestic/dating violence and abuse, the officer is required by KRS 403.785 and 456.090 to use all reasonable means to prevent further acts of domestic/dating violence and abuse. These actions may include:

- Remaining at the scene as long as the officer reasonably believes that there is danger to the physical safety of the individuals present, without the presence of an officer. Before leaving the scene, an officer must be able to articulate why he/she believes that the scene is secure.
- Requesting medical attention, if needed or requested by the victim. Victims cannot be forcibly transported, or required, to seek medical treatment.
- Immediately advising the victim of his/her rights under KRS 403.785 and 405.090. These rights include information about criminal complaint procedures, the availability of an order of protection, emergency shelters, and other community resources. Many of these rights are included in the "Victim Rights Information" section located at the bottom of the JC-3 report, which will be given to the victim prior to the officer clearing the scene.
- Transporting the victim, and any dependent family members, to a safe location.

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8.6.12 VICTIM PROTECTION (CONTINUED)

- Informing the victim of procedures for notification, including the availability of the Victim Information and Notification Everyday (VINE) program.

8.6.13 PERPETRATOR NOT PRESENT AT THE SCENE

In cases where the perpetrator has fled the scene, officers will make a reasonable attempt to locate and arrest the perpetrator. This includes broadcasting a "pick-up" and searching the immediate area. Officers may arrest the perpetrator, even if he/she is found at a location other than the original crime scene (KACP 1.6).

If an officer is unable to arrest the perpetrator within a reasonable amount of time, the officer may assist the victim in obtaining an arrest warrant and/or an order of protection in unusual circumstances, such as the victim's hospitalization, lack of transportation, or request for additional assistance. The officer will advise his/her immediate supervisor of the additional assistance that is requested.

Officers should be aware that Fleeing or Evading the Police in the First Degree includes suspects fleeing from officers after committing an act of domestic/dating violence and abuse, which is a Class D felony.

8.6.14 VICTIM NOT PRESENT AT THE SCENE

In cases where the victim has fled the scene, the responding officer will gather all relevant facts from witnesses. These facts will include the possible location of the victim and any sustained injuries. Witnesses will be directed to call the police if the victim returns.

8.6.15 MUTUAL VIOLENCE

When officers respond to a domestic/dating violence and abuse incident and there is evidence of mutual violence, officers will attempt to determine if one (1) party was the predominant aggressor. The following factors may be considered when making this determination:

- The history of domestic/dating violence and abuse between the parties
- The degree of injury inflicted upon each person, keeping in mind that injuries may not be immediately visible
- Objective and testimonial evidence from the parties involved and other persons at the scene, including children
- Whether injuries were sustained through an aggressive act or self defense
- The presence, and level, of fear of the parties

Officers will make every effort to determine the predominant aggressor in mutual violence situations. If an officer is unable to make this determination, he/she will consult with his/her commanding officer. Upon identification of the predominant aggressor, the officer will follow the same procedures previously described for felony and/or misdemeanor arrest situations.

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8.6.16 JUVENILE PERPETRATOR OF DOMESTIC VIOLENCE

Officers will handle juvenile perpetrators of domestic/dating violence and abuse in the same manner as adult perpetrators. Juveniles will not be released at the scene; they will be taken into custody under the provisions of the Juvenile Code.

8.6.17 MARITAL RAPE/SEXUAL ASSAULT

There is no spousal exemption for rape or sexual assault. The responding officer will immediately notify the Sex Crimes Squad to respond to the scene and the Sex Crimes Squad detective will become the lead investigator in cases of marital rape or sodomy (refer to SOP 8.50).

8.6.18 DOMESTIC/DATING VIOLENCE AND ABUSE STALKING (KACP 17.5)

Research shows a close relationship between stalking and the commission of domestic/dating violence and abuse.

Officers will complete a JC-3 report, with appropriate charge(s) and violation code(s), when a domestic/dating violence and abuse victim alleges that he/she has been stalked. Stalking is elevated from a misdemeanor to a felony in the following circumstances:

- An order of protection has been issued.
- A criminal complaint is currently pending by the victim against the perpetrator and the perpetrator has received notice.
- The perpetrator has been convicted, within the last five (5) years, of a felony or a Class A misdemeanor concerning the victim.
- The stalking was committed while the perpetrator was in possession of a deadly weapon.

For the purposes of this section, orders of protection include EPOs, DVOs, IPOs, FPOs, pretrial release conditions, and any condition of bond, conditional release, probation, parole, or pretrial diversion order designed to protect the victim from the offender.

Officers will encourage victims to document all subsequent events and advise victims to notify the department of these events.

8.6.19 SPECIAL NEEDS VICTIMS

Some domestic/dating violence and abuse victims may have physical or mental disabilities that may make it difficult for them to report their victimization, call for assistance, or participate fully in the prosecution of the case. Officers should be aware of these limitations when investigating domestic/dating violence and abuse incidents and refer these victims to specialized support services to promote protection, physical assistance, medical treatment, or other needed services.

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8.6.20 POTENTIAL VICTIM NOTIFICATION

Officers who receive verifiable threats of violence against an identifiable victim will attempt to contact the intended victim and notify him/her of the threat and possible danger.

8.6.21 INVOLUNTARY HOSPITALIZATION (KACP 30.8)

If the officer believes that the domestic/dating violence and abuse perpetrator has a mental health condition which indicates that the person is an imminent danger to himself/herself or others, the officer will follow the involuntary hospitalization provisions set forth in KRS 202A.026. This statute should not be used as a substitute for an arrest.

When perpetrators are hospitalized under these conditions, officers will leave arrest paperwork with hospital security and have hospital security notify the LMPD, prior to release, so the perpetrator can be transported to the Louisville Metro Department of Corrections (LMDC).

8.6.22 FEDERAL GUN PROHIBITION

The federal government prohibits certain domestic/dating violence and abuse respondents, and those defendants convicted of a misdemeanor crime of domestic/dating violence and abuse, from possessing a firearm or ammunition. Officers will notify the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) when he/she becomes aware of respondents possessing firearms in violation of federal law. Designated law enforcement agencies are required to make a reasonable effort to provide victims with notice that a perpetrator has attempted to purchase a firearm in violation of the federal gun ban. The JCSO currently handles this responsibility, but officers should be aware of their legal responsibility should they learn of an attempted purchase.

8.6.23 DOMESTIC/DATING VIOLENCE AND ABUSE OR CHILD ABUSE INCIDENTS INVOLVING METRO GOVERNMENT EMPLOYEES

Officers will immediately notify their supervisor when a sworn or civilian member of the LMPD is involved in a domestic/dating violence and abuse incident and the supervisor will respond to the scene (KACP 17.4). The Public Integrity Unit (PIU) will be notified of any domestic/dating violence and abuse incident involving a departmental member. If it is determined that criminal charges will be filed as a result of the incident in which the departmental member is involved as either the perpetrator or the victim, the PIU will respond to the scene and assume the lead in the investigation.

Officers will immediately notify their supervisor when a Metro Government employee is involved in a domestic/dating violence and abuse incident and the supervisor will respond to the scene (KACP 17.4). When a Metro Government employee is involved in a domestic/dating violence and abuse incident, the on-scene supervisor will consult with the PIU. The PIU will respond to the scene and become the lead investigator of all felony assaults involving domestic/dating violence and abuse in which a Metro Government employee is either the perpetrator or the victim.

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8.6.23 DOMESTIC/DATING VIOLENCE AND ABUSE OR CHILD ABUSE INCIDENTS INVOLVING METRO GOVERNMENT EMPLOYEES (CONTINUED)

Complaints against any Metro Government employee involving the physical or sexual abuse of a minor will be immediately investigated by the Crimes Against Children Unit (CACU) and immediately reported to the PIU and the CHFS.

8.6.24 DOMESTIC/DATING VIOLENCE AND ABUSE OR CHILD ABUSE INCIDENTS INVOLVING OFFICERS FROM OTHER AGENCIES

When an officer from another agency is involved in a domestic/dating violence and abuse incident, the responding officer will notify his/her supervisor as soon as practicable. If possible, the supervisor will respond to the scene. In all instances, the investigation will be conducted in the same manner as any other domestic/dating violence and abuse incident investigation (KACP 17.4). Complaints against officers from other agencies involving the physical or sexual abuse of a minor will be immediately investigated by the CACU and immediately reported to the PIU and the Kentucky CHFS.

8.6.25 VICTIM SERVICES

All officers will be responsible for providing information concerning victims' rights, the role of victims/witnesses in the criminal justice system, available support services, and other resources, as required by law, during the course of conducting domestic/dating violence and abuse investigations. These resources include:

- Counseling
- Immediate medical attention
- Compensation programs or emergency financial assistance
- Victim advocacy services

Officers will encourage victims to contact the Domestic Violence Squad should any additional information become known and provide the victim with the telephone number for MetroSafe.

8.6.26 FOLLOW-UP SERVICES

Division commanders and the Special Victims Unit (SVU) Lieutenant will request that appropriate follow-up contact is made with all victims by a Domestic Violence Squad detective. These follow-up activities include:

- Taking follow-up photographs of previously reported injuries to victims.
- Contacting the victim periodically regarding the case status or the need for additional information.
- Explaining the procedures required for a successful prosecution of the case.
- Scheduling interviews or required appearances.
- Returning evidence used in the prosecution of the case.

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	Accreditation Standards: KACP: 17.8
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Subject: Calls for Service Response	

8.7 CALLS FOR SERVICE RESPONSE

8.7.1 POLICY

This policy establishes guidelines for prioritizing and responding to calls for service. The department will respond to calls for law enforcement service in a timely and professional manner as circumstances and resources permit.

8.7.2 PRIORITIZING CALLS (KACP 17.8)

An immediate response to every call for service is neither possible nor necessary. The priority of call assignment depends on many factors and is the initial responsibility of MetroSafe personnel. However, certain situations may require officers in the field to decide between continuing on an assigned call and handling another observed incident. This decision must be based on comparative urgency, risk to life and property, and the availability of additional personnel. Should an officer choose to continue on his/her assigned call, he/she will advise the dispatcher of the other observed incident.

8.7.3 RESPONSE CODES (KACP 17.8)

The type and manner of responses are coded as follows:

Code 1: A non-emergency response code in which the member proceeds directly to the location, but abides by all traffic laws.

Code 3: An emergency response code that may be used when factors, such as the following, are present:

- Authorized vehicle pursuits
- Aggravated assault that could result in death, in-progress
- Rape in-progress
- Armed robbery in-progress
- Kidnapping in-progress
- Officer injured or in danger of injury (10-30)
- Armed home invasion of an occupied dwelling
- Specialized unit responses to emergency situations
- Traffic accidents or other situations resulting in serious physical injuries or hazardous conditions
- Commanding officer authorization

The decision to respond Code 3 to a call for service is the responsibility of the responding officer(s). If an officer makes the decision to respond Code 3, he/she shall respond by acknowledging the run and advising the dispatcher that he/she will be responding Code 3. This also applies when an officer upgrades a Code 1 run to Code 3 based on a change in circumstances. Officers must be able to articulate their reasoning when utilizing a Code 3 response. It is never mandatory that an officer respond Code 3 when safety factors make an emergency response impractical or unduly hazardous.

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8.7.4 EMERGENCY DRIVING REGULATIONS

While operating in Code 3 mode, officers are exempt from certain driving regulations under the specific conditions of KRS 189.940. This does not relieve officers from the duty to drive with due regard for the safety of all persons.

The following will apply to emergency driving:

- A Code 3 response shall be with both emergency lights and siren in continuous operation.
- When approaching a school bus stopped for loading or unloading, any officer operating a vehicle Code 3 shall come to a full stop and then proceed only when the bus has discontinued loading or unloading.
- Officers shall weigh the seriousness of the situation against the hazards to themselves and the public generated by emergency driving.

8.7.5 TERMINATION AND REDUCTION

The supervisor of an officer responding Code 3 to an emergency run will monitor the progress of the run. If the supervisor believes that the circumstances dictate that a Code 3 run is either unjustified or poses an unnecessary risk to the public, the commanding officer will order the responding officer to downgrade their response to Code 1. Whenever an officer receives information indicating that fewer units are needed or that the emergency has stabilized, the officer should cancel Code 3 response as soon as practical.

8.7.6 NON-SWORN MEMBER RESTRICTION

Non-sworn members are not authorized to operate a departmental vehicle in Code 3 mode.

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	Accreditation Standards: KACP: 30.2
Chapter: Field Operations	
Subject: Biased Law Enforcement Practices	

8.8 BIASED LAW ENFORCEMENT PRACTICES (KACP 30.2)

8.8.1 POLICY

Biased law enforcement practices impair investigative effectiveness, alienate citizens, foster a distrust of law enforcement, and may subject officers to civil or criminal liability. Most importantly, biased law enforcement practices are unethical. The protection and preservation of the constitutional rights of individuals remains one of the paramount concerns of government and law enforcement. The Louisville Metro Police Department (LMPD) prohibits any type of biased law enforcement practices.

8.8.2 DEFINITIONS

Biased Law Enforcement Practices: Engaging in any of the following activities, based solely on an individual's actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics attributed to an individual as a member of such a group:

- Making discretionary decisions during the course of an enforcement activity
- Initiating a traffic stop, surveillance, detention, or other law enforcement activity
- Targeting particular individuals or groups

Reasonable Suspicion: Articulable facts that, within the totality of the circumstances, lead an officer to reasonably suspect that criminal activity has been, is being, or is about to be committed.

Probable Cause: The level of evidence, held by a rational and objective observer, necessary to justify logically accusing a specific suspect of a particular crime, based upon reliable objective facts.

8.8.3 OFFICER RESPONSIBILITY

All investigative detentions, traffic stops, searches, seizures, and arrests shall be based upon reasonable suspicion or probable cause.

It is not improper to target suspected criminals based on their conduct, nor is it improper to focus on a person of a particular actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar characteristics if the officer has suspect information pertaining to any of these characteristics. These characteristics shall never be used as the sole basis for reasonable suspicion or probable cause.

Suspect information must be:

- From a credible source.
- Specific characteristic-based information.

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8.8.3 OFFICER RESPONSIBILITY (CONTINUED)

- Relevant to the locality or time frame of the criminal activity.
- Specific to particular suspects, incidents or related to ongoing criminal activities.
- Reasonably merited under the totality of the circumstances.

Providing citizens with an explanation as to why they were stopped improves relations with the community and reduces the perception of bias on the part of the police. Therefore, officers should make a reasonable effort to provide an explanation as to why the citizen was stopped, unless doing so would undermine an investigation or jeopardize the officer's safety (refer to SOP 3.6 and SOP 7.12).

Under no circumstances shall an officer detain a suspect for longer than what is reasonably necessary to make reasonable inquiries and either confirm or refute his/her suspicions of criminal activity. Officers will not inquire into the immigration or citizenship status of an individual, except where the inquiry relates to a specific criminal or homeland security investigation.

8.8.4 SUPERVISORY RESPONSIBILITY

Supervisors shall:

- Familiarize their personnel with this policy and support its provisions.
- Observe officer behavior to identify, and prevent, biased law enforcement practices.
- Immediately report any biased law enforcement practice, in writing, through the appropriate chain of command, to the Chief of Police.

8.8.5 REPORTING REQUIRED

All members are required to immediately report any biased law enforcement practice, in writing, through the appropriate chain of command, to the Chief of Police.

8.8.6 DISCIPLINE

The LMPD does not condone, or tolerate, biased law enforcement practices. Officers engaging in such conduct will be subject to disciplinary action.

8.8.7 VEHICLE STOP REPORTING FORMS

Officers are required to complete a Vehicle Stop Reporting form for every traffic stop, regardless of whether a citation is written or an arrest is made. The only exceptions are motorist assists, road blocks, and traffic accidents. If an eCitation is issued for a traffic accident, members shall check "Other" in the Disposition area of the Vehicle Stop Reporting form and enter "accident" in the box. This will amend the information in the Vehicle Stop Reporting form database. Officers should use the following descriptions for searches:

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8.8.7 VEHICLE STOP REPORTING FORMS (CONTINUED)

- Consent
- Pat down
- Incident to arrest
- Probable cause
- Other

For traffic stops where a warning or a paper citation is issued in lieu of an eCitation, the officer shall complete an electronic Vehicle Stop Reporting form, located on the LMPD Intranet. Officers shall complete the electronic Vehicle Stop Reporting form by the end of his/her tour of duty. If the officer conducts a stop while off-duty, the officer shall complete a Vehicle Stop Reporting form electronically by the end of his/her next tour of duty. Officers shall record the control number of the electronic Vehicle Stop Reporting form in the upper right hand corner of their paper citation.

Officers shall fill out the Vehicle Stop Reporting form, via the Kentucky Open Portal Solution (KYOPS) system, when using the eCitation system. A separate electronic version of the Vehicle Stop Reporting form must be submitted, in lieu of the KYOPS version, if an eCitation is voided.

8.8.8 TRAINING

Recruits receive training on the various aspects of recognizing and preventing biased law enforcement practices. Training Bulletins are disseminated to officers in order to inform them of legal updates and recent issues regarding biased law enforcement practices. Annual in-service classes are offered on topics relating to biased law enforcement practices.

8.8.9 ANALYSIS

The Professional Standards Unit (PSU) is responsible for thoroughly investigating complaints of biased law enforcement practices. All findings of the PSU are forwarded to the Chief of Police for final disposition.

The department is responsible for reviewing its biased law enforcement practices SOP on an annual basis in order to identify legal updates, recent issues, and/or citizen concerns that necessitate a policy revision.

The Vehicle Stop Reporting form data is analyzed and compiled into a report on an annual basis. This report includes a summary of all stops by officers and also includes recommendations for improvement.

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	Revised Date: 05/08/16
Chapter: Field Operations	Accreditation Standards:
Subject: Criminal History Procedures	

8.9 CRIMINAL HISTORY PROCEDURES

8.9.1 REQUEST FOR CRIMINAL HISTORY

An officer requesting a criminal history shall:

- Complete the Criminal History Request form (LMPD #03-08-0111), including the officer's full name and code number, type of investigation, case number, warrant number, citation number, or call for service number. No request will be processed without an identifying number.
- Provide the appropriate information on the subject of the criminal history. It is important to include as much information as possible.
- The retrieving officer will sign the Criminal History Request form, acknowledging receipt, and deliver it to the requesting officer.

Requests for criminal histories may be faxed to (502) 572-3596; however, the printouts must be picked up at the National Crime Information Center (NCIC) Unit of MetroSafe, located at 410 South 5th Street, by the requesting officer. **Criminal histories shall not be sent through interdepartmental mail.** Criminal history printouts will be destroyed unless picked up from the NCIC Unit within 24 hours.

8.9.2 SPECIALIZED UNITS WITH NCIC TERMINALS

Specialized units having a NCIC terminal or NCIC access with criminal history privileges maintain a log and will include the following information for every request:

- Officer's full name and code number
- Type of investigation and case number

In addition, the unit commander will allow the MetroSafe Terminal Agency Coordinator (TAC) to audit the terminal and all paperwork, upon request.

Requests for NCIC access on a desktop computer should be requested through the Technical Services Lieutenant and will be coordinated through MetroSafe. The NCIC Access Request form (LMPD #10-0010) will be completed and forwarded, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau. A diagram and photos of the room that the desktop computer will be installed in, or already resides in, shall be submitted with the request. Members are prohibited from moving the computer without the approval of the TAC.

8.9.3 CONFIDENTIALITY REQUIREMENTS

Due to the sensitive nature of the information, members are prohibited from copying, pasting, or otherwise entering NCIC information from a NCIC Terminal, Mobile Data Terminal (MDT), or any other device into any other document, computer program, or other electronic system. Members are also prohibited from taking photographs/screen shots of criminal histories. The NCIC shall not be left visible on the screen when the computer is not in use.

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Subject: Criminal History Procedures	

8.9.3 CONFIDENTIALITY REQUIREMENTS (CONTINUED)

Criminal histories shall not be placed in a case file or given to anyone outside of the department. Criminal histories shall not be copied by any means (e.g. photocopied, scanned). Officers may record any pertinent information from a criminal history and include this information in an investigative letter. All criminal histories are to be shredded after the necessary information has been recorded.

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<h2>Standard Operating Procedures</h2>	SOP Number: 8.10
	Effective Date: 04/02/04 Prv. Rev. Date: 11/24/14 Revised Date: 12/25/15
	Accreditation Standards: KACP: 21.4
Chapter: Field Operations	
Subject: Civilian Rider Program	

8.10 CIVILIAN RIDER PROGRAM

8.10.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to establish guidelines for civilians to participate in the department's ride-along program. The ride-along program is designed to promote a mutual understanding and respect between the police and the community by providing civilians an opportunity to ride with, and observe, officers of the department performing their job. The ride-along program is a tool used to increase the community's understanding of police policies and procedures. The program helps to reveal the complexity of situations encountered and the variety of services performed by officers.

8.10.2 REQUEST TO RIDE-ALONG

Persons requesting to ride-along with an on-duty officer are required to complete the Civilian Rider Program Request form (LMPD #10-0001) and the Covenant Not to Sue form (LMPD #03-08-0200). A commanding officer with the rank of major or above will approve or deny the request. Prior to facilitating the ride-along, the officer will verify that the forms have been signed by all parties involved and a warrant check of the applicant has been performed.

8.10.3 BASIC ROLE OF RIDERS

Participants of the ride-along program must be 18 years of age, or older, and have a valid state-issued identification card.

Juveniles are prohibited from participating in the Civilian Rider Program unless they are members of a law enforcement-related program and have parental consent. The parent or legal guardian must complete, and sign, the Civilian Rider Program Request form (LMPD #10-0001) and the Covenant Not to Sue form (LMPD #03-08-0200).

All riders are required to adhere to the following:

- Remain in, or return to, the police vehicle during dangerous and sensitive situations (e.g. homicides, sex crimes, deaths, etc.).
- Are not permitted to operate any police vehicle.
- Comply with all directions given by the officer with whom they are riding.
- Dress appropriately as to not reflect negatively on the department.
- Only one (1) ride-along participant is allowed per police vehicle. Exceptions must receive the approval of a commanding officer with the rank of sergeant or above.
- Are observers only and will not become involved verbally, or physically, with anyone unless an officer's safety is an issue or directed to do so by the officer. Riders are prohibited from taking police actions of any kind.
- Are prohibited from using the communications system, except in extreme emergency situations.
- Keep all information learned during their ride-along confidential.

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	Effective Date: 04/02/04
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Subject: Civilian Rider Program	

8.10.3 BASIC ROLE OF RIDERS (CONTINUED)

Civilian departmental members, wishing to participate in the Civilian Rider Program, must complete the Covenant Not to Sue form and obtain permission from their supervisor.

If the civilian is a LMPD volunteer, Explorer, or Citizen Police Academy (CPA) participant, he/she shall request permission through his/her program coordinator and the appropriate division/section/unit commander.

Civilians may ride-along a maximum of four (4) times during a calendar year, unless otherwise approved by competent authority.

8.10.4 CIVILIAN RIDER PROGRAM REQUEST FORM AND COVENANT NOT TO SUE FORM

The original Civilian Rider Program Request form (LMPD #10-0001) and the Covenant Not to Sue form (LMPD #03-08-0200) will be forwarded, by the division commander, through the appropriate chain of command, to the Legal Advisor's Office. The original forms are retained by the Legal Advisor's Office for a minimum of three (3) years. One (1) copy of each completed form will be retained in the division for three (3) years. In addition, one (1) copy of the approved Covenant Not to Sue form will be provided to:

- The officer to whom the rider is assigned
- The rider

The officer will keep his/her approved copy of the Covenant Not to Sue form with him/her throughout the duration of the ride-along.

If a civilian wishes to participate in the ride-along program more than one (1) time in a calendar year, but not more than four (4) times in a calendar year, a copy of the Civilian Rider Program Request form and the Covenant Not to Sue Form shall be completed each time there is a ride-along.

The Civilian Rider Program Request form and the Covenant Not to Sue form are only valid during the calendar year in which they were completed.

8.10.5 ASSIGNMENT OF RIDERS

All requests made at the division/section/unit level will be approved, or denied, by the division/section/unit commander. Requests for particular officers may be considered.

The division/section/unit commander will designate someone on his/her staff to perform a warrant check and verify that it has been completed, prior to signing off on the Civilian Rider Program Request form (LMPD #10-0001).

Riders will only be assigned to a uniformed patrol unit, unless otherwise approved by the Chief of Police, or his/her designee, in writing.

When it is feasible, ride-along participants should accompany officers of the same gender.

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8.10.6 RESPONSIBILITIES OF OFFICER

When an officer is assigned a civilian rider, he/she will:

- Make certain that the rider wears his/her seatbelt throughout the duration of the ride-along (KACP 21.4).
- Be responsible for directing the actions of the rider.
- Remind the rider that he/she is there for observational purposes only.
- Not identify the rider as a police officer.
- Prohibit the rider from accompanying him/her during the execution of a search warrant.
- Notify MetroSafe at the beginning and end of the ride-along.
- Be prohibited from engaging in a pursuit while a civilian rider is in the vehicle. The personal safety of the officer and the civilian rider is the responsibility of the department. Therefore, officers may terminate a ride-along at any time.
- Not transport a prisoner in the same vehicle as a civilian rider.
- Advise the civilian rider to stay in the car during an emergency call for service.
- Take the civilian to a safe location (e.g. fire station, restaurant, etc.), if the ride-along has to be terminated for any reason, until the emergency assignment is completed. The officer will contact MetroSafe to let them know where the civilian rider is located.

8.10.7 RESPONSIBILITIES OF SUPERVISOR

The supervisor will:

- Make certain that a warrant check has been completed.
- Forward all original completed forms, through the appropriate chain of command, to the Legal Advisor's Office.
- Retain a copy of the forms in the division.
- Cancel the ride-along, if necessary.

8.10.8 CANCELLATION OF RIDER

Platoon supervisors have the authority to cancel a request of a rider on a designated date if, in their opinion:

- Police activity may be impeded.
- The rider is inappropriately dressed.
- Staffing levels are not adequate.
- Other reasons as deemed appropriate by the platoon supervisor (e.g. inappropriate behavior of rider, alcohol consumption, etc.).

If the platoon supervisor deems that it is appropriate for a ride-along to be canceled, the platoon supervisor will notify the division commander of the reason for the cancellation.

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8.10.9 OTHER LAW ENFORCEMENT AGENCIES

Peace officers from other jurisdictions or law enforcement agencies may accompany an on-duty officer after completing a Covenant Not to Sue form (LMPD #03-08-0200). A commanding officer with the rank of major or above will approve or deny the request.

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	Accreditation Standards: KACP: 26.3, 26.4
Chapter: Field Operations	
Subject: NCIC Notification (Reports)	

8.11 NCIC NOTIFICATION

8.11.1 REPORTS REQUIRING NCIC NOTIFICATION

The following types of reports will be reported to the National Crime Information Center (NCIC) Unit, prior to the Louisville Metro Police Department (LMPD) officer or Police Report Technician (PRT) clearing from the call for service (KACP 26.3, 26.4):

- Missing persons (refer to SOP 8.32)
- Stolen vehicles (including construction equipment and trailers)
- Stolen/lost guns with known serial numbers
- Stolen boats
- Stolen securities
- Stolen license plates
- Vehicle/boat parts with unique serial numbers
- Stolen articles not listed above, with known serial numbers or unique owner-applied numbers, which have a value of \$500 or more.

Before clearing from the call for service, a member taking a report for the applicable stolen items listed above will call the NCIC Unit, by phone, at (502) 572-3480 to obtain the name and code number of the NCIC operator to whom he/she spoke and will enter this information in the narrative section of the report. The member will then:

- Print a copy of the report to the NCIC Unit, through the Records Management System (RMS), and follow-up by calling the NCIC Unit to verify that the report was received; or
- Fax a copy of the report to the NCIC Unit and follow-up by calling the NCIC Unit to verify that the report was received; or
- Call the NCIC Unit if he/she is unable to immediately print a copy of the report to the NCIC Unit, through the RMS, or to fax a copy. He/she will call in the appropriate information to the NCIC Unit and follow-up by forwarding a copy of the report to the "Role NCIC Operations," through the RMS or fax it to the NCIC Unit. Again, it is necessary to call the NCIC Unit to verify that the report was received.

The same procedures will be followed when recovering a stolen vehicle, applicable stolen property, or locating a missing person. All identifiable stolen property, including stolen vehicles, recovered as a result of a RMS or NCIC "hit," must be verified through the NCIC Unit before it can be seized/recovered. The RMS will not automatically send this information to the NCIC Unit. It is the responsibility of the reporting member to verify that the NCIC Unit is notified.

In cases where the original stolen/lost report was taken by the LMPD, the recovering member is responsible for completing a supplemental report through the RMS. The member shall look up the case number in the RMS and add a supplement to the report documenting pertinent details of the recovery. At a minimum, the officer should change the status of the property to "recovered" or "found," listing the date, time, and location of the recovery and a brief narrative surrounding the recovery. The supplement is then approved through the appropriate RMS channels. The officer shall then print the recovery/cancellation supplement to the NCIC Unit printer.

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8.11.1 REPORTS REQUIRING NCIC NOTIFICATION (CONTINUED)

The officer shall immediately call the NCIC Unit, by phone, at (502) 572-3480 to verify that the supplement was received.

In cases where members recover stolen property that was originally reported stolen in another jurisdiction, and confirmed as stolen by the NCIC Unit, a new report must be generated. The member will obtain a new report number. When no arrest is made in connection with the recovery of stolen property, the report should be completed using the offense of either "Recovery of Stolen Property" or "Recovery of Stolen Vehicle-Out of Jurisdiction." In cases where an arrest is made in relation to the recovery of stolen property, the report can be completed with the appropriate receiving stolen property charge. The report should include the date, time, and location of the recovery, as well as any suspects who were arrested in relation to the recovery. It should also include the other agency's Originating Agency Identifier (ORI), report number, and contact information. The member should then list the recovered property in the property module and mark the status as "recovered" or "found."

When recovering stolen vehicles, whether they are stolen within the jurisdiction of the LMPD or are listed as stolen from an outside jurisdiction, officers should complete the second page of the vehicle record with pertinent recovery information. It is the responsibility of the reporting officer in both of these scenarios to print the supplement to the NCIC Unit printer and immediately call the NCIC Unit, by phone, at (502) 572-3480 to verify that the supplement was received.

It will be the responsibility of the member who recovers stolen property to obtain the rightful property owner's information (e.g. name, address, telephone number). Ownership information may be obtained through the RMS or by obtaining the original stolen property report from an outside originating agency. The member may request assistance from the NCIC Unit with obtaining stolen property reports from outside originating agencies. However, it is the recovering member's responsibility to obtain information regarding the rightful owner of the stolen property. The member will enter the owner's information into the RMS.

In cases where a missing person is recovered, the member shall immediately call the NCIC Unit, by phone, at (502) 572-3480 to cancel the missing person report. The member will only need to provide the necessary details to the NCIC Unit by phone. The NCIC Unit operator will remove the missing person report from the NCIC and will complete the investigative supplement (including the name of the recovering officer, location, date, time, and other recovery circumstances relevant to assist in any future investigations) to clear the missing person report from the RMS.

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Chapter: Field Operations	
Subject: Critical Incidents	

8.12 CRITICAL INCIDENTS

8.12.1 DEFINITIONS

Critical Incident: The use of force and/or any action taken by a member of the Louisville Metro Police Department (LMPD) that does, or potentially could, result in death or serious physical injury.

Administrative Leave: A temporary leave of absence from a job assignment, with pay and benefits intact.

Administrative Reassignment: A temporary change in an employee's job assignment/responsibilities.

Educational Debriefing: Formerly known as "fit for duty." It is the process of counseling following a critical incident in order to determine if the officer has received the support and resources needed to verify that the officer was well informed about psychological survival and is ready to return to work.

Departmental Police Psychologist: The departmental police psychologist is a Licensed Professional Clinical Counselor. The departmental police psychologist will provide professional therapeutic and supportive services to departmental members and affected family members, as needed. The departmental police psychologist will assess and monitor the member's emotional and mental status and provide treatment, as needed.

8.12.2 UNITS RESPONSIBLE FOR CRITICAL INCIDENT INVESTIGATION

The Public Integrity Unit (PIU) is responsible for investigating incidents including, but not limited to:

- Incidents resulting in the death or serious physical injury to persons while in the custody of departmental personnel (KACP 1.11b).
- All traffic-related deaths or serious physical injuries resulting from pursuits or other officer-involved traffic collisions. These incidents will be investigated in conjunction with the Traffic Unit.
- Incidents where an officer's actions resulted in death or serious physical injury to the public or to another officer (KACP 1.11b).
- Other officer-related incidents resulting in death or serious physical injury to the public (KACP 1.11b).
- Incidents resulting in death or serious physical injury to a departmental member while in the performance of their official duties.
- Incidents involving the discharge of firearms by an officer, regardless of injuries. The only exceptions are departmental members discharging firearms for target practice or the shooting of animals (KACP 1.11a).
- Incidents involving the discharge of a firearm at an officer, regardless of injuries.

Officers with special investigative knowledge or experience may be called upon to assist the PIU in a specific investigation (e.g. Traffic Unit, Homicide, etc.). Officers assisting the unit will report all findings and conclusions of the investigation directly to the PIU Commander. All information will be held in the strictest of confidence.

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8.12.3 RESPONSIBILITIES OF COMMANDING OFFICERS

Responsibilities of commanding officers include:

- Verifying proper crime scene maintenance
- Notifying MetroSafe and appropriate support personnel (e.g. Louisville Metro Emergency Medical Services (LMEMS), Homicide, Traffic)
- Gathering basic information from the officers involved and starting a preliminary investigation
- Assigning escort officers
- Verifying that the required forms are completed (Administrative Incident Report (AIR) (refer to SOP 3.1), Workers' Compensation – First Report of Injury or Illness form (IA-1 form), Exposure Report forms (LMPD #04-08-0303), etc.)

Commanding officers will not secure an officer's weapon, unless exigent circumstances are present (e.g. officer is being transported to the hospital by LMEMS, officer used the weapon against a family member, officer is distraught, etc.).

8.12.4 PROCEDURES FOR OFFICERS INVOLVED (KACP 1.12)

Officers involved in use of force actions or motor vehicle collisions, which result in death or serious physical injury, will immediately be placed on administrative leave or administrative reassignment, pending an administrative investigation (refer to SOP 2.5) (KACP 10.2a). Each officer involved will be assigned an escort officer at the scene by his/her commanding officer. The escort officer should be a Peer Support Team (PST) member, departmental chaplain, or commanding officer, when possible. The escort officer should not have been involved in the critical incident and should remain with the officer throughout the entire initial investigation.

The escort officer is responsible for:

- Explaining the investigative process to the officer involved.
- Assisting the officer in contacting his/her private attorney, friends, or family members, as requested.
- Transporting the officer to the PIU office, when requested by the PIU Commander or investigators.
- Verifying that the officer is isolated from all non-essential individuals for the remainder of the initial investigation.
- Transporting the officer home at the conclusion of the initial investigation.

The departmental police psychologist will respond to the scene of all critical incidents. The departmental police psychologist will meet with the involved officer(s) in a confidential setting (refer to SOP 8.12.5).

The Crime Scene Unit (CSU) or PIU investigators will photograph the officer involved.

The PIU will secure Mobile Video System (MVS) footage and Wearable Video System (WVS) footage belonging to involved and responding officers.

The officer's weapon and any other evidence will be collected at the PIU office, by the CSU, as directed by investigators. The officer should immediately be issued a replacement weapon.

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8.12.4 PROCEDURES FOR OFFICERS INVOLVED (CONTINUED)

The PIU will request a recorded interview with the officer involved.

If the officer agrees to the interview, a standard interview format will be used and the officer must be advised of his/her constitutional rights, prior to questioning, utilizing a standard Miranda Rights Waiver form (LMPD #0006-96), when possible.

The officer may have access to the following, prior to being interviewed:

- Fraternal Order Police (FOP) attorney
- Private attorney
- Chaplain/PST

The officer may be required to submit a written statement for administrative purposes only.

The Special Investigations Division (SID) Commander, or his/her designee, will serve the officer involved with a Notification of Limitation of Police Powers form (LMPD #11-0008) (refer to SOP 2.5). This leave is without loss of pay or benefits and should not be interpreted to imply, or indicate, that the officer acted improperly. The officer may be required to surrender his/her departmental identification (ID) card, at the discretion of his/her Division Commander, PIU Commander, or a higher authority.

The officer involved will be available, upon reasonable notice, for official departmental interviews and statements regarding the incident.

Upon release by the PIU Commander, the officer will be transported home.

8.12.5 PROCEDURES FOR THE DEPARTMENTAL POLICE PSYCHOLOGIST

The departmental police psychologist will meet with the affected officer(s) in a confidential setting within five (5) days of the critical incident, prior to the debriefing. During this meeting, the departmental police psychologist is responsible for:

- Providing information on critical incident stress.
- Monitoring the well-being of the involved officer(s).
- Explaining follow-up procedures.
- Providing support and referrals, as needed.

The departmental police psychologist will monitor and support the affected officer(s) at regular intervals after the critical incident, as needed.

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8.12.6 DEBRIEFING

The PST will hold a critical incident debriefing with the officer(s) involved as soon as possible after all involved officer(s) have given statements to the PIU. The PST Commander, or his/her designee, is responsible for scheduling the debriefing and verifying that necessary personnel are notified and able to attend. The debriefing is modeled after the guidelines set forth by the International Critical Incident Stress Foundation, Inc. The purpose of the debriefing is to provide a confidential setting where the officer can share his/her personal thoughts and feelings about the incident and to educate the affected officer in stress management techniques.

The debriefing will deal only with the personal effects of the incident and will not be used as an operational critique. The departmental police psychologist may be present at the debriefing.

It is the duty and obligation of PST members to maintain strict confidentiality regarding all matters that come to the attention of its members during debriefing sessions. It is the policy of the department to refrain from questioning a PST member regarding facts or opinions gathered from a critical incident debriefing that are not related to the involved officer's physical or mental well-being.

As members of the department, PST members are obligated to discuss, with the appropriate authority, matters concerning an officer when:

- The officer presents a danger to himself/herself or others, including drug abuse, excessive use of alcohol, the use of alcohol on-duty, and/or mental or physical disability (KACP 30.8).
- There is reason to believe that the officer has committed a felony.
- There is reason to believe that the officer has committed child abuse or domestic/dating violence and abuse.

A mental health assessment may also be required when an officer has been involved in a critical incident. The mental health assessment is an individual session(s) conducted by the departmentally-furnished mental health professional. The mental health assessment is completely unrelated to the PST debriefing and any contact between the departmental police psychologist and the affected officer(s) (KACP 10.6). If the departmentally-furnished mental health professional determines that the officer is fit to return to duty, a letter of confirmation will be sent to the Assistant Chief of Police/Administrative Bureau and Police Human Resources (HR).

8.12.7 POST INCIDENT

The Chief of Police, or his/her designee, authorizes return to duty on a case-by-case basis. This decision is based on the following:

- Release by the SID Commander
- Release by the departmental physician (if the officer has been physically injured)
- Release by the departmentally-furnished mental health professional

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8.12.7 POST INCIDENT (CONTINUED)

During a critical incident investigation, the Office of the Commonwealth's Attorney reviews the incident to decide if any charges should be filed against the officer as a result of his/her action(s). If the officer is cleared of any wrongdoing or indictments, the Office of the Commonwealth's Attorney will send a letter of confirmation to the SID Commander and Police HR. The SID Commander will forward a copy of the confirmation letter to the Assistant Chief of Police/Administrative Bureau, who will notify Police HR to send the officer for an educational debriefing and, when he/she has been cleared, to restore the officer's full police powers.

Once the Assistant Chief of Police/Administrative Bureau has approved the officer's return to duty, Police HR will serve the officer involved with a Notification of Restoration of Police Powers form (LMPD #03-02-0151). Police HR will notify the officer's division/section/unit commander of the date that the officer will be returning to work.

If an officer is returning to duty after being on administrative leave or administrative reassignment and is issued a temporary or loaned firearm, he/she must successfully qualify with this firearm prior to returning to duty.

If the officer has been on any type of leave in excess of 180 days and is able to return to full duty:

1. The SID Commander will notify Police HR when the officer is ready to be sent for an educational debriefing if he/she is on an administrative leave or administrative reassignment.
2. Police HR notifies the appropriate Assistant Chief when the officer has been cleared from the educational debriefing and awaits a decision to restore the officer's police powers.
3. Police HR will complete and sign a Return to Duty Clearance form (LMPD #05-02-0140).
4. Upon completion of the Return to Duty Clearance form, Police HR will verify that the Notification of Restoration of Police Powers form is completed and provide the officer with a copy.
5. Police HR will notify the officer's division/section/unit commander of the date that the officer is returning to work.
6. The officer's full police powers will then be restored.

The division/section/unit commander is responsible for returning the member's departmentally-issued property/equipment upon his/her return to duty.

Upon returning to duty after a leave in excess of 180 days, the officer will contact the Training Division to see if he/she needs to make up any required training.

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	Accreditation Standards:
Chapter: Field Operations	
Subject: Out-of-Court Suspect Identification	

8.13 OUT-OF-COURT SUSPECT IDENTIFICATION

8.13.1 POLICY

Out-of-court victim/witness identification of a suspect is a frequently used investigative tool. Officers of the Louisville Metro Police Department (LMPD) shall strictly adhere to procedures set forth in order to maximize the reliability of identifications, minimize unjust accusations of innocent persons, and establish evidence that is both reliable and in compliance with established legal procedures.

It must be stressed that this method of suspect identification is only one (1) of many investigative tools at an officer's disposal. Prior to employing any specific out-of-court identification method, officers shall determine whether the victim/witness has seen the suspect at any time since the crime occurred. If so, officers shall consult with a prosecutor from the Office of the Commonwealth's Attorney prior to employing any out-of-court identification method. Furthermore, officers should consider the totality of the circumstances and attempt to determine the victim's/witness's level of confidence before employing any specific out-of-court identification method. Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime.
- The victim's/witness's degree of attention.
- The accuracy of the victim's/witness's prior description of the perpetrator.
- The length of time between when the crime occurred and the identification process.

If a positive identification is made by a victim/witness, the investigating officer will consider the level of certainty displayed by the victim/witness as a factor in determining the reliability of the identification process and whether probable cause exists to make an arrest. Other identification methods (e.g. fingerprints, blood grouping, DNA, etc.) should be utilized, if possible, to assist with an accurate identification. Victim/witness information can be used in several ways to aid in identifying suspects. Methods of suspect identification include, but are not limited to:

- Composite identification (refer to SOP 8.14)
- Line-up identification (refer to SOP 8.15)
- One-on-one identification (refer to SOP 8.16)
- Photo-pack identification (refer to SOP 8.17)
- Photo-book identification (refer to SOP 8.18)
- Show-up identification (refer to SOP 8.19)

Every effort should be made to keep the victim/witness informed of the process. When scheduling a procedure covered in this policy, it should be done at a time that is as convenient for the victim/witness as possible. Regardless of whether or not a positive identification is made by a victim/witness, the administrator will record his/her observations (e.g. statements, gestures, or reactions of the victim/witness).

8.13.2 PERSONS WITH LIMITED ENGLISH PROFICIENCY OR ILLITERATE PERSONS

Officers should be alert to victims/witnesses who do not speak English, are Limited English Proficient (LEP), or are deaf/hearing impaired. When presented with this situation, officers should carefully consider the ethical and

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8.13.2 PERSONS WITH LIMITED ENGLISH PROFICIENCY OR ILLITERATE PERSONS (CONTINUED)

legal ramifications of how to handle the case when there is a language barrier (refer to SOP 3.10). An interpreter will be used for victims/witnesses who do not speak English or are deaf/hearing impaired. The interpreter will sign the appropriate victim/witness certification statement (for live line-ups, photo-packs, show-ups, or one-on-one identifications) upon obtaining the consent of a non-English speaking or deaf/hearing impaired victim/witness to assist in the identification process. Officers will consider arranging for an interpreter if the victim/witness to be interviewed:

- Is unable to communicate in English;
- Has a limited understanding of English;
- Is deaf/hearing impaired or speech impaired; or
- Is otherwise physically challenged to communicate in English.

If the victim/witness is unable to read, the administrator of the identification process, in the presence of the victim/witness, will give the explanation, read any forms, and obtain consent and acknowledge the consent on the appropriate victim/witness certification statement, stating why the victim/witness was unable to sign the form.

8.13.3 ADDITIONAL CONSIDERATIONS

Officers will recognize a victim/witness who has the signs, symptoms, and reactions of mental, physical, or developmental disabilities, and make appropriate accommodations for the particular method of suspect identification being utilized. This should be done in accordance with SOP 8.42.

In cases where the victim/witness is a minor or is visibly upset due to having experienced a traumatic event, the administrator of the identification process may allow a family member or friend of the victim/witness to be present during the identification process. The family member or friend is required to remain silent and not influence the identification process. The presence of a family member or friend will be documented.

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Chapter: Field Operations	Accreditation Standards:
Subject: Composites	

8.14 COMPOSITES

8.14.1 DEFINITION

Composite: The non-photographic pictorial compilation of physical characteristics of a suspect, based upon victim/witness information. Care should be taken to not influence the suspect's description provided by a victim/witness while developing such a composite image or sketch. Only those officers trained in the use of this particular identification technique shall utilize it.

8.14.2 PROCEDURES

Prior to making a request for a composite, officers will determine whether the victim/witness has seen the suspect at any time since the crime occurred. If so, officers shall consult with a prosecutor from the Office of the Commonwealth's Attorney prior to conducting composite identification procedures. Furthermore, officers should attempt to assess the victim's/witness's level of confidence and his/her ability to provide a sufficient physical description for a composite. Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime.
- The victim's/witness's degree of attention.
- The accuracy of the victim's/witness's prior description of the perpetrator.
- The length of time between when the crime occurred and the identification process.

Officers needing a composite should contact an on-duty Major Crimes Division commanding officer for a list of persons authorized to do composites.

Composite procedures include:

- Selecting an environment that minimizes distractions;
- Assessing the ability of the victim/witness to provide a description;
- Conducting the procedure with each victim/witness individually;
- Avoiding contamination of the victim's/witness's memory through the viewing of other composites; and
- Determining, with the victim/witness, if the composite is a reasonable representation of the perpetrator.

The investigating officer will consider the level of certainty displayed by the victim/witness as a factor in determining the reliability of the composite.

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Chapter: Field Operations	Accreditation Standards:
Subject: Line-ups	

8.15 LINE-UPS

8.15.1 DEFINITION

Line-up: The live presentation of multiple individuals, including one (1) suspect, before a victim/witness. Line-ups may necessitate the presence of the suspect's attorney and require the procurement of at least five (5) other persons, generally prisoners/inmates, volunteer citizens, or police officers, who are similar in appearance to the suspect. Therefore, careful consideration should be given to the decision to use a live line-up as opposed to another suspect identification technique.

Sequential Line-up: An identification procedure in which the persons in the live line-up are presented one (1) at a time (sequentially) to the victim/witness.

Blind Administrator: An officer who is not participating in the investigation and is unaware of which person in the line-up is the suspect. In a blind procedure, no one present should know the suspect's identity.

Fillers: Persons who are non-suspects. Fillers will be selected who fit the description of the perpetrator so that no individual filler stands out.

8.15.2 GENERAL GUIDELINES

If a live line-up is used for suspect identification, it will be coordinated with, and attended by, a prosecutor from the Office of the Commonwealth's Attorney. A line-up may be conducted under the following conditions:

- The suspect has been lawfully arrested based on probable cause
- Court order
- Voluntarily or by the request of the suspect

The officer requesting a line-up is responsible for identifying a suspect and the fillers who are to participate in the line-up. A line-up should take place as soon as practicable after the arrest of a suspect. Line-up arrangements (e.g. contacting viewers, obtaining filler participants, arranging for an attorney when appropriate) should be completed prior to the arrest, whenever possible. A member of the Major Crimes Division will provide the requesting officer with direction on how to select the fillers who are to participate in the line-up.

The line-up will be conducted by a blind administrator, unless circumstances dictate otherwise (e.g. personnel not available). If a blind administrator is not used, then the reason why will be documented on the Line-up Identification form (LMPD #04-08-0815). The blind administrator will remain sequestered from the eyewitnesses and also while the fillers are being selected. It is recommended that a sequential line-up be used.

8.15.3 REQUESTING A LINE-UP

Prior to making a request for a line-up, officers will determine whether the victim/witness has seen the suspect at any time since the crime occurred. If so, officers will consult with a prosecutor from the Office of the

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8.15.3 REQUESTING A LINE-UP (CONTINUED)

Commonwealth's Attorney prior to conducting line-up identification procedures. Furthermore, officers should attempt to assess the victim's/witness's level of confidence and his/her ability to make a positive identification. Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime.
- The victim's/witness's degree of attention.
- The accuracy of the victim's/witness's prior description of the perpetrator.
- The length of time between when the crime occurred and the identification process.

Officers requesting a line-up will contact the Major Crimes Division Commander, who will assign personnel to assist with arranging and conducting the line-up.

Officers should provide Major Crimes Division personnel with a notice of at least 24 hours, when possible, in order to facilitate the gathering of all persons needed for a line-up. Major Crimes Division personnel will assist other division/section/unit personnel with conducting the line-up so that the line-up is conducted according to established legal practices.

The requesting officer's division/section/unit is responsible for the costs, if any, of conducting a line-up. A line-up will not be used in the following circumstances:

- When suitable fillers are unavailable for a line-up
- A victim/witness knew the identity of the suspect prior to the offense
- A victim/witness learned the identity of the suspect after the offense occurred, without the assistance of the police or has had an opportunity to identify the suspect in a previous confrontation procedure

8.15.4 REFUSAL OF A LINE-UP BY A SUSPECT

A lawfully arrested suspect, in custody, may not refuse to take part in a line-up. When a suspect who has been lawfully arrested or court ordered to appear in a line-up refuses to cooperate, perform specific acts during the line-up, or otherwise disrupts the line-up, the suspect will be advised that they have no right to refuse cooperation and the evidence of their refusal will be used against them at trial. If a suspect continues to refuse to cooperate, the precise words and actions of the suspect will be documented. The decision about whether compulsory cooperation is appropriate will be made by a commanding officer, after consultation with the prosecutor from the Office of the Commonwealth's Attorney.

8.15.5 LINE-UP REQUIREMENTS

The following procedures will be followed while conducting a line-up:

- Line-ups should not be prepared by the person who is to administer the line-up (blind administrator).
- All line-ups will consist of at least five (5) other persons (fillers) in addition to the suspect.

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8.15.5 LINE-UP REQUIREMENTS (CONTINUED)

- Fillers must have the same general physical characteristics. Factors such as the following will be considered:
 - Race
 - Sex
 - Age
 - Height
 - Weight
 - Hair color
 - Hair length
 - Physical build
 - Distinctive item(s) of clothing
- Suspects will be informed that they can choose their initial position in the line-up and that they may change their position after each viewing.
- The victim/witness will not be allowed to view any information concerning any previous arrest, indictment, conviction, or identification of the suspect.
- The administrator or others present at a line-up will not say or do anything, or otherwise provide feedback, which would distinguish the suspect from the other line-up participants.
- Fillers in a line-up will be instructed to conduct themselves so as not to single out the actual suspect.
- The suspect may be compelled to utter specific words or phrases, make specific gestures, or assume a particular position, when requested by the victim/witness.
- If a victim/witness has described and identified a specific, distinctive item that was worn or possessed by the perpetrator, the suspect may be compelled to wear or hold the item, if the exact or a similar item is available.
- All of the fillers will perform whatever act is required of the suspect.
- If there are multiple victims/witnesses who will be viewing the line-up, each will do so separately from the others. To the extent possible, prevent victims/witnesses from conferring with each other before, during, and after the line-up procedure.
- Take precautions to verify that victims/witnesses do not encounter suspects or fillers at any time before or after the identification procedure.
- Video recordings will be made of all line-ups. Optional audio recordings may also be made. If neither method is employed, then the reason for not video or audio recording the line-up will be documented on the Line-up Identification form (LMPD #04-08-0815).

Prior to viewing the line-up, the administrator conducting the line-up will provide the victim/witness a written copy of the Victim/Witness Certification Statement for Live Line-up (LMPD #13-0008) or will read it out loud to instruct the victim/witness on the proper viewing of a line-up by advising him/her that:

- They will be looking at a series of individuals in an attempt to identify a suspect who might have committed a specific crime and will be requested to state whether one (1) of the individuals shown is the perpetrator of the crime.
- The person who committed the crime may or may not be in the group of individuals being presented.

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8.15.5 LINE-UP REQUIREMENTS (CONTINUED)

- Regardless of whether or not an identification is made, the police will continue to investigate the incident.
- Physical features such as head and facial hair are subject to change.
- They are not obligated to choose an individual from the line-up.
- It is just as important to clear innocent persons from suspicion as to identify guilty parties.
- The individuals may be shown one (1) at a time (sequential).
- They may take as much time as needed to view each person in the line-up.

The administrator should ask the victim/witness if he/she understands how the procedure will be conducted and if he/she has any questions. Should the victim/witness have any questions or requests after the line-up has begun, he/she will be instructed to submit them, in writing, to the administrator. Once the victim/witness has signed the Victim/Witness Certification Statement for Live Line-up, the line-up will begin. All persons in the line-up will be viewed, even if the victim/witness makes an identification.

If a positive identification is made by a victim/witness, the investigating officer will consider the level of certainty displayed by the victim/witness as a factor in determining the reliability of the line-up and whether probable cause exists to make an arrest.

After the line-up has been completed, the administrator should instruct the victim/witness not to discuss the line-up or its results with other victims/witnesses and may discourage him/her from discussing the case with the media, as media exposure could jeopardize a pending investigation.

8.15.6 LEGAL REPRESENTATION

A suspect has the right to be represented by legal counsel for any offense for which he/she is in custody or charged. This includes the right to have counsel present at a line-up in which they are a participant, for an offense for which they have been charged. The suspect shall be advised of these rights. As in any case, if a charged suspect cannot afford to hire an attorney, one will be appointed to represent them before a line-up is conducted. A suspect may waive the right to have an attorney present for the line-up. If a suspect waives his/her right to have counsel present, he/she must complete and sign a Live Line-up Legal Representation Waiver (LMPD #08-0014).

When a suspect's attorney is present at the line-up, they will be permitted to observe the procedure and to make suggestions, but will not be permitted to control or obstruct the procedure. The following procedures will be adhered to concerning the activities of a suspect's attorney:

- An attorney may view the fillers and confer with his/her client prior to the line-up procedure.
- Any suggestion made about the procedure will be considered and recorded.
- Suggestions which would render the procedure more consistent with this policy may be implemented.
- Suggestions which do not comply with this policy, or which otherwise make the procedure suggestive, will be disregarded.
- Attorneys are permitted to be present when a victim/witness states their conclusions about the line-up.
- Attorneys will be instructed to remain silent during both the line-up and the victim/witness conclusions.

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8.15.6 LEGAL REPRESENTATION (CONTINUED)

- Attorneys may speak with any victim/witness after a line-up procedure, *if* the victim/witness agrees to speak with them.
- A victim/witness taking part in a line-up procedure may be told that they are under no obligation to speak with a suspect's attorney.

8.15.7 ADDITIONAL VIEWINGS OF LINE-UPS

Upon the request of the victim/witness, the victim/witness may view the line-up again after the first line-up procedure has been completed. If the victim/witness requests an additional viewing, the line-up administrator shall present the entire line-up in the same order as the original presentation. If an additional viewing occurs, it will be documented. The administrator should never suggest an additional viewing to the victim/witness. It is recommended that the victim/witness not be allowed to view the line-up more than two (2) times.

8.15.8 DOCUMENTATION

In addition to the video/audio recording of all line-ups, a Victim/Witness Certification Statement for Live Line-up form (LMPD #13-0008) and a Line-up Identification form (LMPD #04-08-0815) will be completed by the administrator for each victim/witness who views a line-up, regardless of whether or not a positive identification is made. If a victim/witness views more than one (1) line-up, the forms will be completed for any subsequent line-up.

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8.16 ONE-ON-ONE IDENTIFICATION

8.16.1 DEFINITION

One-on-One Identification: The presentation of a single suspect to a victim/witness beyond a reasonable amount of time following the commission of a crime. Because it occurs beyond a reasonable amount of time, a one-on-one identification always requires the suspect's consent. A one-on-one identification is conducted for the purpose of identifying, or eliminating, the suspect as the perpetrator. A one-on-one identification differs from a typical show-up identification (refer to SOP 8.19), which occurs within a reasonable amount of time, and therefore, does not require the suspect's consent.

All one-on-one identifications are considered suggestive. Photo-packs and live line-ups are the preferred methods of eyewitness identification; however, circumstances may exist which prevent the utilization of those identification procedures. Proper procedures will be followed to minimize potential suggestiveness.

Blind Administrator: An officer who is not participating in the investigation and is unaware of the suspect's identity.

8.16.2 PROCEDURES

An officer will not conduct a one-on-one identification unless reasonable, articulable reasons exist for not using a photo-pack or live line-up.

Prior to conducting a one-on-one identification, officers will:

- Consider using a photo-pack or live line-up.
- Consider the circumstances and determine whether, under the totality of circumstances, the one-on-one identification would be so suggestive that there exists a substantial likelihood that an irreparable misidentification will take place. A suspect's consent (including consent given in the presence of his/her lawyer) does not eliminate the need for the officer to consider the totality of the circumstances.
- Determine whether the victim/witness has seen the suspect at any time since the crime occurred. If so, officers will consult with a prosecutor from the Office of the Commonwealth's Attorney prior to conducting one-on-one identification procedures.
- Attempt to assess the victim's/witness's level of confidence and his/her ability to make an identification. Factors to consider include, but are not limited to:
 - The opportunity of the victim/witness to view the perpetrator at the time of the crime.
 - The victim's/witness's degree of attention.
 - The accuracy of the victim's/witness's prior description of the perpetrator.
 - The length of time between when the crime occurred and the identification process.

The officer who conducts a one-on-one identification will:

- Determine and document a description of the suspect prior to the one-on-one identification.

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8.16.2 PROCEDURES (CONTINUED)

- Request that the suspect sign the Consent to One-on-One Identification form (LMPD #04-08-0816) for a one-on-one identification in the presence of the investigating officer and one (1) other witness. A one-on-one identification may not take place without the consent of the suspect. If the suspect verbally consents, but refuses to sign the consent form, the investigating officer will write the word “refused” in the signature space of the form. The investigating officer and the secondary witness will both sign in the witness spaces on the form.
- Attempt to conduct the one-on-one identification in an area out of public view. If the suspect is in custody, the one-on-one identification will take place at a departmental facility. If not in custody, the officer should request that the suspect voluntarily accompany him/her to a departmental facility. Do not conduct the one-on-one identification at the crime scene.
- Not require the suspect to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator, or to perform other actions of the perpetrator.
- Conduct the one-on-one identification with each victim/witness separately.
- Not present the same suspect to the same victim/witness more than once.
- Not allow the victim/witness to view any information concerning any previous arrest, indictment, conviction, or identification of the suspect.

Video recordings should be made of all one-on-one identifications. Optional audio recordings may also be made. If neither method is employed, then the reason for not recording the one-on-one identification will be documented on the One-on-One Identification form (LMPD #04-08-0817).

Prior to viewing the suspect, the officer conducting the one-on-one identification will provide the victim/witness a written copy of the Victim/Witness Certification Statement for One-on-One Identifications form (LMPD #13-0009) or will read it out loud to instruct the victim/witness on the proper viewing of a one-on-one identification by advising him/her that:

- The person at whom he/she is looking may or may not be the perpetrator.
- They are not obligated to make an identification.
- It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.
- Regardless of whether or not an identification is made, the police will continue to investigate the incident.
- Physical features such as head and facial hair are subject to change.
- They should not discuss the one-on-one identification process or its results with other victims/witnesses and may discourage him/her from discussing the case with the media, as media exposure could jeopardize a pending investigation.

A suspect may verbally withdraw his/her consent at any time prior to the one-on-one identification procedure.

Persons involved in this procedure are prohibited from providing feedback, making statements, or behaving in a manner that might influence the judgment or perception of the victim/witness. It is recommended that the one-on-one identification be conducted by a blind administrator. If a blind administrator is not used, then the reason why will be documented on the One-on-One Identification form.

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8.16.2 PROCEDURES (CONTINUED)

If a positive identification is made by a victim/witness, the investigating officer will consider the level of certainty displayed by the victim/witness as a factor in determining the reliability of the one-on-one identification and whether probable cause exists to make an arrest.

8.16.3 DOCUMENTATION

In addition to the video/audio recording of all one-on-one identifications, a Victim/Witness Certification Statement for One-on-One Identifications form (LMPD #13-0009) and a One-on-One Identification form (LMPD #04-08-0817) will be completed by the presenting officer for each victim/witness who views a one-on-one identification, regardless of whether or not a positive identification is made. If a positive identification is made and other witnesses are not readily available to participate in the procedure, the officer should consider using other identification procedures (e.g. line-up, photo-pack).

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8.17 PHOTO-PACKS

8.17.1 DEFINITION

Photo-pack Identification: Also known as a photo array. The showing of multiple photographs, including a single suspect, to a victim/witness, in an attempt to obtain identification. Photo-pack identifications must use multiple photographs and may be shown sequentially or simultaneously to a victim/witness.

Sequential Photo-pack: An identification procedure in which photographs are displayed one (1) at a time (sequentially) to a victim/witness. Each photograph is taken back before the next photograph is shown.

Simultaneous Photo-pack: An identification procedure in which all of the photographs are displayed at once.

Blind Administrator: An officer who is not participating in the investigation and is unaware of which person in the photo-pack is the suspect. In a blind procedure, no one present should know the suspect's identity.

Blinded Administrator: An officer who may know the identity of the suspect but does not know the suspect's position in the photo-pack when viewed by the victim/witness.

Fillers: Persons who are non-suspects. Fillers will be selected who fit the description of the perpetrator so that no individual filler stands out.

8.17.2 PHOTO-PACK STANDARDS

Prior to allowing a victim/witness to view a photo-pack, officers will determine whether the victim/witness has seen the suspect at any time since the crime occurred. If so, officers will consult with a prosecutor from the Office of the Commonwealth's Attorney prior to conducting photo-pack identification procedures. Furthermore, officers should attempt to assess the victim's/witness's level of confidence and his/her ability to make an identification. Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime.
- The victim's/witness's degree of attention.
- The accuracy of the victim's/witness's prior description of the perpetrator.
- The length of time between when the crime occurred and the identification process.

When creating a photo-pack, officers will:

- Use at least five (5) photographs of individuals (fillers) who are of the same gender and race and are reasonably similar in age, height, weight, and general appearance to the suspect (including distinctive physical features), for a minimum of six (6) photographs.
- Avoid using filler photographs that so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers. Complete uniformity of features is not required.

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8.17.2 PHOTO-PACK STANDARDS (CONTINUED)

- Create a consistent appearance between the suspect and the fillers with respect to any unique feature (e.g. scars, tattoos, moles, distinctive item(s) of clothing, etc.) used to describe the perpetrator by artificially adding or concealing the feature.
- Keep the original of all photographs that have been scanned and adjusted. Officers who perform any adjustments to pictures must be able to articulate the reason for the change.
- Select the photograph that resembles the suspect's description or appearance at the time of the incident, if multiple photographs of the suspect are available, and avoid using photographs that are old.
- Avoid reusing fillers in photo-packs shown to the same victim/witness.
- Avoid mixing color and black and white photographs.
- Not allow the victim/witness to view any information concerning any previous arrest, indictment, conviction, inclusion in a previous photo-pack, or identification of the suspect.
- Use photographs of the same size, background, format, color, and composition and include only one (1) photograph of the suspect in the pack.
- Position the suspect photograph randomly in the pack. When possible, officers should place the suspect photograph in a different position in each photo-pack, both with suspects in multiple cases and with multiple victims/witnesses in the same case.
- Cover any portions of the mug-shots/photographs that provide identifying information on the suspect, and similarly cover those used in the pack, to create an appearance that is as consistent as possible.
- View the pack after completion to verify that the suspect does not unduly stand out.
- Prepare a separate photo-pack for each suspect when there are multiple suspects. There will not be more than one (1) suspect per photo-pack.
- Place two (2) blank photographs at the end. Blanks will be on the same type of photographic paper as the actual photographs but will not be shown to the victim/witness. This is intended to reduce the pressure to choose what the witness may presume to be the last photograph.

8.17.3 OBTAINING PHOTOGRAPHS FOR A PHOTO-PACK

Photographs used for a photo-pack may be obtained from any source, as long as the filler photographs used are similar in size and composition, and do not contain content that would suggest to the victim/witness which photograph to choose. The preferred source for photographs is the Louisville Metro Department of Corrections (LMDC) LawWeb website, which may be accessed via the LMPD Intranet. If the LMDC does not have an available suspect photograph, the Kentucky State Police (KSP) Automated Fingerprint Identification System (AFIS) Branch may be used as a source to obtain a Kentucky driver's license photograph for felony or serial misdemeanor cases. Because of confidentiality restrictions imposed by the Kentucky Department of Transportation (DOT), an individual's Kentucky driver's license photograph may only be used in a photo-pack if they are a suspect. Filler photographs must be obtained from an alternate source. To obtain a driver's license photograph from KSP, members will email a request, using the LMPD email system, to livescan@ky.gov. The photograph request, at a minimum, must contain the following:

- Investigating officer's last name, first name, and middle initial
- Investigating officer's code number
- Investigating officer's contact phone number

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8.17.3 OBTAINING PHOTOGRAPHS FOR A PHOTO-PACK (CONTINUED)

- Department name
- Division/section/unit
- County
- Case number(s) (report number)
- Offense(s) committed
- Offense date(s)
- Suspect's/accused's last, first, and middle names
- Suspect's/accused's date of birth (DOB)
- Suspect's/accused's Social Security Number (SSN)
- Suspect's/accused's Kentucky driver's license number

8.17.4 PHOTO-PACK PROCEDURE

The photo-pack will be presented by a blind administrator, unless circumstances dictate otherwise (e.g. personnel not available). If a blind administrator is not used, then a blinded administrator will be used and this will be documented on the Photo-pack Identification form (LMPD #04-08-0819). The blind administrator will remain sequestered from the eyewitnesses and while the fillers are being selected. It is preferred that the sequential photo-pack process be used, but it is not mandatory.

Unless impracticable, the victim/witness should view the photo-pack out of earshot and view of others and in a location that avoids exposing the victim/witness to information or evidence that could influence the victim/witness's identification, including information about the case, the progress of the investigation, or the suspect.

Neither the suspect nor any photographs of the suspect (including wanted posters) should be visible in any area where the victim/witness will be present.

When showing a photo-pack to a victim/witness, the administrator will:

- Make a video and/or audio recording of the photo-pack identification process. If neither recording method is employed, the reason for not recording the photo-pack process will be documented on the Photo-pack Identification form.
- Show the photo-pack to only one (1) victim/witness at a time. To the extent possible, prevent victims/witnesses from conferring with each other before, during, and after the photo-pack process.
- Show all the photographs, even if the victim/witness makes an identification. If the victim/witness wishes to view a single photograph again, the administrator will present the entire photo-pack (refer to SOP 8.17.5).
- Prevent the victim/witness from hearing or observing other victims/witnesses during the identification procedure.

The administrator will provide the victim/witness a written copy of the Victim/Witness Certification Statement for Photo-pack form (LMPD #13-0010) or will read it out loud to instruct the victim/witness on the proper viewing of a photo-pack by advising him/her that:

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8.17.4 PHOTO-PACK PROCEDURE (CONTINUED)

- They will be looking at a set of photographs.
- More than one (1) photo-pack may be shown if there are multiple perpetrators or multiple suspects.
- The person who committed the crime may or may not be in the set of photographs being presented.
- Regardless of whether or not an identification is made, the police will continue to investigate the incident.
- They should not assume that the administrator knows the identity of the suspect.
- Features such as head, facial hair, and clothing are subject to change.
- They are not obligated to choose an individual from the photo-pack.
- It is just as important to clear innocent persons from suspicion as to identify guilty parties.
- The photographs shall be shown one (1) at a time (sequential).
- They should not pay attention to any marking or numbers on the photographs or any differences in the type or style of the photographs. They are not relevant to identifying anyone in the photographs.
- They may take as much time as needed to view each person in the photo-pack. The administrator will not interrupt the victim/witness as long as he/she is viewing the photo-pack.

The administrator conducting the photo-pack process should ask the victim/witness if he/she understands how the procedure will be conducted and if he/she has any questions.

After conducting the photo-pack process, the administrator is responsible for the following:

- If a sequential photo-pack is utilized, have the victim/witness sign and date the back of the photograph or the display, next to the person whom he/she identified, if identification is made. Do not use the signed photograph/display again.
- If a simultaneous photo-pack is utilized, have the victim/witness circle the photograph that he/she chose and then have him/her sign and date the photograph.
- Have the victim/witness complete the Photo-pack Identification form, whether or not a positive identification is made.
- If the victim/witness refuses to sign the Photo-pack Identification form, the administrator will note on the signature line for the victim/witness "Victim/Witness refused to sign" and have the departmental witnesses sign on the proper lines. If the victim/witness refuses to sign the form, the recording of the identification process is mandatory.
- Preserve the photo-pack for future reference, whether or not identification is made (KACP 27.1).
- Advise the victim/witness that he/she should not discuss the photo-pack or its results with other victims/witnesses and may discourage him/her from discussing the case with the media, as media exposure could jeopardize a pending investigation.
- Prevent the victim/witness from returning to the same area where other victims/witnesses are waiting to view the photo-pack.

Officers involved in this procedure will not say or do anything, or otherwise provide feedback, which may influence the judgment or perception of the victim/witness. The administrator must avoid any words, sounds, expressions, actions, or behaviors that suggest who the suspect is. Before, during, or after conducting the photo-pack, the administrator will not:

- Volunteer information about the suspect or the case;

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8.17.4 PHOTO-PACK PROCEDURE (CONTINUED)

- Indicate that the administrator knows who the suspect is;
- Indicate to the witness that he or she has picked the "right" or "wrong" photograph; or
- Tell the witness that any other witness has made an identification.

If a positive identification is made by victim/witness, the investigating officer will consider the level of certainty/confidence displayed by the victim/witness as a factor in determining the reliability of the photo-pack identification and whether probable cause exists to make an arrest.

8.17.5 ADDITIONAL VIEWINGS OF PHOTO-PACKS

Upon the request of the victim/witness, the victim/witness may view the photo-pack again after the first photo-pack procedure has been completed. If the victim/witness requests an additional viewing, the photo-pack administrator will present the entire photo-pack, and in the same order, as the original presentation. If an additional viewing occurs, it shall be documented. The administrator should never suggest an additional viewing to the victim/witness. It is recommended that the victim/witness not be allowed to view the photo-pack more than two (2) times.

8.17.6 DOCUMENTATION

In addition to the video/audio recording of all photo-pack procedures, a Victim/Witness Certification Statement for Photo-pack form (LMPD #13-0010) and a Photo-pack Identification form (LMPD #04-08-0819) will be completed by the administrator for each victim/witness who views a photo-pack, regardless of whether or not a positive identification is made. If a victim/witness views more than one (1) photo-pack, the forms will be completed for any subsequent photo-pack.

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Subject: Photo-books	

8.18 PHOTO-BOOKS

8.18.1 DEFINITION

Photo-book: A large collection of photographs, placed in a book or binder, for the purpose of suspect identification. A photo-book may be used when no suspect has been identified.

8.18.2 PHOTO-BOOK STANDARDS

Each division/section/unit may set up and maintain a photo-book based on the following criteria:

- Photo-book photographs shall consist of mug-shots from the Louisville Metro Department of Corrections (LMDC) LawWeb system. Due to the legal necessity of maintaining original copies of photographs from other sources, including, but not limited to, driver's licenses, other law enforcement agencies, portraits, or any scanned/altered photos, these types of photographs, if used for victim/witness identification, will be presented in a photo-pack (refer to SOP 8.17).
- Photographs may be separated by race and gender.
- Photographs may be separated by the subject's offense history.
- The total number of photographs in a photo-book will not be limited.
- Only one (1) photograph of each individual will be placed in the photo-book.

8.18.3 PROCEDURES

Prior to attempting to identify a potential suspect by allowing a victim/witness to view a photo-book, officers will determine whether the victim/witness has seen the suspect at any time since the crime occurred. If so, officers will consult with a prosecutor from the Office of the Commonwealth's Attorney prior to conducting photo-book procedures. Furthermore, officers should attempt to assess his/her level of confidence and ability to make an identification. Factors to consider include, but are not limited to:

- The opportunity of the victim/witness to view the perpetrator at the time of the crime.
- The victim's/witness's degree of attention.
- The accuracy of the victim's/witness's prior description of the perpetrator.
- The length of time between when the crime occurred and the identification process.

When presenting the photo-book, the officer will:

- Show the photo-book to only one (1) victim/witness at a time.
- Advise the victim/witness that he/she will be looking at a book of photographs.
- Advise the victim/witness that it is just as important to clear innocent persons from suspicion as it is to identify guilty parties.
- Advise the victim/witness that the person who committed the crime may or may not be in the photographs being presented.
- Advise the victim/witness that, regardless of whether or not an identification is made, the police will continue to investigate the incident.

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8.18.3 PROCEDURES (CONTINUED)

- Advise the victim/witness that features such as head and facial hair are subject to change.
- If an identification is made, remove the photograph chosen, have the victim/witness sign the back, and maintain the photograph as evidence.
- Advise the victim/witness that he/she should not discuss the results with other victims/witnesses and may discourage him/her from discussing the case with the media, as media exposure could jeopardize a pending investigation.

If a positive identification is made by a victim/witness, the investigating officer will consider the level of certainty displayed by the victim/witness as a factor in determining the reliability of the photo-book identification and whether probable cause exists to make an arrest. Furthermore, the officer will consider using other identification methods for any other victims/witnesses (e.g. line-up, photo-pack).

Officers involved in this procedure will not say or do anything, or otherwise provide feedback, which may influence the judgment or perception of the victim/witness.

8.18.4 DOCUMENTATION

The Photo-Book Identification form (LMPD #04-08-0818) will be completed by the administrator for each victim/witness who views the photo-books, regardless of whether or not a positive identification is made.

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8.19 SHOW-UPS

8.19.1 DEFINITION

Show-up Identification: The presentation of a single suspect to a victim/witness, within a reasonable amount of time, following the commission of a crime. A show-up identification is conducted for the purpose of identifying, or eliminating, the suspect as the perpetrator. A show-up identification differs from a *typical* one-on-one identification (refer to SOP 8.16), which occurs beyond a reasonable amount of time, and therefore, requires the suspect's consent.

All show-up identifications are considered suggestive. Photo-packs and live line-ups are the preferred methods of eyewitness identification; however, circumstances may arise which require the prompt display of a suspect to a victim/witness. Proper procedures shall be followed to minimize potential suggestiveness.

8.19.2 PROCEDURES

An officer shall not conduct a show-up unless reasonable, articulable reasons exist for not using a photo-pack or live line-up (KACP 17.11a).

Prior to conducting a show-up, officer(s) shall:

- Consider using a photo-pack or live line-up.
- Consider the circumstances and determine whether, under the totality of circumstances, the show-up would be so suggestive that there exists a substantial likelihood that an irreparable misidentification will take place.
- Determine whether the victim/witness has seen the suspect at any time since the crime occurred. If so, officers consult with a prosecutor from the Office of the Commonwealth's Attorney prior to conducting show-up procedures.
- Attempt to assess the victim's/witness's level of confidence and his/her ability to make an identification (KACP 17.11e). Factors to consider include, but are not limited to:
 - The opportunity of the victim/witness to view the perpetrator at the time of the crime.
 - The victim's/witness's degree of attention.
 - The accuracy of the victim's/witness's prior description of the perpetrator.
 - The length of time between when the crime occurred and the identification process.

When an officer conducts a show-up, he/she shall:

- Present the suspect to the victim/witness within a reasonable amount of time.
- Prior to the show-up, determine and document a description of the suspect.
- Do not conduct the show-up with more than one (1) victim/witness at a time (KACP 17.11c).
- If there are multiple suspects, the victim/witness will view each suspect in separate show-ups, conducted in accordance with the procedures outlined in this Standard Operating Procedure (SOP).

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8.19.2 PROCEDURES (CONTINUED)

- Transport a victim/witness to the location of the detained suspect to limit the legal impact of the suspect's detention. The suspect may waive his/her right to have the victim/witness brought to him/her and be transported to the victim/witness. The officer will have the suspect sign a written waiver. Persons who are under arrest may be transported to the location of the victim/witness (KACP 17.11b). Do not conduct the show-up at the crime scene.
- In situations where a victim/witness is in danger of imminent death or blindness, an immediate show-up may be arranged, if medical personnel consent. The suspect must still waive his/her right to have the victim/witness brought to him/her in order to be transported to the victim/witness, unless the suspect has already been placed under arrest.
- Consider officer and public safety when deciding whether or not to have the suspect in handcuffs/shackles during the show-up. If handcuffs/shackles are required, the suspect will be positioned so that the handcuffs/shackles are not visible to the witness. Show-ups should not be conducted with the suspect seated in the rear seat of a police vehicle, in a cell, or in any other enclosure associated with custody.
- Not require the suspect to put on clothing worn by the perpetrator, to speak words uttered by the perpetrator, or to perform other actions of the perpetrator.
- Not present the same suspect to the same victim/witness more than once.
- Not allow the victim/witness to view any information concerning any previous arrest, indictment, conviction, or identification of the suspect.
- Not allow the victim/witness to overhear any information regarding the suspect (e.g. radio conversations).

Video recordings shall be made of all show-ups. Optional audio recordings may also be made. If neither method is employed, the reason for not recording the show-up shall be documented on the Show-up Identification form (LMPD #13-0012) (KACP 17.11g).

Prior to viewing the suspect, the officer conducting the show-up shall provide the victim/witness a written copy of the Victim/Witness Certification Statement for Show-ups form (LMPD #13-0011) and obtain the victim's/witness's signature. This form shall be used to instruct the victim/witness on the proper viewing of a show-up, by advising him/her that (KACP 17.11d):

- The person whom he/she is viewing may or may not be the perpetrator.
- It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.
- Regardless of whether or not an identification is made, the police will continue to investigate the incident.
- They are not obligated to make an identification from the show-up.
- They should not discuss the show-up or its results with other victims/witnesses and discourage him/her from discussing the case with the media, as media exposure could jeopardize a pending investigation.

Officers involved in the show-up shall not say or do anything, or otherwise provide feedback, which may influence the judgment or perception of the victim/witness (KACP 17.11f).

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8.19.2 PROCEDURES (CONTINUED)

Any deviation from these procedures shall be documented on the Show-up Identification form (LMPD #13-0012).

If a positive identification is made by victim/witness, the investigating officer shall consider the level of certainty displayed by the victim/witness as a factor in determining the reliability of the show-up and whether probable cause exists to make an arrest (KACP 17.11e).

8.19.3 DOCUMENTATION (KACP 17.11g)

In addition to the video/audio recording of all show-ups, a Victim/Witness Certification Statement for Show-ups form (LMPD #13-0011) and a Show-up Identification form (LMPD #13-0012) shall be completed by the presenting officer for each victim/witness who views a show-up, regardless of whether or not a positive identification is made. Officers should also consider using other identification procedures (e.g. live line-up, photo-pack) for any subsequent victims/witnesses, if a positive identification is made from one (1) victim/witness.

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8.20 NARCOTICS INVESTIGATION

8.20.1 DECONFLICTION

Deconfliction is the process, or system, used to determine if multiple law enforcement agencies or divisions/sections/units are investigating the same person, crime, or organization. This process also provides notification and contact information to each agency or division/section/unit having a shared interest in the case that is determined to be in conflict.

Louisville Metro Police Department (LMPD) members are required to enter information into the High Intensity Drug Trafficking Area (HIDTA) software program. This deconfliction software program is designed to:

- Link agencies within a three (3) state area to prevent investigative conflicts.
- Alert other divisions/sections/units and law enforcement personnel of a potential conflict regarding an investigation or other drug investigative activity which has been entered into the system.
- Provide safety for officers involved in drug investigations and/or investigative activities involving the same target.

Members who are conducting a drug investigation and/or drug investigative activity are responsible for entering information into the HIDTA system **prior** to the action taking place. For the purpose of this directive, drug investigation and/or drug investigative activity includes, but is not limited to, the following:

- Drug arrests
- Undercover buys
- Buy-busts
- Buy-walks
- Controlled deliveries
- Marijuana eradications
- Knock and talks
- Reverse buys
- Methamphetamine labs (meth labs)
- Surveillances
- Search warrants
- Meetings with drug trafficking suspects
- Covert activity by officers, or by informants who are acting under the direction of officers, that could initiate a response from citizens or local police who may reasonably believe that a crime is in-progress

Once an officer has entered information into the HIDTA system, he/she will record the HIDTA case number in his/her investigative log and on the offense report.

Event deconfliction helps to promote officer safety during planned police operations and high-risk investigations. Failure to comply with this policy may result in disciplinary actions.

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8.20.2 MARIJUANA PLANTS

Members encountering more than 25 plants in an indoor grow operation should consider them a hazard that pose a serious danger to responders. Such hazards include, but are not limited to, the following:

- Mold
- Electrical hazards
- Chemical reactions
- Bombs and booby traps
- Oxygen deficiency

Members finding greater than 25 marijuana plants should treat the scene as a clandestine lab and have MetroSafe contact the on-call Clandestine Laboratory Enforcement Team (CLET) (refer to SOP 8.1, SOP 12.4, and SOP 12.12).

8.20.3 HAZARDOUS NARCOTICS

Narcotics requiring special attention and response include, but are not limited to, liquids containing suspected methamphetamine or phencyclidine (PCP) and liquids, powders, or solids containing suspected synthetic opioids, including fentanyl. The dangers of these hazardous narcotics include inhalation, skin contact, and substance volatility, which may contribute to severe injury or death. Members should treat any liquids containing suspected methamphetamine or PCP and liquids, powders, or solids containing suspected synthetic opioids, including fentanyl, as a clandestine lab and have MetroSafe contact the on-call Clandestine Laboratory Enforcement Team (CLET) (refer to SOP 8.1, SOP 12.4, and SOP 12.12). Under no circumstance should a substance containing suspected synthetic opioids or fentanyl be field tested.

8.20.4 CASE CRITERIA FOR NARCOTIC INVESTIGATIONS

All drug traffickers have been classified into three (3) groups (Class I, Class II, and Class III violators). The guidelines have been further classified by the certain types of drugs (e.g. cocaine, marijuana, methamphetamine, heroin, and pharmaceuticals).

The criteria for Narcotics Division cases and other division/section/unit cases are as follows:

- **COCAINE**
 - Class I Violator Trafficking one (1) kilogram or greater
 - Class II Violator Trafficking ¼ lb. to one (1) kilogram
 - Class III Violator Trafficking less than ¼ lb.

- **MARIJUANA**
 - Class I Violator Trafficking 25 lbs. or greater

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8.20.4 CASE CRITERIA FOR NARCOTIC INVESTIGATIONS (CONTINUED)

- Class II Violator Trafficking ten (10) lbs. to 25 lbs.
- Class III Violator Trafficking less than ten (10) lbs.

• METHAMPHETAMINE

- Class I Violator Trafficking one (1) kilogram or greater
- Class II Violator Trafficking 50 grams to one (1) kilogram
- Class III Violator Trafficking less than 50 grams

• HEROIN

- Class I Violator Trafficking 50 grams or greater
- Class II Violator Trafficking five (5) grams to 50 grams
- Class III Violator Trafficking less than five (5) grams

• PHARMACEUTICALS

- Class I Violator Trafficking 300 pills or greater
- Class II Violator Trafficking 100 pills to 300 pills
- Class III Violator Trafficking less than 100 pills

8.20.5 CRITERIA FOR CLASS I VIOLATORS

Class I violators will be investigated primarily by members assigned to the Narcotics Division due to their access to appropriate resources (e.g. personnel, equipment, fiscal resources, etc.) and expertise in narcotics investigations. In cases where division members receive information, either through investigative efforts or informant information regarding a Class I violator, they will notify a Narcotics Division commanding officer and advise him/her of the information. A detective of the Narcotics Division will be assigned to the case and investigate it by utilizing members of the originating division/section/unit for a successful outcome.

8.20.6 CRITERIA FOR CLASS II VIOLATORS

Class II violators will be investigated primarily by patrol division members. Commanding officers from the patrol division investigating a case will request assistance from Narcotics Division members, if needed. This request will be made by a commanding officer from the patrol division working the case to the Narcotics Division commanding officer. However, at a minimum, when patrol division members are working a case involving a Class II violator, they will contact a Narcotics Division commanding officer to advise him/her of their target. This is intended to prevent any investigative duplication and/or conflicts.

If it appears that the division case will yield an investigation that includes a Class I violator, a Narcotics Division detective will assist with the investigation. If the detective who initiated the original case or information wishes to participate in the investigation of the Class I violator, he/she may do so with the approval of the division and the Narcotics Division commanders.

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8.20.7 CRITERIA FOR CLASS III VIOLATORS

Class III violators will be investigated by division members. Class III violators are considered street-level dealers for the purposes of this criterion.

8.20.8 SPECIALIZED INVESTIGATIONS

Due to their complexities, doctors, pharmacists, and clandestine labs will be classified as Class I violators and will be investigated by the Narcotics Division. Cases involving stolen, forged, or altered prescriptions will also be classified as Class I violators and be investigated by the Narcotics Division.

8.20.9 DRUGS STOLEN IN COMMERCIAL ROBBERY/BURGLARY/THEFT

A Narcotics Division commanding officer will be contacted when an investigation concerns commercial robberies, burglaries, or thefts of any suspected pharmaceuticals, including controlled, non-controlled/legend, and over-the-counter substances. The Narcotics Division has the ability to trace many of these pharmaceuticals back to their place of origin, which could help develop further leads into the investigation. In addition, the Narcotics Division will also provide expertise and resources to the investigating unit.

A Narcotics Division commanding officer will also be contacted regarding the theft of all pharmaceutical blanks (blank prescription slips/pads).

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8.21 CROSS DIVISION ACTIONS

8.21.1 DEFINITION

Cross Division Action: Any police action performed by an on-duty officer outside of the boundaries of his/her assigned division.

8.21.2 NOTIFICATION

An officer shall notify his/her supervisor and MetroSafe when performing any of the following police actions in another division:

- Search of a premises, whether by consent or warrant
- Arrest, whether on probable cause or by warrant
- Narcotics operations
- Surveillance/stake-out

When an officer is dispatched into another division, it is the dispatcher's responsibility to inform commanding officers from the division to which the officer is assigned and the division to which the officer is sent.

If any planned action is of a sensitive nature, the commanding officer from the originating division/section/unit will inform the MetroSafe supervisor and the commanding officer from the affected division, by phone. The commanding officer from the originating division will also inform MetroSafe and the commanding officer of the affected division if any officers are going to be acting in a covert manner. The MetroSafe supervisor and the commanding officer who are notified will have discretion as to what information is disseminated to the dispatcher or the officers working the affected area.

8.21.3 EXEMPTIONS

Centralized detectives and division units will call-out on their assigned channel when conducting interviews or investigations that are not listed in SOP 8.21.2.

Members of specialty units responding to call-outs are exempt from notification. The call-out acts as notification.

Units that routinely conduct sensitive operations (e.g. Narcotics Division, Special Investigations Division (SID)) have initial discretion on notification. The decision rests with the unit commander, or his/her designee, with the rank of lieutenant or above. However, if the operation conducted is the service of a warrant, notification is mandatory.

8.21.4 OTHER JURISDICTIONS

Officers conducting self-initiated activity in an incorporated area of Jefferson County shall notify MetroSafe of the location to which they are going. If they are going into the jurisdiction to do any action that is covered in SOP

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8.21.4 OTHER JURISDICTIONS (CONTINUED)

8.21.2, they shall notify MetroSafe and the agency that has jurisdiction. Notification of the other jurisdiction may be made through MetroSafe. If there is no independent police coverage, or a limited coverage and no police officer is working, the commanding officer of the initiating division/section/unit will note that information. If there is an articulable reason as to why another jurisdiction should not be notified, authorization will be made by a division/section/unit commander, or his/her designee. In any case, MetroSafe shall be notified that officers are outside of their jurisdiction. Notification can be made by the officer, via phone or radio.

Officers shall not conduct self-initiated activity outside of Jefferson County without first receiving the approval of their commanding officer. Upon receipt of this approval, officers are to follow the procedures described above for notifying MetroSafe and the law enforcement agency having jurisdiction over the location of the activity.

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Chapter: Field Operations	
Subject: Abuse, Neglect, and Dependency	

8.22 ABUSE, NEGLECT, AND DEPENDENCY

8.22.1 DEFINITIONS - CHILD

Abused or Neglected Child: A child whose health or welfare is harmed, or threatened with harm, when his/her parent, guardian, or other person exercising custodial control, or supervision, of the child:

- Inflicts, or allows to be inflicted upon the child, physical or emotional injury by other than accidental means.
- Creates, or allows to be created, a risk of physical or emotional injury to the child by other than accidental means.
- Engages in a pattern of conduct that renders the parent incapable of caring for the immediate and ongoing needs of the child, including, but not limited to, parental incapacity due to alcohol and other drug abuse.
- Continuously, or repeatedly, fails or refuses to provide essential parental care and protection for the child, considering the age of the child.
- Commits, or allows to be committed, an act of sexual abuse, sexual exploitation, or prostitution upon the child.
- Creates, or allows to be created, a risk that an act of sexual abuse, sexual exploitation, or prostitution will be committed upon the child.
- Abandons, or exploits, the child.
- Does not provide the child with adequate care, supervision, food, clothing, shelter, education, or medical care necessary for the child's well-being. A parent or other person exercising custodial control or supervision of the child legitimately practicing the person's religious beliefs will not be considered a negligent parent solely because of the failure to provide specified medical treatment for a child for that reason alone. This exception will not preclude a court from ordering necessary medical services for a child.

Child: Any person under 18 years of age.

Dependency: Any child who is under improper care, custody, control, or guardianship that is not due to an intentional act of the parent, guardian, or person exercising custodial control or supervision of the child.

8.22.2 REPORTING DUTIES - CHILD

Pursuant to Kentucky Revised Statute (KRS) 620.030, any person who knows, or has reasonable cause to believe, that a child is abused, neglected, or dependent shall immediately make a report. Officers who encounter a child who is abused, neglected, or dependent shall contact the Crimes Against Children Unit (CACU) and Child Protective Services (CPS). The CACU, depending on the circumstances, will either respond or direct the officer to take a report. In addition to the basic incident report (refer to SOP 3.5), officers will complete an eJC-3 or paper JC-3 report.

If a child is over 16 years of age and a victim of sexual assault or abuse and the alleged offender is not a caretaker, the officer will contact the Sex Crimes Squad of the Special Victims Unit (SVU) (refer to SOP 8.50).

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8.22.3 EMERGENCY CUSTODY ORDER CRITERIA

An officer may take a child into emergency custody if the child is less than 18 years of age and one (1), or more, of the following conditions are met:

- There are reasonable grounds to believe that the child is in danger of imminent death, serious physical injury, or is being sexually abused (KACP 18.5b).
- The parents, or other persons exercising custodial control or supervision, have repeatedly inflicted, or allowed to be inflicted by other than accidental means, physical injury or emotional injury. This shall not include reasonable and ordinary discipline as recognized in the community where the child lives as long as it does not result in abuse or neglect as defined in KRS 600.020(1).
- The parents, or other persons exercising custodial control or supervision, are unable or unwilling to protect the child.

Between 0800 and 2400 hours, if an officer has reasonable grounds to believe that a child is in danger of imminent death or serious physical danger, the officer will request that MetroSafe contact Child Protective Services (CPS). A social worker will respond to the scene within 30 minutes and take responsibility for making the decision as to whether or not the child should be removed. If the social worker determines that the child must be removed, then the social worker will take responsibility for obtaining an Emergency Custody Order. The worker may request assistance in transporting the child to the Home of the Innocents, located at 1100 East Market Street.

If an officer suspects that a child has been, or is being, abused, neglected, or dependent, but there is not enough probable cause to warrant an emergency custody order, the officer will report his/her suspicions to the Child Abuse Hotline (502) 595-4550 and the CACU.

8.22.4 EMERGENCY CUSTODY ORDER PROCEDURES AND DOCUMENTATION (KACP 17.5, 18.5b)

If an officer determines that the above conditions exist, he/she may take the juvenile into protective custody and follow the procedures above. If the child is in need of medical attention, the officer will request that Louisville Metro Emergency Medical Services (LMEMS) respond to the scene or take the child to a hospital.

Between 2400 and 0800 hours, prior to taking a child into custody, officers will notify the CACU and their commanding officer of the situation. If certain criteria are met, the CACU detective will respond to the scene.

If the detective does not respond to the scene, the officer will complete a basic incident report (refer to SOP 3.5) and an eJC-3 or paper JC-3, by the end of his/her shift, and fax a copy of the form to the CACU and CPS.

If no victim or perpetrator information can be obtained at the scene or from the child (e.g. the child is very young and found wandering in the street), the officer is not required to complete the basic incident report or an eJC-3 or paper JC-3. The officer will also notify the Child Abuse Hotline of the incident at (502) 595-4550. Call takers will ask for pertinent information at that time.

If the emergency removal of a child takes place between 2400 and 0800 hours or on weekends, a CPS worker might not respond to the scene. In such cases, the officer will take the child into custody and may deliver

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8.22.4 EMERGENCY CUSTODY ORDER PROCEDURES AND DOCUMENTATION (CONTINUED)

him/her to the Home of the Innocents, or, with consent of the parent/guardian, he/she may entrust the child to another person.

If the parent/guardian consents to the child being entrusted to another competent person, the officer need not seek an Emergency Custody Order, but shall:

- Record the name, age, address, phone number, and relationship of the person to whom the child is released.
- Report this information, with a detailed account of the incident, to the CACU and the Child Abuse Hotline.

If the parent/guardian will not provide consent, or if there is no other person with whom to entrust the child, the officer will:

- Deliver the child to the Home of the Innocents.
- Provide written notice to the parent or guardian by completing the Notice of Emergency Removal form (LMPD #04-08-0301) per KRS 620.040 (5) (d). If the officer is unable to locate the parent or guardian, he/she will leave the notice with a neighbor or at the residence in a highly visible area. If no victim, or perpetrator, information can be obtained at the scene or from the child (e.g. the child is very young and found wandering in the street), then the officer is not required to complete the Notice of Emergency Removal form.

If the officer takes the child to the Home of the Innocents, between 0800 and 2400 hours, Monday through Friday, the officer will notify CPS. CPS will take responsibility for obtaining the Emergency Custody Order. The officer will complete the eJC-3 or paper JC-3 and give a copy to the responding CPS worker. If the officer takes the child to the Home of the Innocents, between 2400 and 0800 hours, Monday through Friday or on the weekend, the officer shall:

- Complete an incident report for the child listing the charge as dependency. If the officer cannot obtain the child's information (e.g. due to age, refusal, etc.), the officer will complete the report listing the individual as Jane/John Doe.
- Complete the Emergency Custody Order Affidavit (AOC-DNA-2.1). This form should be available at the Home of the Innocents.
- Request that personnel at the Home of the Innocents provide the name and contact number of the on-call judge.
- Contact the on-call judge, via the recorded line at the Home of the Innocents. The officer shall note on the Emergency Custody Order Affidavit that a verbal Emergency Custody Order was granted by (Judge) on (date) at (time). The officer will leave a copy of the eJC-3 or paper JC-3 and the Emergency Custody Order affidavit at the Home of the Innocents, to be given to CPS. CPS will obtain the judge's signature.

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Chapter: Field Operations	
Subject: Abuse, Neglect, and Dependency	

8.22.5 DEFINITIONS - ADULT

Adult: A person 18 years of age or older who, because of a mental or physical dysfunction, is unable to manage his/her own resources, carry out the activity of daily living, protect himself/herself from neglect, or from a hazardous or abusive situation without assistance from others, and who may be in need of protective services.

Abuse: The infliction of physical pain, mental injury, or injury.

Exploitation: Obtaining or using another person's resources, including, but not limited to, funds, assets, or property by deception, intimidation, or similar means with the intent to deprive the person of those resources.

Caretaker: An individual or institution who has the responsibility for the care of an adult as a result of family relationship, or who has assumed the responsibility for the care of the adult person voluntarily, by contract, employment, legal duty, or agreement.

Neglect: A situation in which an adult is unable to perform or obtain for himself/herself the services which are necessary to maintain his/her health or welfare, or the deprivation of services by a caretaker which are necessary to maintain the health and welfare of an adult, or a situation in which a person deprives his/her spouse of reasonable services to maintain health and welfare.

8.22.6 REPORTING DUTIES – ADULT (KACP 17.5)

Pursuant to KRS 209.030, any person, having reasonable cause to suspect that an adult has suffered abuse, neglect, or exploitation, shall report the information to Adult Protective Services. Officers will notify the Crimes Against Seniors Squad of the SVU when they receive information that an elderly person is abused, neglected, or dependent. This includes targeting a person for criminal acts specifically because of his/her age.

If an officer encounters an adult who is neglected or dependent, they will notify Adult Protective Services, via MetroSafe. The officer will fill out an eJC-3 or paper JC-3 (refer to SOP 3.5).

If an adult is a victim of domestic/dating violence and abuse, the officer will refer to SOP 8.6.

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Subject: Informants	

8.23 INFORMANTS (KACP 17.7)

8.23.1 DEFINITIONS

Informant: A specific person identified in reports by a code name and "N" number, who, by direction, seeks out and furnishes criminal investigative or criminal intelligence information for a member of the department under any of the following conditions:

- For payment or compensation of any nature.
- For anonymous inclusion in affidavits.
- For assistance in any criminal justice investigation, trial, judicial hearing, or probation/parole matter for himself/herself or another.
- When equipped with an electronic recording device by a criminal justice agency to gather evidence or monitor criminal activity for anonymous inclusion in criminal or intelligence reports.
- When a person is documented as a confidential informant for any other criminal justice agency or who has been documented as such by a criminal justice agency during the preceding five (5) years.

8.23.2 REGISTERING INFORMANTS

For the purposes of this policy, an acting sergeant is not considered a commanding officer.

Officers may not utilize current Drug Court participants as informants. Officers shall conduct a search in the Records Management System (RMS) to check if the informant is a Drug Court participant before proceeding with the registration process.

After an officer has developed an informant who he/she intends to use for investigative purposes, he/she shall meet with his/her commanding officer and the informant to complete the forms outlined below:

- **Informant Information Sheet** (LMPD #05-08-0300): This will record the informant's fictitious name, biographical and background information, and notes regarding the subject's arrest record and warrant status. A current photograph, legal picture identification, and a criminal history of the informant should also be attached to the form. The "N" number should be left blank and will be assigned by the Narcotics Division Major Case Lieutenant. The form must be completed in blue ink only and signed by the officer, his/her commanding officer, and the informant. The informant is required to sign his/her code name three (3) times.
- **Informant Cooperation Agreement** (LMPD #05-08-0301): This form outlines what is expected of the confidential informant and what actions are prohibited while under the direction of departmental members. The form must be completed in blue ink only and signed by the officer, his/her commanding officer, and the informant.
- **Consent to Monitor** (LMPD #05-08-0302): This form shall be completed by the informant if an operation or situation may require the use of monitoring devices. The form must be completed in blue ink only and signed by the officer, his/her commanding officer, and the informant.

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8.23.2 REGISTERING INFORMANTS (CONTINUED)

Prior to the end of his/her tour of duty, the officer shall take the completed forms and attachments to the Evidence and Property Unit (EPU). The EPU clerk will provide the officer with a manila envelope. The officer shall seal the forms and attachments in the envelope and initial the seal. He/she shall then place the envelope in the narcotics drop box located in the EPU.

The Drug Vault detectives collect the envelopes and deliver them directly to the Narcotics Division Major Case Lieutenant for filing and processing. The responsibilities of the lieutenant include:

- Reviewing the submitted forms for accuracy and completeness.
- Verifying that the selected code name has not been previously assigned/duplicated.
- Assigning a "N" number to the informant.
- Performing background checks on the informant. After reviewing the enclosed criminal history, the lieutenant will shred the criminal history document.
- Determining if the informant has been, or is currently being, used by other members of the department and whether the informant has ever been deactivated (e.g. declared unsafe for use).
- Contacting the officer and informing him/her whether the use of the informant is approved or denied, and providing the officer with the informant's "N" number, when applicable.
- Maintaining and securing all informant files in a master file.

If an informant selects a code name that has already been chosen, the lieutenant will contact the officer and instruct him/her to complete new forms with his/her commanding officer and the informant using a different code name.

Once approved by the lieutenant, the informant may be used as many times as needed by the officer for a three (3) year period from the date that the informant was originally signed up or until notified of an informant's deactivation. At the end of the three (3) year period, all informant forms must be resubmitted to the Narcotics Division Major Case Lieutenant before an officer may reuse the informant.

8.23.3 RELIABILITY AND INFORMANT INFORMATION

The initiating officer should attempt to establish the credibility and reliability of the informant. Such attempts may include, but are not limited to, the following:

- Assessing and/or corroborating any information previously provided.
- Checking with other agencies/employees for whom the informant provided information.
- Keeping the informant under surveillance.
- Using controlled situations.

If an informant becomes unsafe for use, the officer shall notify the Narcotics Division Major Case Lieutenant as soon as possible. The lieutenant will verify that all officers who use the informant are notified that the individual has been deactivated.

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8.23.4 HANDLING PROCEDURES

When the use or role of an informant is questionable, officers shall seek guidance from their supervisors, the departmental Legal Advisor, and/or the appropriate prosecuting attorney.

Officers having enough probable cause to arrest a subject may forego an immediate arrest if the subject is willing to become an informant. In such cases, the officer is required to record the facts pertaining to the offense and place the related evidence into the EPU. If the informant does not follow through on his/her promises of assistance, officers should apply for warrants for the original offense or consult with the Office of the Commonwealth's Attorney regarding the possibility of direct indictments. For the purposes of this procedure, officers shall not forego an arrest if the probable cause for the arrest is related to any of the following crimes:

- Violent crimes
- Crimes involving domestic/dating violence and abuse (e.g. violation of an order of protection, stalking)
- Crimes involving deadly weapons

Furthermore, officers shall not forego an arrest of a subject if there is a possibility that a victim may receive restitution through court proceedings. However, nothing prevents the officer from meeting with the appropriate prosecuting attorney and the defendant after the arrest to reach an agreement regarding pending criminal charges. Only the appropriate prosecuting attorney may make an agreement regarding pending criminal charges against an informant. Therefore, officers are prohibited from making false promises.

An officer should not meet with an informant of the opposite sex unless in the presence of another officer. The initiating officer's commanding officer may grant an exception if it is in the best interest of the department.

When activity involving an informant might create life-threatening situations, the approval for the operation is required from the division/section/unit commander. In exigent circumstances, the division/section/unit commander shall be notified as soon as reasonably possible.

Contact officers should attempt to determine whether the informant is being used by another officer or law enforcement agency in order to prevent the duplication of efforts.

The department accepts information from any source. However, officers are prohibited from using persons under the age of 18 as informants, unless authorization has been given by the division/section/unit commander. If persons under 18 years of age are used as informants, officers shall do so in compliance with the Kentucky Revised Statutes (KRS) and only use the juvenile for information purposes. Unless exigent circumstances are present, a waiver of liability must be obtained from a parent or guardian and stored in the appropriate informant's file.

8.23.5 PAYMENT

Payment for informants, controlled buys, and investigative expenses are obtained from the investigative fund of each division/section/unit and authorized by a commanding officer. Commanding officers in patrol divisions determine the amount of monetary payment based on the Informant Pay Scale for Patrol Divisions, which may be found in the "Online Forms" folder on the departmental Intranet.

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8.23.5 PAYMENT (CONTINUED)

When a payment, controlled buy, or related investigative expense is incurred, the paying officer shall verify that he/she, another officer, and a commanding officer witness the payment and sign the Informant Activity/Payment form (LMPD #05-08-0303), along with the informant. Witness signatures and the informant's signature are required on every Informant Activity/Payment form. Commanding officers should also monitor and encourage the paying officer to use officers, with whom he/she is not usually partnered, as witnesses to the other payments. Commanding officers are encouraged to specifically sign/witness forms themselves, when the investigative fund under their control is utilized. The Informant Activity/Payment form must be completed in blue ink only and is required in the following situations:

- Any controlled buy to qualify an informant.
- Any buy with later prosecution.
- Any controlled buy where the informant receives a monetary payment.
- Any buy with an arrest.
- After the execution of a search warrant.
- Any controlled buy with no payment.
- When payments are given to the informant by a departmental member.
- When the informant provides information resulting in arrests and/or seizures.
- When the informant is working with an officer in anticipation of obtaining favorable court review of pending charges.
- When the informant incurs incidental expenses while acting under the direction of an officer.

If an informant provides information or services at no cost, the officer must still complete and sign the Informant Activity/Payment form and notate that no payment was provided.

After the Informant Activity/Payment form has been completed, the officer shall take copies of the form to the EPU, where he/she shall seal the copies and any attachments in a manila envelope provided by the EPU clerk. The officer shall then initial the seal and place the envelope in the narcotics drop box. The Drug Vault detectives collect the envelopes and deliver them directly to the Narcotics Division Major Case Lieutenant for filing. Commanding officers who are responsible for their respective division investigative fund shall submit the original Informant Activity/Payment form, and associated documentation related to informant activity, to the Support Bureau Adjutant Lieutenant for investigative fund reconciliation purposes (refer to SOP 8.37).

Assistance, financial or otherwise, is only granted after the informant provides the requested information or services and his/her information or service substantially benefits the department by initiating, or clearing, cases against other individuals. Informants working with officers for the purpose of favorable judicial review are not to receive other forms of payment until their current case has been adjudicated.

During a drug or controlled buy, informants will commonly attempt to cut out a portion of the drugs purchased for their own use. This practice is strictly prohibited as is the payment of drugs to informants by officers for their services.

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8.23.6 CONFIDENTIALITY

Since emails are considered public records, officers are prohibited from sending email correspondence that includes an informant's actual information (e.g. name, address, background details).

The Narcotics Division Major Case Lieutenant maintains the central repository for all informant files. Departmental members are prohibited from retaining any files, which contain the informant's real name, in other locations (e.g. divisions/sections/units).

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8.24 WARRANTLESS SEARCHES

8.24.1 POLICY

In special circumstances and limited emergency situations, justification may exist for a Louisville Metro Police Department (LMPD) officer to conduct a search without a warrant. While search warrants are preferred from a legal standpoint, officers are authorized to conduct warrantless searches as outlined in this policy and by existing law. When searching without a warrant, officers must be able to articulate their justification for the search.

8.24.2 DEFINITIONS

Search: An examination of an individual's premises, person, or property in which he/she has a reasonable expectation of privacy. The purpose of the search is discovering contraband, weapons, or other evidence of guilt to be used in a criminal prosecution. A search involves a prying into, or the manipulation of, concealed or hidden places trying to discover something inconspicuous. Items in plain view do not constitute a search (KACP 1.4b). A search shall only be conducted pursuant to a warrant, with consent, or under exigent circumstances with probable cause.

Consent Search: A search made by law enforcement officers based on the consent of the individual whose person or property is being searched.

Probable Cause: The level of evidence, held by a rational and objective observer, necessary to justify logically accusing a specific suspect of a particular crime, based upon reliable objective facts.

Pat Down: A "frisk," or the external feeling of the outer garments of an individual, for weapons. A pat down shall only be conducted on reasonable grounds that the individual being subjected to the pat down is armed and dangerous to the officer or others. A pat down does not include manipulating, or grasping, the outer garments or reaching inside of, or opening, the garments (e.g. pockets, jackets, etc.).

Terry Stop: A stop of an individual by law enforcement officers based upon reasonable suspicion that the individual may have been engaged, is engaging, or is about to engage in criminal activity.

8.24.3 SPECIAL CIRCUMSTANCES (KACP 1.4c)

Pat Down Search during a Terry Stop

Officers may conduct a pat down search of an individual during a Terry Stop if there is reason to believe that the subject is armed and dangerous (refer to SOP 3.6). If, during the pat down, the officer feels something solid that could reasonably be, or contain, a weapon, he/she may reach inside of the clothing and seize the object. Additionally, if through the officer's touch and experience, he/she immediately recognizes the object as contraband, then he/she may seize it.

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8.24.3 SPECIAL CIRCUMSTANCES (CONTINUED)

If the Terry Stop involves a person in a vehicle and the officer has reason to believe that the suspect is armed and dangerous and might gain control of weapons within the vehicle, the officer may search the subject as outlined above and search the passenger compartment of the vehicle, looking only in places where weapons may be hidden.

Prior to searching a person, a person's premises, or a person's vehicle, the officer shall inquire as to the presence of needles or other sharp objects, in the areas to be searched, that may cut or puncture the officer and shall offer to not charge a person with possession of drug paraphernalia if the person declares to the officer the presence of the needle or other sharp object (Kentucky Revised Statute (KRS) 218A.500(6)(a)).

If the person admits to the presence of a needle or other sharp object prior to the search, the person shall not be charged with, or prosecuted for, possession of drug paraphernalia for the needle or sharp object or for possession of a controlled substance for residual or trace drug amounts present on the needle or sharp object.

Search Incident to a Lawful Arrest

An officer may search a subject immediately after arrest. The officer may search the entire person of the subject and the nearby area from which the subject might have been able to handle a weapon or destructible evidence.

An officer may search a vehicle, incident to a recent occupant's arrest, only if the arrestee is within reaching distance of the passenger compartment at the time of the search or it is reasonable to believe that the vehicle contains evidence of the offense of the arrest (Arizona v Gant). The officer shall not search the trunk, motor compartment, or other areas of the vehicle without a warrant, probable cause, or consent.

Search of a Vehicle Based on Probable Cause

While search warrants are preferred in any search situation, an officer who has probable cause to believe that a vehicle contains evidence of a crime may search the vehicle before, or after, an arrest or without making an arrest. The officer may search the vehicle at the scene where he/she stops it, or otherwise locates it in a public place, or after it has been moved elsewhere by the authorities. In such instances, the officer must be able to explain the exigency of the circumstances. In order to establish probable cause using a detector dog, the canine must be from a law enforcement agency.

The officer may search the entire vehicle, including the glove compartment, trunk, hubcaps, hood area, and containers found within (e.g. bags, boxes, suitcases, etc.), providing only that he/she limit his/her search to those areas/containers which could physically contain the seizable item that he/she has probable cause to believe is in the vehicle.

If an officer has probable cause to believe that a container in a vehicle contains evidence of a crime, but his/her probable cause does not extend to the vehicle itself, the officer is allowed to stop the vehicle, seize the specific container, and search within it, without obtaining a warrant.

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8.24.3 SPECIAL CIRCUMSTANCES (CONTINUED)

Entry of Premises without a Warrant

Officers may legally enter premises without a warrant, or consent, if any of the following exigent circumstances exist:

- Entry of premises in fresh pursuit to arrest: when chasing a suspect after a crime has been committed and the suspect enters a building shortly before the police arrive (KACP 30.9).
- Entry of premises to protect life or health: when there is probable cause to believe that someone is injured and needs help or is threatened with injury or death.
- Entry of premises to prevent destruction of evidence: when there is probable cause to believe that evidence that could be easily destroyed is on the premises and there is good reason to believe that the evidence is being, or is about to be, destroyed.

8.24.4 CONSENT SEARCH (KACP 1.4d)

Persons

Consent searches of an individual's person can be granted only by the individual to be searched.

Vehicles and Dwellings

The use of the Consent to Search form (LMPD #06-0036) is mandatory for all consent searches of premises or vehicles. An exception to this order would be situations where verbal consent is given to search a vehicle or home and the consent is recorded using one (1) of the following:

- Mobile Video System (MVS) camera (refer to SOP 4.1);
- Wearable Video System (WVS) camera (refer to SOP 4.31); or
- Tape or digital audio recorder.

In situations where a person verbally consents to a search, but refuses to sign the Consent to Search form, the refusal must be documented on the form and signed by a commanding officer. Officers shall not conduct such a search until their commanding officer has signed the form and granted his/her approval.

If consent is granted, officers may conduct a protective sweep of a dwelling:

- For their own safety; or
- Incident to arrest if there is reasonable suspicion that other persons may be present; or
- If probable cause exists and there are exigent circumstances.

A "knock and talk" does not automatically give an officer the justification to perform a protective sweep. When a search is authorized by consent, the scope of the search is limited by the terms of its authorization. The consent does not extend to the entire dwelling, only the immediate area/room where the consent to search has been given. Any objects found and seized in the area/room where a consent to search has been given are admissible at trial as an exception to the warrant requirement. In the absence of consent, officers may not conduct a

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8.24.4 CONSENT SEARCH (CONTINUED)

warrantless search or seizure of additional areas/rooms without both probable cause and exigent circumstances.

In order for a protective sweep to be justified, one (1) of the following must be present:

- Consent
- Reasonable suspicion (must be incident to an arrest)
- Probable cause and exigent circumstances

Coercion

Consent searches are only considered legal when consent is given voluntarily by a person with the authority to consent. The person must be aware of what he/she is doing, the area(s) to be searched, and provide consent of his/her own free will.

Officers shall not force, threaten, or deceive an individual into consenting to a search (e.g. threatening to seize a vehicle or dwelling while a warrant is obtained and no probable cause exists for obtaining a warrant, etc.). If possible, no more than two (2) officers should be present when obtaining consent.

Limiting/Withdrawing Consent

An individual may limit his/her consent to cover only certain areas or may withdraw his/her consent at any time. As soon as the subject indicates that he/she wants the search to stop, no further search may be justified as a consent search.

Consent to Search Form Retention/Submission

The original hardcopy of the Consent to Search form shall be retained by the officer for inclusion in a case file (refer to SOP 8.35). A copy shall be forwarded to the Legal Advisor's Office, via interoffice mail, for filing. Consent to Search forms are retained pursuant to applicable records retention schedules.

8.24.5 SEARCH SITUATIONS NOT PROTECTED BY THE FOURTH AMENDMENT

The following situations are not protected by the Fourth Amendment:

Open Fields

An open field is any land area, whether open, wooded, or otherwise, which is not included in the curtilage. An officer may search an open field without a warrant, without probable cause, despite notices or other efforts showing an expectation of privacy and despite the fact that the search may constitute a technical trespass.

When in an open field area, the officer may not, on that account alone, search a building, person, or non-abandoned car.

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8.24.5 SEARCH SITUATIONS NOT PROTECTED BY THE FOURTH AMENDMENT (CONTINUED)

Public Area

An officer may search public areas such as roads, sidewalks, public parks, etc. Various commercial establishments, such as bars and retail stores, may also be searched by an officer in areas where prospective customers are allowed, at times when they are allowed to be there and making no closer examination of things therein than an ordinary customer would. However, individuals in public areas have a reasonable expectation of privacy, on their persons and in their luggage and vehicles, while in a public area.

Abandoned Property

An expectation of privacy may be lost either by discarding property in a place where others would have access to it or by disclaiming ownership of the property.

8.24.6 IMPOUNDED VEHICLES

Mere legal custody of an impounded vehicle does not automatically create a right to search. In order to search a lawfully impounded vehicle, an officer must have the consent of the owner, exigent circumstances, or a search warrant based on the officer's affidavit that the vehicle contains evidence or constitutes the fruit or instrumentality of a crime (KACP 1.4c-d).

Routine inventory searches of impounded vehicles are not permitted. However any evidence in plain view, seizable under the Plain View Doctrine, may be seized as evidence (KACP 1.4b). Other articles in plain view which are not evidence, but are considered valuable personal property, must be removed and taken to the Evidence and Property Unit (EPU) or removed from plain view within a secured vehicle.

8.24.7 EXTRACTING EVIDENCE FROM A SUSPECT'S MOUTH

The use of physical force to search a suspect's mouth for contraband is prohibited, unless:

- A lawful arrest of the person has been made, based upon probable cause;
- There is probable cause to believe that the suspect has hidden a seizable item (e.g. illegal drugs) within his/her mouth;
- There is a clear indication that a seizable item will be found within the suspect's mouth; and
- Either a search warrant has been issued authorizing an intrusion into the suspect's mouth or exigent circumstances (e.g. imminent destruction of evidence or a medical emergency) exist (KACP 1.4a, c).

Once all of the prerequisites listed above have been satisfied, an officer may use reasonable force to extract the contraband hidden in the suspect's mouth. A commanding officer shall be notified and will complete an Administrative Incident Report (AIR), via the BlueTeam link, located on the LMPD Intranet, whenever force is used in these situations (refer to SOP 3.1).

The Conducted Electrical Weapon (CEW) shall not be utilized to prevent the swallowing of evidence nor shall it be utilized to dislodge or retrieve evidence from a suspect's mouth or other body cavities (refer to SOP 9.1).

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8.24.7 EXTRACTING EVIDENCE FROM A SUSPECT'S MOUTH (CONTINUED)

If an officer reasonably believes that an arrestee has swallowed contraband that could have a negative effect upon his/her health, the officer shall seek medical attention for the arrestee as soon as reasonably possible.

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Subject: Interviews and Interrogations	

8.25 INTERVIEWS AND INTERROGATIONS

8.25.1 DEFINITIONS

Interview: The formal questioning of an individual by law enforcement authorities for the purpose of obtaining facts or information.

Interrogation: The process of focused questioning, directed by police, to a person suspected of a crime, in order to seek a confession.

Custodial Interrogation: Questioning initiated by law enforcement officers after a person has been taken into custody or otherwise deprived of his/her freedom of action in any significant way.

Interview Room: An area set aside for the interviewing of suspects, witnesses, victims, and juvenile offenders. Since interview rooms are not secure rooms, all suspects and offenders will be kept under continual supervision while at the facility. A temporary detention room may also be used as an interview room, but the stricter standards for temporary detention rooms apply (refer to SOP 8.30).

Persons of Diminished Capacity: Encompasses all persons encountered in the field who exhibit unusual behaviors commonly referred to as irrational, bizarre, or unpredictable. These outward observable symptoms could be the result of intoxication, drug use, suicidal indication, mental illness/disability, or medical complications (refer to SOP 12.20).

Mental Illness/Disability: A state of impaired mental processes, which results in a distortion of a person's capacity to recognize reality due to hallucinations, delusions, faulty perceptions, or alteration of mood, and interferes with an individual's ability to reason, understand, or exercise conscious control over his/her actions (refer to SOP 8.42 and SOP 12.20).

Developmental Disability: A disability that is manifested before the person reaches 22 years of age, which constitutes a substantial disability to the affected individual, and is attributable to mental retardation or related conditions, which include cerebral palsy, down syndrome, fetal alcohol syndrome, spina bifida, epilepsy, autism, or other neurological conditions when such conditions result in an impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation (refer to SOP 8.42).

8.25.2 INFORMATION DEVELOPMENT

Information in criminal investigations may be developed from sources including, but not limited to, the following:

- Witnesses, informants, and suspects
- Public records and lawfully-obtained private records
- Background investigations (e.g. criminal history)
- Surveillance
- Physical evidence

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8.25.3 INTERVIEWS (KACP 17.6)

When conducting interviews, officers shall attempt to adhere to the following:

- Interviews will be conducted as soon as possible after the crime has been committed.
- Witnesses will be located, identified, separated, and subsequently interviewed separately, in order to protect the integrity of their statements.
- Officers will properly address the security of witnesses, suspects, and victims during interviews conducted at departmental facilities.
- When appropriate, the officer will document interviews on an Investigative Letter form (LMPD #05-0002) or an Investigative Record form (LMPD #0450-02).

The recording of witness interviews, via video and/or audio, is encouraged.

8.25.4 INTERROGATIONS

When interrogating a suspect/arrestee in custody, officers will adhere to the following:

- Officers will properly address the security of custodial suspects/arrestees during interrogations. Interrogations taking place in temporary detention rooms will be in accordance with SOP 8.30.
- Custodial suspects/arrestees will not be left unmonitored in an interview room. An officer will remain inside of the interview room with the custodial suspect/arrestee, or an officer will have visual contact with the custodial suspect/arrestee through a window or via electronic monitoring equipment.
- Custodial suspects/arrestees will be searched prior to interview or interrogation and all items found will be documented on the Temporary Detention Room Use form (LMPD #09-0012).
- The interview room/temporary detention room will be searched before and after each interrogation.
- Officers will either maintain their weapon secured in a holster or secure their firearms or any other such item(s) that may be used as a weapon (e.g. batons, chemical sprays, etc.) in designated areas before entering an occupied interview room/temporary detention room.
- Officers will not interrogate a suspect/arrestee of the opposite sex alone in the interview room/temporary detention room unless another officer is in the room, there is visibility into the room through a window or open door, or the interrogation is being videotaped.
- Panic or duress alarms will be used in occupied interview rooms/temporary detention rooms, if available. If no panic or duress alarms are available, officers will use portable radios with a designated signal and procedures to follow in the event of distress in the occupied interview room/temporary detention room. Live streaming video, as long as it is constantly monitored, may be used instead of portable radios.
- Miranda warnings will be read by officers from the Miranda Rights Waiver form (LMPD #0006-96). For persons with a mental illness/developmental disability, after the initial Miranda warning is read, members may use simple words to modify the Miranda warning to verify that the suspect/arrestee understands his/her rights (refer to section 8.25.7).
- If the suspect/arrestee has received a Conducted Electrical Weapon (CEW) application, officers must wait at least 60 minutes before reading the suspect/arrestee his/her Miranda warning and starting an interrogation.

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8.25.4 INTERROGATIONS (CONTINUED)

- Officers will verify that custodial suspects/arrestees understand their right to remain silent and their right to an attorney.
- Custodial suspects/arrestees may be interrogated only when they knowingly and intelligently waive their rights. Oral waivers are often sufficient, but written waivers, particularly for felony charges, are preferred and should be obtained, whenever possible.
- When a custodial suspect/arrestee clearly invokes his/her right to remain silent, the interrogation will terminate immediately. Simply remaining silent is not considered a notice the suspect intends to exercise his/her right to remain silent (see *Berghuis v Thompkins*). An interrogation may resume under the following circumstances:
 - After a reasonable amount of time, the officer may re-administer the Miranda warnings. If the custodial suspect/arrestee then waives his/her rights, the officer may resume interrogation.
 - Whenever the custodial suspect/arrestee initiates communication with the officers. However, Miranda warnings must be re-administered and a waiver obtained before questioning.
- Officers will not delay a custodial suspect's/arrestee's arraignment solely to re-initiate interrogation after a custodial suspect/arrestee has invoked his/her right to silence.
- If a suspect/arrestee waives his/her right to counsel, a waiver will be obtained prior to questioning. When a suspect/arrestee makes reference to counsel but his/her intentions are unclear, officers will question the suspect/arrestee further to clarify his/her intentions.
- When a suspect invokes his/her right to counsel, the interrogation will cease immediately. The suspect will not be interrogated again by any officer about the crime for which he/she is charged, or any other crime, unless:
 - The suspect's attorney is present at the questioning; or
 - The suspect initiates new contact with the police; or
 - A minimum of a 14 day break in interrogation custody has passed since the suspect initially invoked his/her right to counsel (see *Maryland v Shatzer*).

Under any of the above exceptions, Miranda warnings must be re-administered and a new Miranda Rights Waiver form obtained.

- Threats, false promises, and/or coercion to induce a custodial suspect's/arrestee's confession are prohibited.
- Normally, no more than two (2) officers should simultaneously actively participate in an interview or interrogation. Exceptions must be approved by a commanding officer and documented to the division/section/unit commander.
- The time/duration of continuous interrogations should be based on the seriousness of the crime, the suspect's age and maturity level, and the suspect's previous experience with law enforcement.
- Custodial suspects/arrestees will have access to a restroom, water, breaks, or other such amenities as needed.

Any division/section/unit, having audio and/or video recording systems, will use this system to record any criminal interview and/or interrogation of a suspect or potential suspect that the officer has reason to believe has committed, or is wanted on a warrant for committing, a violent felony. For the purposes of this policy, a "violent felony" is defined as:

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8.25.5 AUDIO AND VIDEO RECORDING OF INTERVIEWS/INTERROGATIONS

- Offenses where a suspect has killed a person
- Assault in the First, Second, or Third Degree
- Wanton Endangerment in the First Degree
- Unlawful Imprisonment in the First Degree
- Kidnapping
- Rape in the First Degree
- Sodomy in the First Degree
- Sexual Abuse in the First Degree
- Arson in the First Degree
- Robbery in the First Degree
- Escape in the First Degree
- Any felony involving a child victim or any physical or sexual assault with a child as the victim

A commanding officer must approve the non-use of audio and/or video equipment for the above list of offenses. If the situation dictates, the recording may be done on Mobile Video System (MVS) equipment or other electronic devices.

If the case involves felony charges, interviews will be documented on an Investigative Letter form (LMPD #05-0002), Investigative Record form (LMPD #0450-02), or transcribed if they have been audio or video recorded.

Other witness and victim interviews/statements may be recorded at the discretion of the supervisor and/or investigator.

The circumstances surrounding the conduct of interrogations and recordings of such interrogations must be fully documented. Officers will turn on the recording equipment prior to entering the room in order to document the full duration of interview/interrogation and prevent allegations of pre-interviews or other irregularities. Documentation should include, at a minimum, the following criteria:

- The location, date, time, and duration of the interrogation
- The identities of officers and others present during the interrogation
- The time that Miranda warnings were given and the suspect's/arrestee's responses
- The time at which waivers were provided and whether the suspect/arrestee agreed to sign them
- The nature, times, and durations of any breaks in questioning (e.g. to provide the suspect/arrestee food, drink, use of lavatories, etc.)

The recording will cease at the conclusion of the interview, after the suspect has left the room.

Field interviews/interrogations captured by the MVS are retained pursuant to the MVS policy (refer to SOP 4.1).

Audio and/or video recording of interviews and interrogations will be conducted in accordance with applicable laws. After recording an interview or interrogation, the officer will immediately remove the tabs on the tape to prevent erasure. The tape will be stored in the appropriate case file. Tapes may be duplicated and altered, but must be clearly marked accordingly. The original tape will be clearly marked as the original and must never be altered. It will be kept as evidence and retained pursuant to applicable records retention schedules.

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8.25.5 AUDIO AND VIDEO RECORDING OF INTERVIEWS/INTERROGATIONS (CONTINUED)

If the interview room is equipped with a digital video recorder (DVR) or any other digital recording device, copies of the interview/interrogation will immediately be burned, and labeled as such, for inclusion in the appropriate case file. The original disc will be labeled as the original and must never be altered. It will be retained as evidence.

If the interview room is equipped with Arbitrator, the video will be uploaded into Arbitrator by the end of the officer's tour of duty.

Members are prohibited from altering or deleting original records until applicable records retention schedule timelines have been met. Members may request enhancements or excerpts be made from a copy of the original record. The original record must never be altered.

Evidence is retained pursuant to applicable federal law, state statute, and departmental policy.

8.25.6 JUVENILES

Refer to SOP 10.7 for procedures related to interviews and interrogations of juveniles.

8.25.7 PERSONS WITH MENTAL ILLNESS/DEVELOPMENTAL DISABILITIES (KACP 30.8)

Persons with a mental illness (i.e. persons of diminished capacity) or developmental disability may have limited reasoning and the inability to effectively communicate their thoughts. When interviewing or interrogating a person with a mental illness or developmental disability, members will follow the procedures outlined in this Standard Operating Procedure (SOP). In addition, members may utilize procedures including, but not limited to, the following:

- Stay calm and do not overreact
- Speak simply and briefly
- Modify the style of questioning
- Move slowly
- Remove distractions and upsetting influences from the scene
- Use a less intimidating interview room
- Contact the person's parent/guardian/caretaker to explain the situation and/or to attend the interview
- Announce their actions before initiating them
- Be aware that their uniforms and equipment may frighten the person

When Miranda warnings are issued, after the initial Miranda warning is read, members may use simple words to modify the Miranda warning and ask the person to repeat each phrase of the warning, using his/her own words, to check for a genuine understanding, rather than a simple repetition, of the words. It is also recommended that the interview or interrogation be recorded.

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8.26 PAWN INVESTIGATIONS

8.26.1 PURPOSE

The purpose of this policy is to assist in the investigation and recovery of a victim's property with minimal loss to the pawn shops, secondhand dealers, and the victim(s). The Pawn Investigations Squad is responsible for conducting physical examinations of pawn shops/secondhand dealers, inspecting the records of pawn shops/secondhand dealers to verify compliance with applicable state statutes and local ordinances, and assisting members with issues associated with pawn shops/secondhand dealers or property from pawn/secondhand shops.

8.26.2 DEFINITIONS

Order of Replevin: A court order to return item(s) to a victim.

Continue to Hold: A court order to extend the property hold past the initial 90-day period.

8.26.3 LEADS ONLINE

Leads Online (www.leadsonline.com) is a national pawn and secondhand dealer database available to law enforcement to assist in locating stolen property. A link to Leads Online can be found on the Louisville Metro Police Department (LMPD) Intranet under the "Applications" header. The Leads Online Training Guide can be found on the LMPD Intranet by clicking on the "Research and Development" link, under the "LMPD Info" header, and then clicking on the "Manuals" link.

The Pawn Investigations Squad is responsible for enforcing compliance with the Louisville Metro Code of Ordinance (LMCO) 115.122(B) and 123.08 requiring online reporting. The Pawn Investigations Squad is the point of contact for the online reporting system.

Information reported by pawn shops/secondhand dealers shall be recognized as confidential and proprietary information for the purposes of investigating and prosecuting theft and/or other violations of the law. Information obtained will be handled in accordance with SOP 5.1.

8.26.4 HOLDS

When requesting information from a pawn shop/secondhand dealer, non-uniformed officers will show their credentials to the pawn shop/secondhand dealer personnel.

Officers may place a temporary hold on item(s) in a pawn shop/secondhand dealer. The officer will contact the Pawn Investigations Squad to place a 90-day hold on the item(s). If an officer does not contact the squad within two (2) days, the temporary hold will expire and the item(s) will be released.

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8.26.4 HOLDS (CONTINUED)

An officer may request a 90-day hold by emailing or calling the Pawn Investigations Squad. Only the Pawn Investigations Squad is able to place a 90-day hold on an item.

Officers may utilize Leads Online to locate stolen property. However, officers will still contact the Pawn Investigations Squad to complete the hold process.

The order to hold will expire 90 days after the pawn shop/secondhand dealer receives written notification from the LMPD, unless the hold is modified by a court order.

If a court order is obtained to continue to hold property, a copy shall be given to the pawn shop/secondhand dealer and a copy shall be forwarded to the Pawn Investigations Squad.

A continue to hold shall list the following:

- A list of item(s) to hold
- The name of the pawner
- The name of the pawn shop/secondhand dealer
- The pawn ticket number
- The LMPD report number

8.26.5 OUT-OF-COUNTY HOLDS

If an out-of-county officer requests to place a hold on property that has been reported stolen from his/her county, and he/she wishes to have charges filed in Jefferson County, he/she will be referred to the division's Detective Sergeant where the pawn shop is located. The division's Detective Sergeant will assign a detective to work the case.

The assigned LMPD detective will contact the out-of-county officer to determine if charges will be sought in Jefferson County. The detective will obtain a copy of the original police report and contact the victim. Once sufficient evidence has been obtained, the item(s) will be placed on hold by the Pawn Investigations Squad. A Receiving Stolen Property (RSP) report should be made and charges will be filed on the suspect. Once charges are obtained on the suspect, the case is considered a LMPD case and the procedures in this SOP will be followed. The assigned detective will determine when the property will be released, seized, or returned to the victim or reporting agency.

If an out-of-county officer requests to place a hold on property and does not wish to have charges filed in Jefferson County, then the Pawn Investigations Squad will handle the case. The Pawn Investigations Squad will obtain a copy of the original police report. When probable cause has been established, the Pawn Investigations Squad will draft a search warrant, have it signed, and seize the property. The property will be returned to the reporting agency.

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8.26.6 RELEASES

Held property can be released to the victim by an agreement between the victim and the officer. There are four (4) methods to be used when releasing said property:

- The victim agrees to prosecute and pays the pawn shop/secondhand dealer the amount that the item was pawned/purchased and may seek restitution through the court.
- The victim refuses to prosecute and may purchase the pawned/purchased item for the amount that it was pawned/purchased plus any interest that has accrued.
- An Order of Replevin, signed by a judge, lists the item(s) to be released and the name of the person to whom the item(s) will be released, the ticket number(s), the pawn shop(s)/secondhand dealer(s) involved, the name of the pawner/purchaser, and the amount to be returned to the pawn shop/secondhand dealer, if any. A copy of this court order shall be forwarded to the Pawn Investigations Squad.
- A search warrant (Kentucky Revised Statute (KRS) 226.060).

If an item is to be released to the victim without a court order (Order of Replevin), the Pawn Investigations Squad must be notified. The Pawn Investigations Squad will notify the pawn shop/secondhand dealer of the conditions of the release.

8.26.7 REMOVAL OF ITEMS FROM PAWN SHOPS

No items shall be removed from a pawn shop/secondhand dealer without a court order, search warrant (KRS 226.060), or without the authorization of the Pawn Investigations Squad.

When a search warrant or Order of Replevin is executed at a pawn shop/secondhand dealer, a copy of the search warrant/court order, along with a list of the property to be removed, shall be given to the pawn shop/secondhand dealer and a copy shall be forwarded to the Pawn Investigations Squad.

8.26.8 ARRESTS

When an officer makes an arrest of an individual who has pawned/sold stolen property, the officer shall list the pawn shop(s)/secondhand dealer(s) as a victim/witness on the citation/arrest slip.

If a subject is not incarcerated for more than 12 months, the officer shall request, as part of a plea agreement, that the defendant pay restitution to the victim and/or pawn shop/secondhand dealer.

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8.27 FIRE AND LMEMS

8.27.1 ASSISTING FIRE/LMEMS PERSONNEL AT A FIRE OR HAZMAT SCENE

The fire department is in control of a fire or hazardous materials (HAZMAT) scene. When responding to a fire or HAZMAT scene, an officer shall:

- Contact MetroSafe to determine if a designated response route has been identified so as to avoid any travel through a potentially contaminated area.
- If no route has been identified, attempt to respond from an upwind and uphill direction.
- Report to the ranking fire department official, also known as the Incident Commander (IC).
- Provide assistance, as directed by the IC.
- Verify that the location of his/her parked vehicle is approved by the IC so as not to interfere with Fire/Louisville Metro Emergency Medical Services (LMEMS) operations and remain close by the vehicle in case it must be moved quickly.
- Contact his/her supervisor and inform him/her of the incident.
- Use personal protective equipment (PPE), as recommended by the IC (refer to SOP 12.2).
- Remain on the scene, in the established safe area, as directed by the IC, until relieved by another officer or dismissed by the IC.

The officer's responsibilities may include, but are not limited to, the following:

- Protecting Fire/LMEMS personnel from harassment.
- Controlling spectators in the area.
- Directing essential personnel to report to the Command Post, where the appropriate official will make the decision as to whether or not they are allowed to enter the scene.
- Protecting unattended Fire/LMEMS equipment.
- Assisting with evacuation efforts.
- Rerouting traffic. When rerouting non-emergency vehicles, officers will divert cars around the scene to avoid impeding firefighting apparatus. No vehicles are allowed to drive over fire hoses without approval from the IC (KRS 189.930(4)).

An on-duty commanding officer from the involved division will respond to all declared Level II or Level III HAZMAT incidents in Louisville Metro which require a police presence. The commanding officer will serve as the Louisville Metro Police Department (LMPD) liaison to the IC until relieved by competent authority and coordinate the response of additional LMPD resources.

Officers arriving at an active fire or HAZMAT scene, prior to Fire/LMEMS personnel, are prohibited from entering a burning or smoke-filled structure except when an imminent life-threatening situation exists. Prior to making entry into a burning or smoke-filled structure, officers will conduct a reasonable perimeter check of the structure and assess the totality of the scene in order to determine:

- If there is a risk of death or serious physical injury to a person.
- If there are persons trapped in the structure.
- If there are persons who are present in the building and may not know that they are in danger.

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8.27.1 ASSISTING FIRE/LMEMS PERSONNEL (CONTINUED)

- If there are hazardous materials on-site.
- Whether an entry and announcement, or a rescue attempt, can be conducted safely by the officer.
- Whether an entry and announcement, or a rescue attempt, will reasonably be met with success.

8.27.2 ASSISTING FIRE/LMEMS DURING CRIMES IN-PROGRESS

Fire/LMEMS personnel are prohibited from entering the scene of a crime in-progress until officers have arrived and declared the scene safe. Therefore, officers are authorized to respond Code 3 to crimes in-progress, which demand immediate attention by Fire/LMEMS personnel, to protect human life (e.g. domestic disturbance with a house fire). Officers are encouraged to request that MetroSafe provide specific details regarding the run and shall be required to articulate their reasoning for the use of a Code 3 response. A Code 3 response does not relieve an officer from the duty to drive with due regard for the safety of others and officers shall be held accountable for their actions (refer to SOP 8.7).

8.27.3 REQUESTING FIRE/LMEMS ASSISTANCE

Any officer investigating a fire or explosion will determine whether or not it is necessary for Fire/LMEMS to respond to the scene. If the response of Fire/LMEMS is necessary, the officer will contact MetroSafe to determine the estimated time of arrival of Fire/LMEMS. Officers will attempt to identify individuals who have reliable information regarding the nature of the incident and request information regarding victims (e.g. victims trapped in building, number of victims, injuries sustained, etc.). Upon the arrival of Fire/LMEMS, an on-scene officer will relay pertinent information to the ranking fire department official. If an individual having reliable information regarding the nature of the incident has been identified, he/she will be escorted to the ranking fire department official.

Officers are prohibited from calling an Arson Unit investigator to an active fire scene. The IC, at an active fire scene, is responsible for requesting the assistance of an Arson Unit investigator. Officers responding to a suspected arson fire scene, that is no longer active, should ask the dispatcher to contact an Arson Unit investigator. The officer should provide information on the nature and circumstances of the fire to the dispatcher. If an on-duty Arson Unit investigator is not available, an on-call investigator will be notified. The need to respond to the scene will be determined by Arson Unit personnel.

8.27.4 INCIDENTS OF FIRE ON THE RIVER

Due to the hazardous nature of fire suppression, members of the River Patrol Unit will not employ firefighting techniques. Under exigent circumstances, the River Patrol crewmembers may employ the appropriate lifesaving techniques for victims of fire on the river in the absence of professional firefighters. When professional or trained volunteer firefighters are available and it will not delay any possible rescue, the River Patrol Unit will pick up a detachment of these firefighters while en route to the fire scene and allow them to establish control of the fire.

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8.27.5 MEDICAL TRANSPORT

In the absence of clearly articulable exigent circumstances, the medical transport of sick or injured persons will be carried out by LMEMS personnel. In rare cases where LMPD personnel do transport a sick or injured person, a commanding officer shall be immediately notified. A commanding officer shall complete an Administrative Incident Report (AIR), via the BlueTeam link, located on the LMPD Intranet, to document the reason why LMPD personnel transported the person in lieu of LMEMS personnel (refer to SOP 3.1).

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8.28 POLYGRAPH PROCEDURES

8.28.1 POLICY

Any officer may request that a polygraph examination be conducted as an investigative tool in the resolution of criminal cases and other matters falling within the jurisdiction of the department. The administration of polygraph examinations and the evaluation of their results are conducted by qualified, licensed examiners. All departmental polygraph examiners must successfully complete training accredited by the American Polygraph Association (APA) and are required to maintain their Kentucky Justice and Public Safety Cabinet Detection of Deception License. Departmental polygraph examiners maintain their licenses through ongoing state and federal education. The Kentucky State Police (KSP) licensing delegate monitors and retains all ongoing education for all state-licensed polygraph examiners.

8.28.2 APPROVAL AUTHORITY

The use of a polygraph as an investigative tool may be authorized as follows:

- Applicant Testing – Assistant Chief of Police/Administrative Bureau
- Criminal Investigations – Major Crimes Division Commander
- Outside Agencies – Chief of Police or by Mutual Aid Agreement

8.28.3 APPLICANT/EMPLOYMENT POLYGRAPH EXAMINATIONS

All eligible applicants for sworn and civilian departmental positions will be administered a polygraph examination (KACP 13.1). The Louisville Metro Police Department (LMPD) utilizes an APA-validated screening examination.

Eligible applicants for employment will be given a pre-polygraph examination booklet provided by the Recruitment and Selection Unit, for sworn positions, or Police Human Resources (HR), for civilian positions. This booklet contains questions about life and employment history from which the examiner bases his/her questions during the examination. During this time, the applicant will have the opportunity to provide his/her answers on which the examination will be based. These questions and answers will be covered by the examiner and examinee during the pre-test portion of the polygraph examination.

The LMPD will not use the polygraph examination as the single determinant for employment. The Recruitment and Selection Unit and Police HR will use the examination as an investigative aid only and make decisions regarding employment by determining the best qualified applicant.

Polygraph examinations for criminal cases, or other allowable matters, may cover only one (1) crime or issue at a time.

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8.28.4 PRE-TEST CONSIDERATIONS

Examinations should not be scheduled or utilized in lieu of other traditional investigative efforts. Therefore, the polygraph may not be utilized until an investigation has developed adequate, specific information to serve as a basis for the exam. Dragnet-type "screening" of large numbers of suspects is prohibited.

Officers will follow all regulations and recommendations of the Employee Polygraph Protection Act (EPPA) of 1988, a copy of which is retained in the Major Crimes Division. All investigators of cases involving member theft will be required to know and understand the EPPA and its ramifications and requirements regarding member-related polygraphs.

Polygraph examiners will abide by the APA guidelines in determining the suitability of an individual for testing. Persons taking a polygraph exam may routinely experience a certain degree of stress associated with possible guilt or fear of the test itself. This level of stress alone will not prevent a test from being administered. Upon request, the polygraph examiner will submit a written explanation as to why a polygraph exam cannot be administered. Commanding officers are prohibited from ordering an examiner to conduct a polygraph on an individual who has been determined unfit for the exam.

Pregnant women or those individuals with a serious heart condition shall not be administered a polygraph examination.

Persons under the age of 18 shall not be tested or scheduled for an examination until written and informed consent has been obtained from the juvenile's parent or legal guardian on the Juvenile Polygraph Release form (LMPD #11-0001). The suitability of individuals under 18 years of age will be assessed on a case-by-case basis by the examiner.

Pursuant to Kentucky Revised Statutes (KRS) 69.008 and 95.021, as a condition of proceeding with an investigation or prosecution of a case, police officers, the Office of the Commonwealth's Attorney, and county attorneys are prohibited from:

- Requesting or requiring the victim of an alleged sexual offense to submit to a polygraph examination (or other device designed for the purpose of determining whether or not a person is telling the truth); or
- Charging, or threatening to charge, the victim of an alleged sexual offense with prosecution for refusing to submit to a polygraph examination (or other device designed for the purpose of determining whether or not a person is telling the truth).

8.28.5 PROCEDURES FOR SCHEDULING

Investigating officers wishing to schedule a polygraph examination must contact the examiner so that an appropriate date and time may be selected.

The investigating officer must accompany the subject being tested in order to provide the examiner with pertinent information, to identify discrepancies in the suspect's statements, and to witness and record any statements obtained from the subject.

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8.28.5 PROCEDURES FOR SCHEDULING (CONTINUED)

The investigating officer is required to notify the polygraph examiner when a scheduled polygraph examination is to be cancelled. This notification will be given as soon as possible so that the examiner may schedule another polygraph exam in its place. If the investigating officer does not appear for the scheduled examination and/or makes no effort to notify the examiner of a cancellation, the Major Crimes Division Commander will notify, in writing, the officer's division/section/unit commander.

8.28.6 RESULTS OF A POLYGRAPH EXAMINATION

Officers will not share the results or information obtained from a polygraph examination with any individual or agency outside of the department unless authorized by the examinee on the Polygraph Rights form (LMPD #11-0003).

8.28.7 RETENTION OF POLYGRAPH EXAMINATION FILES

Polygraph examination files shall be retained pursuant to applicable records retention schedules.

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Subject: Victim/Witness Assistance and Notification	

8.29 VICTIM/WITNESS ASSISTANCE AND NOTIFICATION

8.29.1 PURPOSE

The purpose of this policy is to outline a Louisville Metro Police Department (LMPD) member's responsibilities to provide support, information, and guidance to victims/witnesses of criminal offenses and non-criminal incidents.

8.29.2 VICTIM'S BILL OF RIGHTS

In accordance with the Kentucky Revised Statutes (KRS) 421.500 through 421.576, law enforcement personnel will provide victims with information on available protective, emergency, social, and medical services upon initial contact and will give information on the following as soon as possible:

- The availability of crime victim compensation, when applicable
- Community-based treatment programs
- The criminal justice process as it involves the participation of the victim
- The date and time that the accused individual was arrested
- How to register for notification when an individual has been released from the detention facility
- How they may be protected from intimidation, harassment, and retaliation as defined in KRS 524.040 and KRS 524.055 (KACP 30.4)
- Updates on important occurrences and developments with their case

Members will promptly return a victim's property, held for evidentiary purposes, unless there is a compelling reason for retaining it. Photographs of such property will be received by the court as competent evidence in accordance with the provisions of KRS 422.350.

If requested, officers will assist the victim by informing the victim's employer of the need for the victim's cooperation in the prosecution of a case, which may necessitate an absence from work.

8.29.3 VICTIM ASSISTANCE PROGRAMS

Victims will be made aware of the following types of assistance programs, when applicable:

- **Abuse/Neglect Programs:** Victims of adult, child, or elder abuse are entitled, but are not limited, to the following services:
 - Counseling center contacts (e.g. Center for Women and Families(CWF))
 - Alternative placement programs (e.g. ElderShelter Network, Child Protective Services (CPS))
 - Kentucky Medicaid or Medicare services (1-800-635-2570)
 - Government and private assistance programs

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8.29.3 VICTIM ASSISTANCE PROGRAMS (CONTINUED)

- **Domestic/Dating Violence and Abuse Assistance Programs:** Victims of domestic/dating violence and abuse are entitled, but are not limited, to the following services (KACP 30.1):
 - Emergency Protective Order (EPO), Domestic Violence Order (DVO), Interpersonal Protective Order (IPO)
 - Center for Women and Families (CWF)
 - Louisville Metro Office for Women
 - Additional resources found on the LMPD public website
- **Substance Abuse Programs:** Persons suffering from substance abuse or dependency problems are entitled, but are not limited, to the following:
 - Jefferson County Drug and Alcohol Counseling (JCDAC)
 - Centerstone
- **Disaster Recovery Programs:** Persons recovering from a natural disaster or fire are entitled, but are not limited, to federal and state resources (e.g. Red Cross, FEMA).
- **Other Assistance Programs:**
 - Victim Information and Notification Everyday (VINE) (1-800-511-1670): A statewide system that provides victims with information and notification of an inmate's release status
 - Grief, rape, and mental wellness counseling and assistance (e.g. Center for Women and Families (CWF), Centerstone)
 - Police chaplains
 - Other private, local, state, and federal assistance programs (e.g. Louisville Metro Department of Public Health and Wellness (LMDPHW))

8.29.4 FOLLOW-UP DUTIES (KACP 17.5)

Within ten (10) days of receiving a copy of an incident report with viable investigative information, the investigating officer/detective will attempt to contact the victim, either verbally or in writing, and will:

- Provide him/her with the investigating officer's name, assignment, and phone number.
- Convey the importance of the department to solve his/her case.
- Reference the report number.
- Provide an update on the status of the case (e.g. status of stolen, recovered or removed property, arrests made, suspect leads, continued efforts to resolve the case).
- Obtain additional information regarding the offense (e.g. serial numbers, descriptions, leads).
- Explain the procedures required for a successful prosecution of the case.
- Schedule interviews or required appearances.
- Assist with assigning a victim advocate, if available, during the follow-up investigation.

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8.29.4 FOLLOW-UP DUTIES (CONTINUED)

Each division/section/unit will establish a system of recordkeeping to address follow-up duties being performed. The following information will be recorded in the Records Management System (RMS):

- The date of the original report
- The date that the report was received by the division/section/unit
- The name of the investigating officer assigned to the case

The following information will be recorded on the Investigative Record log (LMPD #0450-02) or in the Case Management module of the RMS:

- The dates, times, and methods of attempted contact
- The contact results (e.g. no contact made, victim updated, additional information provided)

Since social media website accounts (e.g. MySpace, Facebook, Twitter, Instagram, YouTube, etc.) may be vulnerable to security intrusions, officers should attempt to use conventional methods to contact victims/witnesses (e.g. in-person, phone, mail, departmental email, etc). When conventional methods have been exhausted, an officer may use a departmentally-approved social media website account to initiate victim/witness contact through the website's private messaging application. An officer will never attempt to contact a victim/witness through an open messaging post (refer to SOP 2.31).

8.29.5 NOTIFICATION OF NEXT-OF-KIN

When it becomes necessary to notify the next-of-kin of persons deceased, seriously injured, or seriously ill, officers will do the following:

- Whenever possible, allow hospital medical personnel to make the notification. If the hospital is unable to do so, the highest ranking officer, or his/her designee, will make the notification.
- When practical, a departmental chaplain or other minister will be called to assist with the notification.

The same procedures will be used when an outside agency requests that a notification be made. LMPD personnel notifying the next-of-kin will do so in-person and not by the telephone.

8.29.6 FOREIGN NATIONAL VICTIMS/WITNESSES UNDER U-VISA

In the event that foreign nationals are victims of crimes or witnesses to crimes, in certain situations, in order to promote effective investigation and prosecution, LMPD command staff personnel may request that affirmative action be taken to allow the victim/witness to remain in the United States to assist in the investigation or court proceedings (U-Visa). The approval to make such a request may only be authorized by the Chief of Police, or his/her designee. LMPD members may not sign any documents, to include applications for temporary U-Visas, requesting or concurring with a requested change to a person's immigration status. Any such documents, including supporting documentation, will be forwarded, through the appropriate chain of command, to the Deputy Chief of Police/Chief of Staff.

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8.29.6 FOREIGN NATIONAL VICTIMS/WITNESSES UNDER U-VISA (CONTINUED)

Members should refer to SOP 10.4 for further information regarding foreign nationals.

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8.30 DETENTION ROOMS

8.30.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to provide adequate detention rooms within each division/section/unit. These rooms may be used to detain, separate, interview, or test arrestees.

8.30.2 DEFINITIONS

Arrestee: A person placed in custody or charged with a crime when there is probable cause to believe that the person has committed a crime.

Detention: Requires confinement within a facility and is not referring to detention of persons in public places. Time is measured in hours and does not involve housing or feeding arrestees, except in extenuating circumstances.

Detention Room: Room where arrestees are held for the purpose of processing, testing, or detention. These rooms are in a law enforcement facility controlled by this agency and do not include rooms in a holding facility, jail, or corrections facility, or controlled by other law enforcement agencies. Only arrestees will be held in detention rooms.

8.30.3 FACILITIES

Arrestees will have access to a restroom, water, telephone (if allowed), or other such amenities as may be needed. The arrestee can knock on the door to the detention room when an amenity is needed. Arrestees escorted to a restroom will be accompanied by an officer. If the officer has reason to believe that the arrestee may become combative, the officer should have another officer accompany them to the restroom. The officer entering the restroom must be of the same gender as the arrestee. This officer will monitor the arrestee in order to prevent the disposal or destruction of possible evidence.

If the arrestee requests the use of a telephone to advise another party of his/her whereabouts, the arresting officer will afford a chance at the first practical opportunity. If the arrestee's attorney is present, they will be offered a private room near the detention room for consultation.

Each detention room will be posted with a notice stating, "If you need medical attention, please advise a police officer."

If an arrestee is taken to a division/section/unit for detention due to an interview, interrogation, or testing, the information will be captured on the Detention Room Use form (LMPD #09-0012). This form will contain the following information: date, time-in, time-out, reason for detention, search of arrestee, personal property of arrestee, weapons/contraband found on arrestee, any meals (if provided), and the disposition.

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8.30.4 PROCEDURES

The arrestee will not be held in a detention room for longer than two (2) hours. If extenuating circumstances arise and the arrestee is kept longer than the two (2) hours, this will be documented on the Detention Room Use form.

The detention rooms will be searched before and after holding the arrestee.

Any arrestee, who is under the influence of alcohol or other drugs and who is self-destructive, shall not be placed in a detention room. The arrestee will be transported directly to the Louisville Metro Department of Corrections (LMDC) or a medical facility, if necessary, until a time when the arrestee can be interviewed without the influence of alcohol or other drugs or when the arrestee is no longer self-destructive.

The Detention Room Use forms will be filed in the division/section/unit. Juvenile arrestee forms shall be filed separately.

8.30.5 PRISON RAPE ELIMINATION ACT (PREA)

The Prison Rape Elimination Act (PREA) of 2003 requires agencies to comply with national standards to eliminate sexual harassment and/or abuse in confinement. The PREA deals with the prevention, detection, response, and monitoring of sexual harassment and/or abuse of incarcerated and arrested individuals. The PREA gives special protection to prisoners and arrestees in prisons, jails, holding facilities, and police detention rooms against any forms of sexual harassment and/or abuse/intimidation. Sexual harassment and/or abuse in confinement is unacceptable in any circumstances and is a dangerous threat to facility security. The LMPD shall not tolerate any form of sexual harassment and/or abuse.

The LMPD will provide training on sexual harassment and/or abuse prevention, detection, and response to all members who have contact with arrestees. This training includes, but is not limited to:

- The department's harassment/sexual harassment/sexual abuse and discrimination policy (refer to SOP 2.10).
- The arrestee's rights to be free from sexual harassment and/or abuse.
- The dynamics of sexual harassment and/or abuse in confined settings, including which arrestees may be the most vulnerable.
- The right of arrestees and members to be free from retaliation for reporting sexual harassment and/or abuse.
- How to detect and respond to signs of threatened, and actual, sexual harassment and/or abuse.
- How to communicate effectively and professionally with all arrestees.

All members who have contact with arrestees will receive initial training on the PREA and the department's harassment/sexual harassment/sexual abuse and discrimination policy (refer to SOP 2.10) and this information will be documented in the member's file by the Training Division. Members will also receive annual refresher information on the PREA and the harassment/sexual harassment/sexual abuse and discrimination policy.

In order to be in compliance with the PREA, members will:

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8.30.5 PRISON RAPE ELIMINATION ACT (PREA) (CONTINUED)

- Isolate aggressive arrestees and known sex offenders from other arrestees.
- Prevent the placement of restrained and unrestrained arrestees in the same detention room.
- Immediately report any indication of sexual harassment and/or abuse to their supervisor.

The LMPD will appoint a PREA Coordinator who has oversight of all of the PREA standards and to verify that the department and its facilities are in compliance.

Arrestees will be allowed to immediately report the following, as privately and securely as possible:

- Any allegations of harassment and/or abuse (e.g. verbal, physical, sexual, etc.).
- Retaliation by other arrestees or staff for reporting the harassment and/or abuse.
- Staff neglect or violations of responsibilities that may have contributed to an incident of harassment and/or abuse.

If an arrestee is deaf, hard of hearing, Limited English Proficient (LEP), or there is a language barrier, he/she will be provided with the necessary interpreter and/or assistance to report his/her sexual harassment and/or abuse. Members will contact MetroSafe to request an interpreter, if needed (refer to SOP 3.10).

Upon learning of any sexual harassment and/or abuse, the victim and the perpetrator shall immediately be separated. The victim will be instructed not to take any actions that could potentially destroy evidence (e.g. brushing teeth, changing clothes, using the restroom, smoking, drinking, or eating). The scene will be processed as a crime scene and all evidence will be collected. Emergency medical treatment, forensic medical examinations (refer to SOP 8.43), and crisis intervention services will be provided to victims, at no cost, if needed.

If a departmental member has been identified as the perpetrator, another member of the department will be responsible for assuming control of the arrestee, including processing, interviewing, transporting, and any other law enforcement activities involving the arrestee, including completing any reports and investigating the incident.

Members will immediately report the following to their supervisor:

- Any knowledge, suspicion, or information that they receive regarding an incident of sexual harassment and/or abuse that occurred in a departmental facility.
- Any retaliation by arrestees or staff for reporting sexual harassment and/or abuse.
- Staff neglect or violations of responsibilities that may have contributed to an incident of sexual harassment and/or abuse.

Any allegations of sexual harassment and/or abuse by arrestees will be investigated in the same manner as any other similar crime. The Special Investigations Division (SID) Commander will be immediately notified and will initiate the investigation.

Members inhibited by the chain of command from reporting sexual harassment and/or abuse are required to submit the information directly to the Chief of Police or the SID Commander, in writing (refer to SOP 2.11).

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8.30.5 PRISON RAPE ELIMINATION ACT (PREA) (CONTINUED)

If a member has been found to have engaged in sexual harassment and/or abuse with an arrestee, disciplinary action, including, but not limited to, termination may result.

8.30.6 ARRESTEE HANDLING

Sworn personnel are authorized to utilize detention rooms. The arresting officer is responsible for completing all required documentation and is ultimately responsible for the supervision and accountability of his/her arrestees.

Arrestees shall be searched and all items found shall be documented on the Detention Room Use form (LMPD #09-0012). All of the arrestee's property, excluding weapons, and/or contraband, will be stored in the designated property cabinet in the detention area. Weapons and/or contraband will be booked into the Evidence and Property Unit (EPU) and their seizure noted on the Detention Room Use form. Personal property of the arrestee will be taken from the designated property cabinet and compared to the inventory on the Detention Room Use form. The transporting officer will take this property, minus items that are weapons, contraband, or too large in size for storage at the LMDC, and turn it over to the LMDC when booking an arrestee into this facility. The weapons, contraband, and items too large for storage at the LMDC will be taken to the EPU and entered into the EPU (refer to SOP 11.2).

No more than two (2) arrestees will be put in the same detention room under normal circumstances. Males, females, and juveniles (other than status offenders) will be kept in separate rooms. Juveniles will not be placed in the same detention room as an adult. Juvenile status offenders will not be placed in any detention rooms (refer to SOP 10.7). A female will not be placed in the same detention room as a male. If possible, a female member will be near the detention room in case they are needed to help a female arrestee.

Arrestees will be secured in a locked detention room. An "occupied" sign will be visible on the face of the door. Face-to-face contact will be made with the arrestee at least once every 30 minutes. These face-to-face checks will be documented on the Detention Room Use form.

Panic or duress alarms will be used in detention rooms, if available. If no panic or duress alarms are available in the detention rooms, officers will use portable radios with a designated signal and procedures to follow in the event of distress in the detention rooms.

Video monitoring and/or recording of arrestees is permitted, but is not a substitute for face-to-face monitoring. While monitoring arrestees, no audio recording of the detention room is approved by this SOP. Personnel may observe activity in a detention room through the use of computer monitors set up for this purpose. Personnel that need to preserve a video recording of the arrestee should notify the appropriate division/section/unit commander in order to obtain a copy of the recording.

If it becomes necessary to restrain an arrestee by securing him/her to a fixed object, a fixed object that is designed and intended for such use (e.g. a bar or ring to which handcuffs can be secured) will be utilized. Under no circumstances shall a juvenile be handcuffed, or secured, to a fixed object. A restrained arrestee shall not be placed in the same detention room as an unrestrained arrestee.

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8.30.6 ARRESTEE HANDLING (CONTINUED)

Officers will either maintain their weapon secured in a holster or secure their firearms or any other such item(s) that may be used as a weapon (e.g. batons, chemical sprays, etc.) in designated areas before entering an occupied detention room.

In order to prevent the escape of an arrestee, two (2) officers should be present when entering an occupied detention room. At least one (1) officer will have a portable radio in order to summon assistance, if needed.

Non-police personnel or civilians will not enter the detention room area while the room is in use. It will be the responsibility of the arresting officer to keep non-essential personnel out of this area. The arrestee is not permitted to receive visitors or notes.

8.30.7 OTHER AGENCIES

In the event that an outside agency should bring an arrestee in for interviewing, the officers receiving the arrestee will identify those agents and their arrestee by the most reasonable means available (e.g. photo identification, badge, credentials, fingerprints, personal acquaintance, verification by eyewitness, arrestee acknowledgement). Use of the detention rooms by personnel of other agencies will be approved by a commanding officer. An officer of the division/section/unit will be present in the detention room area, at all times. All requirements of this SOP will be met by LMPD personnel, as well as those personnel of the other agencies utilizing the cells. The outside agency personnel will be instructed to complete the Detention Room Use form (LMPD #09-0012) and include visual checks.

8.30.8 EMERGENCY SITUATIONS

If a fire or other emergency should arise, the evacuation plan for the division/section/unit will be used. If a fire extinguisher can be used to extinguish the fire, the members will use it to do so. If an evacuation is necessary, the officer who brought the arrestee to the division/section/unit, or assumed custody of the arrestee, will be responsible for evacuating the arrestee utilizing his/her division's/section's/unit's evacuation plan. Steps will be taken to prevent the escape of the arrestee.

If an escape should occur from the detention room area, the following steps should be taken:

- An immediate pursuit by two (2) officers
- MetroSafe will be notified of the escape and the escapee's information
- MetroSafe will notify patrol units of the following:
 - Name of the escapee
 - Description of the escapee
 - Last known direction of the escapee
 - Local address of the escapee
 - Charges on the escapee
- Patrol cars will set up a search pattern

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8.30.8 EMERGENCY SITUATIONS (CONTINUED)

If there is an escape from the detention room area or there is an injury to the arrestee, a commanding officer will complete an Administrative Incident Report (AIR), via the BlueTeam link, located on the LMPD Intranet (refer to SOP 3.1).

If an arrestee becomes ill, is injured, or requests medical attention, first aid will be performed and, if required, MetroSafe will be contacted to dispatch Louisville Metro Emergency Medical Services (LMEMS). The on-duty commanding officer will be notified of the reason that medical attention is required.

8.30.9 INSPECTION OF DETENTION ROOMS

Detention rooms will be inspected before and after each use by the arresting officer. All unnecessary items, including fire producing materials and furnishings, will be removed before utilizing the detention room.

Detention rooms will be inspected by the division's/section's/unit's commanding officer, or his/her designee, at least once a month. This inspection will be documented on the Detention Room Inspection form (LMPD #09-0011) located on the outside of the detention room. The inspector will check the fire extinguisher to make sure that it is in its proper place, charged, and tagged with its current inspection date. This inspection will also include a check of the detention room itself, looking for any damage to the room. The detention room's lock will also be inspected to verify that it is in working order. If the room needs repairs, a work order will be completed and submitted to Facilities Management. The first aid kit will also be inspected to verify that it is adequately supplied. The Detention Room Use forms (LMPD #09-0012) will also be inspected to verify that they are properly completed. An administrative review of the use of detention rooms will be performed, at least once every three (3) years.

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Subject: LMPD Service Center	

8.31 LMPD SERVICE CENTER

8.31.1 PURPOSE

The Louisville Metro Police Department (LMPD) Service Center is an alternative method of handling certain calls for police service. The three (3) main services provided through the LMPD Service Center are telephone reporting, online reporting, and the (502) 574-LMPD (5673) Anonymous Crime Tip Line.

8.31.2 PROCEDURES

The LMPD Service Center can be contacted 24 hours a day, seven (7) days a week, by calling (502) 574-LMPD (5673). Calls received through MetroSafe will be evaluated to determine if a transfer to the LMPD Service Center is appropriate.

The LMPD Service Center also evaluates calls received or transferred to them and determines whether the criteria is met to retain the referral or send it back to MetroSafe for an officer to be dispatched.

8.31.3 TELEPHONE REPORTING

The LMPD Service Center takes crime reports from citizens over the phone, following the criteria set below.

The LMPD Service Center will take the following incident reports by phone:

- Theft reports with a total value under \$10,000 (except for thefts involving controlled substances).
- Shoplifting incidents.
- Harassment and harassing communications (other than DV) (KACP 30.4).
- Auto theft/unauthorized use of a motor vehicle.
- Theft of motor vehicle registration plates and decals.
- Theft from vehicle.
- Crimes involving fraud, forgery, identity theft, or criminal possession of a forged instrument.
- Criminal mischief under \$10,000.
- Lost or missing property.
- Missing person reports when the reporting party is a Child Protective Services (CPS) worker, youth center worker or a professional at a listed youth care facility, the child is in the care/custody of the state, or is missing from out of the area, except in cases where any suspicious or extraordinary circumstances exist (refer to SOP 8.32).
- Any type of miscellaneous report (other than domestic violence (DV)).
- Supplemental reports for any previously reported incidents (unless it is a stolen controlled substance).

The LMPD Service Center or MetroSafe may require that an officer be dispatched to the location of the previously listed crimes at any time, under, but not limited to, the following:

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8.31.3 TELEPHONE REPORTING (CONTINUED)

- Circumstances regarding the original nature of the report change.
- The suspect returns to the scene.
- The citizen verbally requests the presence of an officer at the scene.
- Suspicious or extraordinary conditions become known.

If an officer is dispatched to the location, the officer will take the report and not refer the person to the LMPD Service Center.

The LMPD Service Center will not take a report by phone when:

- A crime is in-progress and the suspect is at the scene.
- The caller sounds intoxicated.
- Physical evidence needs to be collected.
- The caller knows the location of felony suspects, thereby allowing for a timely identification and/or arrest.
- The caller knows the location of unknown misdemeanor suspects, thereby allowing for identification and/or criminal complaints.
- Missing person reports that do not meet the requirements of SOP 8.32.
- The incident involves a violent felony.
- The incident involves a misdemeanor assault and/or intimidation.
- The incident involves domestic/dating violence and abuse.
- The incident involves a theft over \$10,000.
- The incident involves thefts of controlled substances.
- The incident involves criminal mischief over \$10,000.

Exceptions may be approved by the Assistant Chief of Police/Administrative Bureau, or his/her designee.

8.31.4 ONLINE REPORTING

The LMPD Service Center takes crime reports from citizens through the Internet, following the criteria set below. The LMPD Service Center is responsible for reviewing, accepting, and importing online reports into the Records Management System (RMS).

The following incidents may be reported by citizens through the LMPD Online Reporting System:

- Harassing phone call
- Identity theft
- Lost property
- Non-criminal charge (e.g. for documentation purposes)
- Theft (except theft of controlled substances and theft of over \$10,000)
- Theft from vehicle
- Theft of gasoline (businesses only)
- Theft of mail

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8.31.4 ONLINE REPORTING (CONTINUED)

- Vandalism

Citizens may attach a supplemental report to a previously reported crime using the original report number.

8.31.5 574-LMPD ANONYMOUS CRIME TIP LINE

The LMPD Service Center will take crime tips from a:

- Tipster calling (502) 574-LMPD (5673).
- Tipster texting CRIMES (274637) – the tipster must enter LMPD at the beginning of his/her text.
- Tipster entering a tip on the LMPD website.
- Tipster who mailed a letter.
- Tipster who posted information on the LMPD Facebook page or via other electronic means, as forwarded to the LMPD Service Center by the Media and Public Relations Office or other divisions/sections/units that received the tip(s).

These tips are logged into the RMS and disseminated to the appropriate division/section/unit.

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Chapter: Field Operations	
Subject: Missing Persons	

8.32 MISSING PERSONS

8.32.1 POLICY

The Missing Persons Squad is a part of the Homicide Unit of the Louisville Metro Police Department (LMPD) and is responsible for the investigation of missing persons and/or unidentified persons reports. This includes searches, follow-ups, and contacting the reporting person). Federal law (Section 3701(a) of the Crime Control Act of 1990) and National Crime Information Center (NCIC) regulations require that a missing person report shall be taken for a missing person who is under 21 years of age and that the information should be immediately entered in the NCIC. The LMPD policy shall be to comply with these requirements for all missing persons, regardless of age.

8.32.2 REPORT REQUIREMENTS

The LMPD Service Center will take missing person reports when the reporting party is a Child Protective Services (CPS) worker, youth center worker or a professional at a listed youth care facility, the child is in the care/custody of the state, or out-of-area missing person reports (refer to SOP 8.32.6), except in cases where any suspicious or extraordinary circumstances exist.

The following list of youth care facilities are approved for LMPD Service Center reporting:

- Boys & Girls Haven Alternative School, 2301 Goldsmith Lane
- Maryhurst Alternative School, 1015 Dorsey Lane
- Home of the Innocents, 1100 East Market Street
- Uspiritus-Brooklawn Child and Family Services, 3121 Brooklawn Campus Drive
- Rosehaven-Maryhurst, 2252 Payne Street
- YMCA Safe Place Services, 2400 Crittenden Drive
- Louisville Metro Youth Detention Services (LMYDS), 720 West Jefferson Street
- Cabinet for Health and Family Services (CHFS), 908 West Broadway

An officer will be dispatched to take a report anytime that the above guidelines do not permit the LMPD Service Center to take the missing person report. This includes situations when the report was initially sent to the LMPD Service Center but new information suggests that suspicious or extraordinary circumstances exist. In this case, the LMPD Service Center will immediately contact the appropriate on-duty division commanding officer and Missing Persons Squad to handle the report.

Members shall immediately take a missing person report regardless of how long the person has been considered missing. The reporting party may be anyone with sufficient information about the missing person (i.e. it is not necessary for the reporting party to be a family member or next-of-kin). However, there must be sufficient minimum information to complete the mandatory fields on the eMissing Person Report or the Kentucky Missing Persons Report (KSP 261). Mandatory fields include the following missing person information:

- First and last name
- Race and gender

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8.32.2 REPORT REQUIREMENTS (CONTINUED)

- Height and weight
- Hair and eye color
- Date of birth (DOB)
- Date of last contact

The member taking the report may obtain an estimate of some of the descriptive information if the mandatory field information is not available. If the mandatory minimum information is not available and there are no extraordinary circumstances, the member taking the report may request that MetroSafe issue a "Be-on-the-Lookout" (BOLO) broadcast and shall advise the complainant to call back as soon as the missing individual has been located or when mandatory minimum information becomes available.

The member taking the report should obtain, if possible, any phone numbers associated with the missing person and note such information on the eMissing Person Report, or the Kentucky Missing Persons Report, in the section labeled "Other Comments." The member taking the report should also attempt to obtain a photograph of the missing person and email it to the Missing Persons Squad at "LMPD Missing Person Photos," located within the department's email distribution list.

Members must contact the NCIC Unit, by phone, at (502) 572-3480, immediately after the notification of a missing person to obtain the name and code number of the NCIC Unit operator to whom he/she spoke and shall enter this information in the narrative section of the eMissing Person Report.

If special circumstances exist, wherein a child is to be delivered to a guardian or location other than the one listed by the complainant on the report (e.g. habitual runaway, court orders), the member should note such information on the eMissing Person Report, or the Kentucky Missing Persons Report, in the section labeled "Other Comments."

After completing the eMissing Person Report with as much available information as possible, the member shall print the eMissing Person Report to the NCIC Unit printer and confirm, by phone, at (502) 572-3480 that the NCIC Unit has received this report. The member shall transmit the report electronically from his/her Mobile Data Terminal (MDT) into the Kentucky Open Portal Solution (KYOPS) immediately upon completion, so that it can be uploaded into the Records Management System (RMS).

If the member is unable to complete the missing person report electronically, the member shall complete a Kentucky Missing Persons Report. After completing the report with as much available information as possible, the member shall have the person making the report sign the report and enter the date and time that the report was completed. Once the signature, date, and time are entered, the member shall immediately call the NCIC Unit, by phone, at (502) 572-3480 to obtain the name and code number of the NCIC Unit operator to whom he/she spoke and shall enter this information in the narrative section of the report and fax the report to the NCIC Unit at (502) 572-3596. The member shall then contact the NCIC Unit to confirm that the report was received. He/she shall forward the original report along with any associated documents (e.g. photos, dental and/or medical records, etc.), via interdepartmental mail, to the Records Supervisor at the Data Integrity Unit. The officer may make a photocopy of the report for his/her records.

The member shall scan and email copies of any available associated documents, including, but not limited to, photos and dental and/or medical records, to the NCIC Unit.

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8.32.2 REPORT REQUIREMENTS (CONTINUED)

The NCIC Unit is responsible for missing person data entry in accordance with applicable state and federal standards (KACP 26.4). The member may also contact MetroSafe and provide information for a BOLO on the missing person. The NCIC Unit is responsible for forwarding missing person reports to the Data Integrity Unit. The Data Integrity Unit is responsible for entering missing person reports in the RMS, in accordance with applicable state and federal standards. The Data Integrity Unit is also responsible for maintaining the hardcopies of missing person reports pursuant to applicable records retention schedules.

8.32.3 MISSING PERSONS INVOLVING EXTRAORDINARY CIRCUMSTANCES

In addition to the above reporting requirements, members shall notify their commanding officer and a Missing Persons Squad detective in the following situations that involve missing persons with extraordinary circumstances:

- A missing person, of any age, who has a verified mental or cognitive impairment (e.g. Alzheimer's) and/or a developmental disability (e.g. autism, traumatic brain injury, or physical disability). Verbal confirmation of the mental or cognitive impairment and/or a developmental disability by the complainant shall be considered verification of the condition. The Missing Persons Squad detective shall respond to the scene, take over the coordination of the search, and immediately contact the Missing Persons Squad Commander to relay all pertinent information regarding the missing person. The Missing Persons Squad Commander will report the information as a "Golden Alert" to the Louisville Metro Emergency Management Agency (EMA) Director and the Kentucky Division of Emergency Management, via MetroSafe, and to local media outlets, via the Media and Public Relations Office (refer to Kentucky Revised Statute (KRS) 39F.180) (KACP 30.5).
- A missing child, ten (10) years of age or younger.
- A missing child, regardless of age, who has special needs or may require medical attention.
- Where there is evidence that a missing child may have been abducted or may be the victim of a crime and the America's Missing: Broadcast Emergency Response (AMBER) Alert System needs to be implemented. Requirements for an AMBER Alert are that the child is in danger of serious bodily harm or death. The AMBER Alert System is only for serious child abduction cases and is only activated by members through the Missing Persons Squad (refer to SOP 12.5) (KACP 30.7).
- Any other missing or lost person, regardless of age, that the member has reason to believe is in distress. Examples of distress include:
 - The person has special needs, limiting his/her ability to care for himself/herself.
 - The person is in need of, or may require, medical attention.
 - The person is considered endangered.

The commanding officer shall respond to the scene and coordinate an immediate search with available resources.

If any search conducted by LMPD personnel, in the above situations, has lasted more than two (2) hours without locating the missing person, the commanding officer in charge should advise MetroSafe to notify the Louisville Metro Urban Search and Rescue (LMUSAR) Coordinator and the EMA Director. If the search is for a child,

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8.32.3 MISSING PERSONS INVOLVING EXTRAORDINARY CIRCUMSTANCES (CONTINUED)

Kentucky State Police (KSP) will also be notified in compliance with KRS 39F.180. Nothing in KRS 39F.180 prevents the notifications from being made sooner.

The EMA Director will determine the need for the EMA's Volunteer Search and Rescue Team to assist in the search. The Volunteer Search and Rescue Team will not be responsible for structural searches or searches for fugitives or parolees.

8.32.4 OPERATION RETURN HOME

If a member believes a child or adult is missing or may be endangered due to any of the previously listed circumstances, but the criteria for an AMBER Alert (child only) or Golden Alert have not been met, the member should consider implementing Operation Return Home. Activation of Operation Return Home may only be implemented by a Missing Persons Squad Commander. When activated, Operation Return Home may utilize one (1), or more, of the following alert phases:

- Mass email notification, using the Endangered Missing Person flyer (LMPD #07-0039), to local agencies and organizations including, but not limited to:
 - Local news media.
 - Other area law enforcement agencies.
 - Jefferson County Public Schools (JCPS).
 - Local homeless shelters.
 - YMCA (including Safe Place Services).
 - Exploited Children's Help Organization (ECHO).
 - Alzheimer's Association.
- The NCIC Unit sending an Administrative Message (AM) to any law enforcement agency with an Originating Agency Identifier (ORI).
- A Community Advisory Notification System capable of calling residents in a selected geographical area determined by the Missing Persons Squad Commander.
- Notification of national agencies and organizations including, but not limited to:
 - National Center for Missing and Exploited Children.
 - Polly Klaas Foundation.

To request Operation Return Home activation, a member should contact his/her commanding officer. If appropriate, the commanding officer should contact an on-duty, or on-call, Missing Persons Squad Commander. The Missing Persons Squad Commander should request approval from the Assistant Chief of Police/Support Bureau. If the decision is made to activate any, or all, of the phases of Operation Return Home, the Missing Persons Squad Commander should make the necessary notifications and implement the appropriate alert phase(s).

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8.32.5 VICTIM WITH LIFE THREATENING INJURIES OR BEING HELD FOR RANSOM

Members should notify their commanding officer, and a Homicide Unit detective, in the following situations:

- A person has been kidnapped for ransom.
- There is sufficient evidence at the scene to indicate that a victim may have sustained potentially life-threatening injuries and the victim cannot be found.

8.32.6 OUT-OF-AREA MISSING PERSON REPORTS

If a person from outside of Louisville Metro calls to report a Louisville Metro citizen missing and no extraordinary circumstances exist, MetroSafe will contact the LMPD Service Center to complete the report. If MetroSafe or the LMPD Service Center believes that the person is missing under extraordinary circumstances, the member should forward the call to the appropriate on-duty division commanding officer and Missing Persons Squad. The normal operating hours of the Missing Persons Squad are from 0800 to 2200 hours, Monday through Friday. If the call is received outside of the normal operating hours of the Missing Persons Squad, the commanding officer should contact the Missing Persons Squad Commander.

8.32.7 PERSON LOCATED/CANCELLING REPORTS (KACP 26.4)

Cancellation of Adult Missing Person Reports

If a member locates an adult who has been reported missing or the adult has returned home, the member shall immediately call the NCIC Unit, by phone, at (502) 572-3480 to cancel the missing person report. The member will only need to provide the necessary details to the NCIC Unit by phone. The NCIC Unit operator will remove the missing person report from the NCIC and will complete the investigative supplement (including the name of the recovering officer, location, date, time, and other recovery circumstances relevant to assist in any future investigations) to clear the missing person report from the RMS.

Cancellation of Child Missing Person Reports

Members shall only cancel a missing person report on a child after visually confirming that the missing child has been located. Once the missing child has been located, the member shall immediately call the NCIC Unit, by phone, at (502) 572-3480 to cancel the missing person report. The member will only need to provide the necessary details to the NCIC Unit by phone. The NCIC Unit operator will remove the missing person report from the NCIC and will complete the investigative supplement (including the name of the recovering officer, location, date, time, and other recovery circumstances relevant to assist in any future investigations) to clear the missing person report from the RMS.

When a member locates a missing child, he/she should make contact with the parent or guardian and attempt to return the child. If the child is missing from another Kentucky jurisdiction; the member should request the NCIC Unit to contact the law enforcement agency from which the child is missing in order to obtain the contact information of the child's parent or guardian. If the custodial parent or guardian refuses to accept the child or the parent or guardian is unable to accept the child in a timely manner (e.g. out of jurisdiction), the member shall follow outlined procedures regarding emergency custody orders (refer to SOP 8.22).

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8.32.7 PERSON LOCATED/CANCELLING REPORTS (CONTINUED)

When a member locates a child who has been reported as an out-of-state missing person through the NCIC, the child should be detained (Kentucky Revised Statute (KRS) 615.010)). Upon obtaining a paper confirmation from the NCIC Unit, the child should be transported to Louisville Metro Youth Detention Services (LMYDS), located at 720 West Jefferson Street. The NCIC confirmation and a citation, citing the child with Runaway (Uniform Crime Report (UCR) 02800/KRS 630.020(1)), will be provided to LMYDS personnel at the time when the child is taken to LMYDS.

When group homes (e.g. YMCA Safe Place Services, LMYDS) are the complainant, the group home may contact the NCIC Unit directly and a member need not respond. The Missing Persons Squad Commander, or his/her designee, may cancel reports, without visual verification, after official confirmation.

Members should request that MetroSafe check the warrant/missing status of any child taken into custody.

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8.33 ANIMALS

8.33.1 USE OF FORCE

Humane Destruction of Domesticated Animals

When an officer believes a seriously injured, domesticated animal (e.g. dog, cat, etc.) should be destroyed to relieve its pain and suffering, he/she will first attempt to contact the owner. If the owner can be contacted, he/she will be instructed to take his/her pet to a licensed veterinarian for treatment and/or humane euthanasia. If the officer believes that the injured domesticated animal may be a danger to its owner or others due to its injuries, the officer will contact MetroSafe and have them contact Louisville Metro Animal Services (LMAS).

If the owner cannot be contacted, the officer will contact MetroSafe and have them contact LMAS and allow its animal control officers (ACOs) a reasonable amount of time to remove the animal. If the officer is advised that LMAS cannot respond, or the ACO is taking an unreasonable amount of time to respond, the officer will request that MetroSafe contact a LMAS supervisor.

Officers are prohibited from loaning their weapons to any person for the purpose of destroying an animal.

Humane Destruction of Wild Animals

When an officer believes a seriously injured, non-domesticated (wild) animal (e.g. deer) should be destroyed to relieve its pain and suffering, he/she will notify his/her supervisor that the animal was destroyed. The officer will request that MetroSafe contact the appropriate agency (e.g. Metro Public Works and Assets, Kentucky Transportation Cabinet) for removal on a right-of-way, roadway, or highway.

Defense of Self, Others, and Property

Force used against animals is authorized in defense/protection of oneself, another, or property. When the officer reasonably believes, based on the facts and circumstances, that the animal on which the force is used poses an immediate threat of injury or damage to the officer, another, or property (KACP 1.3b), he/she shall use the minimum amount of force necessary to bring the animal under control (KACP 1.3a). Conducted Electrical Weapons (CEWs) have been found to be effective against aggressive animals. Officers shall only use the minimum number of CEW cycles necessary to bring the animal under control (KACP 1.3a).

Deadly force against an animal is authorized in defense of oneself, another, or property when the officer reasonably believes, based on the facts and circumstances, that the animal against which the force is used poses an immediate threat of death, serious injury, or substantial damage to property. Justification for the use of deadly force must be limited to what reasonably appears to be the facts known, or perceived, by an officer under the circumstances. Deadly force, as with all uses of force, may not be resorted to unless other reasonable alternatives have been exhausted, would clearly be ineffective, or exigent circumstances exist.

If an officer has to shoot and kill an aggressive domesticated animal (e.g. dog, cat, etc.) during the execution of a search warrant, he/she will request that MetroSafe contact LMAS for removal, unless the owner elects to take care of the animal (refer to SOP 8.1).

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8.33.1 USE OF FORCE (CONTINUED)

Documentation

If a domesticated animal is injured as a result of an officer using force in response to a humane act or a defensive situation, a commanding officer will complete an Administrative Incident Report (AIR), via the BlueTeam link, located on the Louisville Metro Police Department (LMPD) Intranet, including when a CEW is used (refer to SOP 3.1). If an officer uses his/her firearm for the destruction of a wild animal, no report is required.

8.33.2 REMOVAL OF ANIMAL CARCASSES

An officer should attempt to remove an animal carcass from the roadway or highway if it constitutes a traffic hazard. If the carcass cannot be moved, the officer should remain on-scene and request that MetroSafe contact the appropriate agency (e.g. Metro Public Works and Assets, Kentucky Transportation Cabinet) for removal. If no hazard exists, the officer does not have to remain on-scene and should request that MetroSafe contact the appropriate agency for removal.

8.33.3 ANIMAL BITES

LMAS will respond to animal bite incidents. They will take a report and investigate these incidents. LMAS can be contacted at (502) 473-PETS (7387) or via MetroSafe.

Officers, desk clerks, and Police Report Technicians (PRTs) may be requested to complete a Uniform Incident Report for individuals who have been bitten by an animal outside of the normal operating hours of LMAS (e.g. 2300-0730 hours). These administrative reports will be classified as injured person reports. Members will fax a copy of the Uniform Incident Report to LMAS at (502) 363-9742 prior to the end of their tour of duty. Officers will respond to the scene if the animal is still posing a threat or if the victim was severely injured. LMAS may also be contacted outside of their normal operating hours for animal bites, especially when the animal still poses a threat.

8.33.4 WILDLIFE

LMAS, the Kentucky Department of Fish and Wildlife Resources (KDFWR), licensed nuisance wildlife control operators, and licensed wildlife rehabilitators are responsible for responding to complaints of non-domesticated (wild) animals.

LMAS will respond to the following:

- An ACO will respond to all wildlife bites and exposures. If a bat has bitten a pet or human in the living quarters of a residence, it is considered an emergency call to which the LMAS will respond outside of their normal operating hours (e.g. 2300-0730 hours). The wild animal will not be quarantined at LMAS. It will be euthanized and sent to the lab for analysis.

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8.33.4 WILDLIFE (CONTINUED)

- An ACO will respond to wildlife in traps that a LMAS supervisor has authorized the citizen to trap for public health and safety reasons.
- An ACO will respond to any call involving a domesticated animal that has come in contact with a wild animal (e.g. a dog that attacks and kills a raccoon).

The KDFWR will respond to calls involving large-sized nuisance or injured wildlife (e.g. deer, coyote, etc.) on the exterior/yard of the home. The KDFWR can be contacted at (800) 858-1549. Calls involving large-sized sick or injured birds of prey (e.g. falcons, hawks, vultures, owls, eagles) are referred to Raptor Rehabilitation of Kentucky. Raptor Rehabilitation of Kentucky can be contacted at (502) 491-1939.

Licensed nuisance wildlife control operators will respond to calls involving general nuisance wildlife (e.g. raccoons, squirrels, opossums, snakes, etc.) on the exterior/yard of the home, inside of a home, etc. Licensed nuisance wildlife control is provided by permitted operators who charge a fee for their services. A list of licensed nuisance wildlife control operators can be found at <https://app.fw.ky.gov/NuisanceControlNew/>.

Licensed wildlife rehabilitators will respond to calls involving general sick and/or injured wildlife. A list of licensed wildlife rehabilitators, including the types of animals that they rehabilitate, can be found at <http://app.fw.ky.gov/rehabilitatorNew/>.

Except as noted above, a homeowner or landowner is responsible for the removal of a dead animal found on the exterior/yard of the home or on private property.

If the call involves a deer being struck by a vehicle, a LMPD officer will respond.

If an officer has an issue/question regarding any wildlife call, he/she should contact the KDFWR at (800) 858-1549.

8.33.5 DOMESTICATED ANIMAL COMPLAINTS

LMAS is the primary agency responsible for responding to complaints of domesticated animals (e.g. loud barking, nuisance property offenses, animal fights, habitual roaming, leash/tether offenses, cruelty/neglect/abuse, etc.).

Emergency calls to which the LMAS will respond outside of their normal operating hours (e.g. 2300-0730 hours) include, but are not limited to:

- Injured or sick animals: Injured or sick stray, unowned animals only.
- Animal bites: Bites from animals to a person that are life-threatening or a danger to the community.
- Render assistance: Assisting the LMPD, fire department, or Louisville Metro Emergency Medical Services (LMEMS). LMAS will respond to remove a deceased animal. The responding ACO will post a notice informing the owner, or other interested party, that the body is at the LMAS facility and will be held for reclaim for a period of five (5) days. Routine uninjured, nonaggressive stray animal calls are not considered an emergency situation.

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8.33.5 DOMESTICATED ANIMAL COMPLAINTS (CONTINUED)

- Fire/LMEMS: Requests for assistance from the fire department or LMEMS when an owner is incapacitated due to an injury and/or being transported to the hospital. An ACO will respond to impound the animal(s) if there is no adult person available to assume responsibility for the animal(s).
- Vicious animals: An animal attack against another animal when the attacking animal's whereabouts are known.
- Cruelty/Abuse/Neglect: Situations of cruelty/abuse/neglect where a domesticated animal is in imminent danger of death or injury as the result of exposure to extreme weather or other factors. This includes reports of dog or cock fighting.

LMPD officers will only be dispatched on complaints that present a threat, or danger, to persons/property or when LMAS ACOs are unavailable or refuse the run.

8.33.6 STRAYS

When an officer observes, or is dispatched on a run involving, a stray animal, he/she should attempt to ascertain the owner's name and notify him/her. If the animal can be secured, LMAS may be notified for removal. An officer may also deliver the secured stray animal to LMAS, located at 3705 Manslick Road, during normal operating hours. Officers are not allowed to take the stray to any other location or shelter. The LMAS Field Services hours of operation are from 0730-2300 hours, seven (7) days a week.

If the stray animal is secured outside of the normal operating hours of LMAS (e.g. 2300-0730 hours), the officer will contact MetroSafe and have them contact the on-call LMAS representative to receive instructions on picking up/delivering the stray animal.

8.33.7 ANIMAL CRUELTY/NEGLECT/ABUSE

LMAS is the primary agency responsible for responding to complaints of animal cruelty/neglect/abuse. Officers who observe, or are dispatched on a run involving, animal cruelty/neglect/abuse, during the normal operating hours of LMAS (e.g. 0730-2300 hours), may contact MetroSafe to have LMAS send an ACO to the scene to assist. If the case occurs outside of the normal operating hours of LMAS (e.g. 2300-0730 hours), the officer may contact MetroSafe and have them contact the on-call LMAS representative to respond to life-threatening emergencies only. ACOs may assist the officer in determining whether the case meets the criteria to be a felony or a misdemeanor and if the animal needs to be impounded, pursuant to Louisville Metro Code of Ordinances Chapter 91.

In incidents where the animal is in danger/distress (e.g. animal locked in a car in extreme temperatures), the officer will contact MetroSafe and have them contact LMAS to have an ACO respond to the scene. If the ACO is unavailable or is taking an unreasonable amount of time to respond, the officer will have MetroSafe contact a LMAS supervisor for assistance. A LMPD commanding officer may approve an entry into a vehicle using the least intrusive means available. Officers will only attempt to gain entry into a vehicle if LMAS is unavailable or refuses the run **and** the life of the animal is in danger. If there is any property damage while attempting to gain entry, the commanding officer will complete an AIR, via the BlueTeam link, located on the LMPD Intranet (refer to SOP 3.1).

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8.34 GANG DATA COLLECTION

8.34.1 POLICY

The Crime Information Center (CIC) has the primary control of gang-related data for the Louisville Metro Police Department (LMPD). This data includes the recording of all information on gangs, gang members, and activities. The CIC is responsible for entering and maintaining all records in compliance with National Crime Information Center (NCIC) standards.

The LMPD will designate one (1) Intelligence/Gang Coordinator, who will oversee, and hold regular meetings with, the Division Intelligence Liaison Officers (ILOs). The Division ILOs will be responsible for collecting all gang data generated within their division and forwarding it to the CIC via the "LMPD Gang Information" user group, located within the department's email distribution list.

8.34.2 DEFINITIONS

According to NCIC standards, a **gang** must meet the following criteria:

- The group must be an ongoing organization, association, or group of three (3) or more persons; and
- The group must have a common interest and/or activity characterized by the commission of, or involvement in, a pattern of criminal activity or delinquent conduct.

Criminal Gang: "Any alliance, network, or conspiracy, in law or in fact, of five (5) or more persons with an established hierarchy that, through its membership or through the action of any member, engages in a continuing pattern of criminal activity. "Criminal gang" shall not include fraternal organizations, unions, corporations, associations, or similar entities, unless organized for the primary purpose of engaging in criminal activity" (KRS 506.140).

Delinquent Conduct: Conduct of a juvenile which would be a crime if committed by an adult.

Criminal or Delinquent Conduct: Includes, but is not limited to, narcotic distribution, firearms, or explosives violations, murder, extortion, obstruction of justice (including witness intimidation and/or tampering), and any other violent offenses.

In order to enter a person as a "suspected gang member" in the Records Management System (RMS), the person must meet the following criteria:

- Self admitted group membership at the time of arrest or incarceration; or two (2) of the following:
 - Has been identified by an individual of proven reliability as a group member.
 - Has been identified by an individual of unknown reliability as a group member and that information has been significantly corroborated.
 - Has been observed by members of the entering agency to frequent a known group's area, associate with known group members, and/or affect that group's style of dress, tattoos, hand signals, or symbols.

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8.34.2 DEFINITIONS (CONTINUED)

- o Has been arrested on more than one (1) occasion with known group members for offenses consistent with group activity.
- o Has admitted membership in the identified group at any time other than the time of arrest or incarceration.

All field contacts shall only be entered as “suspected gang member” in the RMS. The confirmation of suspected gang members is the responsibility of the CIC.

8.34.3 REPORTING GANG INFORMATION

Officers conducting field interviews/contacts will note all information relating to gang, or suspected gang, members on the Supplemental Suspect Form (Form LMPD-5) and the Supplemental Narrative Form (Form LMPD-6) (for paper reports) or in the RMS electronically. For paper reports, any additional narrative information will be placed on Form A-2. Officers should also note all information about anyone stopped with a gang, or suspected gang, member. Officers will forward any other documentation to the CIC. When associating photographs with a field contact, officers will place the case number in the appropriate box. This is the same number that is used in the Digital Image Management System (DIMS) to store the photographs.

After an officer completes a field contact on a suspected gang member, the officer will send a link, via the RMS Organizer, to the “Gang Coordinator” user group.

When an officer completes an incident report and there is reason to believe that gang involvement exists, or a person listed on the report may be a gang member, he/she will note such suspicions in his/her report. In the RMS, suspected gang activity may be reported on page three (3) of the incident report using the MO (modus operandi) drop down menu. If the report is in paper form, he/she will then forward a copy of the report to the CIC.

If sending a paper copy, each Division ILO will maintain a copy of all information sent to the CIC as a resource for other officers. The information will be kept in a binder or folder which will also contain gang data and other information disseminated by the CIC.

The RMS will be the central repository for gang information. For information entered electronically in the RMS, gang information will be noted in the Name Module of the suspected gang member and in the Offense Module, when applicable. An alert will be placed here to notify others of this suspected affiliation.

Nothing in this policy is meant to restrict or limit information that officers send to the CIC. All pertinent information will be sent to the CIC through the Division ILOs.

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8.35 INVESTIGATIVE CASE FILES (KACP 26.1)

8.35.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to prepare and maintain investigative case files. These case files should contain all information relevant to the investigation, in order to assist in the prosecution and disposition of the case. Case files will be managed in the Records Management System (RMS). Paper case files are meant to supplement the electronic case files. Documents that must be retained in their original state will be maintained in either a paper case file or in the Evidence and Property Unit (EPU). All investigative notes will be entered on the Investigative Record form (LMPD #0450-02), for paper case files, or in the Tracking section of the Case Management module of the RMS, for electronic case files. The completion of an Investigative Letter form (LMPD #05-0002), which is used to summarize an investigation, does not negate the requirement to complete an Investigative Record form or entering information in the Tracking section of the Case Management module of the RMS. The Investigative Record form or Tracking section of the Case Management module will be kept up-to-date by the investigating officer so the case progress can be reviewed by his/her supervisor. Any paper documents, except National Crime Information Center (NCIC) files, may be scanned and attached to the electronic case file. Case file numbers will be the incident control number (ICN) generated by the RMS.

8.35.2 INITIATION

A thorough investigation and properly completed case file are essential components of a court presentation.

Whenever a paper case file is created, the officer will document this in the appropriate drop-down field located in the Tracking section of the Case Management module of the RMS. A paper case file will be created in the following situations:

- With an Arrest:
 - Any felony arrest; or
 - Any misdemeanor arrest with supporting documents other than a basic incident report, evidence vouchers, or Digital Image Management System (DIMS) uploads.

- Without an Arrest:
 - Any criminal incident with supporting documents other than a basic incident report, evidence vouchers, or DIMS uploads.

For example, a paper case file is necessary when supporting documentation must be maintained in its original state for evidentiary reasons. This includes documents containing signatures, such as identification forms and Miranda Rights Waiver forms (LMPD #0006-96), original copies of records, search warrants, written statements, and pictures/videos not contained in the DIMS.

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8.35.2 INITIATION (CONTINUED)

When a case file is maintained in the RMS, the Tracking section of the Case Management module will be used as the investigative log. Nothing in this policy prohibits an officer from opening a paper case file, at any time, at his/her discretion. Individual specialty units may have stricter procedures regarding paper case file initiation.

Officers will also open a case file on any damage to federal, state, or local governmental property (e.g. buildings, stop signs, guardrails, etc.) where criminal charges are to be filed. All damage to governmental property will be photographed by the investigating officer or the Crime Scene Unit (CSU). These photos will be entered into the DIMS, via any DIMS download station (refer to SOP 4.26).

8.35.3 CUSTODY AND CONTROL

All case files shall be maintained in a secure location to prevent access by unauthorized persons and to maintain the integrity of documentary evidence. Electronic case files will be maintained in the RMS, under the original ICN. It is the responsibility of the division commander, or his/her designee, to verify that secure areas are available for paper case file storage. Case files will be kept in a LMPD facility, with the exception of taking the file to court, reviewing the file with the prosecution, or for other official LMPD business. Once the file has been used in court or for other official business, it will be returned, as soon as possible, to the appropriate LMPD facility.

8.35.4 PROCEDURE

In the RMS, case files are created after approval of competent authority at "Approval level: 1" of the original incident report completed by the originating officer. This case file will be sent to the appropriate command staff so that it can be assigned for follow-up.

When a paper case file is required, it is the responsibility of the primary investigating, or arresting, officer to obtain a file folder and the initial documents. Paper case files will be the manila folder type that are pre-stamped with case record information. In situations where the case is too large to store within a standard manila case file folder, an expandable file folder or a binder may be used. In these instances, the case file cover page will be the first page in the folder.

The paper case file will include a Case File Contents Checklist (LMPD #0449-02). The checklist will be used as a reference guide throughout the course of an investigation, although not all items listed on the checklist will be appropriate for every case.

The paper case file will contain a copy or original version of all documents from the Case File Contents Checklist that are known to exist, including all exculpatory evidence.

NCIC Criminal Histories or "Hits" shall not be kept in investigative case files (refer to SOP 8.9). NCIC files shall not be copied and pasted electronically into the RMS. Information obtained from these documents will be written in investigative case notes, where it will be noted that the information was obtained during the course of the investigation.

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8.35.4 PROCEDURE (CONTINUED)

Documentary evidence, such as written statements, records obtained by court order, photo spreads, and identification forms, including a Photo-Pack Identification form (LMPD #04-08-0819) or other applicable identification forms, will be retained in the case file or in the EPU. Any of the Case File Contents Checklist items can be scanned and attached to the electronic case file but will also be maintained in the paper case file or in the EPU. Physical evidence, such as shell casings, stolen property, drugs, money, or any other item(s) will be photographed, or copied, and then placed in the EPU. These items may be subject to forensic, or other, testing and will not be retained in the case file.

8.35.5 ORGANIZATION

Paper case files will be prepared in the following manner in order to assist in court presentation and supervisory review:

Left side of folder:

- Manila envelope(s) that are to be used for the storage of items, such as photographs, videos, and recordings.

Right side of folder:

- Items listed on the Case File Contents Checklist, in the following order:
 - Standard Items
 - Statements
 - Identifications
 - Evidence
 - Warrants
 - Medical Treatments
 - Other Possible Records

8.35.6 TRACKING

Case files must be easily accessible for court presentation and supervisory review. To accomplish this, paper case files shall be stored in secured file cabinets, in numerical order by the ICN, and electronic case files shall be stored in the RMS.

Division commanders will utilize a Case File Sign Out form (LMPD #07-0040) to safeguard paper case files and allow officers to access them for court appearances.

After the case is adjudicated in the court system, the investigating officer will include the disposition within the paper case file or in the RMS.

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8.35.7 REVIEW

It is vital that commanding officers periodically review case files throughout the course of an investigation and any subsequent prosecution.

Case files associated with an arrest will be reviewed at the following intervals and documented in the designated area on the Case File Contents Checklist:

- Arrest
- Before Grand Jury presentations (this review requires the approval of both a sergeant and lieutenant)
- Before trial
- After adjudication

Open felony case files will be reviewed by a supervisor every 60 days. This review may be in the form of a meeting between the officer and his/her supervisor. This review will be documented in the designated area on the Case File Contents Checklist.

A case will be made inactive by an officer after 120 days of non-activity have passed. A case may be classified as inactive before this time if all leads have been exhausted. Before a case is made inactive and a paper case file has been filed away, the immediate supervisor will review the case file to verify the thoroughness of the investigation. The officer will complete a supplemental report with a brief explanation of the change of status, change the status in the Case Management module of the RMS, and approve both to "Approval level: 1" for review by his/her supervisor. If a paper case file is required to be maintained pursuant to SOP 8.35.2, the paper case file will be submitted to the officer's supervisor as well. This paper case file review will be documented in the designated area on the Case File Contents Checklist and by approving the supplemental report and Case Management module of the RMS.

Division commanders will review five (5) case files each month to verify adherence to this policy. This review will be documented in the designated area on the Case File Contents Checklist.

8.35.8 RETENTION/DISPOSAL

Active paper case files will be retained within the individual division/section/unit offices. Division commanders will do a periodic review of paper case files in order to determine if the cases are still active. Cases that are found to be cleared or inactive will be transferred to Louisville Metro Archives for retention, in accordance with the Louisville Metro Code of Ordinances (LMCO) archiving procedures and the Kentucky Revised Statutes (KRS). Examples of cleared and inactive cases are as follows:

- Cleared by exception
- Cleared as unfounded
- Cases cleared by arrest and court disposition that are not subject to appeal
- Cases that are open but inactive because little or no evidence exists that could reasonably lead to clearance by any other means

The retention and disposal of these records will be in accordance with federal, state, and local records retention schedules.

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8.36 CRIME SCENES

8.36.1 COMMAND (KACP 17.4)

The Incident Command System (ICS) will be established at all major crime scenes. The first responding officer or the most senior officer at the scene will be the Incident Commander (IC), until relieved on-scene by a commanding officer or lead detective. The IC is responsible for directing the activities of personnel at the scene and adherence to the procedures outlined in this policy.

8.36.2 RESPONSIBILITIES OF THE FIRST OFFICER ON SCENE (KACP 17.4)

The first officer to arrive at a major crime scene will assume initial command, until relieved on-scene by a supervisor or the lead investigator. He/she will request any assistance needed to perform the following functions:

- Secure the scene. If an immediate threat is present, officers should approach the scene in a manner that minimizes the risk to themselves and maximizes the safety of the public.
- Aid the injured.
- Apprehend and detain the suspect(s).
- Protect the crime scene.
- Separate witnesses and victims from the suspect(s).

8.36.3 SELF-DEPLOYMENT

Officers should not self-deploy to a major crime scene unless specifically requested by MetroSafe or the IC. Officers who respond without the proper training and equipment may actually hinder law enforcement efforts. The IC, or his/her designee, is responsible for assigning the duties of responding officers in order to prevent confusion and the duplication of efforts.

8.36.4 AIDING THE INJURED

Officers will assess the physical injuries of the involved parties and notify MetroSafe if emergency medical personnel are needed. Officers will point out potential physical evidence to medical personnel or other person(s) administering Cardiopulmonary Resuscitation (CPR), or other lifesaving measures, instructing them to minimize contact with such evidence (e.g. cutting through bullet holes, knife tears in clothing).

Members shall not pronounce a victim as deceased (i.e. 10-80). No LMPD personnel, other than a physician, have the authority to make any pronouncements. Members shall not direct another person to cease CPR, or other lifesaving measures, unless directed by Emergency Medical Services (EMS) personnel or a physician.

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8.36.4 AIDING THE INJURED (CONTINUED)

If the victim or suspect is transported to a medical facility, another officer should accompany him/her in the ambulance to document any comments made and to preserve evidence (e.g. clothing, personal items). If no officers are available to accompany the victim/suspect, the officer will stay at the scene and request medical personnel to preserve physical evidence and document any comments made by the victim/suspect.

8.36.5 PROTECTING THE CRIME SCENE

Establishing Perimeters (KACP 20.3b)

The initial responding officer will have the responsibility of establishing and defining the boundaries of the crime scene. The officer will erect physical barriers (e.g. barricades, cones, tape) to define the boundaries.

Boundaries should include the area in which the actual crime occurred, potential points and paths of entry and exit, and locations where evidence or involved individuals may have been moved.

Additionally, officers should establish a control perimeter. The control perimeter is a buffer zone established to protect the primary crime scene from contamination. The control perimeter should be large enough to incorporate the possibility of additional crime scenes while maintaining the integrity of the primary scene.

The crime scene will be protected from entry by unnecessary or unauthorized persons so that physical evidence is not altered, moved, destroyed, lost, or contaminated. An officer will be designated as the Crime Scene Entry Log Recorder and will be stationed at a selected entrance/exit point to the control perimeter. The Crime Scene Entry Log Recorder will maintain the integrity of the scene by denying access to nonessential personnel (e.g. media, political figures, officers not working the case) and documenting the arrival and departure times of legitimate persons involved (e.g. EMS, Fire Department personnel, investigating officers) using the Crime Scene Entry Log (LMPD #05-08-0138). The Crime Scene Entry Log Recorder will also notate on the Crime Scene Entry Log which officers have Wearable Video Systems (WVS). All division commanding officers will notify the lead investigator if any of their personnel were at the crime scene.

Limiting Contamination of the Crime Scene

The initial responding officer should preserve the scene with minimal contamination and disturbance of physical evidence. Whenever possible, he/she should establish a path from the entry point to the primary crime scene in order to limit the possibility of contamination from outside sources (e.g. medical personnel or additional officers).

Officers should make efforts to further minimize contamination by guiding medical or fire personnel to the victim while pointing out potential physical evidence in order to avoid its destruction/contamination. The officer will document the original location of the victim and/or objects that are moved during the course of lifesaving measures.

All persons will be prohibited from performing the following acts while at the crime scene:

- Eating and/or drinking.
- Smoking and/or chewing tobacco.

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8.36.5 PROTECTING THE CRIME SCENE (CONTINUED)

- Littering.
- Spitting.
- Using the telephone.
- Using the bathroom or restroom.
- Moving any items, including weapons, unless necessary for the safety and well-being of persons at the scene.
- Adjusting the thermostat or opening windows or doors.
- Touching anything unnecessarily. Officers should be cautious of handling evidence due to DNA crossover or contamination.
- Repositioning moved items.

The initial responding officers should document the following to preserve the integrity of a crime scene:

- List observations made at the crime scene, including the location of persons and items of interest.
- Note the conditions upon arrival (e.g. lights on/off, shades up/down, etc.).
- Record his/her actions and the actions of other persons present.
- Document all instances of scene alteration, regardless of how insignificant the event or item appears.

The officer may need to effect measures to preserve/protect evidence that may be lost or compromised due to environmental concerns (e.g. rain, snow, wind, sprinklers, etc.) and/or the presence or arrival of other responders (e.g. footsteps, tire tracks, etc.). Any measures taken to protect such evidence from destruction/contamination will also be documented.

Secondary Crime Scene: The secondary crime scene may consist of additional evidence outside of the scope of the primary crime scene. If a secondary crime scene is discovered, the initial responding officer will establish the same procedures used for the primary crime scene. Special attention should be granted if the scenes are in close proximity (e.g. blood trails, paths from one location to the next, etc.).

8.36.6 CONTROLLING PERSONS AT CRIME SCENES

The initial responding officer should prevent individuals from altering or destroying physical evidence, by restricting their movement, location, and activity. Officers will:

- Identify all individuals present.
- Secure and separate the suspect(s).
- Separate the witnesses.
- Remove bystanders from the scene after determining that the bystanders are not suspects or witnesses. Families and friends of persons involved may need to be controlled at the crime scene. Officers should show compassion while dealing with these individuals. If necessary, officers should request the assistance of the police chaplains to help with the family's emotional needs.

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8.36.6 CONTROLLING PERSONS AT CRIME SCENES (CONTINUED)

If witnesses attempt to leave or indicate that they must leave the scene prior to being interviewed by the lead investigator, officers will explain the importance of obtaining accurate and timely information. If the witness or bystander is still persistent about leaving, the officer will notify the lead investigator of the situation. The officer should obtain the following information for the lead investigator, prior to releasing the witness:

- Full name
- Address
- Identification (ID) number (e.g. Social Security Number (SSN) or driver's license number, etc.)
- Date of birth (DOB)
- Phone numbers
- General description of the witness (e.g. clothing, hair color, height, weight, etc.)
- Any information relevant to the investigation

8.36.7 LEAD INVESTIGATOR (KACP 17.4)

The lead investigator may assume control of the scene from the initial responding officer after the initial responding officer has provided a detailed briefing regarding the incident and the crime scene. The initial responding officer may continue to assist the lead investigator, as needed or until relieved.

If the crime is determined to be a division-level case (e.g. burglary, theft, wanton endangerment, etc.), the lead investigator will be the initial responding officer, a division detective, or another officer designated to investigate the offense.

8.36.8 CRIME SCENE PROCESSING

Qualified personnel are available 24 hours a day, 365 days a year to process crime scenes (KACP 27.6).

Crime Scene Unit (KACP 27.1)

The Crime Scene Unit (CSU) will assist the lead investigator at a crime scene by photographing, preserving, collecting, processing, packaging, and transporting evidence which requires special handling, or testing, by the Kentucky State Police (KSP) Forensic Laboratory or another appropriate outside testing facility. This will be accomplished by using the established procedures found in the CSU Operations Manual, which is kept on file in the CSU. The crime scene will be photographed and/or videotaped per the criteria set forth in the CSU Operations Manual.

Materials and substances will be collected from a known source, whenever available, for submission to the appropriate laboratory for comparison with the physical evidence collected. The CSU will not be required to respond to a scene merely to transport and place evidence in the Evidence and Property Unit (EPU). The lead investigator, an officer, or a Police Report Technician (PRT) will remain on-scene while the CSU processes the scene.

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8.36.8 CRIME SCENE PROCESSING (CONTINUED)

If a vehicle is part of the crime scene and requires processing, the lead investigator will complete the Evidence Processing Request for Vehicles form (LMPD #04-00-0050). The vehicle will be taken to the Auto Theft Garage for processing under the direction of CSU personnel.

The CSU will also be responsible for sketching crime scenes. This will include all homicides and major crime scenes. Upon completion of the sketch, it will be forwarded to the lead investigator.

CSU members will complete the Crime Scene Unit Report (LMPD #07-0001) and other applicable reports for all crime scenes processed.

Video Forensics and Analysis Squad

At the request of a supervisor, the Video Forensics and Analysis Squad (VFAS) will respond to selected crime scenes and perform the following function:

- Retrieve pre-recorded video or digital media for processing, only in instances where the CSU cannot retrieve the evidence due to advanced technology.

The VFAS will initially take the evidence for investigative examination purposes (e.g. video media, recorders, or surveillance equipment) from the scene. Once the evidence has been examined, it will be transported to the EPU by the VFAS examiner along with an Evidence Chain of Custody form (LMPD #04-04-0127).

Submission of Evidence to VFAS for Examination (KACP 27.5a-d)

Videotapes, DVDs, and cassette tapes will be transported to the CSU. An evidence envelope, Evidence Chain of Custody form, and VFAS Service Request form (LMPD #05-0020) will be completed by the officer or detective and attached to the evidence envelope. The evidence will be dropped in the evidence vault. Officers or detectives will be required to sign a log listing the date and time that he/she deposits the evidence. When the VFAS examiner removes evidence from the vault, he/she will initial the log with the date and time that it was removed. This log will be kept by the VFAS. Upon completion of the examination of the evidence, the evidence will be placed in the EPU. The VFAS examiner will then send the receipt form to the lead investigator. A copy of the evidence form will remain in the VFAS Office.

Duplicating Tapes & DVDs

For any tapes or DVDs that need to be duplicated, officers and detectives will come to the forensics area and complete a VFAS Service Request form and an Evidence Chain of Custody form, if it is a criminal case. Officers and detectives will place all documentation into a regular envelope and drop it into the vault. He/she must state how many copies are needed as well as when the copies are needed. Upon completion, the lead investigator will be notified that the copies are ready to be picked up.

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8.36.8 CRIME SCENE PROCESSING (CONTINUED)

Submission of Evidence for Foreign Language Transcription/Translation (KACP 27.5a-d)

All requests for foreign language transcription/translation will be submitted to the CSU with a completed Foreign Language Transcription/Translation Request form (LMPD #13-0007). All Foreign Language Transcription/Translation Request forms require prior approval from a division/section/unit commander and the Forensic Investigations Sergeant before any analysis will be done. All cases submitted for analysis will be assigned a priority by the Forensic Investigations Sergeant based upon the nature of the crime. Cases will only be assigned a "rush" for legitimate reasons, not because the requesting officer held the media for an extended period of time. Only copies of the original media will be accepted for transcription/translation. If the media to be transcribed/translated is on another device, such as a USB drive, SD card, digital audio recorder, etc., it will be transferred to a DVD or CD unless otherwise specified. If any case is denied, the Forensic Investigations Sergeant will complete the "Denial" section of the form and return the media and a copy of the form to the requesting officer. All approved cases will be submitted for transcription/translation by the Forensic Investigations Sergeant and the requesting officer will be contacted, via email, when the transcription/translation has been completed and is ready to be picked up.

In the event that the Forensic Investigations Sergeant is unavailable, evidence may be submitted via the evidence vault in the CSU office. The requesting officer will fill out an evidence envelope and place the copy of the media to be transcribed/translated in the envelope, along with a completed Foreign Language Transcription/Translation Request form. The requesting officer will enter the required information on the Media Drop Box Log, which is located on the clipboard next to the vault. The requesting officer will seal the evidence envelope and deposit it into the evidence vault. The Forensic Investigations Sergeant will check the box periodically throughout the day. When a new entry is observed on the log, the media will be removed from the evidence vault and documented on both the log and original evidence envelope. The approval procedures outlined above will then apply.

Kentucky Regional Computer Forensics Laboratory

At the request of a supervisor, the Kentucky Regional Computer Forensics Laboratory (KRCFL) may respond to the crime scene. The lead investigator will draft a computer-related search warrant in compliance with the search warrant policy (refer to SOP 8.1). The lead investigator may request the assistance of the KRCFL, if needed, to assist in writing and executing the search warrant.

Where it is not an emergency situation, the evidence may be taken to the KRCFL only after it has been entered into the EPU as evidence. The KRCFL is a full-service forensics laboratory and training center devoted entirely to the examination of digital evidence in support of criminal investigations. They will support investigations into the following crimes:

- Terrorism
- Child pornography
- Homicide
- Narcotics
- Robbery
- Sex crimes

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8.36.8 CRIME SCENE PROCESSING (CONTINUED)

- Violent crimes
- Internet crimes
- Theft or destruction of intellectual property
- Fraud

To request assistance from the KRCFL, complete a service request form at www.krcfl.org, print the form, and submit it, via fax, to (502) 852-4383. The office is located at 310 North Whittington Parkway, Burhans Hall, Room 255, Louisville, KY 40222. Their phone number is (502) 852-4454. Hours of operation are from 0800 to 1600 hours, Monday through Friday.

All requests are prioritized according to the nature of the crime. Once the request has been made, an examiner will contact the lead investigator to schedule a delivery of the digital evidence to the lab. Once the evidence has been checked out of the EPU and it has been received by the KRCFL, it will be entered into their evidence storage.

The KRCFL shall maintain a chain of custody for evidence (e.g. computer equipment, media, software, and related peripherals) submitted to the laboratory for examination (KACP 27.1).

8.36.9 RESPONSE GUIDELINES FOR SPECIFIC CRIMES/SITUATIONS

Suicides

The initial responding officer will not alter the scene, unless lifesaving measures or external threats exist.

- Hangings: Officers shall only cut the victim down in order to save the victim's life. If this is necessary, officers are to cut between the securing point and the victim. Officers shall refrain from cutting or undoing the knot around the victim or the securing point.
- Pills: Officers shall refrain from moving or handling pills at a scene; however, EMS may need to obtain information from the pills or pill bottles to aid in the treatment of the victim.
- Weapons: If a weapon is used in the attempt or commission of a suicide and the weapon is not in the way of lifesaving measures, it shall be left in its original state. If the weapon prevents the safe treatment of the victim, or if left unsecured will cause safety issues, the officer will secure the weapon, noting its original condition and location. When a weapon is involved, the CSU will determine when to use Gun Shot Residue (GSR) analysis and whether to bag the hands for further examination.

Death by Natural Causes

When death appears to have been caused by natural means, the scene will be handled as a homicide scene, until determined otherwise by the coroner.

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8.36.9 RESPONSE GUIDELINES FOR SPECIFIC CRIMES/SITUATIONS (CONTINUED)

Dying Declarations

Officers will attempt to obtain a dying declaration, whenever possible. The declaration should be recorded if the officer has access to a WVS, Mobile Video System (MVS), or tape recorder. The recorded declaration will be released to the lead investigator for evidentiary control.

Business Robberies

When arriving at a scene of a confirmed business robbery, the initial responding officers will:

- Obtain a detailed description of the suspect(s), including the weapon displayed or indicated.
- Advise other responding officers of the suspect's last known direction of travel.
- Request the assistance of support units (e.g. Canine Unit, Air Unit, etc.).
- Close the business to additional patrons by locking the doors.
- Request that all transactions with patrons currently in the establishment be suspended.
- Protect possible fingerprint evidence at the scene (e.g. counters, doors, merchandise, etc.).
- Inquire if a working video surveillance system is on the premises.

Sex Crimes

Special considerations shall be granted to victims of sex crimes. Officers should show concern for the victim and their emotional state while trying to maintain evidence. The initial responding officers should be aware that the victim is the primary crime scene. Victims should be advised, but cannot be compelled, to not do any of the following (refer to SOP 8.50):

- Eat, drink, or smoke
- Wash or clean-up
- Change clothes
- Use the restroom

Officers are also prohibited from requiring victims of sexual offenses to submit to a polygraph examination as a requirement for pursuing the investigation or prosecution of the offense (refer to SOP 8.28).

Explosive Devices

Bomb Squad personnel will be in charge of a scene when explosives, hazardous devices, or military ordinances are located or in any situation where there is a post-blast investigation. Once all of the evidence has been collected and the scene is considered safe, the investigation will be turned over to the appropriate investigative unit. If the explosive device causes a death or serious physical injury, the Homicide Unit will handle the follow-up investigation. In all other instances, a division detective will assume investigative responsibility. Bomb Squad personnel will coordinate with the lead investigator and assist in the identification and processing of evidence, identifying subjects responsible for criminal acts, and court preparation.

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Standard Operating Procedures	SOP Number: 8.36
	Effective Date: 08/18/05
	Prv. Rev. Date: 01/23/17
	Revised Date: 10/09/17
Chapter: Field Operations	Accreditation Standards: KACP: 17.4, 20.3, 27.1, 27.5, 27.6
Subject: Crime Scenes	

8.36.10 LABELING AND PACKAGING

For labeling and packaging requirements for evidence that is being entered into the EPU, members should reference the EPU Operations Manual for requirements. The EPU clerk can assist with this.

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<h2>Standard Operating Procedures</h2>	SOP Number: 8.37
	Effective Date: 11/05/05 Pre. Rev. Date: 01/23/17 Revised Date: 02/10/18
	Accreditation Standards: KACP: 8.6
Chapter: Field Operations	
Subject: Petty Cash and Investigative Funds	

8.37 PETTY CASH AND INVESTIGATIVE FUNDS (KACP 8.6a-d)

8.37.1 POLICY

Petty cash and investigative funds are established to allow Louisville Metro Police Department (LMPD) divisions/sections/units to make immediate incidental purchases or payments in small amounts. Petty cash and investigative funds are held in secure locations and may only be accessed by the custodian of the funds. The custodian maintains a record of all credits and debits for any petty cash or investigative fund. The custodian is responsible if funds are lost or stolen due to negligence. In the event that petty cash or investigative funds are stolen, a police report shall be filed and a copy provided to the Office of Management and Budget (OMB) Cash Management Division and to the Chief of Police, through the appropriate chain of command.

8.37.2 EXPENDITURES

Purchases from petty cash funds must be less than \$25.00. Petty cash should not be used to replace or bypass regular purchasing procedures. Receipts must be provided. Examples of common petty cash expenses include, but are not limited to the following:

- Keys
- Fees to record documents
- Notary application fees
- Postage due
- Payments for copies of official documents
- Local mileage of \$10.00 or less (appropriate documentation is required)

Examples of appropriate expenditures from investigative funds may include the following:

- Authorized payments to registered informants (refer to SOP 8.23).
- Undercover drug or stolen property “buys.”
- Reimbursement of expenses of no more than \$10.00, relating to the feeding of a prisoner or informant who is in custody for an extended period of time. The extended period of time must be for the purpose of providing information or services that are beneficial to the LMPD.

The LMPD does NOT pay sales tax. A Purchase Exemption Certificate should be used with each purchase. This form is available in the “Online Forms” folder on the LMPD Intranet. Click on the “Research and Development” link under the “LMPD Info” header, click on the “Forms” link, and double click on the “Finance” folder.

8.37.3 ESTABLISHING OR INCREASING A FUND

A written request is required to establish, increase, or transfer petty cash funds and to establish or increase investigative funds. All requests must be authorized by the appropriate division/section/unit commander and include a signed Petty Cash Request form or an Investigative Fund Request form and appropriate Petty Cash

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8.37.3 ESTABLISHING OR INCREASING A FUND (CONTINUED)

Reconciliation form or Investigative Fund Reconciliation form from the member responsible for maintaining the fund. This form is available in the "Online Forms" folder on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Finance" folder. In order to become a custodian of a petty cash or investigative fund, the member must first complete the required training provided by the OMB. All requests must be forwarded, through the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau, who approves or denies the request.

8.37.4 RECONCILIATION OF FUNDS

Petty cash and investigative funds are reconciled monthly and replenished, as needed. When requesting reimbursement for expenses paid from a petty cash or investigative fund, the reimbursement should be charged to the appropriate account code(s) for the purchases.

The reconciliation of petty cash funds is completed as follows:

- The custodian of the petty cash funds completes the Petty Cash Reconciliation form at the beginning of each month, for expenses incurred during the previous month.
- This form, with all of the original receipts and documentation regarding purchases and expenditures attached, is forwarded to the OMB Cash Management Division no later than the 15th of the following month. The custodian may submit documentation more often, if desired or if necessary, in order to obtain more funds. Copies of all receipts and documentation are kept in the division/section/unit.

The reconciliation of investigative funds is completed as follows:

- The custodian of the investigative funds completes the Investigative Fund Reconciliation form at the beginning of each month, for expenses incurred during the previous month.
- This form, with all of the original receipts and original Informant Activity/Payment form (LMPD #05-08-0303) attached, is forwarded to the Support Bureau Adjutant Lieutenant no later than the 15th of the following month. The Support Bureau Adjutant Lieutenant forwards the form and documentation to the OMB Cash Management Division. Copies of all receipts and documentation are kept in the division/section/unit.

The investigative fund cash count verification is completed as follows:

- The Investigative Fund Reconciliation form requires a cash count verification signature. A commanding officer of a higher rank physically verifies the cash count with the investigative fund custodian and signs the form, verifying the cash count.
- The custodian of an investigative fund is required to provide the following documents related to funds used for informant activity, controlled buys, or related investigative expenses, to the Support Bureau Adjutant Lieutenant, when reconciling investigative funds:
 - The original Informant Activity/Payment form with all witness signatures and informant signatures.

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8.37.4 RECONCILIATION OF FUNDS (CONTINUED)

- The original pre-numbered receipts from the receipt book, which includes the name of the investigative fund custodian, confidential informant number, amount of payment, date, paying detective's name, and incident report/case number.

Reconciliation will be made only after it has been verified that all documentation is correct and completed. The Support Bureau Adjutant Lieutenant then forwards the form and documentation to the OMB Cash Management Division. Investigative fund custodians maintain copies of all related documents for their records.

8.37.5 TRANSFERRING CUSTODY OF A PETTY CASH OR INVESTIGATIVE FUND

If the control of a petty cash is transferred to a new custodian, a Petty Cash Request form must be completed by the new custodian. The form must contain the amount of cash in the fund at the time of transfer, the names of the new and previous custodians, and the signature of the division/section/unit commander. The form is forwarded, through the appropriate chain of command, to the OMB Cash Management Division.

Investigative funds cannot be transferred to a new custodian. The investigative fund must be terminated and a new fund established under the control of a new custodian.

8.37.6 TERMINATING A PETTY CASH OR INVESTIGATIVE FUND

In order to terminate a petty cash fund, the custodian must complete a Petty Cash Request form. The form must contain the custodian's name, reason for termination, and have a reconciliation form with receipts attached. The form is forwarded, through the appropriate chain of command, to the OMB Cash Management Division. A representative from the OMB Cash Management Division will schedule a time to perform a cash count verification with the custodian.

In order to terminate an investigative fund, the custodian must complete an Investigative Fund Request form. The form must contain the custodian's name, reason for termination, and have a reconciliation form with receipts attached. The form is forwarded, through the appropriate chain of command, to the Support Bureau Adjutant Lieutenant for verification. The Support Bureau Adjutant Lieutenant meets with the outgoing custodian of the terminated investigative fund to verify that the fund balance is correct and that all required documentation is available and correct. The Support Bureau Adjutant Lieutenant then forwards the form to the OMB Cash Management Division.

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	Effective Date: 01/07/08 Prv. Rev. Date: 01/09/16 Revised Date: 10/09/17
	Accreditation Standards: KACP: 7.2, 10.2, 21.3
Chapter: Field Operations	
Subject: Police Report Technicians	

8.38 POLICE REPORT TECHNICIANS (KACP 7.2c)

8.38.1 OVERVIEW

The Police Report Technician (PRT) serves as an alternative method of handling certain calls for police service. Instead of dispatching an officer, MetroSafe may dispatch a civilian PRT from a division to respond and take a report if the dispatch criteria are met. PRTs may also be used to take reports from complainants who arrive at the division where the PRT is assigned.

PRTs do not have the power of arrest or any other law enforcement powers held by sworn members (KACP 7.2a-b).

8.38.2 PROCEDURES

The PRT may be contacted through MetroSafe, Monday through Friday, during the hours set forth by the Chief of Police, or his/her designee. Departmental personnel who need to contact a PRT directly may do so by calling the division where he/she is assigned.

When contacted by a citizen, MetroSafe will evaluate the citizen's need for police service and determine if a response by a PRT is appropriate.

A PRT will NOT be dispatched to take a report when:

- A crime is in-progress and the suspect is at the scene.
- The caller sounds intoxicated.
- The caller sounds belligerent, angry, or emotionally disturbed.
- The caller knows the location of felony suspects, thereby allowing for a timely identification and/or arrest.
- The caller knows the location of unknown misdemeanor suspects, thereby allowing for identification and/or criminal complaints.
- The incident involves an assault or violent crime against person(s).
- The incident involves domestic/dating violence and abuse.
- The report is for found firearms.
- The report is for a missing person.
- The incident involves a death investigation.

8.38.3 TYPES OF REPORTS

PRTs may take the following incident reports:

- Theft reports, other than shoplifting and those involving the theft of controlled substances.
- Auto theft/unauthorized use of a motor vehicle.
- Theft of motor vehicle registration plates and decals.
- Crimes involving fraud, forgery, identity theft, or criminal possession of a forged instrument.

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8.38.3 TYPES OF REPORTS (CONTINUED)

- Criminal mischief.
- Burglary, when it has been confirmed that there are no suspects on-scene.
- Lost or missing property.
- Any type of miscellaneous report (other than DV).
- Follow-up reports to previously reported incidents.

8.38.4 REQUESTING OFFICER ASSISTANCE

PRTs may request an officer for assistance and MetroSafe will dispatch an officer to the location of the previously listed crimes at any time, under, but not limited to, the following:

- Circumstances regarding the original nature of the report change to reasonably require the presence of an officer.
- The suspect returns to the scene.
- There is reason to believe that the PRT, or others, are in danger.
- A firearm is located at the scene and needs to be secured.
- The citizen verbally requests the presence of an officer at the scene.

If the PRT feels that the scene has become unsafe, he/she shall call for assistance and immediately leave the area.

8.38.5 EQUIPMENT

At the end of a PRT's tour of duty, all issued equipment will be secured in a manner or location designated by the division commander where he/she is assigned.

8.38.6 VEHICLES (KACP 21.3)

PRTs will have a departmental vehicle assigned to them. The vehicles will be parked at the division where they are assigned and only used during the PRT's assigned shift. The vehicles will only be used for official Louisville Metro Police Department (LMPD) business.

PRTs are prohibited from possessing any type of red or blue warning/emergency lights in their assigned vehicle.

PRTs will be held accountable to all other vehicle restrictions and maintenance as set forth in the LMPD's Standard Operating Procedures (SOPs).

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8.38.7 UNIFORM (KACP 7.2d)

Utility Cap

- Will be a navy blue, baseball-type cap.
- The Metro Police patch will be embroidered on the front and "574-LMPD" will be embroidered on the back in white lettering.
- Will be worn with the bill facing forward at all times.

Shirts

- Navy blue Class C polo shirt (short or long sleeve).
- The LMPD patch will be embroidered on the left breast area. "Police Report Technician" will be embroidered beneath the patch in white lettering.
- The member's first initial and last name will be embroidered on the right breast area in white lettering.

Pants

- Khaki or dark navy Class B pants.

Socks

- Black in color.

Footwear

- Must be black, smooth, plain-toed, highly-polished leather, shoes, or boots, with heels and soles no greater in height than 1½ inches.
- Cowboy-type boots and tennis shoes are prohibited.
- Shoes must be clean and free of tears or damage.
- Boots, overshoes, or other rubber footwear may be worn during periods of inclement weather. All such items must be black in color.

Belt

- Black in color and made of the approved material.

Optional Uniform Items

- Coat – Navy in color and in compliance with current uniform contract standards.
- Gloves – Black in color, smooth leather.
- Toboggans – Must be black, "watch cap" military design, and fit close to the head. Toboggans will not have logos or markings.
- Earmuffs – Must be black.
- Rain Jacket – Black in color and in compliance with current uniform contract standards.

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8.38.7 UNIFORM (CONTINUED)

- Cargo Shorts – Navy blue in color and made of 65% polyester and 35% cotton blend. Cargo shorts are permitted for use during the months of May through September.

8.38.8 BODY ARMOR

PRTs are prohibited from possessing, or wearing, body armor/ballistic vests while on-duty.

8.38.9 SICK LEAVE (KACP 10.2c)

Sick leave usage will adhere to LMPD policies and procedures, contractual agreements, and Louisville Metro Personnel Policies.

8.38.10 CLANDESTINE LABS

PRTs encountering a clandestine lab, or any component of a clandestine lab, shall take the following precautions:

- Immediately exit the premises, retracing footsteps, if possible, to a safe location. Members are to make certain that their shoes are decontaminated prior to entering their vehicles.
- Do not touch or handle anything.
- Do not turn switches on or off.
- Do not use the police radio or a cell phone while on the premises.
- If the components are inside of a vehicle, do not remove or touch any of the components.
- Notify MetroSafe of the suspected clandestine lab.
- Notify their immediate supervisor.

If the PRT believes that he/she has been contaminated, he/she shall immediately proceed to an established decontamination area. PRTs are to comply with all requests from the responding fire department conducting the decontamination of the PRT, his/her equipment, or assigned vehicle. PRTs are prohibited from entering their assigned vehicles until they have been decontaminated.

8.38.11 SCENE PROCESSING AND EVIDENCE HANDLING

PRTs will complete their preliminary investigation by photographing, preserving, collecting, processing, packaging, and transporting evidence to the Crime Scene Unit (CSU) or the Evidence and Property Unit (EPU). The CSU will be notified immediately in the event that any evidence requires special handling or testing by the Kentucky State Police (KSP) Crime Lab or other outside laboratory. Before requesting that the CSU respond to a crime scene, a PRT will first contact an on-duty commanding officer, who will be responsible for contacting the CSU, if appropriate. For the purposes of this policy, an acting sergeant may contact the CSU.

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Subject: Police Report Technicians	

8.38.11 SCENE PROCESSING AND EVIDENCE HANDLING (CONTINUED)

In order to maintain scene integrity, all persons are prohibited from performing the following acts while at the crime scene:

- Eating and/or drinking.
- Smoking and/or chewing tobacco.
- Littering.
- Spitting.
- Using the telephone.
- Using the bathroom or restroom.
- Moving any items, unless necessary for the safety and well-being of persons at the scene. Items should be photographed prior to moving them, if possible.
- Adjusting the thermostat or opening windows or doors.
- Touching anything unnecessarily. PRTs should be cautious of handling evidence due to DNA crossover or contamination. The CSU will be notified immediately if blood is located at any scene.
- Repositioning moved items.

The PRT should document the following to preserve the integrity of a crime scene:

- List observations made at the crime scene, including the location of persons and items of interest.
- Note the conditions upon arrival (e.g. lights on/off, shades up/down, etc.).
- Record his/her actions and the actions of other persons present.
- Document all instances of scene alteration regardless of how insignificant the event or item appears.

The PRT may need to effect measures to preserve/protect evidence that may be lost or compromised due to environmental concerns (e.g. rain, snow, wind, sprinklers, etc.) and/or the presence or arrival of other responders (e.g. footsteps, tire tracks, etc.). Any measures taken to protect such evidence from destruction/contamination will also be documented.

All evidence will be properly collected, accurately documented, and secured pursuant to LMPD SOP 11.2, SOP 11.3, SOP 11.4, SOP 11.5, and SOP 11.6 (also refer to SOP 8.36). Photographs will be taken of all evidence prior to depositing it in the EPU or CSU. Digital Image Management System (DIMS) procedures will be followed when photographing evidence and scenes. If a member photographs evidence inside of a division/section/unit, the member will disinfect the area to prevent cross-contamination.

A copy of the property slip will be delivered to the detective sergeant in the PRT's assigned division.

PRTs will refer to SOP 11.5 when attempting to lift latent prints.

8.38.12 RELEASE/DESTRUCTION OF EVIDENCE AND PROPERTY

Disposal of evidentiary items is governed by statute, specific court order and EPU operating procedures. PRTs are prohibited from ordering the release or destruction of evidence or property.

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Subject: Police Report Technicians	

8.38.12 RELEASE/DESTRUCTION OF EVIDENCE AND PROPERTY (CONTINUED)

PRTs will meet with the detective sergeant in their assigned division every 30 days and determine the name of the detectives who have been assigned the cases involving evidence that the PRT has deposited. The PRT will then make certain that the assigned detective is listed as the disposal officer at the EPU.

8.38.13 TRAINING

PRTs will receive, at a minimum, three (3) weeks of classroom training prior to starting the position. The PRTs will then be trained on-duty, at their assigned location, for at least a two (2) week period. Additional on-duty or in-service training may take place, if necessary. PRTs will be trained in the following areas:

- Interview techniques
- Report writing techniques
- Records Management System (RMS)
- Mobile Data Terminals (MDTs)
- Basic Spanish
- Basic investigations
- Crime scene investigations

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<h2>Standard Operating Procedures</h2>	SOP Number: 8.39
	Effective Date: 07/10/09 Prv. Rev. Date: 10/30/15 Revision Date: 04/10/17
	Accreditation Standards: KACP: 30.6
Chapter: Field Operations	
Subject: Safe Infants Act	

8.39 SAFE INFANTS ACT (KACP 30.6)

8.39.1 PURPOSE

The Kentucky Safe Infants Act allows a parent, or a person acting on behalf of the parent, of newborn babies (less than 30 days old) to anonymously leave the infant at a safe place (e.g. Louisville Metro Emergency Medical Services (LMEMS) provider, police station, fire station, hospital, or participating place of worship) without fear of prosecution or liability (KRS 405.075). The infant must not have indications of mistreatment, abuse, or neglect after birth. If the parent leaves the infant and expresses no intent to return for the infant, the parent has the right to:

- Remain anonymous;
- Leave at any time;
- Not be pursued; and
- Not be considered to have abandoned or endangered the infant.

8.39.2 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that, if an infant who appears to be under 30 days old is delivered to a member at a LMPD police division/section/unit by a parent or a person acting on behalf of the parent, the member will immediately arrange for the infant to be taken to the nearest hospital emergency room (ER) by LMEMS. The member has implied consent to any and all appropriate medical treatment of the infant. The member will ask the person delivering the baby to complete a Medical Information for Newborn Infants form. This form can be located on the Cabinet for Health and Family Services (CHFS) website at <http://chfs.ky.gov/dCBS/dpp/KYSafeInfants/>. This form is voluntary on the part of the parent, or his/her designee, and can be completed at the time that the infant is surrendered or can be completed and mailed to the address located at the bottom of the form. The information on the form will not be used to identify the parent.

The member will also inform the parent that he/she may change his/her mind about giving up the baby within 30 days. If he/she does change his/her mind, the parent must contact the CHFS at the phone number provided on the Medical Information for Newborn Infants form (KRS 620.350).

The member should not let personal feelings cloud his/her judgment toward the person leaving the infant. The member will not detain, follow, or pursue the person leaving the infant. The member will not coerce, or otherwise force, the person leaving the infant to reveal his/her identity or force the person leaving the infant to keep the infant, nor will the member coerce, or otherwise force, the person leaving the infant to give medical information.

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<h2>Standard Operating Procedures</h2>	SOP Number: 8.40
	Effective Date: 03/08/10
	Prv. Rev. Date: 10/30/15
	Revised Date: 01/23/17
Chapter: Field Operations	Accreditation Standards:
Subject: Identity Theft	

8.40 IDENTITY THEFT

8.40.1 DEFINITIONS

Identity Theft: Term used to refer to any type of crime in which someone wrongfully obtains, and uses, another person's personal data in a way that involves fraud or deception, typically for economic gain.

National Crime Information Center (NCIC) Identity Theft Alert: A notification and information system that provides law enforcement with documented and verified personal information on victims of identity theft. The alert is not probable cause for search or arrest; it simply advises the officer that further identification measures may be required to confirm a subject's identity. This alert is strictly an investigative tool intended to increase officer safety, provide increased protection to identity theft victims, and assist officers in the apprehension of identity theft perpetrators.

8.40.2 REPORTS

The responding officer, Police Report Technician (PRT), or the Louisville Metro Police Department (LMPD) Service Center will initiate a report for identity theft once evidence of the alleged criminal violation has been established. He/she will attach copies of all documentation of the alleged crime to the report. Once the report has been entered into the Records Management System (RMS), it will be assigned to either a division detective or a Financial Crimes Squad detective for follow-up investigation. If the RMS is unavailable, then the officer will use the paper version of departmental Incident Report form located on the LMPD Intranet. To access the form, click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "New Report Fill-in" folder. If the crime occurred in another jurisdiction, the detective will work with the other jurisdiction or private entity (e.g. bank or other service provider) to investigate the crime. The identity theft victim will be given guidance as to what particular agencies should be notified (e.g. credit reporting agencies, banks, etc.) once a crime has been reported.

The Financial Crimes Squad gives presentations to the public providing information on the prevention of identity theft. The LMPD website contains information on fraud scams and provides links to resources related to fraud and identity theft.

8.40.3 NCIC IDENTITY THEFT ALERT

The Financial Crimes Squad is responsible for entering identity theft information into the NCIC. The notification alert is activated when a victim's name and date of birth (DOB) are entered into the NCIC. The alert will advise an officer that the information entered has been stolen from the victim and used for unlawful purposes. Steps will be taken by the officer to verify the identity of the subject in question. Upon triggering an alert, the officer will:

- Request Code 1 backup, if alone.
- Request additional forms of identification from the subject.
- Compare information provided by the subject to the NCIC alert.
- Ask the subject for his/her Identity Alert Password. Every victim will have a unique password, known only to them, which is specifically used to confirm his/her identity. Should the person forget his/her

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Chapter: Field Operations	Accreditation Standards:
Subject: Identity Theft	

8.40.3 NCIC IDENTITY THEFT ALERT (CONTINUED)

password, officers can use the "HINT" statement to further prompt for the password. **Failure to provide the password is not grounds for an arrest.**

An arrest should never be made based solely on the trigger of a NCIC Identity Theft Alert. Probable cause, independent of the alert, must be established in order to search a subject or to make a lawful arrest for the offense of identity theft or any other violation of the law. All laws and applicable policies, regarding arrests, shall be followed.

If an officer makes an arrest of a subject that has triggered a NCIC Identity Theft Alert, the officer will notify the Financial Crimes Squad detective, assigned to the case, via email. The assigned detective can be located by referencing the report number, listed in the alert, in the RMS.

If an officer cannot establish probable cause to search a subject or to make an arrest, independent of the NCIC Identity Theft Alert, he/she will complete a Field Contact Report in the RMS and link it to the assigned Financial Crimes Squad detective. The contact report should include as much information about the person as possible, in order to assist in the apprehension of identity theft perpetrators.

A NCIC Identity Theft Alert is not applicable to all victims of identity theft. Officers should refrain from telling victims that they qualify for an alert. The application of an alert will be at the discretion of the Financial Crimes Squad Commander, or his/her designee.

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<h2>Standard Operating Procedures</h2>	SOP Number: 8.41
	Effective Date: 06/25/10 Prv. Rev. Date: 07/10/15 Revised Date: 07/25/16
	Accreditation Standards: KACP: 7.2, 24.1
Chapter: Field Operations	
Subject: Traffic Guards	

8.41 TRAFFIC GUARDS

8.41.1 OVERVIEW (KACP 24.1)

The Louisville Metro Police Department (LMPD) employs traffic guards for the purposes of providing safety for schoolchildren crossing streets at intersections and directing both vehicular and pedestrian traffic at their assigned locations and during special details. Traffic guards perform normal traffic control duties and report to the Traffic Guard Supervisor(s).

The Traffic Guard Supervisor(s) oversees the traffic guard program, activities, and operations. The Traffic Guard Supervisor(s) conducts field inspections, perform normal traffic control duties, and report to the Traffic Unit Commander, or his/her designee.

8.41.2 APPLICATION

Individuals applying for the position of traffic guard shall follow all application requirements of Louisville Metro Human Resources (HR) and Louisville Metro Civil Service policies and procedures. Traffic guard applicants shall also submit to a pre-employment oral interview, background investigation, and polygraph examination.

8.41.3 ASSIGNMENT

Traffic guards may be placed in marked crosswalk locations based on requests made by the Jefferson County Public School (JCPS) system or through any private school. The process for approval/denial of such requests will be based on the following:

- A school official shall review the crosswalk for three (3) days, monitoring student/pedestrian traffic, before and after school. If the school believes that a traffic guard is needed to address safety at crossings for students, they shall contact the Traffic Guard Supervisor(s) and make an official request by submitting a letter, including the reasons for a traffic guard, the location, and times.
- The Traffic Guard Supervisor(s) shall conduct a survey for three (3) days at the location and times requested. This survey shall include the number of students crossing at the location, the number of cars, the number of buses, and the traffic volume. There must be students who cross at the location for the Traffic Unit to place a guard at the requested location. Traffic guards are normally not placed at locations where there is only vehicular traffic with no student/pedestrian crossings.
- If the Traffic Guard Supervisor(s) determines that a traffic guard should be placed at the school, the Traffic Guard Supervisor(s) shall contact the Traffic Unit Commander for approval. If, however, the Traffic Guard Supervisor(s) determines that a traffic guard is not needed, they shall respond, in writing, within 48 hours after determination, to the school official stating the specific reasons why a traffic guard will not be assigned to the school.

When a school or post becomes open, traffic guards will be notified of the opening at their bi-weekly traffic guard meeting and a memorandum will be sent to each traffic guard stating the school, location, and times. Any traffic guard interested in the named school will respond to the Traffic Guard Supervisor(s), in writing, within five (5) working days.

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8.41.3 ASSIGNMENT (CONTINUED)

The selection and assignment shall be based on performance, seniority, and job ability. The only exception shall be of a guard losing his/her post due to a school closing or post deletion. The displaced guard shall be given priority. The final decision of assignment shall be made in accordance with the current collective bargaining agreement.

8.41.4 RESPONSIBILITIES (KACP 7.2c)

Traffic guards are responsible for the safety of students and pedestrians at various assigned intersections throughout Louisville Metro. Traffic guards are also responsible for the coordination of traffic flow into, and out of, these intersections.

Traffic guards shall be punctual when reporting for duty and shall remain at their assigned posts and be visible outside of their vehicles for the duration of both morning and afternoon shifts.

Traffic guards will attend mandatory bi-weekly traffic guard meetings on Wednesdays throughout the school year. Each traffic guard will wear his/her official uniform at these meetings. If the traffic guard is unable to attend, he/she shall notify the Traffic Guard Supervisor(s) as soon practical. In-service training may be provided during the meeting.

If a traffic guard witnesses a traffic accident or any other emergency while on-duty, he/she will assist, in whatever manner possible, to prevent further damage or injury. This includes dispatch notification/calling 911 and traffic direction and control. The traffic guard will also provide the investigating officer with witness information as soon as practical. The traffic guard shall also provide the Traffic Guard Supervisor(s) with this information, in writing, as soon as practical.

If a traffic guard witnesses a driver speeding, reckless driving, or any non-compliance with his/her verbal requests, he/she will provide the Traffic Guard Supervisor(s), if possible, with the vehicle license number and description of the vehicle. Traffic guards shall not engage in any physical or verbal confrontations with motorists.

Traffic guards will call MetroCall at (502) 574-5000 or 311 and notify them of any repairs needed to traffic control equipment and/or the repair to, or replacement of, any sidewalks, crosswalks, or related thoroughfare markers.

Traffic guards do not have the power of arrest or any other law enforcement powers held by sworn officers (KACP 7.2a-b).

8.41.5 UNIFORM/EQUIPMENT (KACP 7.2d)

The following uniform items shall be initially issued by the department for use by newly hired traffic guards:

Utility Cap:

- Shall be a navy blue, baseball-type cap.

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8.41.5 UNIFORM/EQUIPMENT (CONTINUED)

- The LMPD Traffic Unit patch shall be embroidered on the front with the word "TRAFFIC" embroidered on the back strap in silver letters.
- Shall be worn with the bill facing forward at all times.

Necktie:

- Shall be black in color and clip-on.
- Shall be worn with the long sleeve blouse/shirt if a black crew neck t-shirt is not worn.

Blouse/Shirt:

- Medium blue 100% polyester (short or long sleeve) with departmental shoulder patches and the LMPD Traffic Unit patch sewn on the left breast area.
- The short sleeve blouse/shirt shall be worn without the necktie and must have a white crew neck t-shirt worn with it. When the long sleeve blouse/shirt is worn, a black crew neck t-shirt shall be worn with it unless the black necktie is worn.
- The official badge and nameplate shall be worn on both the short and long sleeve blouse/shirt.

Pants:

- Navy blue in color and made of 100% polyester or 65% polyester and 35% cotton twill blend.

Jacket:

- Yellow/lime green waterproof jacket with reflective strips, shoulder patches, cloth name strip on the right breast area, and cloth Traffic Unit badge on the left breast area.

Winter Coat:

- Navy blue or yellow/lime green in color with shoulder patches, the LMPD Traffic Unit badge over the left breast area, and the name strip on the right breast area. If used in lieu of the reflective vest, it must meet or exceed the ANSI/ISEA 207-2006 standard and all departmental uniform policies.

Other Supplied Uniform Items:

- Flashlight or traffic baton (with batteries) for use with hand signals in darkness or periods of reduced visibility.
- Official badge to be worn at all times on the left breast area.
- Departmental identification card.
- Reflective vest for use at all times that complies with current Federal Highway Administration/Department of Transportation (DOT) standards (ANSI/ISEA 207-2006).
- Handheld stop sign for use at all times, with the exception of very windy days.
- Whistle with lanyard.
- Gloves for use at all times that are black with reflective stripes or lime green in color.

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8.41.5 UNIFORM/EQUIPMENT (CONTINUED)

- Nameplate to be worn at all times on the right breast area.

The following uniform items are required, but are not supplied by the department:

Shoes:

- Black in color with a smooth toe (no stitching), rubber sole, and able to be laced. The heel height must not exceed two (2) inches.

Socks:

- Black in color.

Belt:

- Black in color with a plain silver buckle.

The following uniform articles are optional and may be purchased at the traffic guard's own expense:

Scarf:

- Black in color. May be worn with a winter coat only.

Ear Muffs:

- Black in color.

Rain Boots:

- Black in color. May be used during periods of inclement weather, including deep snow or standing water. Tucking pants into boots is prohibited.

Rain Scarf:

- Clear plastic without any designs. May be worn in conjunction with a raincoat during periods of light drizzle.

Lightweight Jacket:

- Black or yellow/lime green in color and made of the approved material. The jacket shall have departmental shoulder patches, the LMPD Traffic Unit badge sewn on the left breast area, and the name strip sewn on the right breast area. If used in lieu of the reflective vest, it must meet or exceed the ANSI/ISEA 207-2006 standard and all departmental uniform policies.

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8.41.5 UNIFORM/EQUIPMENT (CONTINUED)

The Class B uniform may be worn at certain details as approved by the detail commander and during periods of warm weather. The traffic guard Class B uniform consists of the following:

Tactical (TAC) Twill Cargo Pants:

- Cargo pants that are dark navy blue in color and made of 65% polyester and 35% cotton twill blend. A 6" strip of 3M reflective tape is required to be sewn on the top edge of the cargo pockets for guard visibility.

Tactical (TAC) Twill Cargo Shorts:

- Cargo shorts that are dark navy blue in color and made of 65% polyester and 35% cotton twill blend.
- Cargo shorts are permitted for use during the months of May through September.

Polo Shirt:

- Royal blue and made of 100% polyester. Polo shirts shall have shoulder patches, the LMPD Traffic Unit badge on the left breast area, and the name strip on the right breast area. The polo shirt shall only be worn with the cargo pants or cargo shorts.

Shoes:

- Black in color with a smooth toe (no stitching), rubber sole, and able to be laced. The heel height must not exceed two (2) inches.

Socks:

- Black in color with cargo pants.
- White in color, crew-style with cargo shorts.

All traffic guards shall adhere to SOP 4.2 as to the wearing of the uniform, the member's hair, jewelry, umbrellas, and body art.

8.41.6 HAND SIGNALS

Traffic guards will use their issued handheld stop sign and whistle at school posts, in conjunction with uniform hand signals, for traffic direction and control. In darkness or periods of reduced visibility, the issued flashlight/traffic baton will also be used with hand signals to increase visibility.

Some of the common hand signals include first pointing at a driver to gain his/her attention, swinging the arm in a horizontal 90 degree direction to signify a turn, a vertical palm(s) toward the driver to signify stop, and moving the arm in a circular motion to signify go. The reflective vest, or high visibility jacket, and gloves will be worn at all times to increase traffic guard safety and visibility.

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8.41.7 ABSENCE/HOLIDAYS/SCHOOL CLOSING DAYS

Traffic guards are utilized throughout the school year and work days when school is in session and at details, as directed. Traffic guards are not utilized during normal federal holidays and during various teacher in-service and emergency school closing days (e.g. snow days) throughout the year.

If a traffic guard is sick, he/she shall call the Traffic Unit at (502) 574-7016 at least one (1) hour prior to the start of his/her shift. If the traffic guard cannot reach anyone in the office, he/she shall call the Traffic Guard Supervisor(s) and give his/her name, shift location, shift times, and the reason for the absence. If the Traffic Guard Supervisor(s) does not call back within 10-15 minutes, the traffic guard shall call the Traffic Guard Supervisor(s) back. A traffic guard calling in sick for four (4) or more consecutive days shall provide proof of the illness/reason for the absence (e.g. doctor's note).

Traffic guards shall request vacation leave at least three (3) days prior to their intended vacation day(s). Requests shall be submitted, in writing, to the Traffic Guard Supervisor(s).

Traffic guards needing time-off for a routine doctor's appointment, dental appointment, special occasion, or any other personal reason shall submit the request, in writing, to the Traffic Guard Supervisor(s) at least three (3) days prior to the intended date.

All requests for time-off shall be in accordance with the current collective bargaining agreement.

8.41.8 TRAINING

All newly hired traffic guards shall receive traffic control training at the Traffic Unit during their orientation. The traffic guard shall then be trained on-duty by a field trainer, at his/her assigned post, for up to a two (2) week period following orientation. Additional on-duty training may take place, if necessary. Traffic guards shall be trained in the following areas:

- Allowing students/pedestrians to safely cross the street at their assigned location.
- Directing and controlling traffic into, and out of, their assigned location.
- Directing and controlling traffic during special details including, but not limited to, Kentucky Derby festivities.

8.41.9 ANNUAL REVIEW

Traffic guards shall conduct a count of student/pedestrian crossings at their location annually by May 31 of each year. The count shall be for three (3) days and the days shall be at the direction of the Traffic Unit. The count shall be reported to the Traffic Guard Supervisor(s). This count shall assist in the placement of traffic guards at locations during the next school year.

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8.42 AMERICANS WITH DISABILITIES ACT (ADA), TITLE II

8.42.1 DEFINITIONS

Americans with Disabilities Act (ADA): Federal civil rights law that guarantees equal opportunity for individuals with disabilities in state and local government services, public accommodations, employment, transportation, and telecommunications. Title II of the ADA covers services, programs, and activities provided, or made available by, public entities, including law enforcement agencies.

Disability: A physical or mental impairment of an individual that substantially limits one (1) or more of the major life activities.

Invisible Disabilities: Disabilities which are not immediately apparent.

Major Life Activities: The process of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Physical or Mental Impairments: Diseases and conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, human immunodeficiency virus (HIV) disease (symptomatic and asymptomatic), tuberculosis, drug addiction, and alcoholism.

Qualified Interpreter: A person who is able to interpret effectively, accurately, and impartially, both respectively and expressively, using any necessary specialized vocabulary skills.

Persons of Diminished Capacity: Encompasses all persons encountered in the field who exhibit unusual behaviors commonly referred to as irrational, bizarre, or unpredictable. These outward observable symptoms could be the result of intoxication, drug use, suicidal indication, mental illness/disability, or medical complications (refer to SOP 12.20).

Mental Illness/Disability: A state of impaired mental processes, which results in a distortion of a person's capacity to recognize reality due to hallucinations, delusions, faulty perceptions, or alteration of mood, and interferes with an individual's ability to reason, understand, or exercise conscious control over his/her actions.

Mentally Ill Person: Person with a substantially impaired capacity to use self-control, judgment, or discretion in the conduct of the person's affairs and social relations. This is associated with maladaptive behavior or recognized emotional symptoms where the impaired capacity, maladaptive behavior, or emotional symptom can be related to physiological, psychological, or social factors.

Developmental Disability: A disability that is manifested before the person reaches 22 years of age, which constitutes a substantial disability to the affected individual, and is attributable to mental retardation or related conditions, which include cerebral palsy, down syndrome, fetal alcohol syndrome, spina bifida, epilepsy, autism, or other neurological conditions when such conditions result in an impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation.

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8.42.2 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to provide a consistently high level of police service to all members of the community, including people who may require special consideration in order to access these services. This includes, but is not limited to, services such as first responder recognition of the nature and characteristics of various disabilities and the appropriate support to people with disabilities who seek to access police services or who come into contact with the police.

Title II of the ADA prohibits discrimination by public entities, including law enforcement agencies, against people with disabilities in the provision of services, programs, and activities. The ADA affects virtually everything members do, including, but not limited to, the following:

- Receiving citizen complaints
- Interviewing or interrogating victims, witnesses, or suspects
- Arresting, booking, or holding suspects
- Operating 911 emergency centers
- Providing emergency medical services
- Enforcing laws
- Resolving issues
- Answering questions
- Providing general customer service

The ADA requires the following of law enforcement agencies:

- Sensitivity to, and appropriate physical support in, aiding people who are mobility challenged
- Rapid access to interpreters for people with hearing and/or speech disabilities who have a need to communicate with police personnel
- 24-hour access to professional support systems for people with mental disabilities (e.g. Crisis Intervention Team (CIT))
- Access to police information, programs, and publications for people who have impaired vision or hearing
- Recognition of the difference between characteristics common to certain disabilities (such as epilepsy, diabetes, and deafness) and those associated with anti-social or criminal behavior or a reaction to alcohol and drug abuse
- Other accommodations to provide service and access to all people with visual, mental, physical, emotional, and medical disabilities, including invisible disabilities such as diabetes, epilepsy, multiple sclerosis, loss of hearing, and others

8.42.3 MEMBER RESPONSIBILITIES

It is the responsibility of every departmental member to recognize the importance of protecting the rights of disabled persons. Many individuals with disabilities are targets of criminal activity as a direct result of their disabilities. Disabled persons will be treated with care and understanding, in both actions and communication,

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8.42.3 MEMBER RESPONSIBILITIES (CONTINUED)

by departmental members. Departmental members will recognize the signs, symptoms, and reactions of mental, physical, and developmental disabilities and act accordingly:

- In some cases, a member may not be able to immediately recognize that an individual is disabled (e.g. deaf, hard of hearing, diabetic, epileptic, etc.) and may not be able to recognize that a person's actions may be the result of his/her disability (e.g. low blood sugar, seizure, unable to communicate, etc.). The invisible disability becomes apparent to others when the individual's outward behavior is affected. Many disabled persons will either physically or verbally inform the member that he/she has a disability.
- If the person is deaf or hard of hearing, he/she may make gestures from his/her mouth or ears to inform the member that he/she is deaf or hard of hearing. He/she may also point to his/her ears or mouth and shake his/her head to notify the member that he/she cannot hear or speak. Members should be aware that an individual's failure to comply with, or respond to, verbal orders may be the result of that individual's inability to hear or respond verbally and that they are not being uncooperative, combative, or confrontational.
- Members will attempt to identify whether or not they are dealing with a person who has a communication-related disability.
- If the person with the disability is unable to communicate or seems disoriented, the member will attempt to look for a medical alert bracelet, necklace, belt buckle, tag, or other similar form of identification which contains emergency medical information or receive input from family, friends, witnesses, and others to aid in identifying the nature of the disability.

A member's failure to recognize characteristics associated with certain disabilities may have serious consequences for the person with the disability. For example, outward signs of a disability such as epilepsy generally do not exist unless the person experiences a seizure. People with diabetes may have reactions from increased or decreased insulin levels. Members may confuse these behaviors with the person being intoxicated, or less frequently, combative. Low blood sugar reactions are common and are usually treated by ingesting sugar. Preventing someone from getting sugar may have serious health implications for the individual.

If an individual with a disability, sickness, or injury is arrested or restrained, the nature of the disability, sickness, or injury will be considered before restraint and/or transport. If the measure of restraint may cause undue harm to the individual, alternative measures will be considered/employed (refer to SOP 10.5). If the nature of the disability, sickness, or injury prevents the use of seatbelts or a vehicle with a safety barrier for transportation, the officer will request his/her supervisor's assistance with arranging alternative transportation (refer to SOP 10.5) (KACP 1.7f, 21.4).

Members will protect people with disabilities from unnecessary harm. Members will remain patient, calm, and reassuring when dealing with people with disabilities.

8.42.4 DEPARTMENTAL RESPONSIBILITIES

The Training Division will provide training on recognizing the different types of disabilities and the provision of appropriate law enforcement services to people with disabilities.

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8.42.5 DEAF/HARD OF HEARING/LIMITED ENGLISH PROFICIENT (LEP) PERSONS

Individuals who are deaf, hard of hearing, or have limited English proficiency (LEP) may not be able to immediately respond to verbal orders or requests. Individuals who are deaf, hard of hearing, or have LEP may have to communicate to members through handwriting, a telephone device for the deaf (TDD), or a qualified interpreter (refer to SOP 3.10).

8.42.6 PERSONS WITH MENTAL ILLNESS/DEVELOPMENTAL DISABILITIES (KACP 30.8)

Individuals with a mental illness (i.e. persons of diminished capacity) or developmental disability may have limited reasoning and the inability to effectively communicate their thoughts. If an individual exhibits incoherent or irrational thoughts or actions, a CIT officer will be dispatched. CIT officers have the training to effectively assist individuals with a mental illness or developmental disability (refer to SOP 12.11).

Refer to SOP 8.25 for procedures related to interviews and interrogations of persons with a mental illness or developmental disability.

8.42.7 PERSONS WITH PHYSICAL DISABILITIES

Individuals with a physical disability may have limited mobility and often have to use a mobility device (e.g. wheelchair, cane, walker, scooter, leg braces, etc.) to assist in movement. During the performance of their duties, members may encounter an individual with a physical disability who may have to use their mobility device to comply with a member's request (e.g. step out of a car, move to a certain location, etc.). Many individuals will reach for their mobility device upon contact. Members will be careful to not interpret this as an act of aggression. Individuals with a physical disability will often inform the member that they have a physical disability and have to use their mobility device for movement.

Individuals with a visual impairment (e.g. blindness) may also use a mobility device (e.g. cane) or a seeing eye dog to assist in movement. These individuals will often inform the member that they have to use their mobility device or dog for movement. Visually impaired individuals may ask for assistance with movement. In these cases, the visually impaired individual will often hold or clasp the arm of the member. Care, patience, and understanding will be taken when interacting with individuals with a physical disability.

8.42.8 RESOURCES

Disabled individuals will be provided with appropriate victim support services contacts, if requested.

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8.43 FORENSIC MEDICAL EXAMINATIONS

8.43.1 DEFINITION

Forensic Medical Examination: A medical examination concerning special medical and biological situations that arise in the course of a judicial investigation. A forensic medical examination is performed at the request of either members of an investigation or the court in order to establish certain information pertaining to a case (e.g. to identify a person or to determine cause of death, nature of bodily injuries, state of health, age, or degree of intoxication). A forensic medical examination should only be performed by a health professional who has the appropriate forensic training and the appropriate facilities available to conduct the examination.

8.43.2 POLICY

Forensic medical examinations are an important part of an investigation. They serve to help identify medical evidence to help prosecute offenders, document injuries, screen for injuries, identify a person, determine the degree of intoxication, or identify medical conditions to determine if the injuries are consistent with the statements of the victim, witness, or suspect. Even when there is no visible trauma, a forensic physician or nurse on the medical team can provide expert testimony to explain the lack of injury or evidence interpretation to judges and juries.

Any officer may request that a forensic medical examination be performed for an investigation to gather evidence and document injuries. The performance of these examinations shall be conducted by departmentally-approved forensic medical examiners. The Chief's Office maintains a list of approved examiners and their designated point-of-contact. The list is posted on the LMPD Intranet.

8.43.3 APPROVAL AUTHORITY

The use of a forensic medical examination must be approved by the on-duty commander of the division/section/unit, Public Integrity Unit (PIU), Traffic Unit, Homicide Unit, Special Victims Unit (SVU), Crime Scene Unit (CSU), or Crimes Against Children Unit (CACU). If no one is on-duty, the on-call Homicide Commander shall be contacted. The approval must be documented on the Request for Forensic Medical Examination form (LMPD #12-0001) and forwarded, via email, to the Major Crimes Division (MCD) Commander. If the approval is obtained verbally/by phone, the required documentation must be completed prior to the end of the requesting officer's next tour of duty. In situations where evidence may be lost or an expeditious consultation is necessary, the requesting officer only needs to obtain verbal consent from the applicable on-duty commander prior to contacting the service provider.

8.43.4 PROCEDURES

The use of a forensic medical examination is approved for the investigations of violent crime offenses and some traffic accident investigations (e.g. shootings, cuttings, physical assaults, injured persons, serious vehicle collisions, suspect examinations, officer-involved shootings, in-custody deaths, etc.). This approval must come from the on-duty commander of the division, PIU, Traffic Unit, Homicide Unit, SVU, CSU, or CACU. Once

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8.43.4 PROCEDURES (CONTINUED)

approved, the officer shall collect all applicable documentation needed for the examination. This documentation includes reports, photographs, medical records, and other required items. For traffic accidents where alcohol use is suspected, the DUI Investigation Questionnaire (LMPD #12-0002) shall be completed and submitted with the request. Officers will not request that the service provider obtain these items for them.

Officers requesting a forensic medical examination of a juvenile (any person under the age of 18), must first receive permission from the juvenile's parent or legal guardian.

It is important that evidence be collected as soon as possible. Once the approval is secured, the officer shall notify the designated point-of-contact for the service provider. The designee will make arrangements with the requesting officer for a meeting location to deliver all of the necessary investigative items. The designee may also ask the officer to provide additional information, as needed, for each individual examination.

Officers shall contact the on-call forensic medical examiner to schedule an examination. The on-call forensic medical examiner can be contacted directly at (502) 817-0938 or through the MetroSafe supervisor at (502) 574-2117.

A forensic examination room is available at 633 West Jefferson Street.

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Chapter: Field Operations	Accreditation Standards:
Subject: Community Involvement	

8.44 COMMUNITY INVOLVEMENT

8.44.1 POLICY

There are many resources available to citizens to report criminal activity, criminal suspect information, and assist the department with suspect identification and solving crimes. These resources include the following:

- Calling the 574-LMPD (5673) Crime Tip Line
- Texting CRIMES (274637) – the tipster must enter “LMPD” at the beginning of his/her text
- Entering a crime tip on the Louisville Metro Police Department (LMPD) website
- Entering a crime tip using the TipSubmit mobile application (for both Android and Apple products)
- Mailing a crime tip to the department
- Attempting to identify a suspect at www.idthisperson.com

8.44.2 CRIME TIPS

When crime tips are submitted to the Louisville Metro Police Department (LMPD), through the methods listed above, the tips are disseminated to the appropriate division/section/unit. Tips that are received via the 574-LMPD Crime Tip Line, a text message, the LMPD website, the TipSubmit mobile application, or mail are disseminated by the LMPD Service Center. Tips received via www.idthisperson.com are disseminated by detective sergeants.

8.44.3 SUSPECT IDENTIFICATION

The department utilizes www.idthisperson.com to post the images of suspects which the public can view in an attempt to identify these suspects who are unknown to the police and the department wants to find. These images may be obtained from sources including, but not limited to, the following:

- Surveillance images
- Automated teller machine (ATM) images
- Cell phone images
- Loose pictures obtained during a search warrant
- Pictures obtained through a consent to search

The website is free for law enforcement agencies and there is no limit to the number of images that can be uploaded. The images may be searched by state. However, the reason for the agency seeking the suspect is not listed. Only images of individuals shall be posted on the website. Images of vehicles, graffiti, etc. are prohibited. When uploading an image to the website, the incident control number (ICN) issued by MetroSafe shall be the “case number” associated with the uploaded image.

Detective sergeants may create User IDs on the website. An email notification is sent to the detective sergeant when a citizen submits a tip on an image uploaded by the detective sergeant. The detective sergeant may then forward the tip to the appropriate investigating detective for follow-up. In the event that the detective is no longer

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8.44.3 SUSPECT IDENTIFICATION (CONTINUED)

available in the division/section/unit, the tip should be assigned to another detective for follow-up. Detective sergeants should delete the images after a positive identification has been made.

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8.45 RECORDING POLICE ACTIVITY (KACP 17.12)

8.45.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to foster a positive image to the community that it serves. As technology becomes more prevalent and readily available, many citizens may choose to audio and/or video record law enforcement activities (e.g. traffic stops, arrests, crime scenes, etc.). Recording may be done on cameras (e.g. still and video), cell phones (including smartphones), personal digital assistants (PDAs), tablets, audio recorders, or any other device capable of such recording. This activity is legal with certain limitations. Members shall not prohibit the public from audio and/or video recording law enforcement activities as long as these legal requirements are met. This policy protects the First, Fourth, and Fourteenth Amendment rights of individuals to document activities and the conduct of members of the LMPD through audio and/or video recordings.

8.45.2 DEFINITIONS

Legal Presence/Lawful Presence: Any area where an individual has the legal right to be (e.g. private property owned or occupied with permission of the property owner, public buildings such as stores, malls, etc., and public areas such as parks, sidewalks, streets, etc.).

Recording Device: Any device capable of audio and/or video recording to include, but not be limited to, cameras (e.g. still and video), cell phones, PDAs, tablets, audio recorders, or any other device capable of such recording. This includes memory cards/chips capable of storing the recorded media.

Enforcement Action: Includes, but is not limited to, arrest, detention, the seizure of the recording equipment, the deletion of the audio and/or video recording, damaging the equipment, or threatening, intimidating, discouraging, or coercive conduct aimed at ending the recording or blocking, or otherwise obstructing, the ability to record without a proper law enforcement objective, such as a crime scene where it is necessary to block the view for the integrity of the investigation.

Designated First Amendment/Safety Zone: A geographic area designated for demonstrations/protests, balancing the right to protest with the right of citizens not involved in the demonstration/protest to safely travel through the area. Such areas are sometimes designated for the purpose of controlling the safety of all persons during large-scale demonstrations/protests.

8.45.3 LAWFUL RECORDING

Members shall not prohibit the recording of a law enforcement activity or take enforcement action under circumstances where the person making the recording has the legal right to be present in the area where he/she is standing. Public locations include, but are not limited to, the following:

- Parks
- Sidewalks
- Streets
- Locations of public lawful demonstration/protest areas

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8.45.3 **LAWFUL RECORDING (CONTINUED)**

- An individual's home or business
- Common areas of public and private facilities/buildings
- Any other public or private facility/building at which the individual has a legal right to be present

Recording law enforcement activities from an area where the subject is lawfully present does not constitute an offense.

Members shall not:

- Demand the individual's identification and/or have him/her state a reason why he/she is taking photographs or recording.
- Take enforcement action by using intimidation or coercion to end the recording.
- Block or obstruct the individual's ability to record from an area of lawful presence.
- Discourage the individual from continuing the recording, including the use of threats, intimidation, or coercion.
- Erase, delete, tamper with, or otherwise corrupt a recording held by an individual.

Every individual has a First Amendment right to observe and record law enforcement members in the performance of their public duties. Recording members engaged in public duties is a form of speech through which individuals may gather and disseminate information of public concern, including the conduct of members. The First Amendment does not give any additional protection to members of the press; therefore, members of the public have the same rights to recording as a member of the press would. All individuals also have a First Amendment right to verbally challenge and criticize an officer who is making an arrest as long as the expression does not violate the law or incite others to violate the law. Such a challenge includes the right to document the member's actions through audio and/or video recording.

8.45.4 **UNLAWFUL RECORDING**

Individuals may be unlawfully recording in any of the following situations:

- When the individual, through his/her actions, puts the member's safety, the suspect's safety, or the public's safety at risk. Court decisions have indicated that, without physical action or a threat toward an officer, no arrest will be justified.
- The individual enters a clearly marked crime scene without authorization.
- The individual enters an area that is closed to the public and clearly marked due to an ongoing emergency (e.g. Special Weapons and Tactics (SWAT) Team scene, fire scene, etc.) which puts the individual in danger.
- The individual enters private property which is not open to the public without the authorization of the owner/occupant of the property (e.g. trespassing). In this case, the member shall determine the wishes of the owner/occupant before taking significant enforcement action, such as an arrest.

When a member confronts an individual who he/she perceives as bordering on unlawfully recording, the member shall inform the individual that his/her actions are impeding or interfering with the member's duties and ask him/her to move to a less-intrusive position where he/she can continue to record but will not interfere with the law enforcement activity.

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8.45.5 ENFORCEMENT

When a member is considering taking enforcement action, such as an arrest or the seizure of a recording device, the member shall contact his/her supervisor for direction. Members and supervisors are advised that there is a heightened reasonableness requirement when members seek to seize items protected by the First Amendment, including recordings under this policy. As a result, more facts and circumstances and a greater government interest must be present before members and supervisors should consider such a seizure.

The seizure of a recording device or the recording itself constitutes a seizure under the Fourth Amendment and unless consent is granted or exigent circumstances with probable cause exist, the seizure must be supported by a warrant. Examples of exigency include, but are not limited to, the following:

- When there is probable cause to believe that the recording contains evidence of a violent criminal act where the recording is essential to the identification and apprehension of the suspect(s) and the member has no other means of making the identification; or
- When there is probable cause to believe that a failure to immediately view or preserve the recording will lead to the destruction or loss of this type of evidence.

Absent exigent circumstances (e.g. life-threatening emergency, etc.), members shall obtain a search warrant before viewing photographs, videos, or listening to recordings on a recording device or memory card/chip that has been seized as evidence.

If the member has reason to believe that the individual intends to publicly broadcast the recording, the seizure of the recording device and the recording, even with a warrant, may violate the Privacy Protection Act.

In all cases, prior to a lawful seizure, members should attempt to seek the consensual cooperation of the individual in possession of the recording and, when possible, record the consent. The consent may be recorded on the recording device in question, documented in writing, or recorded by the member on his/her Mobile Video System (MVS)/Wearable Video System (WVS). The consent must be voluntary on the part of the individual and must not be the result of duress or coercion. Prior to a consensual seizure, the member will notify his/her supervisor. The supervisor will respond to the scene when a member is considering taking enforcement action against an individual in possession of a law enforcement activity recording.

The supervisor's responsibilities include, but are not limited to, the following:

- A supervisor who reasonably believes that the individual's conduct is approaching a criminal offense will seek the voluntary cooperation of him/her to move to a location where his/her actions will not interfere but he/she will still be able to record the event.
- The supervisor will seek the consent of the individual holding the recording device to obtain a copy of the recording or to allow the department to otherwise preserve the recording.
- In instances where consent cannot be obtained and a non life-threatening emergency is occurring, the supervisor will consult the LMPD Legal Advisor or the Jefferson County Attorney's Office for advice.
- A warrant will be obtained, unless consent is granted or exigent circumstances with probable cause exist.
- If an individual, in possession of a recording, indicates his/her intent to publicly broadcast the recording, the supervisor, with the assistance of the LMPD Legal Advisor and the Jefferson County Attorney's Office, will consider the impact of the Privacy Protection Act upon the seizure of the recording.

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8.45.5 ENFORCEMENT (CONTINUED)

When a seizure of the recording or recording device is authorized by law, the department will:

- Only maintain custody of the device as long as necessary to allow the Video Forensics and Analysis Squad (VFAS) to seize the necessary recording from the device in order to support the admissibility of the recording into evidence.
- The device will be returned to its lawful owner within 72 hours, unless otherwise ordered by the LMPD Legal Advisor, the Jefferson County Attorney's Office, or authorized by a court.
- Upon the return of the device to its lawful owner, the recording itself will remain intact.

8.45.6 CRIMES UNRELATED TO RECORDING POLICE ACTIVITY

Nothing in this policy prevents a member from seizing a recording of evidentiary value for an investigation which was used in the crime itself (e.g. a suspect records a sexual assault, homicide, etc.).

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	Effective Date: 04/08/13
	Prv. Rev. Date: 06/25/15
	Revised Date: 07/25/16
Chapter: Field Operations	Accreditation Standards:
Subject: Debriefing	

8.46 DEBRIEFING

8.46.1 POLICY

The collection of information on criminal activities is a primary goal of law enforcement. Citizens whom officers contact during the course of their daily duties may provide valuable information on the occurrences of criminal activity. Suspects, victims, and/or witnesses may provide valuable information on crimes known to, or suspected by, them. In addition, suspects may be willing to pass along information about other persons who are committing crimes. Information obtained by debriefing these citizens may allow officers to solve crimes or prevent future crimes from occurring.

It is the policy of the Louisville Metro Police Department (LMPD) to capture criminal activity information on debriefing forms.

8.46.2 PROCEDURES

The Debriefing form (LMPD #13-0003) may be completed for any person arrested by the LMPD.

The narrative section should be completed if the individual answers "yes" to any of the questions asked in the body of the form. Once completed, the form will be given to the member's immediate supervisor for review. The immediate supervisor will review the form to verify that it has been completed, signed, and dated. The completed form will be forwarded to the division's detective sergeant. The detective sergeant will forward all forms collected to the Crime Information Center (CIC), located at LMPD Headquarters, for processing.

The Debriefing form may also be used to record criminal activity information provided by victims, witnesses, and citizens, in general. The original form will be forwarded, after supervisory review, to the division's detective sergeant, who will forward the form to the CIC.

The CIC is the repository of all completed Debriefing forms. All completed Debriefing forms will be retained pursuant to applicable records retention schedules.

Use of the Debriefing form is encouraged for all persons arrested. The Debriefing form is encouraged for use in obtaining crime-related information from victims, witnesses, or other citizens who may be willing to provide such information. The Debriefing form should not be used to document information already captured in a police report or field interview.

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	Effective Date: 09/09/13
	Prv. Rev. Date: 10/30/15
	Revised Date: 06/25/16
Chapter: Field Operations	Accreditation Standards:
Subject: Interactions with Transgender, Intersex, and Gender Non-Conforming Individuals	

8.47 INTERACTIONS WITH TRANSGENDER, INTERSEX, AND GENDER NON-CONFORMING INDIVIDUALS

8.47.1 POLICY

The purpose of this policy is to establish guidelines for the appropriate treatment of transgender, intersex, and gender non-conforming (TIGN) individuals who come into contact with the Louisville Metro Police Department (LMPD). It is the policy of this department to treat all individuals with the courtesy and dignity inherently due to every person, as a human being. Members shall act, speak, and conduct themselves in a professional manner, recognizing their obligation to safeguard life and property and maintain a courteous, professional attitude in all contacts with the public. Members shall not exhibit any bias, prejudice, or discrimination against a TIGN individual or group of TIGN individuals.

8.47.2 DEFINITIONS

Adopted Name: Non-birth name that a transgender individual uses in self-reference (this may or may not be the individual's legal name).

Cross-Dresser: A term that refers to people whose dress is typically associated with the opposite sex.

Gender: An individual's biological or anatomical identity as male or female.

Gender Identity: One's innermost concept of self as male, female, a blend of both, or neither. It is how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their gender assigned at birth.

Gender Expression: The external appearance of one's gender identity, usually expressed through behavior, clothing, haircut, or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.

Gender Transition: The process by which some people strive to more closely align their internal knowledge of gender with its outward appearance. Some people socially transition, whereby they might begin dressing, using names and pronouns, and/or be socially recognized as another gender. Others undergo physical transitions in which they modify their bodies through medical interventions.

Female-to-Male (FTM): A person who transitions from female to male, meaning a person who was assigned female at birth, but identifies and lives as a male. A FTM individual should be addressed using masculine pronouns (e.g. he, him, his), regardless of surgical status.

Male-to-Female (MTF): A person who transitions from male to female, meaning a person who was assigned male at birth, but identifies and lives as a female. A MTF individual should be addressed using feminine pronouns (e.g. she, her, hers), regardless of surgical status.

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8.47.2 DEFINITIONS (CONTINUED)

Intersex: A group of conditions where there is a discrepancy between the external genitalia and the internal genitalia (testes and ovaries).

Sexual Orientation: An individual's enduring romantic, emotional, and/or sexual attraction to individuals of a particular gender.

Transgender Individual: A person whose gender identity or expression differs from his/her assigned gender at birth. Being transgender does not imply any specific sexual orientation.

Transsexual: A person whose personal sense of his/her gender conflicts with his/her anatomical sex at birth.

8.47.3 FORMS OF ADDRESS

Members shall address transgender individuals by the individual's adopted name, even if the individual has not received legal recognition of the adopted name. In addressing or discussing a transgender individual, members shall use the pronouns appropriate for that persons' gender identity (e.g. she, her, or hers for MTF; he, him, or his for FTM). If members are uncertain about which pronouns are appropriate, the member should respectfully ask the individual.

Members shall not use language that a reasonable person would consider demeaning or derogatory, in particular, language aimed at a person's actual or perceived gender identity, gender expression, or sexual orientation.

Members shall not disclose an individual's TIGN identity to other arrestees, the public, or non-departmental members, absent a proper law enforcement purpose.

8.47.4 CALLS FOR SERVICE

Calls for service or complaints generated by transgender individuals will be addressed and investigated in a manner that is consistent with all departmental policies.

Members shall not consider a person's gender identification as reasonable suspicion or prima facie evidence that the individual is, or has, engaged in a criminal act, including prostitution.

8.47.5 FIELD INTERVIEWS, PAT DOWNS, AND TERRY STOPS

Members shall continue to use standard practices and procedures when conducting field interviews, pat downs, and Terry Stops (refer to SOP 3.6).

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8.47.5 FIELD INTERVIEWS, PAT DOWNS, AND TERRY STOPS (CONTINUED)

Members shall not stop, detain, frisk, or search any person, in whole or in part, for the purpose of determining that person's gender or in order to call attention to the person's gender expression. This limitation does not prevent a member from following established department procedures relative to verifying the proper processing of suspects.

8.47.6 PRISONER TRANSPORTATION

Whenever possible, a transgender prisoner will be transported alone. Officers will request additional units in order to assist with transporting additional transgender individuals.

8.47.7 SEARCHES

An officer shall search a suspect immediately after arrest. The officer may search the entire person of the suspect and the nearby area from which the suspect might have been able to handle a weapon or destructible evidence. Whenever possible, the search will be conducted by an officer of the gender requested by the transgender suspect.

An officer may search a vehicle, incident to a recent occupant's arrest, only if the arrestee is within reaching distance of the passenger compartment at the time of the search or it is reasonable to believe that the vehicle contains evidence of the offense of the arrest (*Arizona v Gant*). The officer shall not search the trunk, motor compartment, or other areas of the vehicle without a warrant, probable cause, consent, or exigent circumstances.

8.47.8 CONDITIONS DURING TEMPORARY DETENTION

Whenever possible, a transgender suspect will be held in a temporary detention room without other prisoners (refer to SOP 8.30).

Transgender suspects requiring medical attention will be handled as any other suspect requiring medical attention.

8.47.9 GENDER CLASSIFICATION OF TIGN ARRESTEES FOR DEPARTMENTAL PURPOSES

A suspect's gender will be classified as it appears on the individual's government-issued identification card. The exception to the government-issued identification card is those suspects who are post-operative gender re-assigned from:

- Male-to-female will be processed as female
- Female-to-male will be processed as male

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8.47.9 GENDER CLASSIFICATION OF TIGN ARRESTEES FOR DEPARTMENTAL PURPOSES (CONTINUED)

In the event that a government-issued identification card is unavailable, the following criteria will be used to determine the gender:

- Has male genitalia, he/she will be classified as a male
- Has no male genitalia, he/she will be classified as female

In the event that there is uncertainty regarding the appropriate classification of a suspect's gender, a commanding officer should be consulted for further guidance on the appropriate classification.

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	Revised Date: 02/25/17
Chapter: Field Operations	Accreditation Standards: KACP: 30.3
Subject: Human Trafficking	

8.48 HUMAN TRAFFICKING

8.48.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to accurately report and aggressively investigate all reports of human trafficking. The LMPD's goals are to identify and assist victims of human trafficking and to effectively identify, apprehend, and prosecute those engaged in human trafficking offenses, with the assistance of the state and/or federal government. The Human Trafficking Victims Rights Act (HTVRA) of 2013 states that all efforts should be made to provide suspected child victims of human trafficking with appropriate services.

Pursuant to Kentucky Revised Statute (KRS) 431.063, a victim of human trafficking shall not be held in a detention center, jail, or other secure facility pending trial for an offense arising from the human trafficking situation, except where the incarceration is found to be the least restrictive alternative to securing the appearance of that person before the court, or the release of the person under any other reasonable condition would be a clear threat to public safety.

8.48.2 DEFINITIONS

Human Trafficking: Refers to criminal activity whereby one (1) or more persons are subjected to engaging in:

- Forced labor or services; or
- Commercial sexual activity through the use of force, fraud, or coercion, except that if the trafficked person is under the age of 18, the commercial sexual activity need not involve force, fraud, or coercion (KRS 529.010).

Commercial Sexual Activity: Includes stripping, pornography, and prostitution (including those children engaging in "survival sex") (KRS 529.010; 529.100; 529.110).

Trauma-Informed Care: An organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma.

8.48.3 SIGNS OF HUMAN TRAFFICKING

Human trafficking is sometimes said to be an "invisible crime," because the signs are not always obvious to the untrained eye. However, there are some indicators that may serve as clues, particularly when they appear in combination. Officers should suspect possible human trafficking if an individual:

- Lacks identification (ID) documents or travel documents (e.g. passports).
- Lives and works in the same place or is escorted to and from by a guard. There may be heavy security including barred windows, locked doors, and/or electronic surveillance at both the residence and the place of employment.
- Lacks freedom of movement.
- Is restricted from socializing, attending religious services, or contacting family.

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8.48.3 SIGNS OF HUMAN TRAFFICKING (CONTINUED)

- Is deprived of basic life necessities, such as food, water, sleep, or medical care.
- Suffers from verbal or psychological abuse designed to intimidate, degrade, and frighten the individual. Signs range from the more obvious, such as broken bones, to the more subtle, such as branding or tattooing.
- Is submissive or fearful in the presence of others.
- Does not control his/her schedule.
- Lacks concrete short-term or long-term plans.
- Lacks knowledge about the place where he/she lives.
- Appears to date much older, abusive, or controlling persons.
- May have post-traumatic stress or psychological disorders.
- Lacks money (e.g. little or no pocket money).

8.48.4 CHILD VICTIMS OF HUMAN TRAFFICKING

The main goal of the HTVRA of 2013 is to create a safe harbor to treat child victims of human trafficking as victims instead of criminals. All efforts should be made to provide suspected child victims of human trafficking with appropriate services. The following KRS pertain to child victims of human trafficking:

- KRS 620.030 states that anyone with a reasonable belief that child human trafficking is occurring is required to report it. Cases will be reported to the Department for Community Based Services (DCBS) at (502) 595-4550 or Intake.JSR@ky.gov.
- KRS 630.125 provides that if any child is reasonably believed to be the victim of trafficking, the child will not be charged with any status offense (e.g. runaway, truancy, etc.) for conduct arising from the human trafficking, unless it is determined, at a later date, that the child was not a victim of human trafficking at the time of the offense.
- KRS 529.120 gives protection to child victims of trafficking. It specifically provides that children suspected of prostitution or loitering for prostitution will be taken into protective custody and the Cabinet for Health and Family Services will commence an investigation into possible dependence, neglect, or abuse, even if the person holding the child is not his/her custodial caregiver. It also states that a child suspected of prostitution or loitering for prostitution will not be prosecuted for these offenses.
- KRS 529.170 creates an affirmative defense to all but "violent crimes" if the individual asserts that he/she is a victim of human trafficking. Discretion may be used to not arrest a child for other public offenses since many traffickers will force victims to commit crimes such as shoplifting and drug use/trafficking.

8.48.5 INITIAL RESPONSE

If an officer suspects human trafficking, the officer will immediately notify his/her supervisor, who will contact the Narcotics Division Complaint Response Unit (CRU) Commander. The CRU detective will report to the scene and lead the investigation.

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8.48.5 INITIAL RESPONSE (CONTINUED)

Officers will determine if there is a language barrier. If there is a language barrier, a translator shall be requested, via MetroSafe, to come to the scene (refer to SOP 3.10). Any translators already at the scene, who have not been contacted by MetroSafe, shall not be used, as they may be influenced by the suspect(s).

Any tips of human trafficking that are received by the department or MetroSafe will be forwarded to the CRU for investigation.

Child Victims

In addition to the preceding procedures, all efforts should be made to respond to child victims in a trauma-informed manner so that the intervention does not worsen their trauma. For example, the following procedures should be taken:

- Officers should provide for the child victim's basic needs and include a support person;
- The child should not be handcuffed or restrained;
- An appropriate location for an interview should be chosen; and
- The interview of a child victim should only be performed by a certified forensic interviewer.

Certified forensic interviewers are trained in a specialized interview process that avoids asking a child victim direct/leading questions. This decreases the chances of a forensic interview being tainted by ideas unknowingly planted by officers who are not trained in forensic interviewing techniques.

The following notifications will be made by the detective:

- Child Protective Services (CPS), who should normally respond within one (1) hour (KRS 620.029; 620.030).
- The parent/legal guardian or caregiver of the child, unless he/she is the suspect.
- The Crimes Against Children Unit (CACU) (refer to SOP 8.22).

If the child is in danger, the officer may:

- Take the child into protective custody (KRS 620.040) (refer to SOP 8.22).
- Transport the child to Norton Children's Hospital for a Sexual Assault Forensic Exam (SAFE) by a Sexual Assault Nurse Examiner (SANE). Approval must be obtained from a parent or legal guardian, unless he/she is the suspect, prior to conducting a SAFE. If approval cannot be immediately obtained, in addition to the child being taken into protective custody, the attempted contact will be documented, unless the parent or legal guardian is the suspect, and the information will be given to the CACU detective. The CACU detective will then follow up to verify that the SAFE is completed, with proper approval, and evidence is collected in a timely manner, pursuant to SOP 8.50.
- Contact the Child Psychiatric Services of Centerstone at (502) 589-8070 if the child is displaying behavioral health issues, including being combative or showing extreme emotional disturbance.

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8.48.6 ASSET FORFEITURE (KACP 30.3)

Pursuant to KRS 529.150, all property used in connection with, or acquired as a result of, a violation of human trafficking or promoting human trafficking will be subject to forfeiture under the same terms, conditions, and defenses, using the same process as set forth in KRS 218A.405 to 218A.460, with the exception of the distribution of proceeds, which will be distributed as follows:

- Fifty percent (50%) will be paid to the human trafficking victims' fund.
- Forty-two and a half percent (42.5%) will be paid to the law enforcement agencies that seized the property, which will be used for direct law enforcement purposes.
- Seven and a half percent (7.5%) will be paid to the Office of the Attorney General or to the Prosecutors Advisory Council for deposit on behalf of the Office of the Commonwealth's Attorney or the Jefferson County Attorney's Office who participated in the forfeiture proceeding, as determined by the court pursuant to KRS 218A.420(9).

Officers should refer to SOP 11.1 for asset forfeiture procedures.

8.48.7 RESOURCES

Resources available to victims of human trafficking or at-risk children include, but are not limited to, the following:

- The National Human Trafficking Hotline at (888) 373-7888.
- The National Center for Missing & Exploited Children at (800) 843-5678.
- Kentucky Rescue and Restore (www.rescueandrestoreky.org) for information on human trafficking in Kentucky.
- The Catholic Charities Human Trafficking Program at (502) 974-4947, which may provide further screening, safety planning, and/or My Life, My Choice support groups for trafficked/at-risk children.
- The Center for Women and Families (CWF) Crisis Hotline at (502) 753-5595 for emergency housing.
- YMCA Safe Place Services, located at 2400 Crittenden Drive.

If it cannot be verified that the child is a victim of human trafficking, but the officer believes that the child may be at-risk for human trafficking (e.g. foster child, runaway), the officer may make a referral to supportive services.

8.48.8 TRAINING

Pursuant to KRS 15.334(1)(e), all LMPD recruits will receive mandatory training on the following:

- The characteristics of human trafficking.
- State and federal laws relating to human trafficking.
- The investigation of cases involving human trafficking.

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	Accreditation Standards:
Chapter: Field Operations	
Subject: Syringe Exchange	

8.49 SYRINGE EXCHANGE

8.49.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to establish guidelines for policing functions in, and around, the Syringe Exchange Program (SEP) locations in order for those clients who are utilizing the program to be able to participate freely in this program, as designed and within the context of the law. This policy also outlines procedures for handling syringes and the safe disposal of these syringes.

8.49.2 PROCEDURE

The guidelines provided are not intended to deter officers from performing narcotics investigations and other enforcement activities. Rather, these guidelines are intended to distinguish lawful conduct from that which was traditionally unlawful, and to permit syringe programs to function in accordance with law and regulation, without fear of unnecessary interference or surveillance by law enforcement. Syringe programs are not sanctuaries for illicit activities.

Scientific evidence has shown the benefits of syringe programs. The provision of sterile syringes has been demonstrated to reduce the transmission of diseases such as hepatitis C and human immunodeficiency virus (HIV)/acquired immune deficiency syndrome (AIDS), thus reducing risk not only to injecting drug users (IDUs), but to first responders, during street encounters and booking procedures with IDUs, as well as the IDU's family members, children, and intimate partners.

Officers need to be considerate of the balance of protecting and patrolling areas within their beat/assignment against excessive patrols of syringe program locations. Persons operating, supervising, or participating in syringe programs must also understand that such locations are not a sanctuary from policing operations.

8.49.3 SYRINGE EXCHANGE PROGRAM (SEP)

The SEP is designed to allow IDUs to trade used syringes, which are a major source of bloodborne diseases such as HIV and hepatitis C, for clean syringes. SEP sites are located throughout the city and are monitored by the Louisville Metro Department of Public Health and Wellness (LMDPHW). The SEP has no age or residency requirements. Neither local nor state law requires participants to carry a SEP identification card; however, the LMDPHW assigns each participant an identification card with a unique number in order to collect relevant data to monitor the program and conduct disease surveillance. The LMDPHW asks participants to present the card each time they participate in the SEP, but if the card is lost or unavailable, the LMDPHW will not deny services.

The Patrol Bureau Adjutant Lieutenant will act as the liaison with the LMDPHW.

8.49.4 OFFICER RESPONSIBILITIES

Officers who encounter participants of the SEP at a designated SEP location should adhere to the following:

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Subject: Syringe Exchange	

8.49.4 OFFICER RESPONSIBILITIES (CONTINUED)

- Do not investigate, arrest, or detain participants or seize property pursuant to a violation of state drug paraphernalia laws when such violations are an immediate result of participation in a Louisville Metro-sponsored SEP.
- Do not target or conduct observation activity at SEP locations for the sole purpose of identifying, detaining, or arresting persons for narcotic-related offenses.
- Any planned law enforcement operation impacting a SEP location requires the division commander to review and approve the operation.
- Officers who receive a call for service related to the distribution activities at a Louisville Metro-sponsored SEP location should immediately request a supervisor to respond to the scene. In addition, officers should attempt to mediate the situation to the satisfaction of all involved parties.

Prior to searching a person, the officer shall inquire as to the presence of needles or other sharp objects, in the areas to be searched, that may cut or puncture the officer and shall offer to not charge a person with possession of drug paraphernalia if the person declares to the officer the presence of the needle or other sharp object (Kentucky Revised Statute (KRS) 218A.500(6)(a)).

If the person admits to the presence of a needle or other sharp object prior to the search, the person shall not be charged with, or prosecuted for, possession of drug paraphernalia for the needle or sharp object or for possession of a controlled substance for residual or trace drug amounts present on the needle or sharp object.

8.49.5 OFFICER SAFETY

All syringes should be considered contaminated. Officers should refer to SOP 12.2 regarding procedures for handling syringes.

Officers should never recap, bend, break, or remove a needle from a disposable syringe or otherwise manipulate the needle by hand. If a needle stick should occur, officers should refer to SOP 12.2 for exposure incident reporting and procedures.

8.49.6 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor calls for service related to the SEP and assist officers in mediating incidents that arise from complaints involving program locations. Any complaints or calls for service involving a syringe or SEP location should be sent to the Patrol Bureau Adjutant Lieutenant.

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	Revised Date: 10/09/17
Chapter: Field Operations	Accreditation Standards:
Subject: Sexual Assaults	

8.50 SEXUAL ASSAULTS

8.50.1 PURPOSE

The purpose of this policy is to establish procedures for the investigation of sexual assaults, including the collection of sexual assault evidence and Sexual Assault Evidence Kits (SAEKs), which includes deoxyribonucleic acid (DNA) evidence, by Sexual Assault Nurse Examiners (SANEs) and/or emergency room (ER) personnel. Collecting and entering DNA evidence increases the likelihood of successful prosecution. DNA evidence may also connect the perpetrator to other past or future crimes. This policy provides officers with procedures for responding to reports of sexual assault, assisting victims, collaborating with local health and public service agencies, conducting interviews with victims, witnesses, and suspects, and the proper collection, documentation, transportation, and storage of SAEKs.

8.50.2 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to thoroughly investigate all incidents of sexual assault. In incidents where a sexual assault forensic examination (SAFE) is necessary and/or required, such an examination will be conducted by a SANE, whenever feasible. If a SANE is not available, the examination will be conducted by appropriate ER personnel.

When notification of an alleged sexual assault is received from a collecting facility (e.g. hospital, clinic, medical provider) the procedures and timelines outlined in this policy shall be utilized (refer to SOP 8.50.7).

A victim's distress may create an unwillingness or psychological inability to assist in the investigation. Investigators play a significant role in the victim's willingness to cooperate in the investigation and his/her ability to cope with the emotional and psychological after-effects of the crime. It is important that these cases be handled from a nonjudgmental perspective so the victim does not feel that he/she is, in any way, to blame for the crime.

8.50.3 DEFINITIONS

Sexual Assault Forensic Examination (SAFE): A medical examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients.

Sexual Assault Evidence Kit (SAEK): A container that includes a checklist, instructions, and materials, including envelopes and containers to package any specimens collected during the exam. Contents of the kit may include:

- Instructions
- Documentation forms
- Comb
- Swabs
- Bags and paper sheets for evidence collection

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8.50.3 DEFINITIONS (CONTINUED)

- Materials for blood samples
- Envelopes

Sexual Assault Nurse Examiner (SANE): A registered nurse, physician's assistant, or medical doctor who has been trained to conduct sexual assault examinations (refer to Kentucky Revised Statute (KRS) 314.142).

Sexual Assault: As referenced in this policy, refers to felony crimes of sexual violence. Crimes of felony sexual assault include one (1) of the following:

- Rape (KRS 510.040, 510.050, 510.060)
- Sodomy (oral and/or anal sex with a person who does not consent or is incapable of consenting)
- Sexual abuse

Victim Advocate: A person who counsels victims and their families, keeping them informed about the progress of an investigation, preparing them for trial, referring them to needed services, explaining court proceedings, and acting as a liaison with state and local agencies.

Kentucky State Police (KSP) Forensic Laboratory: The state forensic laboratory responsible for analyzing and classifying all SAEKs within 90 days of receipt. Priority may be given to SAEKs when a suspect standard for comparison is provided with the kit.

8.50.4 INITIAL OFFICER RESPONSIBILITIES

In the aftermath of a sexual assault, a victim may not have the emotional or physical capacity to commit to a full investigation and a court trial. This agency will allow victims to take the investigative process one step at a time. This will also allow time for the victim to establish trust with a detective and become comfortable with the investigative process. Any evidence collected will be handled and stored in accordance with applicable law, policy, and best practices. The initial responding officers should be aware that the victim is the primary crime scene. Victims should be advised, but cannot be compelled, to not do any of the following:

- Eat, drink, or smoke
- Wash or clean-up
- Change clothes
- Use the restroom

The initial responding officer(s) will:

- Make contact with the victim as soon as possible to address safety concerns and summon emergency medical assistance, if needed.
- Secure the crime scene in order to prevent evidence from being lost, changed, or contaminated.
- Request assistance from Crimes Against Children Unit (CACU) detectives or Sex Crimes Squad detectives, as appropriate.

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8.50.5 DETECTIVE RESPONSIBILITIES

The investigating detective will:

- Show understanding, patience, and respect for the victim's dignity and attempt to establish trust and rapport.
- Conduct a thorough investigation and gather evidence, as appropriate.
- Conduct a thorough follow-up on the case.
- Complete appropriate forms and transfer the SAEK and any other items of evidence to the Crime Scene Unit (CSU).
- Contact a victim advocate as soon as possible to provide assistance throughout the reporting and investigative process. If the victim declines assistance from an advocate, the detective will provide the victim with written referrals for community resources specifically designed to help victims of sexual assault.
- Supply victims of sexual assault with the phone number for the Rape, Abuse, and Incest National Network (RAINN) Hotline (1-800-656-HOPE). Operators at this hotline will connect the caller with the rape crisis center closest to the victim's location.

Detectives are prohibited from requiring victims of sexual offenses to submit to a polygraph examination as a requirement for pursuing the investigation or prosecution of the offense (refer to SOP 8.28).

Detectives will respect a victim's inability or his/her decision to not be involved in criminal justice proceedings and always be willing to offer continued assistance and referrals.

Throughout the investigation of the case, detectives shall protect the confidentiality of the victim's personal information.

In addition, victims should be provided information regarding:

- The Kentucky Crime Victim's Bill of Rights.
- How to contact the department if he/she is harassed or intimidated by the suspect(s).
- Which information is part of the public record and which information will remain confidential.
- The possibility of media coverage and information to which the media has access regarding sexual assault crimes.

In the immediate aftermath of a sexual assault, a victim will not be expected or encouraged to make decisions regarding the investigation or charges related to the offense. Detectives will not present any forms for a victim to sign to decline an investigation. Delayed reporting is common in sexual assault cases due to the trauma and fear experienced by victims and should not deter a thorough investigation. Detectives will inquire about any delayed reporting and document the reasons for the delay, while avoiding questions that could be perceived as judgmental or accusatory.

The investigating detective will, in conjunction with the KSP Forensic Laboratory, prosecutor, and/or the victim advocate, provide the victim with notification on the progress of the testing and whether the testing resulted in a match to other DNA samples. The investigating detective is not required to disclose the identity of any DNA matches. Victims will be notified when any of the evidence is going to be destroyed.

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8.50.6 EVIDENCE COLLECTION

A timely and professional SAFE increases the likelihood that injuries will be documented and evidence will be collected to aid in the investigation and prosecution of sex offenders. Evidence may normally be collected up to 92 hours after the assault, but evidence can be gathered and injuries documented beyond that time, especially if the victim is injured, bleeding, or experiencing pain.

When it is determined that a SAFE will be conducted, a victim advocate or a support person of the victim's choosing will be allowed to be present in the room during the interview, unless it would be harmful to the investigation. The investigating detective will brief the examining nurse or physician about the details of the sexual assault, as they are known at that time.

The investigating detective will pick up the SAEK from the collecting facility after it has been properly sealed and labeled, within five (5) days of notification. Upon receiving a SAEK from a collecting facility, the detective will sign that he/she received the SAEK and maintain proper chain of custody by documenting the date, time, and name of the person who turned over the SAEK to him/her. The detective will deliver the kit to the CSU. A CSU technician will complete the necessary paperwork and deliver the SAEK to the Evidence and Property Unit (EPU) for temporary storage in the sexual assault area. The CSU will deliver the SAEK to the Kentucky State Police (KSP) Forensic Laboratory, within 30 days, in order to have the kit tested.

All evidence received from a collecting facility relating to an incident which occurred outside of the jurisdiction of the LMPD shall be transmitted to a department with jurisdiction within ten (10) days of its receipt by the LMPD.

Once the SAEK has been tested and returned to the LMPD, it will be stored in the EPU in the sexual assault area. The Property Room Supervisor is responsible for verifying that the evidence is stored in such a manner to preserve the integrity of the evidence. The Special Victims Unit (SVU) Lieutenant may conduct audits of stored SAEKs to verify compliance with LMPD SOPs and applicable laws.

Along with the SAEK, the suspect's samples and victim's and/or suspect's clothes may also be submitted to the KSP Forensic Laboratory for testing. If the suspect's samples are not available at the time of evidence submission, they will be submitted as soon as practical after collection.

When an investigating detective suspects that a sexual assault may have been facilitated with drugs or alcohol, he/she should determine the time of the incident as soon as possible in order to make decisions regarding the collection of urine and/or blood samples.

8.50.7 NOTIFICATION FROM A COLLECTING FACILITY

Collecting facilities must notify law enforcement that a SAEK has been collected within 24 hours of collection. When the department receives notification that a SAFE has been conducted by a collecting facility performed pursuant to KRS 216B.400 and a SAEK has been completed and is ready for pickup, a detective must retrieve the SAEK from the collecting facility within five (5) days of this notification. In cases where a collecting facility notifies the LMPD that a SAEK has been collected, and no criminal report has yet been generated, the receiving detective will generate a departmental case number. The SAEK will be documented, transported, and stored in accordance with SOP 8.50.6.

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8.50.8 PROTOCOL FOR SUSPECT EXAMINATION

Immediately after the preliminary suspect interview, the investigating detective will determine whether a SAFE should be obtained for the suspect. A search warrant may be needed to collect any evidence from the body of the suspect or even to collect clothing. If the suspect consents to such evidence collection procedures, the documentation of voluntary consent will be notated in the police report. The investigator should clearly document the suspect's freedom to decline any part of the examination and to leave at any time.

8.50.9 SUPERVISOR RESPONSIBILITIES

Supervisors will verify that a thorough and complete investigation of all felony sexual assault cases, including SAEK analysis, form completion, and victim updates, is conducted. Supervisors will respond to assist detectives investigating felony sexual assaults, as needed.

8.50.10 DISPOSAL OF SEXUAL ASSAULT EVIDENCE

Prior to the disposal of sexual assault evidence, a Property Room Supervisor will consult with the Office of the Commonwealth's Attorney. The disposal of sexual assault evidence will be in accordance with KRS 524.140 and SOP 11.6.

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	Effective Date: 11/23/15
	Accreditation Standards:
Chapter: Field Operations	
Subject: Neighborhood Canvassing	

8.51 NEIGHBORHOOD CANVASSING

8.51.1 PURPOSE

The purpose of this policy is to establish procedures for canvassing neighborhoods after certain crimes have been committed. The information and witness statements gathered during the canvass may be useful in solving the crime.

8.51.2 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to conduct canvasses at felony crime scene investigations where witnesses may be located and video surveillance cameras may have captured the incident. The objective of the canvass is to gather as much information as possible on the crime. Unless the canvass is conducted quickly and thoroughly, valuable information may be lost.

8.51.3 DEFINITIONS

Canvass: An organized data collection effort which is conducted in the vicinity of the crime in order to uncover information about the crime, including witness statements and suspect information.

8.51.4 MAJOR CRIMES DIVISION PROCEDURES

Canvasses will be conducted after incidents involving, but not limited to, the following felonies:

- Homicides
- Non-fatal shootings
- Robberies
- Missing children
- Violent crimes
- Large-scale crimes
- High profile incidents

The lead detective will coordinate the overall neighborhood canvass effort. This individual will be in charge of the investigation and responsible for verifying that the neighborhood canvass is properly conducted with the identified scope communicated to the canvassing team.

The lead detective should clearly define the parameters for the neighborhood canvass regarding specific addresses assigned to each team. The lead detective should verify that each team continues their canvass until all individuals at specific addresses are identified and interviewed.

A standardized set of questions should be used that is related to the specific type of crime. This will allow uniformity of information and facilitate the establishment of a database to track all of the collected information. At the direction of a supervisor or the lead detective, these questions should be used for any preliminary criminal investigation where witnesses are likely to be present.

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8.51.4 MAJOR CRIMES DIVISION PROCEDURES (CONTINUED)

Canvassing teams should not be called away to another assignment. They should be allowed to finish the canvass.

Experienced investigators with good interview and interpersonal skills should be selected for the canvass teams. If the neighborhood has non-English speaking or Limited English Proficient (LEP) individuals, the lead detective should try to have at least one (1) investigator available who is fluent in that language, and who can be quickly contacted by other team members to conduct an interview.

Each occupant of a residence should be interviewed separately from other occupants. Children should also be interviewed. Officers should ask, “**Do you know anyone who may have more information about this?**” This question may elicit the name of a potential witness or lead that has not been previously identified.

All investigative efforts, including addresses where no contact was made and the names/addresses of persons who stated that they did not observe anything, are to be documented. For those residences where no contact is made, a neighborhood canvass card should be left or a return effort to contact someone at the residence should be made.

When canvassing a neighborhood, some citizens may not feel safe to talk to officers; therefore, officers should leave a brochure informing the citizen about the (502) 574-LMPD (5673) Anonymous Crime Tip Line.

If the lead detective does not conduct a neighborhood canvass, he/she will document the reason, in his/her investigative letter, why the canvass was not conducted.

A canvass of vehicles within the established perimeter should be conducted and their location, description, and identifying information noted, including registered ownership information.

As each team finishes their assigned canvass area, they will submit the answers to the standardized questions in one of the following ways:

- An Investigative Letter (LMPD #05-0002) submitted to the lead detective.
- A narrative in the Records Management System (RMS) in the Investigative Narrative section.
- A supplemental report in the Investigative Narrative section, if the incident report has already been approved to “Level 1.”
- In Case Notes in the Case Management module of the RMS, if the reporting officer has access.

8.51.5 PATROL DIVISIONS PROCEDURES

When taking a division-level incident report and no arrest has been made for the crime that was committed, the officer will conduct a neighborhood canvass. This canvass will consist of, at a minimum, the buildings to the left, right, rear, and across the street from the location where the crime occurred. Neighborhood canvasses should only be conducted during the hours of 0800 – 2100 hours for minor offenses, unless it is clear that the occupants of the building are awake. If the crime occurs outside of these hours, a neighborhood canvass should be conducted at the earliest opportunity. For violent, division-level cases (e.g. Assault 1 or Robbery 1), a canvas may be conducted at any time.

If a neighborhood canvass is not conducted, the reason will be notated in the Investigative Narrative of the incident report.

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8.51.5 PATROL DIVISIONS PROCEDURES (CONTINUED)

The results of this canvass will be entered into the Investigative Narrative section of the incident report. A supplemental report may be completed if the incident report has already been approved to "Level 1." The results should include the addresses that were canvassed, the person(s) who were interviewed, and the locations of surveillance cameras, if applicable.

8.51.6 ROADBLOCK CANVASS

A roadblock canvass involves interviewing drivers and passengers who may not live in the area, but routinely travel through the area, in order to gather information and identify any additional witnesses and suspects after a crime has been committed. The United States (U.S.) Supreme Court case of *Illinois v. Lidster* (540 U.S. 419 (2004)) has held that it is not unlawful for officers to set up checkpoints to stop vehicles briefly for the purpose of asking for voluntary cooperation to help solve a crime.

To avoid a backup of vehicles, a secondary interview site in a parking lot or side-street within view of the primary site should be established. Persons of interest or those who state they have information about the case should be directed to the secondary interview site for a more in-depth interview.

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Standard Operating Procedures	SOP Number: 8.52
	Effective Date: 01/26/17
	Accreditation Standards:
Chapter: Field Operations	
Subject: School Resource Officers	

8.52 SCHOOL RESOURCE OFFICERS (SROs)

8.52.1 PURPOSE

Louisville Metro Police Department (LMPD) School Resource Officers (SROs) are dedicated to addressing a safe school environment by providing law enforcement services at designated Jefferson County Public Schools (JCPS) locations. SROs should:

- Be proactive by acting as liaisons between the school and the police department.
- Address a safe and secure environment on school property by responding to criminal activity and disturbances.
- Promote positive interactions between police officers, students, and faculty.
- Mentor students to be more accepting of law enforcement by educating them on law enforcement practices.

8.52.2 SELECTION AND ASSIGNMENT

The selection process for SROs shall be in accordance with the current collective bargaining agreement. The SRO Program Coordinator oversees all of the SROs.

Assignment to schools will be based on the needs of the department and JCPS. Changes in school assignments may occur and will be contractually-based between the police department and JCPS.

SROs are assigned to the Community Services Division. All administrative functions, such as performance evaluations, vehicle assignments, leave approval, etc., are to be completed by the SRO Program Coordinator, or his/her designee.

8.52.3 TRAINING

After appointment to a SRO position, the SRO will successfully complete the Department of Criminal Justice Training (DOCJT) SRO training as soon as practical. Additionally, SROs will complete 24-hours of approved continuing education training annually. This training will be approved by the Training Division and may be taken at either the state or the national SRO conference. An annual review of SRO training hours will be conducted by the SRO Program Coordinator in conjunction with the Training Division.

8.52.4 GENERAL DUTIES

The SRO's duties include, but are not limited to, the following:

- Providing a visible deterrent to criminal activity at the school or on school property.
- Addressing a safe and secure environment on school property by responding to criminal activity and disturbances.
- Investigating crimes occurring within their assigned school or stemming from incidents occurring at the school. SROs should support the JCPS Special Investigations Unit and LMPD investigative units, when requested, as part of their official investigations.
- Assisting in developing and facilitating crime prevention curriculum within the school.

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8.52.4 GENERAL DUTIES (CONTINUED)

- Being a positive role model to the students.
- Supporting JCPS faculty and staff, when requested, and when circumstances necessitate a law enforcement response. SROs will not enforce administrative rules enacted by JCPS, individual schools, or administrators. This includes, but is not limited to:
 - Failure to follow classroom rules or disrupting class.
 - Dress code violations.
 - Failure to carry a hall-pass or other appropriate identification.
 - Failure to participate in, or being unprepared for, class.
 - Truancy, excessive tardiness, or cutting class.
 - Possession or use of pagers, cell phones, or other electronic devices.
 - Possession of other inappropriate personal items.
 - Public displays of affection or other inappropriate touching.
 - Verbal altercations.

8.52.5 SHIFT SCHEDULE

SROs will work hours and days consistent with the hours of operation of the school to which they are assigned. Generally, these hours of operation are from:

- 0700 to 1500 hours for JCPS middle and high schools.
- 0800 to 1600 hours for JCPS elementary schools.

SROs will remain in the school during normal school operating hours and are only permitted to be off of school property with the approval of a commanding officer. Acceptable reasons for being off of school property include training, meetings, investigations, or other police-related activities. Pre-planned training or meetings do not require this notification.

8.52.6 EXTRACURRICULAR ACTIVITIES

The employment of SROs at extracurricular activities or school events outside of normal school operating hours will be conducted as secondary employment. All rules regarding secondary employment shall apply (refer to SOP 2.4).

8.52.7 ARRESTS

A SRO may arrest a student at his/her discretion with probable cause. The SRO shall comply with all statutory requirements in the arrest of a juvenile (refer to SOP 10.7). School personnel are prohibited from interfering with the SRO carrying out his/her duties when a SRO serves a subpoena or warrant on a student at school.

8.52.8 USE OF FORCE

Any use of force shall comply with SOP 9.1. If a SRO is involved in a use of force incident, he/she shall immediately notify a commanding officer to respond to the school and complete an Administrative Incident

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8.52.8 USE OF FORCE (CONTINUED)

Report (AIR), via the BlueTeam link, located on the LMPD Intranet (refer to SOP 3.1). The AIR shall be routed, through the appropriate chain of command, with notification made, via e-mail, to the SRO Program Coordinator as soon as practical.

8.52.9 INVESTIGATING STUDENTS

Investigations by SROs or other LMPD officers will be in accordance with the current agreement between the department and JCPS and applicable local, state and federal laws. SROs or other LMPD officers should not routinely conduct investigations pertaining to criminal activities unrelated to the operation of the school, on the school premises, during school operating hours. Such investigations should be limited to only those investigations in which a delay might result in danger to any person or the destruction of evidence. In such cases, the officers should obtain prior approval from a commanding officer, the principal or another designated school official before beginning such an investigation on the school premises.

The school official may permit the investigation at his/her discretion and, if permitted, may document the circumstances of the investigation.

Investigations of criminal activities related to the operation of the school should be permitted on the school premises during school operating hours, if practical.

8.52.10 INTERVIEWING STUDENTS

Interviews by SROs or other LMPD officers will be in accordance with the current agreement between the department and JCPS and applicable local, state and federal laws. The following procedures will apply:

- If an officer is investigating allegations that a student is the victim of dependency, neglect or abuse, school officials will permit the officer to interview the student at school. The school official will consult with the officer before notifying the student's parent/guardian that the interview has occurred.
- If an officer is investigating allegations that a student is the victim of a crime occurring off of school property and unrelated to the operation of the school, then the school official will use his/her discretion in determining whether or not to permit the interview to take place. The school official will consult with the officer before notifying the student's parent/guardian that the interview has taken place.
- If an officer is investigating allegations that a student is the victim of a crime occurring on school property or during a school-sponsored event, the school official will permit the interview to take place. The school official will notify the student's parent/guardian as soon as practicable that the interview has taken place.
- If an officer wishes to interview a student who is a witness to a crime occurring off of school property and unrelated to the operation of the school, the school official will not permit questioning until the student's parent/guardian has been notified, unless a health or safety emergency exists. If the school official believes that the interview is necessary to protect persons or property, then the school official may permit the interview to take place. The school official will notify the student's parent/guardian as soon as practicable.
- If an officer wishes to interview a student who is a witness to a crime occurring on school property or related to the operation of the school, the school official will permit the interview to take place. The school official will notify the student's parent/guardian as soon as practicable.

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8.52.10 INTERVIEWING STUDENTS (CONTINUED)

- When an officer is permitted to interview a student at school, the school official will provide a room for the interview. In situations other than dependency, neglect or abuse, a school official may be present during the interview at his/her discretion. In cases involving dependency, neglect or abuse, a school official may be present during the interview at the discretion of the officer. In cases where school officials do not notify the parent/guardian, the officer will notify the parent/guardian that the interview has taken place.

8.52.11 INTERROGATING STUDENTS

Interrogations by SROs or other LMPD officers should be in accordance with the current agreement between the department and JCPS and applicable local, state and federal laws. When officers seek to interrogate a student who is a suspect in a crime occurring off of school property, school officials generally will not permit questioning until the student's parent/guardian has been notified. If the student's parent/guardian authorizes the school official to permit officers to question the student at school, the school official will provide a suitable location for the interrogation. Written records, including the name of the investigating officer, will be kept by the school official. In the absence of the student's parent/guardian, school officials may use their discretion as to whether to be present during the interrogation.

When officers seek to interrogate a student who is a suspect in a crime occurring on school property, school officials will permit questioning. School officials will provide a suitable location for the interrogation and notify the student's parent/guardian as soon as practicable. A school official will be present during the interrogation.

For interview and interrogation procedures, refer to SOP 8.25 and SOP 10.7.

8.52.12 WEARABLE VIDEO SYSTEM (WVS)

SROs who are issued a WVS shall only record legitimate law enforcement activities while on school property or during school-related events (refer to SOP 4.31).

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Standard Operating Procedures	SOP Number: 8.53
	Effective Date: 06/10/17 Revised Date: 11/10/17
	Accreditation Standards:
Chapter: Field Operations	
Subject: Gunshot Detection System	

8.53 GUNSHOT DETECTION SYSTEM

8.53.1 PURPOSE

The Louisville Metro Police Department (LMPD) utilizes gunshot detection technology to enhance its response to incidents of gunfire in designated geographic areas. This program enhances the department's ability to quickly respond to, and investigate, violent crime and other incidents involving gunfire. This system also helps to quickly identify any victims, suspects, witnesses, and/or evidence to the incident. The purpose of the system is to reduce violent crime and incidents of indiscriminate gunfire in Louisville Metro.

The combination of real time alerts and accumulated data with accurate incident locations significantly changes how law enforcement officers respond to, and investigate, gunfire incidents. This technology allows officers to quickly determine the severity of the incident, which helps determine the appropriate level of field response, including the dispatching of emergency medical personnel, investigative units, crime scene investigators, and additional support units. Gunshot detection incidents may be replayed to hear the actual audio component of the incident, aid in the collection of evidence at crime scenes, and assist in the investigation and prosecution of crimes.

The availability of current and historical gunfire incident location information allows these incidents to be addressed on both a short-term tactical/operational and a long-term strategic/proactive basis.

8.53.2 DEFINITIONS

Gunshot Detection System: Technology that detects outdoor audible gunfire within the coverage area through the use of acoustic sensors capable of pinpointing the accurate location of a gunfire event.

Gunshot Detection: An event of suspected gunfire.

ShotSpotter Web Browser Application: A mobile password-protected application available to authorized LMPD personnel that provides a visual map representation and address of a gunfire alert.

8.53.3 OVERVIEW

ShotSpotter Technologies is the current gunshot detection system services vendor for the department. ShotSpotter requires three (3) to four (4) sensors to "hear" an incident before an alert is generated. The ShotSpotter Web Browser Application will display gunfire incidents as colored dots on a map. Yellow dots indicate gunfire and pink dots indicate possible gunfire. The number in the dot represents the number of rounds fired.

8.53.4 RESPONSE PROCEDURES

On-duty patrol personnel in divisions equipped with the gunshot detection system will activate and monitor the ShotSpotter Web Browser Application on their MDTs during their tour of duty.

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8.53.4 RESPONSE PROCEDURES (CONTINUED)

When gunfire is detected and confirmed by ShotSpotter, the LMPD and MetroSafe will be alerted simultaneously through the Computer Aided Dispatch (CAD) system and the ShotSpotter Web Browser Application. Responding officers will treat the incident as a crime in-progress, in the same manner as a holdup alarm or a violent crime, and make a safe and tactical approach to the incident. Officers will review the audio recording of the gunfire incident to assist in their response and investigation. Responding officers will complete a neighborhood canvass in the area of the activation, including a minimum of two (2) houses in either direction of the location. Officers will leave gunshot detection door hangers on homes where no contact with residents has been made.

Detectives assigned to these investigations will have access to the Investigator Portal, which allows retrieval of the data for up to seven (7) years.

8.53.5 EVIDENCE COLLECTION

Officers will search for evidence within 25 meters of the confirmed gunfire report. This evidence includes, but is not limited to, shell casings, discarded weapons, bullet fragments, bodily fluids, and blood.

If no victims are located and only ballistic evidence (e.g. shell casings, spent bullets, or fragments) or discarded firearms are discovered, officers will process the scene themselves. This includes, at a minimum, documenting the scene with photographs, collecting the evidence, and depositing the evidence in the Evidence and Property Unit (EPU). Officers will wear disposable gloves when handling evidence and will use paper bags to collect the evidence. Officers will draw a preliminary report number for the ballistic evidence and pictures, and will use "ShotSpotter" in the narrative section of the report. EPU personnel will segregate the ShotSpotter ballistic evidence for future collection and processing by the Crime Scene Unit (CSU).

CSU technicians will process the scene pursuant to the guidelines in SOP 8.36 and the CSU Operations Manual in situations when a victim has been hit by gunfire or at the direction of a supervisor.

8.53.6 RETENTION/DISTRIBUTION/CONFIDENTIALITY

ShotSpotter is responsible for the storage of all audio recording and related information and will retain the information for a period of seven (7) years.

ShotSpotter Incident Reports and audio recordings shall not be released to the public, media, or other outside entity without the authorization of the Chief of Police, or his/her designee, or as required by law.

In order to maintain the safety and integrity of the system, police personnel shall not disclose the location or description of the ShotSpotter sensors or coverage areas.

Ballistic evidence collected during ShotSpotter investigations will be retained for a period of five (5) years (refer to SOP 11.6), or as required by the retention period for any criminal case which may result (e.g. homicide, felony assault, etc.).

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8.54 BAIT CAR PROGRAM

8.54.1 POLICY

The Louisville Metro Police Department (LMPD) bait car program is designed to place an electronically-equipped vehicle (i.e. bait car) in an area with a heightened risk of auto theft or theft from auto offenses.

All personnel responding to bait car activations will exercise appropriate caution and will comply with the provisions of this SOP.

8.54.2 DEFINITIONS

Bait Car: An electronically-equipped vehicle with a silent alarm, global positioning system (GPS), global mapping software, and audio/video recording equipment. The vehicle is also equipped with a disabling feature that allows the engine to be turned off and the doors and windows to be locked from a remote location.

Bait Car Coordinator: The coordinator will be the Technical Investigations Commander, or his/her designee. The coordinator will be assigned to supervise the operation, verify proper staffing, and verify that all proper procedures are followed. The coordinator is responsible for verifying that all required documentation, including the LMPD Bait Car Use Operations Plan (LMPD #17-0005), is completed. If the operation is targeting a known subject or organized crime syndicate, a Risk Assessment Matrix (LMPD #05-0016) will be completed prior to the operation.

Bait Car Controller: The controller is responsible for the technical operations of the bait car detail, including shutting off the bait car's engine and locking/unlocking the doors and windows at the discretion of the Bait Car Coordinator.

Activity and Location Logs: The coordinator will complete and maintain a permanent record of the bait car's history. This log will include the dates, times, locations, conditions, and duration of all bait car deployments. The log will also include all maintenance records of the bait car (e.g. dates, times, names of personnel who received/returned the bait car, the condition of the vehicle upon receipt/return, service records of the vehicle, and any applicable forms completed on the vehicle).

Global Positioning System (GPS): An electronic tracking system that continually monitors the bait car's location, direction of travel, and speed.

Short-Term Bait Car Deployment: A bait car deployment where officers will maintain visual surveillance on the bait car. This deployment will not exceed a 24-hour period.

Long-Term Bait Car Deployment: A bait car deployment where the car will be left unattended and without surveillance for a period of 24-hours or more.

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8.54.3 DEPLOYMENT

The authority to deploy the bait car rests with the Bait Car Coordinator. Personnel will not operate or deploy the bait car without specific authorization from the coordinator. Division personnel who desire deployment of the bait car in a specific area will complete a LMPD Bait Car Use Operations Plan and forward it, through the appropriate chain of command, to the coordinator. The form is available in the "Online Forms" folder on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Vehicle" folder.

8.54.4 SUPERVISOR RESPONSIBILITIES

The Bait Car Coordinator will be in charge of the detail. The coordinator is responsible for proper staffing and verifying that all procedures are followed. The Bait Car Coordinator, Technical Investigations personnel, and applicable division personnel are responsible for the planning and implementation of a bait car detail. However, the coordinator will make the final determination regarding the deployment of the bait car. The coordinator also has the final determination regarding all technical operations of the detail, including shutting off the vehicle's engine and locking/unlocking the doors and windows. Prior to a deployment, MetroSafe will be made aware of the location of the bait car deployment and the vehicle's identifiers (e.g. make, model, color, and registration plate).

8.54.5 OFFICER RESPONSIBILITIES

Upon bait car activation, the detail officers will make visual contact with the bait car and will inform the MetroSafe dispatcher on the primary channel of the location and whether the bait car is occupied. If the bait car is occupied, the officer will assess whether the activation of the disabling device is appropriate at that time.

If an officer concludes that the immediate disabling of the bait car would be unsafe, the officer will follow the bait car at a safe distance until such time that the safe disabling of the bait car can occur. When disabling the bait car, the officer will position his/her unit for a high-risk stop and request the Bait Car Coordinator to notify the Bait Car Controller to disable the bait car and lock the doors and windows. After it becomes apparent that the bait car has lost power, the officer will activate his/her emergency equipment and affect a high-risk stop. The officer will advise the Bait Car Controller to unlock the doors of the bait car and complete the stop.

The requesting division/unit will assume responsibility for all bait car investigations. If the bait car is not occupied and does not appear to have been moved from the original location, the officer will attempt to determine if the bait car has been entered or if the alarm appears to be accidental. If the bait car has not been entered, the officer will then request that the coordinator notifies the controller to clear the call and rearm the bait car. If the bait car has obviously been tampered with, the bait car will be removed and inspected.

8.54.6 METROS SAFE RESPONSIBILITIES

MetroSafe will notify the on-duty division commanding officer of a bait car activation and dispatch additional cars, if requested by the detail commander. The description of the bait car and any suspect(s), if available, will

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8.54.6 METROSAFE RESPONSIBILITIES (CONTINUED)

be provided to responding officers. When responding units have made visual contact with the bait car, they will advise MetroSafe. Responding officers will advise when it is safe to perform a high-risk stop on the bait car.

8.54.7 SPECIAL CONSIDERATIONS

In the event that the bait car is not disabled due to the discretion of the Bait Car Coordinator, or a malfunction/mechanical failure of the system itself, the procedures in SOP 12.1, Pursuits, will be followed.

In the event that the bait car is not located by GPS and cannot be physically located, a stolen vehicle report will be immediately completed and the bait car will be entered into the National Crime Information Center (NCIC) as stolen. The Bait Car Coordinator will then be notified.

8.54.8 EVIDENCE RECOVERY

Following each verified response incident, the bait car will be removed to a location determined by the Bait Car Coordinator. In order to maintain the confidentiality of the program and the bait car, it will only be driven by plainclothes officers.

The bait car is equipped with audio and visual recording equipment to document the actions of the suspect(s) inside and outside of the vehicle. The Bait Car Coordinator, or his/her designee, will be responsible for collecting the bait car detail evidence. Evidence captured by the officers' Mobile Video Systems (MVS) or Wearable Video Systems (WVS) will be handled pursuant to SOP 4.1 and SOP 4.31 and retained pursuant to applicable records retention schedules.

8.54.9 CONFIDENTIALITY

The bait car program is considered an undercover operation. Accordingly, all personnel will exercise caution in order to protect the confidentiality of the program. Code language may be used by detail officers and MetroSafe personnel to describe the bait car in order to maintain the confidentiality of the vehicle. Personnel will never reveal the bait car's description, location of deployment, or information that may compromise the vehicle's undercover status.

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Subject: Use of Force	KACP: 1.3, 1.8, 1.11

9.1 USE OF FORCE

9.1.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that all members recognize the importance of human life, respect basic human rights, and have an intolerant attitude towards the abusive treatment of all persons. Bearing this in mind, officers' use of force shall be value driven, utilizing only the force reasonable under the circumstances in order to minimize the chance of injury to themselves and others (NOBLE).

Officers are sometimes confronted with situations where control must be exercised to affect arrests and to protect public safety. Control may be achieved through de-escalation tactics (e.g. advice, persuasion, warnings, etc.) or by the use of physical force. While the use of reasonable physical force may be necessary in situations that cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would reasonably be ineffective under the particular circumstances (KACP 1.3a). When utilizing force, officers shall use only departmentally-approved equipment in which the officers are trained and qualified to use, except in exigent situations when an officer may use any resource at his/her disposal (KACP 1.3e, 1.8). Officers are permitted to use whatever force is reasonable to protect others or themselves from bodily harm.

Commanding officers are required to complete an Administrative Incident Report (AIR), via the BlueTeam link, located on the LMPD Intranet, on all use of force incidents resulting in any injury, or the complaint of any injury, to either the officer or subject or when physical force other than a control hold is used (refer to SOP 3.1).

All use of force incidents resulting in any injury, or the complaint of any injury, to either the officer or subject, the use of physical force other than a control hold, or a fresh arrest resulting in a charge of Resisting Arrest and/or Assault 3rd Degree on a Police Officer requires the involved officer to immediately notify his/her commanding officer. The commanding officer will respond to the scene, investigate the incident and complete the AIR and other necessary paperwork, pursuant to section 9.1.14 of this SOP. If the primary officer is off-duty at the time of the incident, a commanding officer from the division where the incident occurred is responsible for responding to the scene, investigating the incident and completing the AIR and other necessary paperwork.

An AIR will be completed to document the use of force. The commanding officer will complete the AIR, via the BlueTeam link, located on the LMPD Intranet, and comment on the appropriateness of the use of force in the given situation. This report will be forwarded, via BlueTeam, through the appropriate chain of command. For the purposes of this policy, an acting sergeant is considered a commanding officer.

9.1.2 DEFINITIONS

Physical Force: Force used upon, or directed toward the body of, another person.

Deadly Force: Force, which the officer knows to create a substantial risk of causing death or serious physical injury. Head, neck, throat, or clavicle injuries caused by an impact weapon of any sort can lead to death or serious physical injury.

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9.1.2 DEFINITIONS (CONTINUED)

Reasonable Belief: When facts or circumstances the officer knows are such to cause an ordinary and prudent officer to act or think in a similar way under similar circumstances.

Immediate Danger: When a subject's actions are likely to cause immediate injury to an officer or another person.

Verbal Non-Compliance: A subject's refusal to comply with an officer's orders or commands.

Passive Resistance: When a subject is not complying with an officer's commands and is uncooperative, but is taking only minimal physical action to prevent an officer from placing the subject in custody and taking control (e.g. standing stationary and not moving upon lawful direction, falling limply and refusing to use his/her own power to move, holding onto a fixed object, or locking arms to another during a protest or demonstration).

Active Resistance: When a subject's physical actions are intended to prevent an officer from placing the subject in custody or taking control, but are not directed at harming the officer (e.g. pulling, walking or running away, or breaking an officer's grip).

Active Aggression: A threat or overt act of an assault (through physical or verbal means), coupled with the present ability to carry out the threat or assault, which reasonably indicates that an assault or injury to any person is imminent.

Serious Physical Injury: A bodily injury that:

- Creates a substantial risk of death to the victim.
- Creates a prolonged impairment of health or prolonged disfigurement.
- Creates a prolonged loss or impairment of a bodily organ.

Control Hold: A technique with a low probability of injury to the officer or subject, utilized to maintain physical control of a subject (e.g. transport wrist-lock, straight arm-bar, leg sweep).

Chemical Agent: A departmentally-approved less-lethal weapon, which consists of a chemical compound that irritates the eyes to cause tears, discomfort and a temporary loss of visual capacity (e.g. pepper spray, Mace, Oleoresin Capsicum (OC) spray).

Special Impact Munitions Systems (SIMS): Departmentally-approved launchers and projectiles, with the ability to incapacitate, with reduced potential for death or serious injury.

Conducted Electrical Weapon (CEW): Departmentally-approved less-lethal weapons designed to disrupt a subject's central nervous system by means of deploying battery powered electrical energy, sufficient to cause intense muscle contractions, affecting the individual's motor nervous system and/or disruption of the individual's sensory nervous system and central nervous system. A CEW provides the user with the capability of discharging probes, drive-stunning or a combination of both during a use of force encounter.

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9.1.2 DEFINITIONS (CONTINUED)

Neuro-Muscular Incapacitation: The desired effect of a successful CEW probe deployment causing intense muscle contractions affecting the individual's motor nervous system and/or disruption of the individual's sensory nervous system and central nervous system.

Activate: Depressing the trigger or Arc display, Re-energize and Cartridge advance (ARC) switch of a CEW causing a CEW to arc or to fire probes.

Standard CEW Cycle: A five (5) second electrical discharge occurring when a CEW trigger is pressed and released.

- The standard five (5) second cycle may be shortened by turning the CEW off at any time during the cycle.
- If a CEW trigger is pressed and held beyond five (5) seconds, the CEW may continue to deliver an electrical discharge until the trigger is released.
- Any electrical discharge over five (5) seconds would not be considered a standard CEW cycle under LMPD policy and procedure.

Drive-Stun: Making direct contact with the CEW to any part of an individual's body (X26 model only: after a CEW cartridge has been expended or removed) and activating the CEW without a probe deployment.

Stapling: A technique utilized to complete a circuit to induce a neuro-muscular incapacitation following a one (1)-probe hit or close-probe spread.

Excited Delirium: State of extreme mental and physiological excitement, characterized by extreme agitation, hyperthermia, hostility, and exceptional strength and endurance without fatigue. Causes include, but are not limited to, drug use, hypoxia, hypoglycemia, stroke, or intracranial bleeding.

Hypoxia: An inadequacy in the oxygen reaching the body's tissues.

Hyperthermia: Unusually high body temperature.

Hypoglycemia: Lower than normal level of blood glucose.

9.1.3 DE-ESCALATION

At times, policing requires that an officer must exercise control of a violent or resisting subject in order to make an arrest, or to protect the officer, other officers, or the public from the risk of imminent harm. Clearly, not every potential violent confrontation can be de-escalated, but officers have the ability to impact the direction and the outcome of many situations that they encounter, based on their decision-making and the tactics that they choose to employ.

When reasonable under the totality of circumstances, officers should gather information about the incident, assess the risks, assemble resources, attempt to slow momentum, and communicate and coordinate a response. In their interaction with subjects, officers should use advisements, warnings, verbal persuasion, and

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9.1.3 DE-ESCALATION (CONTINUED)

other tactics as alternatives to higher levels of force. Officers should recognize that they may withdraw to a position that is tactically more secure or allows them greater distance in order to consider or deploy a greater variety of force options. Officers should perform their work in a manner that avoids unduly jeopardizing their own safety or the safety of others through poor tactical decisions.

The prospect of a favorable outcome is often enhanced when supervisors become involved in the management of an overall response to potential violent encounters by coordinating resources and officers' tactical actions. Supervisors should possess a good knowledge of tactics and supervise officers under their command in regard to proper training standards. As a good practice, supervisors will acknowledge and respond to incidents in a timely manner where law enforcement use of force is probable.

9.1.4 PROGRESSION OF FORCE

An officer should, to the extent possible, utilize an escalating scale of options when using force (NOBLE). However, officers are not required to utilize each of the available options before escalating to another option. The degree of force utilized must be reasonable.

The levels of control are:

- Officer presence
- Verbal direction
- Soft empty hand control and restraining devices
- Chemical agent
- Hard empty hand
- CEW
- Impact weapon
- Deadly force

9.1.5 USE OF PHYSICAL FORCE

When an officer is confronted with a situation that may necessitate the use of physical force, he/she should call for additional officers, when practicable.

Should physical force be necessary in order to gain control of a situation, an officer shall use only that force which is reasonable to gain control of the subject (NOBLE). Once a person is restrained or under control, the use of force is restricted to that which is reasonable to maintain control. Good judgment is extremely important in deciding which tactics to use and how much force to apply. Choking techniques, even if applied appropriately, may cause a risk of death or serious physical injury, because they may restrict the flow of blood or oxygen to a person's brain. Choking techniques are not an approved force option and are prohibited, except in a situation where the use of deadly force would be allowed.

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9.1.5 USE OF PHYSICAL FORCE (CONTINUED)

Officers are not required to allow any suspect to be the first to exercise force and gain an advantage in a physical confrontation. Officers are not required to engage in prolonged hand-to-hand combat before resorting to the use of force that will more quickly, humanely and safely bring a resisting subject under physical control.

The use of physical force by an officer upon another person is justifiable when the officer, acting under official authority, is assisting in, or making, an arrest and he/she:

- Believes such force is necessary to effect the arrest (KACP 1.3a), and
- Makes known the purpose of the arrest or believes that it is otherwise known, or cannot reasonably be made known, to the person to be arrested, and believes the arrest to be lawful.

An officer may also use physical force at any level when he/she believes such force is reasonable in order to defend himself/herself or to defend another person.

Officers may use physical force to protect a person if, under the circumstances reasonably perceived to be true, the person would have been justified in using such force to protect himself/herself.

Officers may also use physical force:

- To prevent the escape of an arrested person when the force could justifiably have been used to make the arrest under which the person is in custody.
- To move or remove any person who is obstructing a lawful police action in such a manner that the lawful police action cannot be accomplished.
- To prevent a person from committing suicide or inflicting serious physical injury upon himself/herself.

9.1.6 INTERMEDIARY OPTIONS (KACP 1.8)

Intermediary options may assist officers in de-escalating potentially violent confrontations and provide additional alternatives to the use of deadly force. Uniformed officers and sergeants will wear the CEW and are strongly encouraged to wear both a departmentally-approved impact weapon and OC spray as intermediate weapons. However, if an officer is physically unable to fit all of the equipment on the duty belt or if wearing all three (3) weapons causes physical discomfort or problems with weapon accessibility, he/she will carry the CEW and a departmentally-approved impact weapon. If not carried, the chemical agent must be readily available in the officer's vehicle. On-duty plainclothes officers and sergeants will have, on their person, a departmentally-approved impact weapon, chemical agent, or CEW. Having these alternatives available to all on-duty personnel will increase an officer's options regarding the level of force used when confronted with the necessity to gain control of a suspect. CEWs are optional equipment for the ranks of lieutenants or above.

Off-duty officers, while not in uniform, are not required to carry any intermediary weapons, but shall be armed with a departmentally-approved firearm and their credentials.

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9.1.7 USE OF CEWS (KACP 1.8)

Officers are permitted to carry and use only CEWs that have been issued by the department. The use of CEWs shall be consistent with departmental training and is authorized on armed subjects; or in active aggression situations when the officer reasonably believes that the circumstances meet the degree of force reasonable to overcome active aggression, or in active resistance situations when the officer reasonably believes the active resistance creates the risk of immediate danger to the officer or another person.

The following shall apply to the use of CEWs:

- Officers should evaluate the age, size, gender, apparent physical/mental capabilities, and health concerns of a suspect prior to the use of a CEW.
- More than one (1) CEW should generally not be used against any one (1) person during a use of force encounter. Some activations, however, are not successful because of poor probe spread, low muscle mass contact, missed probes, etc. In these situations, another officer may activate his/her CEW. If such activation occurs, the second officer will shout the word “taser” and deploy the CEW. The first deploying officer will discontinue use of his/her CEW and aid in securing the person or consider another reasonable force alternative.
- The potential exists for CEWs to cause physical injury when striking the eyes, neck, head, breasts, and/or groin areas. Officers will not intentionally target those areas of the body. Additionally, officers will not intentionally target the chest area of the body. When deploying a CEW against a person who is facing the officer, the officer will target the area below the sternum.
- Officers should warn the suspect of his/her intentions to use the CEW, when tactically feasible. Before activating the weapon, the officer should announce his/her intentions to others present by shouting the word “taser.”
- When activating the CEW on an individual, the officers will activate the device the least number of times and for no longer than what is reasonable, to accomplish the legitimate operational objective. During, and following, any standard CEW cycle, the arresting officer(s) will focus on the window of opportunity when the subject may be disabled by the CEW to physically restrain and secure the subject in order to minimize the number of standard CEW cycles (e.g. cuffing under power).
- When using the CEW, officers will continually assess each standard CEW cycle, whether probes were discharged or the person was drive-stunned, to determine whether further applications are warranted or a different tactic should be used.
- Standard CEW cycles may not be effective for varying reasons (e.g. poor probe spread, low muscle mass contact, missed probes, etc.). If the CEW is not effective, other reasonable options should be used. Considering this, if a probe deployment occurs, and no window of opportunity presents itself because the subject is not reasonably incapacitated enough to allow physical restraint, following three (3) standard CEW cycles through the wires of the attached cartridge or by stapling, the officer will attempt another reasonable force option(s) to apprehend the subject. This option(s) may include, but is not limited to, drive-stunning or firing probes from another CEW cartridge. If probes are deployed from a second cartridge, no more than three (3) standard CEW cycles will be activated while this cartridge is attached, unless exigent circumstances are present. Exigent circumstances may include a situation where, although the CEW has been effective, the officer is alone and unable to control the suspect’s active aggression following the standard CEW cycles. In such a situation, the officer will notify the MetroSafe dispatcher that they are in need of assistance (e.g. voice transmission or by hitting the emergency button on his/her radio) and the officer will activate the device the least number of times reasonable, and for no longer than what is reasonable, until the active aggression ceases or the subject

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9.1.7 USE OF CEWS (CONTINUED)

is physically restrained. Standard CEW cycles given by drive-stun need not be considered when counting the three (3) standard CEW cycles discussed above; however, any drive-stun activation will not exceed the standard CEW cycle of five (5) seconds. Drive-stuns will be used the least number of times and for no longer than what is reasonable.

The use of CEWs is authorized for, but not limited to, the following situations:

- Persons refusing to obey an officer's commands through active aggression or active resistance, where the officer reasonably believes that the subject's actions create the risk of immediate danger to the officer or another person. Mere non-compliance or passive resistance, either verbal or physical, does not constitute active aggression or active resistance. The subject must outwardly manifest active aggression or active resistance through active physical or verbal means which creates immediate danger to the officer or another person.
- Actively aggressive persons who are combative and present a physical danger to the officer or any other person.
- On an obviously mentally ill subject if the use of the CEW is likely to lessen the risk of immediate danger to an officer or another person.
- A CEW shall only be used on a fleeing subject when the subject has previously used active aggression against the officer, is or was using a deadly weapon or dangerous instrument, or is wanted for a violent felony. When a subject is fleeing, the officer should make known his/her intent to arrest and the offenses charged before deploying a CEW, unless the officer reasonably believes that:
 - Giving notice would endanger the life of the officer;
 - Giving notice would endanger the life of other innocent persons; or
 - The reason for the arrest is obvious.
- Aggressive animals that present a physical threat to the officer or any other person (refer to SOP 8.33).

The CEW shall not be used:

- On merely non-compliant subjects when the situation does not involve an element of safety or a threat of immediate danger to an officer or another person.
- On obviously pregnant women, elderly persons, young children, and visibly frail persons, unless an exigent circumstance exists that causes immediate danger to the officer.
- When the officer knows the subject has come in contact with flammable liquids or is in a flammable atmosphere.
- When the subject is in an elevated position, where a fall is likely to cause serious injury or death, unless the subject poses a threat of serious physical injury to the officer or others.
- When a subject is in a location where he/she could drown.
- When a subject is operating an automobile, truck, motorcycle, all-terrain vehicle (ATV), bicycle, scooter, any other moving vehicle, and/or hazardous machinery.
- When a prisoner is handcuffed, unless the prisoner is involved in active aggression, active resistance, or when the prisoner is a violent felon attempting to escape, where the officer reasonably believes that the prisoner's actions create the risk of immediate danger to the officer or another person.

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9.1.7 USE OF CEWS (CONTINUED)

- To prevent the swallowing of evidence or to dislodge or retrieve evidence from a suspect's mouth or other body cavities.
- To obtain compliance for medical treatment or evidence gathering.
- On a mentally ill subject in drive-stun mode or if there is no threat of immediate danger to an officer or another person.

Officers are responsible for verifying their CEWs and batteries are in working order before the start of their tour of duty. During formal inspections, commanding officers will inspect their officers' CEWs for damage and low batteries.

9.1.8 POST-USE OF CEW (KACP 1.8)

The subject's injuries will be treated in a manner consistent with the CEW manufacturer's recommendations and departmental training, as soon as practical. Louisville Metro Emergency Medical Services (LMEMS) shall be contacted to respond to all incidents involving the application of the CEW. Officers should not transport the subject prior to the arrival of LMEMS. Additionally, officers shall contact LMEMS, without delay, to request advanced life support (ALS) assistance in situations where the subject displays any of the following unusual reactions:

- Subject complains of chest pains.
- Through observation or complaint, subject experiences shortness of breath.
- Subject is, or was, unconscious as a result of the use of the CEW.
- Subject is evidently under the influence of drugs.
- Subject displays a continued state of agitation after the use of the CEW.
- Subject falls after the use of the CEW and is injured as a result of the fall, unless the injury is a minor scrape or cut.
- Subject displays symptoms of excited delirium (refer to SOP 12.21), such as:

Physical

- Hyperthermia or high body temperature (e.g. sweating profusely)
- Skin discoloration
- Foaming at the mouth
- Drooling
- Dilated pupils
- Uncontrollable shaking
- Respiratory distress (i.e. indications of breathing difficulties before, during or after being restrained, says "I can't breathe")
- Evidence of self-inflicted injuries

Behavioral

- Intense paranoia
- Extreme agitation or excitement

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9.1.8 POST-USE OF CEW (CONTINUED)

- Violent or bizarre behavior
- Running wildly (e.g. running into traffic)
- Pressured, loud, incoherent speech (e.g. irrational speech)
- Psychotic in appearance
- Rapid changes in emotions (e.g. cry, laugh)
- Disoriented about time, place, or his/her identity (i.e. confusion)
- Superhuman strength
- Muscle rigidity (i.e. may not be resisting)
- Hallucinating
- Delusional screaming for no apparent reason
- Aggression toward inanimate objects, such as glass
- Naked or partially disrobed
- Resists violently during capture, control, and restraint
- Diminished sense of pain (e.g. OC or baton strikes are ineffective)
- Lack of focus; easily distracted (unable to follow simple directions or orders)
- Gravitation towards shiny objects
- Delusions of grandeur (e.g. "I'm God")
- Frightened/panicky

Officers will obtain the Med Unit number and the names of the LMEMS personnel treating the subject and this information will be recorded on the AIR. Officers will obtain the LMEMS run number and will notate the number on the arrest citation so the Louisville Metro Department of Corrections (LMDC) can reference it. If the arrested person displays any of the reactions listed above, but refuses treatment from LMEMS, officers should immediately transport him/her to University of Louisville Hospital for examination by emergency room (ER) personnel. All persons who have been subjected to CEW activation will be monitored regularly while in police custody even if they receive medical care.

In cases where the CEW probes are deployed, officers will only remove the probes in a manner consistent with their training. In situations where the probes are in the head, neck, breasts, groin, buttocks, or other sensitive areas, medical personnel will perform the removal. After removing the probes from a subject, the officers will collect the probes by putting them in a proper sharps container in an ambulance, at a medical facility or at the Property Room for disposal.

Officers must turn in a used CEW cartridge to the Property Room before a new cartridge will be issued to them. If a subject displayed unusual reactions as a result of the use of the CEW, the cartridge and probes will be turned in to the Property Room as evidence.

After an officer uses his/her CEW, his/her commanding officer, as a normal procedure in a use of force investigation involving CEWs, will download the data from the CEW onto a division/section/unit computer using the Dataport software. The CEW download report will be uploaded as an attachment to the BlueTeam entry as part of the AIR documentation.

If an officer is suspected of misusing his/her CEW, his/her commanding officer, the Professional Standards Unit (PSU), or Public Integrity Unit (PIU) may retrieve the weapon from the officer and download the data onto a

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9.1.8 POST-USE OF CEW (CONTINUED)

computer using the Dataport software. The downloaded information will be stored as a departmental record and as evidence.

9.1.9 USE OF CHEMICAL AGENTS (KACP 1.8)

Officers are permitted to carry and use only chemical agents approved by the department. The use of chemical agents should be consistent with departmental training. The use of a chemical agent is authorized in circumstances when the officer reasonably believes that a degree of force is necessary to overcome actual, or anticipated, resistance by the suspect (NOBLE).

Chemical agents may also be used:

- On actively aggressive persons who are combative and present a physical danger to themselves, the officer or any other person.
- On prisoners who attempt to escape, cause serious physical injury to themselves, or attempt to damage the property of others.
- In defense of any person.

Pepper ball guns can be utilized for a dual purpose, both as a chemical agent dispersal system and as an impact weapon. Unlike SIMS (e.g. 40mm launcher/sock round), the pepper ball guns, when used as an impact weapon, should not cause death, even when striking prohibited areas.

However, the head, neck, and face should be avoided, unless exigent circumstances exist.

Crowd control chemical agents can be used to disperse disorderly aggressive crowds and restore order during a civil disturbance incident. Crowd control chemical agents include: Orthochlorobenzal-Malononitrile (CS), Oleoresin Capsicum (OC) and Hexachlorethane (HC) smoke. Prior to using crowd control chemical agents during a civil disturbance/disorderly crowd situation, the incident commander (IC) should obtain the approval of a commanding officer, with the rank of major or above, if feasible.

9.1.10 POST-USE OF CHEMICAL AGENTS (KACP 1.8)

Contaminated areas shall be treated in a manner consistent with the manufacturer's recommendations and departmental training, as soon as practical.

Officers are required to contact appropriate medical personnel if the subject displays unusual reactions to the chemical agent.

9.1.11 USE OF SPECIAL IMPACT MUNITIONS SYSTEMS (SIMS) (KACP 1.8)

SIMS should only be utilized by officers trained and qualified in their use. These include the 40mm launcher and the sock round, which is fired from designated shotguns.

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9.1.11 USE OF SPECIAL IMPACT MUNITIONS SYSTEMS (SIMS) (CONTINUED)

The potential exists for SIMS projectiles to inflict injury or death when they strike the face, eyes, and neck. Officers should avoid intentionally striking these body areas, unless deadly force is authorized. SIMS projectiles are designed to be direct impact munitions. Officers are prohibited from deploying sock rounds through intermediate barriers, such as glass, unless deadly force is authorized, due to the potential for serious injury or death. Each SIMS should be used consistently with the training for that particular system.

Lethal force backup must be in place as support, prior to the deployment of SIMS. Any time a SIMS is used, the subject should be transported to the hospital for examination.

9.1.12 IMPACT WEAPONS (KACP 1.8)

Officers are permitted to carry and use only impact weapons approved by the department.

Impact weapons are authorized as a means of:

- Physical restraint or control.
- Defense of any person.

Because of the potential for death or serious injury, officers shall avoid intentional strikes to the head, neck, throat, or clavicle with an impact weapon of any sort, unless deadly force is justified (NOBLE).

9.1.13 USE OF DEADLY FORCE

Justification for the use of deadly force must be limited to what reasonably appears to be the facts known, or perceived, by an officer under the circumstances. Facts not known to an officer, no matter how compelling, cannot be considered in later determining whether the use of deadly force was justified. Deadly force, as with all uses of force, may not be resorted to unless other reasonable alternatives have been exhausted, would clearly be ineffective or exigent circumstances exist. Deadly force is authorized in defense of oneself or another when the officer reasonably believes, based on the facts and circumstances, that the person against whom the force is used poses an immediate threat of death or serious injury to the officer or to another person (KACP 1.3b).

Deadly force is authorized to apprehend a felony suspect (KACP 1.3b), when under the facts and circumstances known to the officer, it is reasonable to believe that:

- The arrest is for a felony involving the use of, or threatened use of, physical force likely to cause death or serious physical injury, and
- It is likely that the person to be arrested will clearly endanger human life unless apprehended without delay.

The officer must be able to justifiably articulate his/her actions.

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9.1.13 USE OF DEADLY FORCE (CONTINUED)

If feasible, verbal warnings should be given before the use of deadly force. Warning shots are not permitted (KACP 1.3d). Deadly force is never authorized to apprehend a fleeing misdemeanor or non-violent felony suspect (NOBLE).

Deadly force may be used to prevent the escape of a fleeing subject if there is probable cause to believe:

- The subject has committed a felony involving the infliction or threatened infliction of serious physical injury or death; and
- The escape of the subject would pose an imminent danger of death or serious physical injury to the officer or to another person.

Deadly force is also authorized to prevent the escape of an arrested person, when deadly force could justifiably have been used to make the arrest, under which the person is in custody (e.g. a serious, violent felony), and the officer believes that the person is likely to endanger human life, unless apprehended without delay (KACP 1.3c).

Officers are authorized to discharge a firearm for the following purposes:

- In defense of human life, including the officer's life, or in defense of any person in immediate danger of serious physical injury or as described in this section.
- Against any animal that is gravely injured or poses an immediate danger to persons, as necessary, when no other disposition is practical and the safety of persons has been given prime consideration.
- Training and qualifications.

Officers discharging a firearm should remain cognizant of the following:

- The direction in which the firearm is to be discharged.
- The danger of discharging a firearm while running or moving.

Officers shall not shoot from, or at, a moving vehicle, unless it is necessary to return gunfire to protect human life and when it does not create an unreasonable risk of harm to innocent persons.

9.1.14 DUTIES OF A COMMANDING OFFICER AT A USE OF FORCE SCENE (KACP 1.11a-c)

The commanding officer will:

- Conduct a thorough investigation into the use of force incident.
- Seek medical treatment for any injured party.
- In the case of an assault against the officer (Assault 3rd Degree or higher), complete the Records Management System (RMS) incident report and the Kentucky Uniform Citation, listing himself/herself as the reporting and charging officer. An on-duty detective may complete these reports and be listed as the reporting and charging officer at the request of the on-duty commanding officer. An assaulted officer should never be the reporting or charging officer in any case in which he/she is a victim. The Public Integrity Unit (PIU) may also conduct an investigation of the incident based on the criteria set forth in SOP 1.9.

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9.1.14 DUTIES OF A COMMANDING OFFICER AT A USE OF FORCE SCENE (CONTINUED)

- Photograph any injuries sustained by officers and/or any damage to equipment, uniforms, or property.
- Photograph the arrested subject to document any injury or the lack of any injury. At least two (2) stand-up photos, one (1) showing the front of the suspect and one (1) showing the back shall be taken of all suspects charged with Resisting Arrest and/or Assault 3rd Degree of a police officer.
- Notate witnesses' contact information and attempt to conduct preliminary interviews with all witnesses present at the scene.
- Download CEW data, if applicable, and upload the CEW download report as an attachment to the BlueTeam entry as part of the AIR documentation.
- Complete the AIR, via the BlueTeam link, located on the LMPD Intranet, and forward it, through the appropriate chain of command (refer to SOP 3.1).

When an AIR is not required, nothing in this policy prohibits officers from either taking photographs of prisoners to document lack of injury or requesting a commanding officer to respond to the scene.

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10.1 ENFORCEMENT

10.1.1 DEFINITIONS

Criminal Citation: Issuing a Kentucky Uniform Citation to a person for criminal charges based upon a criminal summons or, with probable cause, on open criminal charges.

Felony: A felony is defined as an offense that is punishable by death or by confinement in a penitentiary, whether or not a fine or other penalty may also be assessed.

Misdemeanor: A misdemeanor is defined as an offense that is punishable by confinement, other than in a penitentiary, whether or not a fine or other penalty may also be assessed.

Physical Arrest: Taking a person into police custody based upon a warrant or, with probable cause, on open criminal charges in accordance with law and this policy.

Traffic Citation: Issuing a Kentucky Uniform Citation to a person for traffic charges.

Violation: A violation is defined as an offense that is punishable by a fine or other penalty less than confinement in a jail or penitentiary.

10.1.2 JURISDICTION (KACP 1.6)

Officers of the Louisville Metro Police Department (LMPD) may issue citations, and under certain circumstances, make a physical arrest, anywhere within Jefferson County for violations of state statutes and Louisville Metro ordinances, pursuant to Kentucky Revised Statutes (KRS) chapter 431. Sworn members possess law enforcement authority any time they are within the boundaries of Jefferson County. Officers are authorized to enforce all applicable laws and ordinances within the boundaries of Jefferson County, both on-duty and off-duty.

Officers are authorized to carry concealed deadly weapons under Kentucky Revised Statute (KRS) 527.020(3) and Louisville Metro Code of Ordinances (LMCO) 41.03 and 135.06. This authorization allows both on-duty and off-duty officers to carry an authorized weapon within their jurisdiction (refer to SOP 5.1).

Officers who enter Indiana in fresh pursuit of an individual in order to arrest him/her on grounds that he/she is believed to have committed a felony in Kentucky have the same authority to arrest, and hold such person in custody, as any law enforcement officer in Indiana. The arrested person shall be turned over to the appropriate Indiana police department having jurisdiction and taken, without unnecessary delay, before a judge of the county in which the arrest is made. If the judge determines the arrest to be lawful, the person will be held for a reasonable time until an extradition warrant can be obtained. If the arrested person voluntarily signs an Indiana extradition waiver, the officer may return to Kentucky with the prisoner, without taking the prisoner before a judge in Indiana.

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10.1.2 JURISDICTION (CONTIUED)

If an officer intends to arrest a subject on a Jefferson County warrant elsewhere in the Commonwealth, he/she shall first notify the law enforcement agency of that jurisdiction to affect the arrest. He/she may then transport the prisoner back to Jefferson County.

Officers, while in Jefferson County, shall make arrests on warrants issued by another county in the Commonwealth of Kentucky. The verification shall be made in a manner defined in SOP 10.1.4. Once arrested, the individual will be placed at the Louisville Metro Department of Corrections (LMDC), who will then arrange for the pickup of the individual by the originating jurisdiction.

10.1.3 CITATIONS

For the purposes of this section, a violation is defined as an offense that is punishable by a fine or other penalty less than confinement in a jail or penitentiary. A misdemeanor is defined as an offense that is punishable by confinement, other than in a penitentiary, whether or not a fine or other penalty may also be assessed.

An officer may issue verbal warnings or Kentucky Uniform Citations for violations committed in his/her presence.

An officer may also make a physical arrest instead of issuing a citation for:

- Any offense in which the defendant poses a risk of danger to himself, herself, or another person. The arrest citation narrative must contain specific language indicating how the arrestee posed the risk of danger.
- Any offense in which the defendant refuses to follow the officer's reasonable instructions. The arrest citation narrative must contain specific language indicating how the defendant failed to follow the officer's reasonable instructions.
- Any offense where there are reasonable grounds to believe that the defendant, if cited, will not appear in court at the designated time. The arrest citation narrative must contain specific language indicating why there are reasonable grounds to believe that the defendant will not appear in court.

When making an arrest or issuing a citation on open charges, without a warrant, the officer shall specify the offense(s) being charged and enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation. The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s). Merely re-stating the charges or making a reference to an incident report number is not sufficient for establishing probable cause or meeting the elements of the offense (refer to Kentucky Rules of Criminal Procedure [(RCr) 3.02(2)]. Victim/witness name(s) and address information shall be entered in the appropriate blocks on the Kentucky Uniform Citation.

Failure to meet the elements of the offense and adequately describe the probable cause for the arrest or citation may result in the dismissal of the charges in court.

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10.1.3 CITATIONS (CONTINUED)

KRS 431.015 specifies that an officer shall issue a citation instead of making a physical arrest for misdemeanors committed in his/her presence, except for the examples cited above, and offenses within the statutes covered by the following KRS chapters, where the option to issue a citation or make a physical arrest is at the discretion of the officer:

KRS Chapter 508 (Assault and Related Offenses)

- Menacing (KRS 508.050)
- Wanton Endangerment 2nd Degree (KRS 508.070)
- Terroristic Threatening 3rd Degree (KRS 508.080)
- Criminal Abuse 3rd Degree (KRS 508.120)
- Stalking 2nd Degree (KRS 508.150)
- Violation of a Stalking Restraining Order (KRS 508.155)

KRS Chapter 510 (Sexual Offenses)

- Sexual Abuse 2nd Degree (KRS 510.120)
- Sexual Abuse 3rd Degree (KRS 510.130)
- Sexual Misconduct (KRS 510.140)
- Indecent Exposure 1st Degree (1st or 2nd offense) (KRS 510.148)
- Indecent Exposure 2nd Degree (KRS 510.150)

KRS Chapter 527 (Offenses relating to Firearms and Weapons)

- Carrying a concealed deadly weapon (KRS 527.020)
- Defacing a firearm (KRS 527.030)
- Possession of a defaced firearm (KRS 527.050)
- Possession of handgun by a minor (1st offense) (KRS 527.100)

KRS Chapter 189 (Traffic Offenses)

- Driving Under the Influence (DUI) of a motor vehicle (KRS 189A.010), either committed in the officer's presence or not committed in the officer's presence with probable cause (the issuance of a citation, in lieu of a physical arrest, requires the approval of a commanding officer) (refer to SOP 7.12) (KACP 23.1d)
- Measurement/Weight violation of a motor truck, semi-truck, or trailer (KRS 189.223)
- Reckless/Careless driving (KRS 189.290)
- Failure to comply with a traffic officer's signal (KRS 189.393)
- DUI of a non-motorized vehicle (KRS 189.520)
- Accident-related responsibilities (e.g. leaving the scene, failure to report) (KRS 189.580)

An officer may also make a physical arrest instead of issuing a citation for certain misdemeanors and violations which fall outside of the arrest authority conferred by KRS 431.015, including:

- Violating motor carrier regulations (federal or state) (KRS 281.600)
- Criminal Trespass 3rd Degree (KRS 511.080)
- Harassment (KRS 525.070) (KACP 30.4)
- The authority of an officer, in uniform, to arrest for all offenses during a declared emergency (KRS 39A.190)
- Violating motor vehicle and boating offenses (except for offenses that only carry a fine as punishment) (KRS 281.765)

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10.1.3 CITATIONS (CONTINUED)

- Shoplifting (KRS 433.236(3)) either committed in the officer's presence or not committed in the officer's presence with probable cause
- Cruelty, mistreatment, or torture of animals (KRS 436.605(2)) (refer to SOP 8.33)
- Violating the terms/conditions of probation, parole, or conditional release (KRS 533.050)
- DUI of a boat (KRS 235.240)
- The authority of Kentucky Department of Fish and Wildlife Resources (KDFWR) Conservation Officers and all other peace officers to arrest for violating any statute in KRS Chapter 235 (KRS 235.310)
- The authority of KDFWR Conservation Officers to arrest or cite persons hunting on private land without permission, at their discretion (KRS 150.092(3))

If in doubt about whether to issue a citation or make a physical arrest, officers should contact a commanding officer for guidance. During normal business hours, officers may also contact the Jefferson County Attorney's Office.

When issuing a citation, officers shall explain the following to the violator, prior to his/her release:

- The reason for the citation
- The date of court appearance
- The optional or mandatory nature of the court appearance
- The option of prepaying a fine or satisfying the citation without going to court
- The option of traffic school (if applicable) for the offense

Officers may not issue a citation for the following misdemeanors. Officers shall make a physical arrest for:

- Assault 4th Degree (Domestic Violence) (KRS 508.030) (KACP 30.1)
- Violating any order of protection (e.g. Emergency Protective Order (EPO), Domestic Violence Order (DVO), Interpersonal Protective Order (IPO), Foreign Protective Order (FPO), etc.) issued pursuant to KRS 403.715 to 403.785
- Violating pretrial release conditions, imposed by the court, for offenses involving assault, sexual offenses, or violation of an order of protection
- Alcohol Intoxication (KRS 222.202, KRS 222.203)

Officers must have the approval of a commanding officer before issuing a citation for a felony offense. The commanding officer granting this approval shall notify the appropriate division/section/unit commander as soon as practicable and be able to articulate the reason why a citation was issued rather than making a physical arrest. For the purposes of this section of the policy only, an acting sergeant is not considered a commanding officer.

All officers must sign the Citation Accountability Log (LMPD #06-0017) for all paper citations issued to them. Any voided paper citations must be turned in to the division/section/unit and logged on the Voided Citation Log (LMPD #06-0048) (KACP 22.4a). Accountability for issued eCitations and voided eCitations is controlled by the Kentucky State Police (KSP). However, officers must be able to account for all unused citations issued to them.

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10.1.3 CITATIONS (CONTINUED)

If an eCitation is voided, a separate electronic version of the Vehicle Stop Reporting form must be submitted in lieu of the Kentucky Open Portal Solution (KYOPS) version (refer to SOP 8.8).

Officers shall assign court dates six (6) weeks out, based on the court assignment calendar and Jefferson County Office of the Circuit Court Clerk (OCCC) guidelines, with the exception of juvenile citations. Juveniles are not assigned court dates at the time that citations are issued (refer to SOP 10.7 and SOP 10.8). Officers shall forward all original handwritten paper citations (traffic, criminal, and juvenile) to their commanding officer by the end of their tour of duty. If the officer is off-duty, the original citations must be forwarded by the end of his/her next tour of duty. Commanding officers, or their designees, are responsible for forwarding citations to the Data Integrity Unit within seven (7) days of the issue date of the citation, for court processing. Courts will not accept late citations. Any citations forwarded after seven (7) days require a memorandum from the officer to the Assistant Chief of Police/Administrative Bureau, explaining the reason for the delay. Copies of eCitations do not need to be forwarded.

10.1.4 ARRESTS WITHOUT A WARRANT (KACP 1.6)

An officer may make an arrest without a warrant under the following circumstances:

- A felony committed in the officer's presence or with probable cause to believe that a felony has been committed and that the person being arrested committed it.
- Any misdemeanor committed in the officer's presence that meets the statutory guidelines allowing a physical arrest in lieu of a citation.
- A misdemeanor not committed in the officer's presence, when probable cause exists to believe that a subject has committed:
 - Theft by Unlawful Taking (TBUT) (Shoplifting)
 - Assault 4th Degree (Domestic Violence) (KRS 508.030) (KACP 30.1)
 - DUI of Intoxicants (the issuance of a citation, in lieu of a physical arrest, requires the approval of a commanding officer) (refer to SOP 7.12) (KACP 23.1d)
 - Violation of an EPO, DVO, IPO, or FPO
 - Violation of Pretrial Release Conditions
- A violation of Assault 4th Degree (KRS 508.030) on property that is owned or used by a hospital (including a parking lot or parking garage), which was not committed in the officer's presence and the officer has probable cause to believe that the person being arrested committed it (KRS 431.005(f)).
- A violation committed in the officer's presence, involving:
 - Criminal Trespass 3rd Degree
 - Harassment
 - Reckless Driving
 - Failure to Comply with a Traffic Officer Signal
 - Leaving the Scene of an Accident
 - DUI of Intoxicants/Non-Motor Vehicle

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10.1.4 ARRESTS WITHOUT A WARRANT (CONTINUED)

- A violation committed in the officer's presence, if there are reasonable grounds to believe that the person being cited will not appear to answer the charge in court.

When making an arrest or issuing a citation on open charges, without a warrant, the officer shall enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation. The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s). Merely re-stating the charges or making a reference to an incident report number is not sufficient for establishing probable cause (refer to Kentucky Rules of Criminal Procedure [(RCr) 3.02(2)]). Victim/witness name(s) and address information shall be entered in the appropriate blocks on the Kentucky Uniform Citation.

Failure to meet the elements of the offense and adequately describe the probable cause for the arrest or citation may result in the dismissal of the charges in court.

10.1.5 ARRESTS WITH A WARRANT (KACP 1.6)

Only a sworn officer may make an arrest in obedience to a warrant issued by a court of competent jurisdiction within the Commonwealth of Kentucky.

When executing a warrant, an officer must be especially diligent in identifying the person to be arrested as the person named on the warrant. This is particularly important when the suspect claims not to be the person named. The officer shall also determine if the warrant is valid on its face. The warrant shall be verified through:

- The National Crime Information Center (NCIC) (KACP 26.3)
- The Law Information Network of Kentucky (LINK) (KACP 26.3)
- eWarrants
- Calling the county clerk of the originating jurisdiction (the full name, title, and phone number of the person verifying the warrant must be legibly written on the warrant or the citation if the officer does not have a copy of the warrant)

If an officer is in possession of a printed eWarrant with an unserved watermark, he/she shall validate the warrant, at the time of service, in eWarrants. Any paper copies of warrants with an unserved watermark, that have been served, shall be destroyed.

NCIC hits for wanted or Circuit Court warrants shall be verified through the NCIC Unit by phone or radio prior to service.

When making an arrest in obedience to a valid warrant, the officer shall list, at a minimum, the issuing court, the warrant number, and the offense(s) as listed on the warrant, in the narrative section of the Kentucky Uniform Citation.

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10.1.6 eWARRANTS/WANTED CHECK

eWarrants is a statewide database of all circuit and district court warrants and/or summonses issued in participating counties in the Commonwealth of Kentucky. Checking an individual in eWarrants does not eliminate the necessity of performing a LINK/NCIC warrant check for other statewide or nationwide offenses (KACP 26.3).

Outstanding warrants and summonses that are found in the eWarrants database are valid and no further verification is needed. The eWarrants system is only used for:

- Adult criminal complaints
- Arrest warrants and summonses resulting from adult criminal complaints
- Bench warrants
- EPO, DVO, IPO, FPO notifications

The eWarrants system is NOT used for:

- Mental Inquest Warrants (MIWs) (refer to SOP 10.6)
- Juvenile petitions (refer to SOP 10.7)

Prior to the service of Circuit Court warrants, officers shall notify the NCIC Unit by phone or radio.

If an officer is serving a warrant originating from Jefferson County, through eWarrants, it is considered verified and may be executed immediately. Officers will use their Mobile Data Terminal (MDT) or desktop computer to perform a records check through the LINK/NCIC and eWarrants of arrested subjects prior to booking. Officers may request that MetroSafe perform these records checks. Should outstanding charges be present on the subject, MetroSafe will attempt to verify and confirm with the entering agency any "hit" or outstanding warrant, except outstanding warrants and summonses found in eWarrants, which are valid and need no further verification. All verifications will be performed in accordance with current LINK/NCIC and eWarrants protocols (KACP 26.3).

Once the arrested individual has been delivered to the LMDC, the officer shall enter the arrest information into eWarrants, print a copy of the warrant, and click the "SERVED" button. This can be done from the officer's MDT or from one (1) of the computers located in the LMDC sally port.

Warrant service is prioritized based on the severity of the offense. Warrants involving violent crimes and felony offenses will be served first.

10.1.7 CRIMINAL SUMMONS

When an officer determines that an individual has an outstanding summons, he/she is not required to have the summons in his/her possession in order to serve it (refer to Kentucky Rules of Criminal Procedure [(RCr) 2.10]. In such cases, the officer may serve the summons by issuing a citation containing the following information:

- The charges, as listed on the summons
- The assigned court case number

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10.1.7 CRIMINAL SUMMONS (CONTINUED)

- The date, time, and location where the subject has been ordered to appear

The officer serving the summons shall check eWarrants to enter the summons as served, if appropriate.

If using a MDT or desktop computer, the officer shall enter the service in eWarrants and print, sign, and turn in the summons with the citation. If a MDT or computer is unavailable, the officer shall simply issue a paper citation. eWarrants shall be updated as soon as possible, but no later than the end of the officer's tour of duty.

10.1.8 EXECUTING AN ARREST (KACP 1.6)

An officer not in uniform shall display his/her badge, identify himself/herself as a police officer, and communicate the reason for the arrest. If, during an arrest, identifying oneself as a police officer could unnecessarily increase the risk to the officer or other parties, the announcement can be delayed until practical. An officer making an arrest in the field shall advise MetroSafe that an arrest has occurred once the individual is safely in custody.

Officers needing to enter a home for the purpose of serving an arrest/bench warrant shall complete a Risk Assessment Matrix Warrant Service form (LMPD #05-0016) whenever they have credible information that an arrest by normal means would prove dangerous to the officers involved (refer to SOP 8.1). Examples of credible information could include, but are not limited to, knowledge of weapons in the home and the suspect's violent criminal history.

All completed matrices shall be forwarded, through the appropriate chain of command, to the Support Bureau Commander or Patrol Bureau Commander. A copy of the completed matrix shall be forwarded to the Special Weapons and Tactics (SWAT) Team Commander (KACP 19.6d).

Nothing in this section prohibits a commanding officer from consulting the SWAT Team Commander, even if the matrix requirements for a call-out are not met.

Officers are reminded that they may only enter a home for the purpose of serving an arrest/bench warrant under the following circumstances:

- The officers have consent to enter the home, or
- The officers have a warrant for a serious felony, and
- The officers have a reasonable belief that the person named on the warrant lives in the home, and
- The officers have a reasonable belief that the person named on the warrant is in the home at the time of service.

An arrest warrant does not justify entry into a third person's home to search for the subject of an arrest warrant.

10.1.9 TRANSACTIONS WITH PRISONERS

Members are prohibited from accepting, or buying, any article from any suspect, prisoner, or associate of any suspect or prisoner.

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10.1.10 DOCUMENTATION (KACP 22.4a-b)

Officers shall complete a Kentucky Uniform Citation when making a physical arrest of a subject. When making an arrest or issuing a citation on open charges, without a warrant, the officer shall enter a detailed statement of probable cause in the narrative section of the Kentucky Uniform Citation. The statement of probable cause must sufficiently describe the actions of the accused that the officer relied on to meet the elements of the offense(s).

Merely restating the charges or making a reference to an incident report number is not sufficient for establishing probable cause (refer to Kentucky Rules of Criminal Procedure [(RCr) 3.02(2)]).

Victim/witness name(s) and address information shall be entered in the appropriate blocks on the Kentucky Uniform Citation. The primary officer establishing probable cause for the arrest should be listed at the bottom of the citation (e.g. officer initiating arrest, investigating detective).

Assisting officers who were also responsible for establishing probable cause should be listed on the front of the citation, either in the Witness box or the Narrative box, with their rank, code number, and "LMPD" as the address. Division/section/unit or individual addresses should not be used.

All Kentucky Uniform Citations will be reviewed by the issuing officer's immediate supervisor (KACP 4.4).

10.1.11 POSTHUMOUS CHARGES

Posthumous charges may be placed against an individual when an investigation reveals that a deceased person has committed a crime and such charges are necessary in order to clear the case. A clearance by exception may be used to clear a case where the identified perpetrator has died.

Posthumous charges must have prior approval of an Assistant Chief of Police. In all cases, probable cause must be shown that would be sufficient to charge the individual if he/she were still alive.

10.1.12 SUPERVISORY REVIEW

Commanding officers will review paper citations and arrest slips of those officers under their direct supervision. The commanding officer will place his/her code number on the upper right hand corner of the citation indicating that he/she has reviewed the citation. The citation review should include, but is not limited to, the following:

- Missing/incomplete personal information of the offender
- The Vehicle Stop Reporting form control number (if applicable)
- The appropriate charges
- The arrest or citation date, time, and location
- The arrest or citation narrative, statement of probable cause, and elements of the crime
- The valid court date, time, and location
- The report number, if the citation or arrest is related to clearing a reported incident
- Language indicating how the defendant posed a risk of danger (if applicable) (refer to SOP 10.1.2)
- Language describing how the defendant failed to follow the officer's reasonable instructions (if applicable) (refer to SOP 10.1.2)

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10.1.12 SUPERVISORY REVIEW (CONTINUED)

- Language indicating why there are reasonable grounds to believe that the defendant will not appear in court (if applicable) (refer to SOP 10.1.2)
- Legible handwriting

10.1.13 IMMIGRATION ENFORCEMENT

Immigration enforcement is not a local law enforcement matter. It falls under the jurisdiction of the United States Immigration and Customs Enforcement (ICE). LMPD officers lack the jurisdiction to enforce federal immigration law. However, there are situations where ICE may request the assistance of the LMPD. In order for officers to only respond to situations in which they have legal authority to act, the following measures will be implemented when receiving a call for service to assist ICE with immigration-related matters:

- MetroSafe will obtain a contact phone number for the ICE employee who is requesting assistance.
- If a member receives a request directly from an ICE employee, he/she will immediately contact his/her commanding officer for guidance prior to providing any assistance.
- A commanding officer will contact the requesting ICE employee, using a recorded line transferred through MetroSafe, and determine if the situation is one in which the LMPD should be involved. Generally, if the situation involves a criminal or safety matter, the LMPD will respond, as the LMPD would respond for any other public safety agency.
- If it is determined that the LMPD will provide support in any way, a commanding officer will respond to the scene prior to any assistance being rendered.
- If there are reasonable grounds to believe that the individual may be armed, has a history of violence, or presents a danger to ICE agents or to other members of the public, the LMPD may respond as backup only. LMPD members will assume non-contact positions, such as securing the perimeter or observational positions, unless a public safety situation occurs.
- Under no circumstances will a LMPD member be the primary contact on a civil or administrative immigration matter.
- In order for members of the LMPD to detain, arrest, or transport an individual, they must be wanted on a criminal warrant issued by a court or there must be underlying probable cause for Kentucky criminal charges.
- Validity of warrants will be verified by the commanding officer prior to a service attempt.
- LMPD members will not initiate contact with an individual for the sole purpose of assisting ICE in making contact. One of the above criteria must be met prior to an attempt at making contact.

In emergency situations (e.g. 10-30/Officer in Distress), MetroSafe will immediately dispatch officers to the location and notify their commanding officer, who will immediately respond to the scene.

When an officer is requested to go to the ICE office to arrest a person wanted on outstanding criminal warrant(s) and transport him/her to the LMDC, MetroSafe will directly dispatch officers and notify their commanding officers.

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10.1.13 IMMIGRATION ENFORCEMENT (CONTINUED)

ICE may issue civil detainers or administrative warrants for people believed to be in violation of United States immigration laws. Even when assisting ICE, officers may not detain, arrest, or transport a person solely based on a civil immigration detainer or administrative warrant. The individual must have a criminal warrant issued by a court or underlying probable cause for Kentucky criminal charges in order to be detained, arrested, or transported by a LMPD officer.

Through routine patrol, officers may also encounter individuals with immigration warrants. To verify if an immigration warrant is civil, administrative, or criminal in nature, LMPD officers will have MetroSafe contact the ICE Law Enforcement Support Center at the phone number listed on the NCIC hit or by calling (802) 872-6050. The ICE Law Enforcement Support Center is available 24 hours a day, seven (7) days a week, and 365 days a year. If the immigration warrant is for a criminal violation and has been issued by a federal judge or magistrate, officers will honor this warrant and handle it in the same manner as any other criminal warrant.

A commanding officer will complete an Immigration and Customs Enforcement (ICE) Assistance Form (LMPD #17-0004) at the conclusion of the contact, response, or phone call.

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Subject: Exemptions from Arrest	

10.2 EXEMPTIONS FROM ARRESTS (KACP 1.6)

10.2.1 LEGISLATORS/MEMBERS OF THE GENERAL ASSEMBLY

Pursuant to KRS 6.050 Privilege from Arrest or Civil Suit – Censure – Fine or Expulsion:

- A member of the General Assembly, while going to, attending, or returning from any session of the house to which he [she] belongs, shall not be arrested, menaced, or disturbed at any place in the Commonwealth of Kentucky, except on legal process for treason, felony, or breach or surety of the peace.
- It is declared to be the legislative intent of the General Assembly to prohibit the arrest of any member of the General Assembly at any place within the Commonwealth while going to, attending, or returning from any session of the house to which he [she] belongs, except for treason, felony, or breach or surety of the peace.
- A member of the General Assembly shall not be required to stand trial in any civil action, except between terms of the legislature and then only in the county of his [her] residence; but either party to such an action may obtain a change of venue as in other cases.
- A member of either house, by a vote of two-thirds (2/3) of the members present, may be censured, fined, or expelled for breach of privilege.

10.2.2 KENTUCKY NATIONAL GUARDSMEN

A guardsman may not be arrested, except for felony offenses, while going to, returning from, or present at a place of active service. A guardsman may be cited for traffic law violations.

10.2.3 DIPLOMATIC IMMUNITY

Under international law, all accredited diplomatic agents and ambassadors of foreign nations are immune from being handcuffed, detained, or arrested. They may be detained only for the time necessary to confirm their diplomatic status and should be informed that the detention is only for identification purposes. Should an individual claim to have diplomatic immunity, the officer will contact his/her supervisor. The supervisor will request that MetroSafe contact the United States Department of State to determine the subject's status prior to taking any enforcement action.

A diplomatic agent or ambassador found to be driving under the influence (DUI) will be either:

- Transported to his/her local destination and his/her vehicle released to family members or friends after obtaining permission from the diplomatic agent or ambassador.
- Provided the use of a telephone to call a family member or friend.
- Released to family members or friends.

A citation may be issued for traffic law infractions. However, a diplomatic agent or ambassador cannot be forced to sign the citation.

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10.2.3 DIPLOMATIC IMMUNITY (CONTINUED)

An officer seeking to place charges on a subject claiming diplomatic immunity will notify his/her immediate supervisor. The supervisor will request that MetroSafe contact a representative from the United States Attorney's Office for appropriate legal advice.

Correspondence and other property belonging to a foreign diplomat is more closely protected from search and seizure under international law. An officer will seek legal advice prior to search and seizure.

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Chapter: Arrests	
Subject: Arrests of Injured/Sick	

10.3 ARRESTS OF INJURED/SICK

10.3.1 TREATMENT

Any person injured as a result of police action, or injured prior to police arrival and subsequently taken into custody, shall be provided with appropriate first aid and/or medical treatment. This treatment will be obtained prior to the subject being transported to the Louisville Metro Department of Corrections (LMDC). A commanding officer will be advised of the injuries, respond to the scene, photograph the injuries, and complete an Administrative Incident Report (AIR), via the BlueTeam link, located on the Louisville Metro Police Department (LMPD) Intranet (refer to SOP 3.1) (KACP 17.4).

10.3.2 HOSPITAL ARRESTS (KACP 1.6)

No injured or ill person shall be removed from a hospital, for the purpose of making an arrest, without the approval of the admitting or treating physician or, if he/she is unavailable, the hospital staff physician.

An officer who has a warrant for a subject in the hospital must first obtain permission from the treating physician before making contact with the subject. The physician should be advised of the situation and the charges for which the subject is wanted. A commanding officer may decide to either delay serving the warrant until the release of the subject from the hospital or serve the warrant on the hospitalized subject and provide an officer to guard the prisoner (KACP 17.4). This decision will be based on the seriousness of the charges, the physician's opinion, and the degree of illness or injury of the subject. If the person is incapable of leaving the hospital at that particular time, arrangements may be made for the division/section/unit to be notified as to when the person may be able to leave on his/her own accord. At that time, a guard will be placed on the prisoner.

If an officer determines that a wanted person is a patient at University of Louisville Hospital, he/she may obtain a Law Enforcement/Correctional Discharge Notification Request Form from hospital security. This form provides the hospital staff with information about charges and warrants, and specifies who to contact. The hospital staff has agreed to notify the listed contact person two (2) hours prior to the patient's discharge, to facilitate the arrest. The hospital's form is for patients admitted to University of Louisville Hospital, not emergency room (ER) patients.

10.3.3 PRISONER DETAILS

If a prisoner must be hospitalized and a guard posted, the following will apply:

- The division making the arrest or assuming custody of a prisoner involving an off-duty arrest is responsible for guarding the prisoner during the first 72 hours of hospitalization.
- After the first 72-hour period, a rotation among the patrol divisions will begin. Each division will be responsible for guarding the prisoner for a 24-hour period. It is the responsibility of the arresting officer's division commander to contact the Assistant Chief of Police/Patrol Bureau regarding the establishment of the prisoner detail.
- If a prisoner is arrested by the Major Crimes Division or another specialty unit, the rotation of guards among the divisions will begin immediately, starting with the division in which the arrest was made. The

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10.3.3 PRISONER DETAILS (CONTINUED)

specialty unit commander has the responsibility of making arrangements with the appropriate division commanding officers. The Assistant Chief of Police/Patrol Bureau will be advised.

- Officers assigned to a prisoner detail will be aware that they are responsible for the prisoner. They will remain with the prisoner until relieved. For security reasons, officers will remain inside of the room, out of public view at all times, and will not stand in the doorway or hallway. The only exceptions to this requirement are to allow an attorney/client visit, during which time the officer may stand immediately outside of the door, if requested by the attorney or the prisoner or if the hospital staff determines that the prisoner has a contagious illness, at which time the officer will be seated immediately outside of the door and maintain visual contact with the prisoner.
- Officers, who are on detail at University of Louisville Hospital, are prohibited from remaining in an operating room (OR) suite during the surgical process. The officer will be seated outside of the surgical suite door in the OR hallway. For security reasons, the officer may follow the prisoner to the OR to verify that the final anesthesia is administered, for the surgical procedure, through a glass window.
- Officers, who are on detail at University of Louisville Hospital, and in need of a short break, will request that the nursing staff contact hospital security. Hospital security may only relieve the officer for a short amount of time.
- Prisoners shall be handcuffed to the bed unless it interferes with medical treatment (KACP 1.5). If an officer believes that it is not practical to handcuff or shackle a prisoner, he/she will seek verbal approval from his/her commanding officer.
- Officers guarding prisoners will not use patient phones. If an officer needs to use a phone, he/she will request a phone through the nurse call system and is limited to ten (10) minutes of usage.
- While performing a prisoner detail, officers will not use departmental or personal electronic devices (e.g. personal digital assistants (PDAs), cell phones, cameras, video recorders, etc.) while accompanying a prisoner at the hospital, whether it be inside or outside of the prisoner's room.
- Officers may not restrict or limit a prisoner's use of a television.
- Generally, in-patient prisoners, regardless of whether in the emergency room (ER), intensive care unit (ICU), or in a private or semi-private unit, are not allowed to have visitors. Exceptions may only be made subject to the policies of the hospital and with the approval of the commander of the division/section/unit that placed the initial charges and hospital nursing staff. Exceptions may include, but are not limited to, the following:
 - A prisoner has a critical injury or terminal illness, and is near death. Visitation will be restricted to immediate family members (e.g. parent, sibling, child by blood/adoption/marriage, spouse/"significant other," grandparent, grandchild, etc.). Only one (1) family member may visit at a time and no other family members will be allowed on the floor during the visit. Visits are limited to two (2) people per day for no more than 30 minutes each.
 - An attorney who represents the prisoner on the charges for which they are being incarcerated may visit, regardless of the condition of the patient. There is no time limit on the length of an attorney visit.
 - The investigating or arresting officer(s) who placed the initial charges may visit a prisoner, subject to any applicable legal restrictions.
- All non-law enforcement visitors will be searched prior to being allowed to visit, using a handheld metal detector. The metal detector is kept in the University of Louisville Hospital Security Office and will be

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10.3.3 PRISONER DETAILS (CONTINUED)

delivered to the unit, as needed, upon request by the officer. Visitors are prohibited from bringing anything into the prisoner's room (e.g. coats, purses, gifts, packages, flowers, plants, balloons, etc.).

- Approval of all visits will be in compliance with the visitation policies of the hospital. In addition, if a visitor is disruptive or an officer has an articulable reason why the visitor is a security risk, the officer may terminate the visit.
- An officer having reason to restrict the phone usage of a prisoner must obtain the approval of a commanding officer. For the purpose of this policy, an acting sergeant is not considered a commanding officer.

10.3.4 INVOLUNTARY DETENTION

An officer responding to a suicide attempt should try to persuade the subject to agree to voluntary commitment or advise the subject's family to seek involuntary commitment. If the situation is of an extreme nature and the officer has probable cause to believe that the subject is a danger to himself/herself or others, the officer may arrest the subject without a warrant and transport him/her to University of Louisville Hospital.

10.3.5 DOCUMENTATION (KACP 30.8)

Officers knowingly transporting prisoners who have a history of serious mental or physical illness, or who display suicidal tendencies, will note such information on the Kentucky Uniform Citation. These conditions will only be noted if they serve a valid law enforcement purpose.

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10.4 SPECIAL NOTIFICATIONS (KACP 1.6)

10.4.1 UNITED STATES POSTAL SERVICE MAIL CARRIERS

United States Postal Service (USPS) mail carriers are not exempt from arrest while on-duty. If an arrest is made, an officer shall stay with the mail vehicle until a representative from the USPS arrives at the scene.

10.4.2 MILITARY DESERTERS

Officers are authorized to arrest subjects who are absent without leave (AWOL) from the armed services. Verification of the AWOL status must be made by either the National Crime Information Center (NCIC) Unit or the military police. Subjects charged with being AWOL shall be booked as any other prisoner would be.

10.4.3 ON-DUTY FIREFIGHTERS

Unless extenuating circumstances exist, an officer shall perform the following prior to arresting an on-duty firefighter:

- Notify MetroSafe to request that the on-duty Assistant Louisville Metro Fire Chief contact him/her at a particular telephone number. When a firefighter from an agency other than Louisville Metro Government is to be arrested, a commanding officer from the affected fire district will be contacted.
- Update the Assistant Fire Chief, or commanding officer, of the situation, name, and location of the firefighter. The Assistant Fire Chief, or commanding officer, may make arrangements to provide a replacement firefighter for the person being arrested.
- Affect the arrest of the on-duty firefighter after his/her relief, if any, is in place.

10.4.4 SCHOOL PERSONNEL DURING SCHOOL HOURS

School administrators shall be notified prior to any onsite arrest of employees during school hours. Unless unusual circumstances exist, officers should request that the employee report to the office to facilitate the arrest.

10.4.5 FOREIGN NATIONALS

Foreign National: Any person who is a citizen of any country other than the United States.

Officers will not inquire into the immigration or citizenship status of an individual, except where the inquiry relates to a specific criminal or homeland security investigation.

The United States is obligated and legally bound under international agreements and customary international law to notify foreign authorities when foreign nationals are arrested in the United States. Upon knowingly arresting a foreign national, officers shall:

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10.4.5 FOREIGN NATIONALS (CONTINUED)

- Immediately advise the foreign national of his/her right to consular notification.
- Immediately contact MetroSafe and inform them that he/she has arrested a foreign national, indicating the country to which the foreign national belongs. MetroSafe will advise the officer if the country is a mandatory or non-mandatory notification country. MetroSafe will also be responsible for notifying the Narcotics Division Commander that the officer has arrested a foreign national.
- Obtain a call for service/Computer Aided Dispatch (CAD) number from MetroSafe.

If the subject is from a mandatory notification country, the officer shall inform him/her that the department is required to notify his/her consulate. If the subject is from a non-mandatory notification country, the officer shall inform him/her of the right to have his/her government informed of the event, if he/she so desires.

Officers arresting foreign nationals are required to contact the NCIC Unit and provide them with the following information, regardless of whether a consulate is to be notified:

- Officer name and code number
- Call for service (CAD) number
- Date of the arrest
- Name, date of birth (DOB), and place of birth of the foreign national
- Passport number, with the date and place of issuance, if available

The NCIC Unit uses the information provided by the officer to complete a fax form. If notification is required or requested, the NCIC Unit will fax the form to the appropriate consulate. If notification is not mandatory or declined, the NCIC Unit will complete the fax form, indicating that notification was not mandatory or declined, and will not forward the form to the consulate. The NCIC Unit will be responsible for storing the forms and emailing a copy of each form to the Homeland Security Team Commander, regardless of whether notification was made or declined.

A current list of telephone numbers for all foreign consulates as well as a current list of mandatory notification countries is kept on file at MetroSafe.

The officer shall record the time and date that the NCIC Unit was notified of the arrest on the Uniform Citation.

10.4.6 METRO GOVERNMENT MEMBERS

Complaints against any Metro Government member involving the physical or sexual abuse of a minor will be immediately investigated by the Crimes Against Children Unit (CACU) and immediately reported to the Public Integrity Unit (PIU) and the Kentucky Cabinet for Health and Family Services (CHFS).

The PIU shall be immediately notified whenever a Metro Government member is suspected of committing a felony offense. The PIU shall also be notified whenever an officer is arrested for any criminal offense. The PIU should be notified prior to the arrest, whenever possible.

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10.4.6 METRO GOVERNMENT MEMBERS (CONTINUED)

Members summoned to any court, before any judge, concerning matters in which they, or other members, may become a defendant in a criminal prosecution must report the facts, in detail, to the Chief of Police, through the appropriate chain of command, as soon as practical.

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10.5 PRISONER TRANSPORTATION

10.5.1 POLICY

This policy establishes guidelines pertaining to prisoner transportation, including on-duty, off-duty and secondary employment situations. Officers should remember that the safety of the prisoner in their care is their primary responsibility.

10.5.2 SEARCH OF PRISONERS (KACP 1.7b)

A person under arrest shall be thoroughly searched by each transporting officer.

10.5.3 INSPECTIONS OF TRANSPORTING VEHICLE (KACP 1.7c)

The prisoner area of a transporting vehicle shall be thoroughly searched for evidence and contraband before, and after, transportation and at the beginning, and end, of each tour of duty.

10.5.4 TRANSPORTATION EQUIPMENT

The rear doors of all vehicles used to transport prisoners are modified to prevent opening from the inside and the rear windows are modified to prevent opening from any place other than the driver's seat.

All marked vehicles used for prisoner transport are equipped with a safety barrier separating the prisoner from the officer. Any conversation between the officer and prisoner will not be impeded by the barrier.

Police vehicles that are not equipped with a safety barrier may be utilized as a prisoner transport vehicle based on the severity of the offense, the prisoner's demeanor or the transporting officer's discretion.

10.5.5 SEATING OF PRISONERS

In the absence of unusual circumstances, no prisoner should be permitted to sit in the front seat of any transporting vehicle.

In a vehicle without a safety barrier, a single officer shall only transport one (1) prisoner. The prisoner shall be placed in the passenger-side rear seat. Under no circumstances shall a prisoner be placed behind the driver while being transported without a safety barrier.

In vehicles equipped with a safety barrier, no more than three (3) prisoners may be transported at one (1) time.

Any prisoner being transported in a departmental vehicle should be secured with a seatbelt, unless physical handicap or officer safety issues prevent the proper use of a seatbelt (KACP 21.4). This applies to all

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10.5.5 SEATING OF PRISONERS (CONTINUED)

departmental vehicles, including booking vans. If a seatbelt cannot be properly secured, members should request his/her commanding officer's assistance with arranging alternate transportation.

10.5.6 PRISONER OF OPPOSITE SEX

A female prisoner and a male prisoner shall not occupy the same vehicle without a commanding officer's approval.

When an officer transports a prisoner of the opposite sex, he/she shall notify MetroSafe of his/her beginning and ending odometer readings.

10.5.7 JUVENILE PRISONERS

Juvenile prisoners shall not be transported in direct contact with adults.

10.5.8 DECONTAMINATION OF PRISONERS

Prisoners who have come in contact with hazardous materials (HAZMAT) (e.g. HAZMAT incident, weapons of mass destruction, terrorist attack, clandestine lab) shall be decontaminated by the responding HAZMAT or fire department personnel, prior to being placed in the vehicle.

Officers handling contaminated prisoners shall use flex cuffs and appropriate personal protective equipment (PPE) gear, when practical, to prevent cross contamination (refer to SOP 12.2).

Commanding officers shall complete an Administrative Incident Report (AIR), via the BlueTeam link, located on the Louisville Metro Police Department (LMPD) Intranet, on all contaminated prisoners outlining the type and nature of the exposure (refer to SOP 3.1) and contact a Health and Safety Officer (HSO) to respond to the scene. The (HSO) and the responding HAZMAT or fire department personnel will make the determination as to whether the prisoner requires additional treatment at a medical facility.

10.5.9 PRISONER TRANSPORTED TO MEDICAL FACILITY (KACP 1.7f, i)

Prisoners transported to a medical facility by an officer remain the officer's responsibility. The officer shall:

- Keep the prisoner in view, whenever possible.
- Accompany the prisoner to the treatment room.

The type and degree of authorized restraint utilized is at the discretion of the officer. However, prisoners should not be completely unrestrained, unless directed by a physician, because of medical necessity.

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10.5.9 PRISONER TRANSPORTED TO MEDICAL FACILITY (CONTINUED)

Upon completion of treatment, a medical clearance signed by the physician needs to be obtained and presented to Louisville Metro Department of Corrections (LMDC) personnel.

10.5.10 PRISONER ADMITTED TO MEDICAL FACILITY (KACP 1.7f, i)

If a prisoner transported to a medical facility by an officer is to be admitted for treatment, the officer shall notify his/her commanding officer. The officer shall maintain a vigilant guard as near as possible to the prisoner. The officer should remain in the room with the prisoner, if possible. If medical personnel advises the officer to leave the room, the officer shall assume a position immediately outside of the door (refer to SOP 10.3).

The officer shall not relinquish custody of his/her prisoner until properly relieved.

10.5.11 TRANSPORTATION DELAY

MetroSafe shall be advised when an officer transports his/her prisoner by informing MetroSafe of his/her destination, beginning time, and current odometer reading (KACP 1.7d). MetroSafe shall also be notified of any delay enroute. The officer shall not initiate, or assist in, a vehicular pursuit or other Code 3 response while transporting a prisoner. Only where the risk to third parties is both clear and grave, and the risk of escape or injury to the prisoner is minimal, should an officer stop to render assistance or take other enforcement action (KACP 25.1). Otherwise, an officer transporting a prisoner shall proceed directly to his/her official destination without any intermediate stops. Upon arrival, the officer shall notify MetroSafe with the ending location, time, and current odometer reading (KACP 1.7e).

10.5.12 TRANSPORTING DISABLED PRISONERS (KACP 1.7f)

If the nature of a prisoner's disability prevents the use of a vehicle equipped with a safety barrier for transportation, the officer shall request his/her commanding officer's assistance with arranging alternate transportation.

10.5.13 VISUAL OBSERVATION OF PRISONER

In order to promote the security and safety of officers, prisoners, and the public, an officer shall maintain visual observation of his/her prisoner. Appropriate exceptions may be made to allow the prisoner to use the restroom or to receive medical treatment (KACP 1.7i).

In patrol divisions equipped with temporary detention rooms, a Temporary Detention Room Observation form (LMPD #03-08-0125) shall be completed by the custodial officer whenever a prisoner is placed in the temporary detention room. The prisoner's name should be recorded on the Temporary Detention Room Observation form, along with the date and time that the prisoner was placed in the temporary detention room and the initials of the custodial officer. Officers responsible for the custody of the prisoner shall visually observe the prisoner in the temporary detention room and check on his/her welfare at intervals not to exceed 30 minutes. Each observation

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10.5.13 VISUAL OBSERVATION OF PRISONER (CONTINUED)

is to be recorded on the form. The Temporary Detention Room Observation forms are maintained in close proximity to the temporary detention room and filed with the division commander upon final removal of the prisoner from the temporary detention room. Juvenile prisoners shall not be placed in a departmental temporary detention room with adults.

10.5.14 MEALS/RESTROOM

Under ordinary circumstances, the officer is not responsible for providing a prisoner with a meal or multiple uses of a restroom. If the officer is escorting a prisoner on a long trip (e.g. extraditions), meals and restroom stops should be taken at random times and locations for security reasons.

No prisoner shall be directly observed using the restroom unless an officer has reason to believe that the observation would prevent harm to the officer or the prisoner, or the opportunity exists for the destruction of evidence or contraband.

10.5.15 COMMUNICATIONS WITH OTHERS

Prisoners under escort are not permitted unauthorized visitors or communications.

10.5.16 RESTRAINING DEVICES (KACP 1.5, 1.7a)

All persons shall be restrained when taken into custody and shall remain restrained during all phases of transportation. Exceptions are permissible if the investigating officer has reason to believe that a greater degree of cooperation may be achieved from the person by being unrestrained. When a prisoner is not restrained, the officer should exercise extreme caution.

The preferred method of restraint is to handcuff an individual behind the back, with his/her palms facing outward. Exceptions are permissible if the officer in charge of the detention feels that another accepted method is more appropriate (e.g. extradition, physical impairment).

Handcuffs should only be tightened enough to effectively secure the person's wrists. The wrists should be checked for cutting and swelling and the handcuffs loosened, if necessary. All handcuffs shall be double-locked. In special circumstances (e.g. patrol divisions without temporary detention rooms), an adult may be handcuffed to a fixed object for a reasonable period of time. Under no circumstances shall a juvenile be handcuffed, or secured, to a fixed object.

Age, sex, or physical conditions alone are not the deciding factors as to whether or not to restrain an individual. Officers shall consider the nature of a physical or mental disability, sickness, or injury and the severity of the offense charged in determining which authorized restraints should be applied (KACP 30.8).

The following should be considered prior to the application of restraints on such prisoners:

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10.5.16 RESTRAINING DEVICES (CONTINUED)

- The potential for escape
- The degree of threat posed by the prisoner to the officer or others
- Whether the use of restraints would increase the severity of injury or aggravate an existing illness or condition

An individual may be restrained, even though not under arrest, if the officer is legally detaining the individual (e.g. status offenders, subjects present during search warrants).

When the use of regular handcuffs is not sufficient (e.g. combative prisoners, prisoners presenting a high escape risk), officers may apply approved leg restraints. Approved leg restraints include the following:

- Hobble restraints
- Padded leather restraints
- Key-locked metal leg cuffs (shackles)
- LR-2 leg restraints

Flex-cuffs may be used as handcuffs or leg restraints, if necessary. All restraints shall be used in accordance with LMPD training guidelines. The hog-tying of prisoners is strictly prohibited.

Restraints are to be removed from the in-custody individual at the direction of the LMDC.

10.5.17 CARE OF SUBDUED PRISONER (KACP 1.5)

Care must be taken when it becomes necessary to subdue an unruly prisoner or a prisoner who may be under the influence of alcohol or drugs. It is important to understand that pre-existing factors, along with a subject's body position when subdued or in transit, can compound the risk of sudden death.

A person in the face down position may experience trouble breathing. Obesity and/or drug and alcohol use may also increase the risk of breathing difficulty. These conditions, coupled with a prior violent struggle and the prisoner being handcuffed behind the back, can make a prisoner vulnerable to death by positional asphyxia. This position should be avoided, when possible.

In order to minimize the potential for asphyxia death, an officer should take the following precautions:

- As soon as the subject is handcuffed, move him/her off of his/her stomach.
- Ask the subject if he/she has used drugs or alcohol or suffers from a disease that can cause breathing difficulties.
- Monitor the subject carefully and obtain medical treatment, if necessary.
- When the prisoner is turned over to the LMDC facility or another authority, notify the receiving authority of existing medical problems.

It is not necessary to complete an AIR for each occurrence where a person is restrained in the absence of unusual circumstances. In the event that a restrained individual is the subject of an AIR, care should be taken to include the following information in the description section (refer to SOP 3.1):

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10.5.17 CARE OF SUBDUED PRISONER (CONTINUED)

- Type of restrained position
- How long the subject was face down or restrained
- How the subject was transported and in what position
- What observations were made of the subject
- Duration of the struggle, if any
- Emergency Room (ER) observations

In the event that an unruly prisoner has been subdued, a commanding officer should be contacted to determine if an uninvolved officer should transport the prisoner.

10.5.18 DELIVERY TO LMDC (KACP 1.7g)

No officer shall carry firearms into a detention facility. Firearms shall be secured in designated storage areas.

Prisoners shall be delivered to the LMDC after administrative, investigative, and medical needs are fulfilled. All necessary paperwork shall be given to the LMDC.

If a prisoner under the custody of one (1) officer is released for transport to another officer, the transporting officer shall place his/her code number and initials in the lower right corner of the citation.

Officers driving unmarked departmental vehicles to transport prisoners to the LMDC shall give their name, rank, and agency, via the intercom, before access to the sally port is granted. Moreover, officers not in their official uniform or in plainclothes shall be required to display their official credentials to the exterior control room officer prior to access.

Once a prisoner has been delivered to the LMDC, an arrest history can be printed by accessing the Inmate Management System (IMS) at the LMDC and printing the Master Card Summary. This can be used to document the transfer of custody to the LMDC.

10.5.19 DEFERRAL OF PRISONER BY LMDC DUE TO INTOXICATION

Officers shall not cite an arrestee who has been refused admittance to the LMDC due to drug or alcohol intoxication levels, regardless of the charges placed on the individual. The arresting officer shall take the arrestee to the hospital for treatment purposes. After the officer has received a medical clearance from the hospital, he/she shall take the arrestee back to the LMDC.

A medical clearance does not mean the arrestee is no longer a danger to himself/herself or others. The medical clearance serves to document that the arrestee's life is no longer in danger due to his/her intoxication level.

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10.5.20 SECURITY RISKS (KACP 1.7h)

Should the arresting officer determine that his/her prisoner poses a security or suicide risk, the officer shall clearly note that fact on the face of the Uniform Citation.

Should the arresting officer surrender his/her prisoner for transportation, the officer shall make the transporting officer aware of the security or suicide risk. When security risks dictate, two (2) officers may be assigned for transport.

10.5.21 INTERSTATE TRANSPORTATION

If a prisoner is to be transported interstate, the documentation shall include either a properly executed Governor's warrant or a properly executed waiver (refer to SOP 10.1).

If a prisoner poses an escape threat, suicide risk, or other security risk, that information shall be clearly indicated on all transportation documents.

Appropriate arrest and transportation documentation shall accompany all prisoners.

10.5.22 ESCAPE OF PRISONER (KACP 1.7k)

Officers are required to take every precaution in order to prevent the escape of prisoners in their custody.

If an escape should occur, the following steps shall be taken:

- An immediate attempt to capture the escapee by the officer(s) involved, if doing so does not pose a threat to the safety of the officer(s) or the general public.
- The officer shall notify MetroSafe and his/her commanding officer of the escape.
- MetroSafe will notify patrol units of the following:
 - Name of escapee
 - Description of escapee
 - Last known direction of escapee
 - Local address of escapee
 - Charges on escapee
 - Description of any accomplices
 - Vehicle descriptions
- Patrol cars shall set up a search pattern, if appropriate.
- Obtain appropriate warrant(s) for the escapee.
- Significant activity notification email is sent.

In the event of an actual escape, the commanding officer will respond and take command of the situation. If the escape occurs out of the custodial officer's assigned division, a commanding officer from the affected division will be advised of the escape and will respond to the scene.

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10.5.22 ESCAPE OF PRISONER (CONTINUED)

When a prisoner escapes custody, the custodial officer shall submit a memorandum and a commanding officer shall complete an AIR, via the BlueTeam link, located on the LMPD Intranet, advising of the escape (refer to SOP 3.1).

10.5.23 LOUISVILLE METRO EMERGENCY MEDICAL SERVICES (LMEMS) TRANSPORTS (KACP 1.7i)

When a prisoner must be transported by LMEMS, an officer may accompany the prisoner in the LMEMS vehicle when requested by LMEMS, or if deemed necessary by the officer.

10.5.24 TRANSPORTING PRISONERS FOR OFF-DUTY OFFICERS

If an officer makes an off-duty arrest that is not the result of secondary employment, an on-duty officer will take charge of the prisoner for transportation purposes.

10.5.25 TRANSPORTATION OF PRISONERS RESULTING FROM SECONDARY EMPLOYMENT

In the absence of exigent circumstances, all persons arrested by an officer as a result of secondary employment will be transported by the arresting officer. If the arresting officer has received permission to use a departmental vehicle for secondary employment and the arresting officer drove a departmental vehicle to the secondary job, the officer will transport the prisoner. In situations where an officer working secondary employment did not drive a departmental vehicle to the secondary job, on-duty LMPD personnel will transport the prisoner. The arresting officer who is working secondary employment shall immediately drive to the booking clerk to relieve the transporting officer. The department will not transport those individuals arrested by other law enforcement agencies as a result of secondary employment.

10.5.26 AWOL PERSONS

If a subject is found by an officer to be a walk-away from a mental treatment facility, a Crisis Intervention Team (CIT) officer shall be notified and respond to the scene (KACP 30.8).

If an officer encounters a juvenile who is absent without leave (AWOL) from a facility, the officer has the option of returning the juvenile to the facility or detaining him/her and taking him/her to Louisville Metro Youth Detention Services (LMYDS), located at 720 West Jefferson Street, placing the appropriate charges on the juvenile. The officer shall notify the National Crime Information Center (NCIC) Unit at (502) 572-3480 that the juvenile has been located.

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10.5.27 PRISONER IDENTIFICATION (KACP 1.7j)

Before transporting a prisoner to another location or facility, the transporting officer will view the prisoner's identification through booking records, identification numbers, photographs, or other appropriate means to verify that the proper person is being transported. The appropriate documentation will accompany the prisoner during transport.

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Chapter: Arrests	
Subject: Mental Inquest Warrants	

10.6 MENTAL INQUEST WARRANTS (KACP 1.6, 30.8)

10.6.1 MENTAL INQUEST WARRANT EXECUTION

When a Mental Inquest Warrant (MIW) has been issued, the District Court Clerk will fax a Confirmation Data to Execute Mental Inquest Warrant form to the National Crime Information Center (NCIC) Unit and the following procedures will be followed:

- NCIC Unit personnel will perform a criminal history check on the subject named in the Confirmation Data to Execute Mental Inquest Warrant form and notify MetroSafe of the MIW and the location where it is to be served. The NCIC Unit will then fax a copy of the Confirmation Data to Execute Mental Inquest Warrant form to the appropriate division.
- MetroSafe will notify the appropriate division commanding officer and advise him/her to contact the NCIC Unit regarding the MIW. The commanding officer will call the NCIC Unit to get the results of the criminal history check. This information will be relayed by the commanding officer, to the officer assigned to execute the MIW. The commanding officer should assign a member of the Crisis Intervention Team (CIT), if readily available in the division, to retrieve the faxed Confirmation Data to Execute Mental Inquest Warrant form and attempt to locate the individual named on the form. Additional officers will assist, as needed, or may be assigned to serve the warrant if a CIT officer is not readily available.
- Prior to serving the MIW, the commanding officer will complete the Risk Assessment Matrix Warrant Service form (LMPD# 05-0016). If the score is high enough to warrant Special Weapons and Tactics (SWAT) Team involvement, the commanding officer will contact the division commander, who will then request a SWAT Team response. A division commander may contact the SWAT Team Commander even if the matrix score does not mandate SWAT Team involvement. All completed matrices will be forwarded, through the chain of command, to the appropriate Bureau Commander. A copy of the matrix will also be forwarded to the SWAT Team Commander (KACP 19.6d-e).
- If the score on the Risk Assessment Matrix does not require SWAT Team involvement, officers will attempt to take the individual listed on the Confirmation Data to Execute Mental Inquest Warrant form into custody. If officers are unable to locate the individual on the first attempt, they will periodically attempt to locate the individual during the remainder of their shift.
- During the assigned officer's shift, or immediately following the custodial detention of the individual, the original MIW will be picked up at the Criminal/Traffic Division of District Court, located on the 1st floor of the Hall of Justice.
- Warrants not served by the end of the shift will be given to the shift supervisor, who will forward the warrant, criminal history information, and any other paperwork to the oncoming supervisor for attempted service by the next platoon.
- Once taken into custody, the individual will be transported to University of Louisville Hospital, or another facility, as listed in the warrant. The officer will give the individual a copy of the affidavit. Should the individual be taken into custody using the Confirmation Data to Execute Mental Inquest Warrant form, the original MIW will be picked up at the Criminal/Traffic Division of District Court, located on the 1st floor of the Hall of Justice.
- If a CIT officer takes the subject into custody, he/she will complete a CIT Incident Report (LMPD# 03-08-0186) and forward it, through the chain of command, to the appropriate Bureau Commander.

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10.6.1 MENTAL INQUEST WARRANT EXECUTION (CONTINUED)

- When a MIW has been served, officers will return a signed copy of the MIW, the completed Kentucky Uniform Citation, and a copy of the CIT Incident Report (if applicable) to the Mental Inquest Division of District Court, located on the 3rd floor of the Hall of Justice, between 0830 and 1630 hours, Monday through Friday. At all other hours, or when the Mental Inquest Division is closed, officers will deliver the paperwork to the Criminal/Traffic Division of District Court, located on the 1st floor of the Hall of Justice. Officers will not forward MIW citations, or copies, to the Data Integrity Unit or Technical Services.
- Adult MIWs, not served within 30 days of issuance, will be recalled and returned to the Mental Inquest Division of District Court, located on the 3rd floor of the Hall of Justice, between 0830 and 1630 hours, Monday through Friday. At all other hours, or when the Mental Inquest Division is closed, unserved adult MIWs will be returned to the Criminal/Traffic Division of District Court, located on the 1st floor of the Hall of Justice.
- Juvenile MIWs, not served within 30 days of issuance, will be recalled and returned to the Juvenile Office, located on the 2nd floor of the Hall of Justice, between 0830 and 1630 hours, Monday through Friday. At all other hours, or when the Mental Inquest Division is closed, unserved juvenile MIWs will be returned to the Criminal/Traffic Division of District Court, located on the 1st floor of the Hall of Justice.

10.6.2 MENTAL INQUEST WARRANT SERVICE DOCUMENTATION

The primary officer will record all MIWs served, or those attempted to be served, in a log kept at the division/section/unit level. This log will include:

- The name of the person on whom the MIW was served/attempted to be served.
- The date and time that the MIW was issued.
- The date and time that the MIW was served/attempted to be served.
- The name(s) of the officers serving/attempting to serve.
- The address of the service/attempt.
- The methods of service.
- The reason(s) that the service was not made (e.g. bad address, subject moved).

10.6.3 DETENTION WITHOUT A MENTAL INQUEST WARRANT

Officers with reasonable grounds to believe that an individual is mentally ill and presents a danger, or threat, to himself/herself, or others, may take the subject into custody without a warrant, pursuant to KRS 202A.041. When available, a CIT officer will respond to the scene and transport the person to University of Louisville Hospital. The completed Kentucky Uniform Citation will be delivered to the Criminal/Traffic Division of District Court, located on the 1st floor of the Hall of Justice. When a CIT officer takes the subject into custody, he/she will complete a CIT Incident Report and forward it, through the chain of command, to the appropriate Bureau Commander.

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10.6.4 MENTAL INQUEST WARRANT REVIEW

Each division commander, or his/her designee, will review all MIW logs periodically to verify the active status and proper service of the MIW.

All recalled MIWs will be noted in the MIW logs listing the reason, date/time of the recall, and the name and code number of the person recalling the warrant.

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Chapter: Arrest	
Subject: Juvenile Public Offenders	

10.7 JUVENILE PUBLIC OFFENDERS (KACP 18.1)

10.7.1 DEFINITIONS

Juvenile: Any person under the age of 18.

Public offense: An offense that would be a crime, if committed by an adult.

Custody: Taking control of a child and holding them for a public offense investigation, for a period not to exceed two (2) hours.

Retain: Holding a child in custody, up to 12 hours, for processing purposes only. Processing includes, but is not limited to, identification, interviewing, fingerprinting, photographing, record checks, evidence collection, and completing necessary paperwork. A Court Designated Worker (CDW) must be contacted for an extension after the first two (2) hours of that time.

Detain: To confine a child in a secure detention facility or shelter, in compliance with a valid court order.

10.7.2 TAKING JUVENILES INTO CUSTODY (KACP 1.6, 18.2, 18.4)

Officer discretion and applicable law will be utilized when determining the need for charging a juvenile with a minor offense. When taking a juvenile into custody, officers shall immediately inform the juvenile of his/her constitutional rights (KACP 18.6a). Officers should also request that MetroSafe check for outstanding bench warrants or custody orders concerning the juvenile. The primary officer will complete the Kentucky Uniform Citation, verifying that the box marked "juvenile" has been checked at the top of the citation. Depending on the nature of the offense, members will use one (1) of the following acceptable options concerning the release, or detention, of a juvenile public offender:

- Release to a parent, guardian, adult relative, or person exercising custodial control, or supervision, over the juvenile;
- Cite and release to a parent, guardian, adult relative, or person exercising custodial control, or supervision, over the juvenile;
- Cite and transport to YMCA Safe Place Services; or
- Transport to Louisville Metro Youth Detention Services (LMYDS).

10.7.3 CITE AND RELEASE TO PARENT (KACP 18.2, 18.3, 18.4)

Officers should first consider citing and releasing juvenile public offenders to a parent, guardian, adult relative, or person exercising custodial control, or supervision, over the juvenile, if the offense is a Class C felony or lower, except as listed in SOP 10.7.5, and non-violent in nature (refer to SOP 10.1).

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10.7.3 CITE AND RELEASE TO PARENT (CONTINUED)

If the juvenile is released, the officer will inform the parent, guardian, or adult accepting responsibility that the child was cited and explain the specific charges against him/her. The individual assuming custody must sign the back of the first page of the citation. The court date will be left blank and the officer will explain that by signing for the release of the juvenile, the person assumes the responsibility for bringing the juvenile before the court at a future date of which he/she will be notified by mail.

Prior to submitting a juvenile Kentucky Uniform Citation for approval and processing, the citing/arresting officer must raise his/her right hand and swear before another officer, in-person, that "The information contained within the juvenile citation is correct." If the citation is not sworn to in-person, the citation will not be valid and the case could be dismissed. All juvenile citations shall have a Louisville Metro Police Department (LMPD) Oath Verification sticker applied to the front copy of the Kentucky Uniform Citation in the outlined disposition box, to the right of the charges, and be signed and dated by the witnessing officer. If a LMPD Oath Verification sticker is not available, the witnessing officer may legibly write the following on the back of the citation, "Sworn to before me this (date) day of (month), (year)" with the witnessing officer's name and title below.

Officers shall forward all original handwritten citation(s) involving juveniles to their commanding officer by the end of their tour of duty. If the officer is off-duty, the citation(s) must be forwarded by the end of his/her next tour of duty. Commanding officers, or their designees, are responsible for forwarding citations to the Data Integrity Unit within seven (7) days of the issue date of the citation, for court processing. Courts will not accept late citations. Any citations forwarded after seven (7) days require a memorandum from the officer to the Assistant Chief of Police/Administrative Bureau, explaining the reason for the delay. Officers will retain the pink copy of the citation(s) for their records. The Data Integrity Unit will handle all records involving juveniles in accordance with state and federal statutes (KACP 18.9a, 18.10).

10.7.4 YMCA SAFE PLACE SERVICES (KACP 18.2, 18.4, 18.6b)

If a parent, legal guardian, or another responsible adult cannot be located or refuses to accept custody, and the requirements for detention at Louisville Metro Youth Detention Services (LMYDS) are not met, the preferred option is to transport the child to the YMCA Safe Place Services, located at 2400 Crittenden Drive. The court date will be left blank and the original citation(s) should be turned over to YMCA Safe Place Services personnel with the juvenile. Officers shall forward the blue copy of the citation(s) to their commanding officer by the end of the officer's tour of duty. If the officer is off-duty, the blue copy of the citation(s) must be forwarded by the end of his/her next tour of duty. If the blue copy is illegible, officers will photocopy the original and attach the photocopy to the blue copy prior to forwarding. Commanding officers, or their designees, are responsible for forwarding citations to the Data Integrity Unit within seven (7) days of the issue date of the citation, for court processing. Courts will not accept late citations. Any citations forwarded after seven (7) days require a memorandum from the officer to the Assistant Chief of Police/Administrative Bureau, explaining the reason for the delay. Officers will retain the pink copy of the citation(s) for their records. YMCA Safe Place Services will not accept a juvenile who has been charged with a firearm or drug trafficking offense. YMCA Safe Place Services personnel may refuse to accept a juvenile who is under the influence of drugs or alcohol, depending on the level of intoxication.

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Subject: Juvenile Public Offenders	KACP: 1.6, 18.1, 18.2, 18.3, 18.4, 18.6, 18.9, 18.10, 23.1, 30.1

10.7.4 YMCA SAFE PLACE SERVICES (CONTINUED)

Prior to submitting a juvenile Kentucky Uniform Citation to YMCA Safe Place Services, the citing/arresting officer must raise his/her right hand and swear before another officer, in-person, that “The information contained within the juvenile citation is correct.” If the citation is not sworn to in-person, the citation will not be valid and the case could be dismissed. All juvenile citations shall have a LMPD Oath Verification sticker applied to the front copy of the Kentucky Uniform Citation in the outlined disposition box, to the right of the charges, and be signed and dated by the witnessing officer. If a LMPD Oath Verification sticker is not available, the witnessing officer may legibly write the following on the back of the citation, “Sworn to before me this (date) day of (month), (year)” with the witnessing officer’s name and title below.

10.7.5 DETENTION FACILITY (KACP 18.2, 18.3, 18.6b)

Normally, juveniles charged with misdemeanor offenses will not be detained at LMYDS, unless they meet specific criteria or special circumstances. If release to a parent, legal guardian, or another responsible adult is not possible, and release to YMCA Safe Place Services is not allowed, officers will deliver juveniles taken into custody to LMYDS, located at 720 West Jefferson Street. The 24 hour phone number is (502) 574-6854. If the officer was unable to contact the parent or legal guardian, or if release to YMCA Safe Place Services is not allowed, he/she will note that fact in the narrative section of the citation.

Prior to submitting a juvenile Kentucky Uniform Citation to LMYDS, the citing/arresting officer must raise his/her right hand and swear before another officer, in-person, that “The information contained within the juvenile citation is correct.” If the citation is not sworn to in-person, the citation will not be valid and the case could be dismissed. All juvenile citations shall have a LMPD Oath Verification sticker applied to the front copy of the Kentucky Uniform Citation in the outlined disposition box, to the right of the charges, and be signed and dated by the witnessing officer. If a LMPD Oath Verification sticker is not available, the witnessing officer may legibly write the following on the back of the citation, “Sworn to before me this (date) day of (month), (year)” with the witnessing officer’s name and title below.

The court date will be left blank and the original citation(s) should be turned over to LMYDS personnel with the juvenile. Officers shall forward the blue copy of the citation(s) to their commanding officer by the end of the officer’s tour of duty. If the officer is off-duty, the blue copy of the citation(s) must be forwarded by the end of his/her next tour of duty. If the blue copy is illegible, officers will photocopy the original and attach the photocopy to the blue copy prior to forwarding. Commanding officers, or their designees, are responsible for forwarding citations to the Data Integrity Unit within seven (7) days of the issue date of the citation, for court processing. Courts will not accept late citations. Any citations forwarded after seven (7) days require a memorandum from the officer to the Assistant Chief of Police/Administrative Bureau, explaining the reason for the delay. Officers will retain the pink copy of the citation(s) for their records.

Pursuant to KRS 610.200(6), no juvenile age ten (10), or younger, will be detained in a detention facility unless he/she has been charged with a Class B felony, or higher. Officers should contact a CDW for assistance with alternative methods of handling juveniles who are ten (10) years of age, or younger, and not eligible for detention.

Officers should transport a juvenile to LMYDS, without delay, in the following situations:

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10.7.5 DETENTION FACILITY (CONTINUED)

- For all Capital, Class A, and Class B felony offenses
- Arson First, Second, or Third Degree
- Assault Second or Third Degree
- Burglary First or Second Degree
- Escape First or Second Degree
- Manslaughter Second Degree
- Rape Second or Third Degree
- Reckless Homicide
- Robbery Second Degree
- Sexual Abuse First Degree
- Sodomy First or Second Degree
- Unlawful Imprisonment First Degree
- Wanton Endangerment First Degree
- A juvenile charged with an offense in which a firearm, whether functional or not, was used
- A juvenile with a past history (within six (6) months) of failing to appear in court, with the exception of status offenders
- A juvenile taken into custody with multiple offenses, which would constitute felonies arising out of separate incidents
- A juvenile taken into custody within 30 days of a prior petition for a felony offense and the new offense is a felony
- Juveniles ordered held on a valid court order or warrant

Officers should contact a CDW or LMYDS if there is any question as to whether or not a juvenile will, or should be, detained on charges. The phone number at the CDW main office is (502) 595-0036. Office hours are from 0900 to 1600 hours, Monday through Friday. The phone number at the CDW office at LMYDS is (502) 595-3330. Office hours are from 0830 to 1630 hours, Monday through Friday. The after-hours number for the on-call worker is (502) 574-6854. If the child is not detained, the officer should refer to SOP 10.7.3, SOP 10.7.4 or, if applicable, SOP 10.7.7. LMYDS will refuse to accept a juvenile who is injured, intoxicated, or who has stated that he/she has been consuming alcohol or using drugs. In such cases, the juvenile shall be taken to a medical facility where a parent, or legal guardian, will be needed to sign for treatment.

10.7.6 INTERVIEW AND INTERROGATION (KACP 18.3)

If an officer takes, or receives, a juvenile into custody, the juvenile may be retained at a police facility, secure juvenile detention facility, juvenile holding facility, intermittent holding facility, youth alternative center, a non-secure facility, or, as necessary, in a hospital or clinic for the following purposes:

- Identification and booking
- Notification of a parent, guardian, adult relative, or person exercising custodial control, or supervision, over the juvenile or other responsible person
- Photographing and fingerprinting

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10.7.6 INTERVIEW AND INTERROGATION (CONTINUED)

- Physical examinations, including examinations for evidence, evidence collection, and scientific tests
- Record checks
- Determining whether the juvenile is subject to trial as an adult
- Other inquiries of a preliminary nature

The juvenile may be retained in custody, for investigative purposes, for a period of time not to exceed two (2) hours, unless a time extension is granted. Permission for a time extension may be granted by the court or CDW, and the juvenile may be retained in custody for up to ten (10) more hours. Officers needing an extension of time should contact LMYDS or MetroSafe to get phone numbers for CDWs. Any juvenile held in custody shall be sight and sound separated from any adult prisoners held in secure custody at the same location. Juveniles should not be handcuffed to, or otherwise securely attached to, any stationary object.

The questioning of a juvenile in custody shall be conducted pursuant to KRS 610.220. Questioning may be conducted at the following locations:

- At the scene;
- While en route to LMYDS;
- In a police facility or at the designated location at LMYDS (prior to being placed in the custody of LMYDS); or
- At the juvenile's home or place of arrest.

Prior to any custodial interrogation, the officer shall:

- Inform the juvenile that his/her parent, guardian, or custodian will be notified regarding the arrest and interrogation, and that the juvenile has a right to consult with an attorney and that an attorney may be appointed, by a judge, for the juvenile if he/she cannot afford one.
- Notify the juvenile's parent/legal guardian – Kentucky law only requires notification. Parents/legal guardians are not required to be present nor may they interfere with an interrogation.
- Give a brief explanation of the department and juvenile justice system procedures to the juvenile and his/her parents/legal guardians, if available (KACP 18.6c).
- Read Miranda warnings from the Miranda Rights Waiver form (LMPD #0006-96). For persons with a mental illness/developmental disability, after the initial Miranda warning is read, members may use simple words to modify the Miranda warning to verify that the suspect/arrestee understands his/her rights (refer to SOP 8.25).

With the exception of the procedures outlined above, juvenile interrogation procedures are the same as those of adult interrogations (refer to SOP 8.25).

Normally, no more than two (2) officers should simultaneously actively participate in an interview or interrogation. Exceptions must be approved by a commanding officer and documented to the division/section/unit commander.

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10.7.6 INTERVIEW AND INTERROGATION (CONTINUED)

If a juvenile knowingly, intelligently, and voluntarily waives his/her constitutional rights to remain silent, statements made by the juvenile will be admissible in court. However, juvenile confessions may be suppressed if the juvenile's rights are not adequately protected during interrogation (e.g. excessive number of officers present, threats, promises, hostile environment). Officers should verify that the juvenile's rights are adequately protected and that the interrogation environment is non-coercive.

Physical evidence related to juvenile public offenses will be collected and utilized in the same manner as it is in adult criminal investigations. If resistance from a parent or legal guardian is encountered when attempting to fingerprint, or photograph, a juvenile in his/her home based on probable cause, the officer shall obtain a court order before proceeding. All records and physical evidence so obtained shall be surrendered to the court upon motion for good cause shown or upon elimination of the juvenile as a suspect in the case.

10.7.7 JUVENILE PETITION (KACP 18.3)

Officers may apply for a juvenile petition in lieu of taking a juvenile into custody. A juvenile petition may be taken at Juvenile Services, located at 429 West Muhammad Ali Blvd., 3rd floor. If the juvenile is to be charged with a felony, supervisory approval must be obtained prior to releasing the child and filing the petition (refer to SOP 10.1). In order to verify proper legal service, all juvenile petitions and citations will contain (within the narrative section of the Kentucky Uniform Citation) the name, age, and address of the child and the name and address of the parents/legal guardian, or the nearest adult relative, of the child.

10.7.8 DRIVING UNDER THE INFLUENCE (DUI) (KACP 18.3, 23.1d)

Juveniles taken into custody for DUI shall be transported to the Louisville Metro Department of Corrections (LMDC) for breath analysis testing (refer to SOP 7.12). Officers requesting juveniles to submit to blood or urine tests shall take the juvenile to Norton Children's Hospital for the specimen collection (refer to SOP 7.6). After the requested tests have been completed, the officer shall deliver the child to either a parent or legal guardian, or a medical facility where a parent or legal guardian will be needed to sign for treatment.

10.7.9 MENTAL INQUEST WARRANTS (MIWs) (KACP 1.6, 18.3)

A MIW issued for a juvenile will be handled in the same manner as a MIW issued for an adult (refer to SOP 10.6). The transporting officer shall deliver the juvenile to the facility designated on the warrant. During normal business hours, the officer will return the pertinent paperwork to the Juvenile Division of District Court. Outside of normal business hours, the paperwork will be turned in to the Traffic/Control counter at the Hall of Justice, in the same manner as adult MIWs (refer to SOP 10.6).

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10.7.10 DOMESTIC/DATING VIOLENCE AND ABUSE (KACP 18.3, 30.1)

Officers shall handle juvenile perpetrators of domestic/dating violence and abuse in the same manner as adult perpetrators. Juveniles should not be released at the scene; they shall be taken into custody under the provisions of the Juvenile Code, with the exception of juveniles age ten (10), or younger (refer to SOP 10.7.5).

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Chapter: Arrest	Accreditation Standards: KACP: 18.5
Subject: Juvenile Status Offenders	

10.8 JUVENILE STATUS OFFENDERS

10.8.1 DEFINITIONS

Status Offender: A juvenile who commits an act, which, if committed by an adult, would not be a crime. Such behavior shall not be considered criminal or delinquent and such juveniles are termed status offenders. The following are considered status offenses:

- **Habitual Truant:** A juvenile who has been found by the court to have been reported as absent from school or tardy, without a valid excuse, for three (3) days or more, two (2) or more times during a one (1) year period (Kentucky Revised Statute (KRS) 159.150).
- **Habitual Runaway:** A juvenile who has been found by the court to have been absent from his/her place of lawful residence, without the permission of his/her custodian, for at least three (3) days during a one (1) year period (KRS 600.020(28)).
- **Beyond the Control of Parents or School:** A juvenile who has repeatedly failed to follow the reasonable directives of his/her parent(s), guardian(s), or person(s) exercising custodial control, or supervision, other than a state agency, and whose behavior results in a danger to himself/herself or others and whose behavior does not constitute behavior that would warrant the filing of a petition under KRS 645.040.
- **Tobacco Offender:** A juvenile who purchases or receives, or attempts to purchase or receive, tobacco products, or who presents false identification in order to purchase or receive tobacco products (KRS 438.305 to 438.340).
- **Alcohol Offender:** A juvenile who possesses or purchases alcohol, or presents false identification in order to purchase alcohol (KRS 244.085).

Non-offender: A juvenile alleged to be dependent, neglected, or abused and who has not been otherwise charged with a status or public offense (KRS 600.020).

10.8.2 STATUS OFFENDERS (KACP 18.5a)

A status offender may be taken into custody:

- Pursuant to a court order; or
- If there are reasonable grounds to believe that the juvenile has been a habitual runaway from his/her parents or person exercising custodial control, or supervision, of the juvenile, the officer may take the child to Louisville Metro Youth Detention Services (LMYDS), located at 720 West Jefferson Street (refer to SOP 10.7).

If a juvenile has not committed a public offense or the situation does not fall into one (1) of the two (2) categories listed, an officer should refer the complainant to a Court Designated Worker (CDW). Officers may request that MetroSafe contact an on-call CDW. If a status offender has no medical problems, an officer must, within two (2) hours, deliver the status offender to a CDW or release him/her to a parent, guardian, responsible adult, or person exercising custodial control, or supervision, over the juvenile.

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Subject: Juvenile Status Offenders	

10.8.2 STATUS OFFENDERS (CONTINUED)

Upon this release, the officer will leave the court date on the citation blank and shall forward the original handwritten citation(s) to his/her commanding officer by the end of his/her tour of duty. If the officer is off-duty, the original citation(s) must be forwarded to his/her commanding officer by the end of his/her next tour of duty. Commanding officers, or their designees, are responsible for forwarding citations to the Data Integrity Unit within seven (7) days of the issue date of the citation, for court processing. Courts will not accept late citations. Any citations forwarded after seven (7) days require a memorandum from the officer to the Assistant Chief of Police/Administrative Bureau, explaining the reason for the delay. Copies of eCitations do not need to be forwarded. Officers will retain the pink copy of the citation(s) for their records. An officer may also deliver the child to a CDW with a Kentucky Uniform Citation and the CDW will determine the appropriate placement for the status offender. The original citation(s) will be forwarded to the Data Integrity Unit, by the end of his/her tour of duty, for court processing. If the officer is off-duty, the original citation(s) must be forwarded by the end of his/her next tour of duty. Copies of eCitations do not need to be forwarded. Officers will retain the pink copy of the citation(s) for their records.

Under no circumstances shall a status offender be placed in a division's temporary detention room or transported with adult offenders.

Non-offenders and juveniles charged with curfew violations shall not be detained in a secure juvenile detention facility or a juvenile holding facility, nor shall they be placed in a division's temporary detention room or transported with adult offenders.

10.8.3 TRUANCY AND CURFEW VIOLATIONS

Officers should be familiar with, and enforce, the Metro Truancy and Curfew Ordinances. Officers should refer to the Louisville-Jefferson County Metro Government Code of Ordinances, TITLE XIII, Chapter 137 Juvenile Offenses, for the Curfew Program and School Attendance Requirement. Officers cannot detain a juvenile if the juvenile chooses to leave during an investigation of these ordinances unless the officers have reasonable suspicion or there is a public offense with which to charge the juvenile. When an officer cites a parent for the violation of a truancy or curfew ordinance, the name, date of birth (DOB), race, and sex of the juvenile(s) involved must be included in the narrative section of the eCitation or paper citation.

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<h2>Standard Operating Procedures</h2>	SOP Number: 10.9
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	Accreditation Standards: KACP: 18.8, 18.9, 18.10, 26.1
Chapter: Arrest	
Subject: Juvenile Evidence and Records	

10.9 JUVENILE EVIDENCE AND RECORDS (KACP 26.1)

10.9.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to verify the security and confidentiality of juvenile records and case files. Juvenile evidence and records shall be used for official purposes only.

10.9.2 JUVENILE EVIDENCE (KACP 18.8)

Pursuant to Kentucky Revised Statute (KRS) 610.300, physical evidence shall be obtained and utilized in the investigation of public offenses involving children in the same manner as it is obtained and utilized in the investigation of public offenses involving adults. Fingerprints, photographs, and other forms of juvenile identification shall be used for official purposes only. These forms of evidence will be included in case files until utilized.

Photographs and fingerprints of juveniles taken by the LMPD will be kept only in secured division/section/unit investigative files and/or secured in the Evidence and Property Unit (EPU) until utilized in an investigation, court case, etc.

10.9.3 JUVENILE RECORDS

Pursuant to KRS 17.125(3), once a complaint is filed with a Court Designated Worker (CDW) alleging that a student has committed a status or public offense, the authorized district representative shall provide all records specifically requested in writing, pertaining to that student. To request these records, the officer will complete a Release of Education Records to Juvenile Justice System form. This form is available in the "Online Forms" folder on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Forms" link, and double click on the "Records" folder. The purpose of this release shall be limited to providing the juvenile justice system with the information needed to effectively serve the needs of the student, prior to adjudication.

Juvenile records shall not be open to public scrutiny, pursuant to KRS 610.320 and KRS 610.340. Pursuant to KRS 610.340, juvenile records shall only be accessed by personnel involved in an investigation and/or on a need-to-know basis only (KACP 18.9d).

10.9.4 JUVENILE RECORD EXPUNGEMENT

KRS 610.330 and the applicable records retention schedules dictate that juvenile evidence and records are subject to expungement by court order or by the offender reaching the age of 23 (KACP 18.9b-c). In order to verify the LMPD's ability to comply with expungement requirements in each division/section/unit, the division commander's designee is responsible for the collection, dissemination, and retention of juvenile records (KACP 18.10). The LMPD divisions/sections/units will separate juvenile case files from adult case files (KACP 18.9a).

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10.9.4 JUVENILE RECORD EXPUNGEMENT (CONTINUED)

Divisions/sections/units will also separate open juvenile case files and closed juvenile case files. These files will be stored in a locked file cabinet.

The ICU Commander oversees juvenile case file expungement compliance from the divisions in coordination with Records Management when juveniles reach the age of 18 (refer to SOP 1.8 and SOP 6.1). Case files will be kept within each division/section/unit until the juvenile has reached the age of 18. At that time, any case files that have not been previously expunged, pursuant to court order under KRS 610.330, will be transferred to the Expungement Unit. Files must be separated by date of birth (DOB), with the date of birth of the suspect and "JUVENILE" clearly marked on the front of each case jacket. The Expungement Unit will be responsible for boxing and transferring the juvenile files to Louisville Metro Archives. A Records Transmittal Form will be attached to the files upon transfer to Metro Archives. A detailed list of the contents of each archived box of juvenile files will be made and retained by the Expungement Unit. Each box will be eligible for destruction at the end of the year of which the last person in the box reaches the age of 23.

Pursuant to the Commonwealth of Kentucky Records Retention Schedule, juvenile case files shall be stored until the defendant reaches the age of 23. Metro Archives will send an annual Destruction Eligibility List to the Expungement Unit for approval and the files will then be destroyed (KACP 18.9c). A 30-day review period will be granted prior to the destruction of the documents. If the archived items need to be maintained beyond the approved retention period, a written reason for the "destruction hold" must be submitted to Metro Archives prior to the end of the 30-day review period. A failure to send a written reason within the 30-day review period will signify an "assumed approval" for the destruction.

When the boxes are destroyed, Metro Archives will generate a Destruction Certificate that lists the number of boxes destroyed per record series (e.g. number of boxes of juvenile investigation files, number of boxes of citizen complaint files, etc.) and the date range of each series. The original Destruction Certificate will be sent to the Kentucky Department for Libraries and Archives (KDLA). A copy of the Destruction Certificate can be requested by the LMPD.

The following records are not destroyed when the defendant reaches the age of 23, but are retained in the same manner as adult case files, pursuant to applicable records retention schedules:

- Case files of juveniles who are tried as an adult
- Case files where a juvenile is the suspect in a child abuse case
- Juvenile traffic offense cases
- Juvenile vehicular accident

Divisions/sections/units are prohibited from keeping copies of juvenile citations not included in case files (e.g. citation arrest for possession of marijuana), unless there are open charges against the juvenile.

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10.9.5 ELECTRONIC RECORDS

The same retention and destruction policies relating to case files also apply to electronic records stored in the Records Management System (RMS). Juvenile RMS entries are segregated from adult entries (KACP 18.9a). Juvenile electronic records are accessible in the RMS until the subject of the RMS entry reaches the age of 23. The RMS record of a subject between the ages of 18 and 23 will be expunged if ordered by the courts, pursuant to KRS 610.330 (KACP 18.9b). When the subject of the record reaches the age of 23, his/her name will be expunged from the RMS, except in cases where the charges against the juvenile resulted in him/her being tried as an adult or in child abuse cases where the juvenile is a suspect (KACP 18.9c).

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<h2>Standard Operating Procedures</h2>	SOP Number: 11.1
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	Accreditation Standards: KACP: 30.3
Chapter: Evidence and Property	
Subject: Confiscation/Forfeiture of Property	

11.1 CONFISCATION/FORFEITURE OF PROPERTY (KACP 30.3)

11.1.1 STATUTORY AUTHORITY

The Kentucky Revised Statutes (KRS) subject certain property to forfeiture, such as:

- Contraband (KRS 218A.410)
- Property used in the commission or furtherance of certain crimes (KRS 514.130)

11.1.2 DOCUMENTATION FOR ASSET AND VEHICLE FORFEITURE

There are occasions in which officers may seize personal property, including money and vehicles. In these instances, officers will complete and email a Request for Forfeiture form (LMPD #03-11-0071) prior to the end of their tour of duty according to the procedures outlined below. The officer must articulate probable cause for the seizure, including facts connecting the seized assets to the offense.

11.1.3 ASSET FORFEITURE

If a seizing officer intends to seek forfeiture of property, excluding motor vehicles and other conveyances, which are covered in SOP 11.1.5, the officer will:

- Complete and email a Request for Forfeiture form (LMPD #03-11-0071) to "LMPD Forfeitures," located within the department's email distribution list, by the end of his/her tour of duty.
- Print a paper copy of the Request for Forfeiture form for his/her commanding officer.
- The commanding officer will review and initial the paper copy of the form and then forward it to the division/section/unit commander. If the forfeiture is approved by the division/section/unit commander, the form will be distributed as follows:
 - A copy of the form will be maintained in division/section/unit files.
 - The original form will be sent to the Legal Advisor's Office for final review.

The Legal Advisor will review the Request for Forfeiture form to determine if sufficient probable cause exists to justify the seizure. If the forfeiture is approved, the form will be returned to the division/section/unit commander, who will provide the investigating officer with the original form for submission to the appropriate prosecutor. If the forfeiture is not approved, the Request for Forfeiture form is returned to the appropriate division/section/unit and the investigating officer will have seven (7) days to articulate any additional information for the forfeiture and resubmit the form to the Legal Advisor.

If the Request for Forfeiture form does not adequately articulate probable cause for the seizure, the Legal Advisor may return the form to the division/section/unit commander with a request for the investigating officer to supplement the probable cause statement. The Legal Advisor will address any questions from the investigating officer concerning the information needed for supplementing the probable cause statement. If the seizing officer is unable to adequately supplement the statement, or the Legal Advisor determines that the property is not subject to

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11.1.3 ASSET FORFEITURE (CONTINUED)

forfeiture, the investigating officer will immediately dispose of the property in accordance with SOP 11.6, if it is no longer needed for evidentiary purposes.

The Evidence and Property Unit (EPU) is responsible for notifying the rightful owner of the property that is being released. If the rightful owner of the property is deceased, the property will only be released pursuant to a court order.

At the conclusion of a case where seized property is approved for forfeiture, the officer will request that the prosecutor obtain a written court order specifying that the forfeited property is to be delivered to the Louisville Metro Police Department (LMPD). If the forfeiture is approved, the officer will immediately send or deliver the signed court order to Asset Forfeiture, located at 701 West Ormsby Avenue, Suite 102. Asset Forfeiture is responsible for forwarding a copy of the signed court order to the EPU and the Office of Management and Budget (OMB) Compliance Office, located at 611 West Jefferson Street.

If the forfeited property is currency, the OMB Compliance Office will then contact the EPU to coordinate the execution of the court order. The OMB Compliance Office is responsible for the appropriate distribution of the forfeited funds to the Jefferson County Attorney's Office, the Office of the Commonwealth's Attorney or any third party named in a court order, pursuant to statute. The funds will be placed in the appropriate asset forfeiture fund on Louisville Metro's accounting books.

In cases where there is sufficient evidence to determine that property is subject to forfeiture, but for technical or unusual reasons the criminal case is dismissed or the defendant is acquitted, a civil action for the forfeiture of the property may be considered.

11.1.4 DEADLY WEAPONS

Whenever a deadly weapon is used in the commission of a crime, it shall be seized and placed in the EPU according to EPU procedures. Upon conviction of a person for the violation of any KRS in which a deadly weapon was used, displayed, or unlawfully possessed, the court will order the weapon forfeited to the state and sold, destroyed, or otherwise disposed of, in accordance with KRS 500.090. It is the responsibility of the officer investigating the case to advise the prosecutor of the department's intention to seek forfeiture of the weapon.

11.1.5 MOTOR VEHICLES AND OTHER CONVEYANCES

All seized vehicles that are used in violation of applicable statutes will be impounded at the Vehicle Impoundment Lot, located at 1487 Frankfort Avenue. Upon vehicle impoundment, if the seizing officer intends to seek forfeiture of a vehicle or other conveyance, he/she will:

- Note "**Vehicle seized for forfeiture**" in the block for vehicle holds on the parking citation and on the LMPD Vehicle Hold form (LMPD #05-0019).
- Complete and email a Request for Forfeiture form (LMPD #03-11-0071) to "LMPD Forfeitures," located within the department's email distribution list, by the end of his/her tour of duty.

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11.1.5 MOTOR VEHICLES AND OTHER CONVEYANCES (CONTINUED)

- Print a paper copy of the Request for Forfeiture form for his/her commanding officer.
- The commanding officer will review and initial the paper copy of the form and forward it to the division/section/unit commander. If the forfeiture is approved by the division/section/unit commander, the form will be distributed as follows:
 - A copy of the form will be maintained in division/section/unit files.
 - The original form will be sent to the Legal Advisor's Office for final review.

The Legal Advisor will review the Request for Forfeiture form to determine if sufficient probable cause exists to justify the seizure. If the forfeiture is approved, the form will be returned to the division/section/unit commander, who will provide the investigating officer with the original form for submission to the appropriate prosecutor. If the forfeiture is not approved, the Request for Forfeiture form is returned to the appropriate division/section/unit and the investigating officer will have seven (7) days to articulate any additional information for the forfeiture and resubmit the form to the Legal Advisor.

If the Request for Forfeiture form does not adequately articulate probable cause for the seizure, the Legal Advisor may return the form to the division/section/unit commander with a request that the investigating officer supplement the probable cause statement. The Legal Advisor will address any questions from the investigating officer concerning the information needed for supplementing the probable cause statement. If the seizing officer is unable to adequately supplement the statement, or the Legal Advisor determines that the vehicle is not subject to forfeiture, the vehicle will be released. Unless the vehicle is being held for some other lawful reason, once it is determined that it will not be subject to forfeiture, the investigating officer will immediately remove the hold on the vehicle by completing a Hold Release/Transfer/Continue form (LMPD #06-0052) and forwarding it to Asset Forfeiture.

If the vehicle is approved for forfeiture, the seizing officer is responsible for pursuing the vehicle's forfeiture along with the prosecution of the criminal offense. Any court documents necessary for forfeiture will be prepared by the prosecutor, who will supply the seizing officer with a court order to be signed by the court and returned, by the officer, to Asset Forfeiture following case disposition. Asset Forfeiture will provide a copy of the order to the OMB Compliance Office.

Asset Forfeiture will provide a copy of the court order, along with a Request for Mechanical Inspection form (LMPD #04-11-0072), to Metro Fleet Services. Metro Fleet Services will inspect the vehicle, assess its mechanical condition, and determine whether the vehicle should be retained for use in the fleet, disposed of at auction, or have the seizure/forfeiture terminated due to its unacceptable condition, excessive lien, or other circumstances.

Metro Fleet Services will prepare and process the required title transfer documents and will notify the Assistant Chief of Police/Administrative Bureau when the vehicle is ready for service, if it is to be retained as a fleet vehicle. The assignment of the vehicle is at the discretion of the Assistant Chief of Police/Administrative Bureau and will be based on the needs of the department.

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11.1.6 COMPUTER EQUIPMENT

Whenever computers or computer-related equipment are used in the commission of a crime, the items may be seized and placed in the EPU. If the investigating officer is seeking the forfeiture of such items, he/she will follow normal forfeiture procedures outlined in this SOP.

Officers seizing computers and computer-related equipment requiring forensic examination will complete the Kentucky Regional Computer Forensics Laboratory (KRCFL) Service Request form (RCFL-101) and forward it to the KRCFL.

If the forfeiture of the computer or computer-related equipment is granted, the officer will complete the Request for Inspection of Forfeited Computer form (LMPD #05-11-0172) and forward it to the Department of Information Technology (DoIT).

The DoIT Director will complete an assessment of the items to determine whether the computer or computer-related equipment complies with established standards (refer to SOP 4.20) and will recommend whether it should be retained for use by the department.

If the DoIT Director approves the computer or computer-related equipment for departmental use, the priority placement of the items is designated as follows:

- DoIT
- Kentucky Regional Computer Forensics Laboratory (KRCFL)
- The seizing officer's division/section/unit
- Other divisions/sections/units

If the forfeited computer or computer-related equipment does not meet the established DoIT standards, it will be sold at auction or properly destroyed.

If the computers or computer-related equipment are not forfeited, the items will be released according to the procedures outlined in SOP 11.6.

11.1.7 MISCELLANEOUS PROPERTY

When an officer wishes to secure the forfeiture of seized property, other than items previously mentioned, he/she will:

- Complete and email a Request for Forfeiture form (LMPD #03-11-0071) to "LMPD Forfeitures," located within the department's email distribution list, by the end of his/her tour of duty.
- Print a paper copy of the Request for Forfeiture form for his/her commanding officer.
- The commanding officer will review and initial the paper copy of the form and then forward it to the division/section/unit commander. If the forfeiture is approved by the division/section/unit commander, the form will be distributed as follows:
 - A copy of the form will be maintained in division/section/unit files.

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11.1.7 MISCELLANEOUS PROPERTY (CONTINUED)

- The original form will be sent to the Legal Advisor's Office for final review.

If the forfeiture is approved by the Legal Advisor's Office, the officer will:

- Request that the prosecutor makes a motion for forfeiture after the disposition of the case.
- Return the completed court order to Asset Forfeiture, who will provide a copy of the court order to the EPU and the OMB Compliance Office.

If the forfeiture is not approved, the Request for Forfeiture form is returned to the appropriate division/section/unit and the investigating officer will have seven (7) days to articulate any additional information for the forfeiture and resubmit the form to the Legal Advisor.

11.1.8 DISCLAIMER OF OWNERSHIP

In cases where property, including currency, has been lawfully seized, and the person who was in physical control of the property at the time of the seizure denies ownership, the seizing officer will request that the subject sign a Disclaimer of Ownership form (LMPD #09-0001). If the property was in the joint possession of more than one (1) person at the time of the seizure, each person will be asked to sign a separate form. Completing the form may prevent an individual from later making a legal claim of ownership of the seized property and will serve as an acknowledgment that the property was in their possession at the time that it was seized.

11.1.9 DISPOSITION OF FORFEITED PROPERTY

Forfeited property awarded to the department will be considered property for official use and will be used at the discretion of the Chief of Police. Divisions/sections/units requesting the official use of forfeited property will complete the Request for Official Use of Forfeited Property form (LMPD #05-11-0289) and forward it, via the appropriate chain of command, to the Assistant Chief of Police/Administrative Bureau. If approved, the property will be included in the division's/section's/unit's inventory for tracking purposes. Forfeited property that is deemed inappropriate for official use will be sold at auction or properly destroyed.

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11.2 GENERAL GUIDELINES

11.2.1 PROPERTY

The Louisville Metro Police Department (LMPD) Evidence and Property Unit (EPU) will accept the following types of property (KACP 27.2, 27.4):

- **Found property:** The initiating member will make reasonable efforts to determine the owner and release the property in lieu of it being placed in the EPU. A preliminary incident control number (ICN) is required for all items to be deposited into the EPU.
- **Items of value from an impounded vehicle:** Valuable property that is in plain view may be secured by placing it in the EPU or by removing it from plain view (e.g. placing the property under the seat or in the glove box).
- **Personal property/valuables of collision victims:** The officer should make every effort to return property to the owner. Only if the victim is unable to exercise custody and control should the property be placed in the EPU.
- **Personal property of prisoners:** The Louisville Metro Department of Corrections (LMDC) will not accept items such as weapons, illegal items, or large items such as bicycles, backpacks, bags of clothing, or blankets. The LMDC does accept small items such as keys, purses, currency, ID cards, properly-labeled prescription medicine, etc. The initiating member should book these items at the LMDC facility with the prisoner. The EPU will accept items of personal property that the LMDC refuses to accept. Members should advise the owners that personal property may be claimed at the EPU from 0730 to 1730 hours, Monday through Friday.
- **Evidence:** The seizure of items of evidence shall be consistent with governing statutes. When possible, members should document the evidence at the scene and use discretion as to whether the evidence should be collected and placed in the EPU.
- **Property for safekeeping:** Pursuant to Kentucky Revised Statute (KRS) 95.435, this is "property taken from persons supposed to be insane, intoxicated, or otherwise incapable of taking care of themselves."
- **Fossil fuel/flammable powered equipment:** Fossil fuel-powered equipment (e.g. push mowers, weed eaters, leaf blowers, chain saws, go-carts, etc.) will be brought to the EPU by the member. Items of this nature cannot be stored inside of the EPU due to Occupational Safety and Health Administration (OSHA) and fire code regulations. The item will be entered into the Records Management System (RMS) and stored in the outside storage area of the EPU. Gasoline and other fossil fuel storage containers will be handled in the same manner. The EPU is responsible for maintaining records of this equipment and releasing it.

The EPU will **not** accept the following types of property:

- **Motor vehicles:** Motor vehicles will be taken to the Vehicle Impoundment Lot where their records will be maintained. The vehicles will be stored and released from this location.
- **Trailers designed to be towed behind a vehicle:** These items will be taken to the Vehicle Impoundment Lot where they will be stored and released.
- **Explosives:** Explosives will not be accepted by the EPU for storage. All explosives will be examined by a member of the Bomb Squad and transported to the explosives bunker for storage by a Bomb Squad member.

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11.2.1 PROPERTY (CONTINUED)

- **Biohazard/DNA evidence that is wet or not prepackaged:** These items will be stored at the Crime Scene Unit (CSU) until they are dry. Once they have been packaged by CSU personnel, the items will be delivered to the EPU by the CSU technician.
- **Food items:** In cases of theft, shoplifting, etc., food items should be photographed and released to the owner. These items will not be stored in the EPU.
- **Cans, bottles, or coolers containing ice or liquid:** The original container will be photographed and, if testing is required on any liquid, only the amount required for testing will be accepted. Sterile containers are maintained at the CSU in order to collect samples for testing.
- **Animals:** All animals are to be taken to Louisville Metro Animal Services (LMAS), located at 3705 Manslick Road.
- **Unknown chemical substances:** Chemicals, including precursors used to manufacture narcotics, will not be accepted unless the member has had the substance identified, properly packaged the substance to comply with Environmental Protection Agency (EPA) and OSHA regulations, and weighed the substance prior to having packaged it. Only the amount necessary to be tested shall be accepted. Only members with Hazard Materials (HAZMAT) Technician Level training may handle, collect, or transport unknown chemical substances. The EPU Supervisor or a Drug Vault Detective will immediately be notified to place the item(s) in the chemical locker.
- **Pressurized containers containing hazardous materials:** The contents of any pressurized containers that are unmarked, or appear to have been tampered with, must be tested prior to being brought to the EPU. Cylinders or tanks that are unmarked, or appear to have been tampered with, will not be accepted by the EPU (refer to SOP 11.4 and SOP 12.4). If a cylinder or tank is connected to a grill or other device, the cylinder or tank may be removed from the device and the grill or other device can then be stored in the EPU. If the cylinder or tank is clearly marked and has no apparent signs of having been tampered with, the EPU will accept it. It will be stored with the fossil fuel-powered equipment in the outside storage area of the EPU. These items will be handled in the same manner as fossil fuel-powered equipment.
- **Firearms that are loaded with ammunition:** Firearms will not be accepted until the depositing member can demonstrate to the clerk that the weapon is not loaded. Bullet traps are located in the member's lobby for this purpose. Eye and ear protection is available for the clerk and the member (refer to SOP 11.4).
- **Human remains:** These items will be retained by the Jefferson County Coroner's Office.

If the item(s) is listed as stolen, instead of depositing the item(s) into the EPU, the officer will:

- Notify the rightful owner to pick up the item(s);
- Photograph the item(s);
- Download the images into the Digital Image Management System (DIMS) for evidentiary purposes; and
- Release the item(s) to the rightful owner.

11.2.2 EVIDENCE PROCEDURES

Evidence shall be properly collected, accurately documented, and secured, thereby keeping the chain of evidence short and the integrity of the chain complete (KACP 27.1). The chain of evidence begins with the seizing member.

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11.2.2 EVIDENCE PROCEDURES (CONTINUED)

The chain will be kept as short as possible and shall be thoroughly and accurately documented on the property voucher. Items requiring lab analysis or processing must be placed in separate packages.

At no time shall any evidence be left unsecured prior to being turned over to the EPU.

Evidence shall only be handled by more than one (1) member when:

- Several items of evidence have been collected and a commanding officer has authorized one (1) or more members to transport all of the evidence to the EPU.
- An officer is assigned to login evidence during the service of a search warrant.

The seizing member or technician shall transport the physical evidence to the EPU, as soon as possible, prior to the end of his/her tour of duty.

In order for the EPU to transfer evidence disposal rights from one (1) member to another, the Property Disposition form (LMPD #0070-97) or the Active Evidence Report must be completed by the member who is transferring the disposal rights to another member.

The officer/detective, who has been assigned as the lead investigator of a case with property that has been deposited into the EPU by another member, is responsible for verifying that the property has been transferred to him/her. The lead investigator will assume responsibility for evidence disposal.

11.2.3 DOCUMENTARY EVIDENCE

Documentary evidence, including, but not limited to, written statements, court-ordered records, Miranda Rights Waiver forms (LMPD #0006-96), photo-packs, and identification forms may be retained in the member's investigative case file, if the case files are stored in a secured area (refer to SOP 8.35). These items may be scanned and stored electronically as attachments in the RMS, but the original documents shall be placed in the EPU if a secure area for investigative case file storage is not available in the member's division/section/unit.

11.2.4 DIGITAL IMAGE EVIDENCE

Any property that is recovered as evidence, pursuant to offenses defined in KRS Chapter 514 (Theft and Related Offenses) or KRS Chapter 515 (Robbery), where the property has been obtained unlawfully or unauthorized control of the property has been exerted, will be processed in accordance with the following, except as stated in SOP 11.2.5:

- Members will photograph recovered property that is likely to spoil or ruin if deposited into evidence and arrange for the immediate return to its rightful owner.
- Recovered stolen items that are unusually bulky, large, or are unnecessary to hold for evidentiary purposes will be photographed and released to the owner as soon as possible.

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11.2.4 DIGITAL IMAGE EVIDENCE (CONTINUED)

- Any property that is recovered by store personnel in shoplifting cases, prior to the member's arrival, may remain in the custody of the business. It is at the member's discretion if photographs need to be taken. Items must be properly described in all reports.
- Any property in a shoplifting case, which is recovered by the member away from the business and has been out of the control/custody of the business, may be released after photographing the property.

Photographed items will be properly described and all owners identified in all reports.

KRS 422.350 states that in a prosecution of any offense covered in KRS Chapter 514 (Theft and Related Offenses) and Chapter 515 (Robbery), the court shall receive, as competent evidence, a photograph of property over which the accused is alleged to have exerted unauthorized control or to have otherwise obtained unlawfully, if the photograph:

- Will serve the purpose of demonstrating the nature and identity of the property; and
- Is otherwise admissible into evidence under all other rules of law governing the admissibility of photographs into evidence.

The member will have to testify to the authenticity of the picture, including the date, time, etc., just as he/she would if the item had been collected as evidence.

Pursuant to KRS 422.350, the fact that it is impractical to introduce into evidence the actual property for any reason including its size, weight, or unavailability, need not be established for the court to find a photograph of that property to be competent evidence. If a photograph is found to be competent evidence, it is admissible into evidence in place of the property and to the same extent as the property itself.

All digital evidence, for discovery purposes, shall only be released to the Office of the Commonwealth's Attorney, the Office of the United States (US) Attorney, or the Jefferson County Attorney's Office.

Digital images taken by LMPD members, for law enforcement use, reside in the main DIMS server (refer to SOP 4.26).

11.2.5 EVIDENCE REQUIRING SPECIAL HANDLING (KACP 27.1)

Evidence that requires special handling shall be processed in compliance with SOP 11.4. Examples of evidence that require special handling include, but are not limited to:

- Evidence that requires drying
- Firearms
- Sharps
- Vehicles
- Combustible articles
- Digital images
- DNA evidence
- Hazardous materials

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11.2.6 PLACING EVIDENCE IN THE EPU

Sworn members, Police Report Technicians (PRTs), and CSU technicians shall transport evidence to the EPU prior to the end of their tour of duty. EPU personnel are responsible for entering information into the RMS for evidence deposited by sworn members and PRTs.

CSU technicians, using the RMS, will create an evidence voucher for the evidence that they are depositing into the EPU, prior to submission. Members should refer to the RMS Manual for the proper procedures on entering this information into the system.

All evidence requires an ICN.

Stolen, found, recovered, and evidentiary property files are maintained in the EPU, via the RMS, by using unique serial numbers.

KRS 422.350 allows evidence to be photographed for prosecution of offenses defined in KRS 514 (Theft and Related Offenses) and 515 (Robbery). Once it is photographed, the property may be returned to its owner (refer to SOP 4.26).

11.2.7 OPERATOR'S LICENSES AND MOTOR VEHICLE REGISTRATION PLATES

Any operator's license which has been suspended or revoked by court order, or by the Kentucky Transportation Cabinet, may be seized from a driver still in possession of the license. If the driver is cited for driving with a suspended or revoked operator's license and the license is seized, the officer shall state in the narrative of the citation that the operator's license was seized. Officers shall immediately deliver the seized operator's license to the Circuit Court Clerk's Office. If the license is seized outside of the normal working hours of the Circuit Court Clerk's Office (e.g. 0830 to 1630 hours, Monday through Friday), the officer shall take the license to the EPU. Under no circumstance may an operator's license be placed in interoffice mail or kept in an officer's possession.

Per KRS 186.181, officers have the authority to seize any registration plate bearing a cancelled number and to report such seizure to the appropriate department (e.g. Jefferson County Clerk's Office). The officer shall seize the cancelled registration plate from any vehicle on publicly accessible property. Registration plates may not be seized from any vehicle that is parked on the curtilage of private property. When the registration plate has been seized, it shall either be delivered to the Jefferson County Clerk's Office or taken to the EPU, as soon as possible, prior to the end of the seizing officer's tour of duty. If the registration plate is evidence of a crime, it shall be deposited as evidence into the EPU. Under no circumstance may a registration plate be placed in interoffice mail.

Motor vehicle registration plates recovered or seized shall be checked through the Law Information Network of Kentucky (LINK) and the RMS to determine if they are stolen or wanted for any other reason (e.g. used in the commission of a crime). Reports related to stolen and/or wanted plates shall be cleared in the RMS and the National Crime Information Center (NCIC) Unit shall be immediately notified of the recovery. In cases where the seizure of a motor vehicle registration plate is related to the arrest of an individual and/or the plate is considered evidence of a crime, the plate shall be deposited as evidence into the EPU, as soon as possible, prior to the end of the seizing officer's tour of duty. The NCIC Unit shall be advised if the plate is deposited into the EPU. If the

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11.2.7 OPERATOR'S LICENSES AND MOTOR VEHICLE REGISTRATION PLATES (CONTINUED)

seizure of the motor vehicle registration plate, including a stolen plate, is unrelated to a charged offense, it shall be personally delivered to the Jefferson County Clerk's Office, after notifying the NCIC Unit of the recovery.

Under no circumstance may an operator's license or motor vehicle registration plate be seized and retained in a departmental vehicle.

If a member is dispatched to take a report of a stolen registration plate and the registration, at the time of the report, shows "cancelled registration plate for failure to maintain insurance," the member shall decline to take the report.

11.2.8 SAFEGUARDING OF EVIDENCE AND PROPERTY

Members taking control of evidence or personal property in the course of their official duties (e.g. investigation, arrest) shall safeguard the evidence or personal property while it is in their custody. All evidence and/or personal property shall be returned to its rightful owner, deposited into the EPU, or delivered, with the arrested subject, to the LMDC. This shall occur prior to the end of the member's tour of duty. If the property is discovered after the member's tour of duty, it shall be immediately deposited into the EPU.

11.2.9 RELEASE OF PROPERTY

The EPU is responsible for notifying the rightful owner of the property that is being released. If the rightful owner of the property is deceased, the property will only be released pursuant to a court order.

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11.3 CURRENCY (KACP 27.4)

11.3.1 POLICY

The Louisville Metro Police Department (LMPD) recognizes that currency (money) may be seized for forfeiture, held as evidence, or held for safekeeping (if found or personal property). This policy outlines the procedures for handling currency.

11.3.2 DEFINITIONS

Currency Seized for Forfeiture: Currency that is a fruit of a crime which has been seized in order to seek forfeiture through the court system.

Currency Held as Physical Evidence: Currency that is suspected of being involved in criminal activity which is being physically held for an investigation or court proceedings.

Safekeeping Currency: Currency that is found or personal property that is non-evidentiary and is only temporarily stored until the rightful owner is able to retrieve it from the Evidence and Property Unit (EPU).

11.3.3 CURRENCY SEIZED FOR FORFEITURE

The following procedures shall be followed when an officer seizes currency for forfeiture:

- When an officer locates currency, he/she will immediately request another officer to act as a witness to the discovery. At a minimum, two (2) officers must be present when processing seized currency.
- If officers believe the amount of currency to be seized is in excess of \$25,000, officers will contact their supervisor and request that Asset Forfeiture responds. Asset Forfeiture will respond to the scene of the seizure and process the seizure.
- In most cases, currency will not be counted at the time of seizure. If an officer needs to count the currency before the seizure, he/she may do so; however, the amount will not be recorded on any official departmental forms. The officer may make a notation of his/her "unofficial" count in his/her notes. Officers seizing currency from a business are not restricted from providing the business with an "unofficial" count.
- If the currency is being seized during the execution of a search warrant, then the words "**An Undetermined Amount of U.S. Currency**" will be listed on the search warrant or Search Warrant Inventory form (LMPD #06-0037).
- If currency is found on, or in the area of, a subject who is in custody, the person(s) shall be read his/her Miranda warning(s). The officer(s) will then inquire as to whether any person present claims the currency. If a person claims ownership of the currency, the person will be allowed to witness the packaging of the currency, unless his/her presence is a threat to the officer(s) or others. If the currency is not claimed by anyone, or if currency is seized in an unoccupied area, this information will be documented on the Currency Seizure form (LMPD #04-11-0070) and the Request for Forfeiture form (LMPD #03-11-0071) and, if applicable, the Disclaimer of Ownership form (LMPD #09-0001).

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11.3.3 CURRENCY SEIZED FOR FORFEITURE (CONTINUED)

- When currency is seized from a particular individual, the Currency Seizure form will be signed by the individual, the seizing officer, and the witnessing officer. The Currency Seizure form will state “**An Undetermined Amount of U.S. Currency.**” A separate Currency Seizure form will be completed for each currency evidence bag used.
- The seizing officer will place the currency into a currency evidence bag, seal the bag, and give the Control Number tag to the subject. The seizing officer will explain to him/her that the Control Number tag on the currency evidence bag acts as a receipt for the seizure and that the bag will remain sealed until it is opened and counted by EPU personnel. Nothing other than currency (e.g. wallets, ID cards, Social Security cards, etc.) will be sealed inside of the currency evidence bag. All additional items should be logged in separately at the EPU. Special care should be taken when packaging coins so that the currency evidence bag can withstand the weight.
- If currency is seized from the possession of a known individual, that individual should remain on-site until the currency has been photographed and sealed in a currency evidence bag, unless the individual’s presence presents a threat to the seizing officer(s) or others.
- If the currency being seized is from an individual who is not at the scene, or if an individual refuses to sign the Currency Seizure form, a commanding officer will respond to the scene to sign the form and note the circumstances.
- All currency seized for forfeiture should be photographed in the same location and in the same position that it was discovered, unless photography is impractical or unsafe.
- The photographs shall be downloaded into the Digital Image Management System (DIMS) (refer to SOP 4.26).
- Officers will complete the Request for Forfeiture form prior to placing the currency in the EPU. The Request for Forfeiture form must state “**An Undetermined Amount of U.S. Currency**” when submitted. A copy of the Request for Forfeiture form will be presented to the EPU personnel when depositing the currency.
- The EPU personnel will inspect the currency evidence bag to see that it has not been tampered with or compromised when the officer arrives at the EPU. If the currency evidence bag has been compromised in any way, the EPU will reject the acceptance of the currency evidence bag and the officer shall then contact his/her commanding officer. The commanding officer will inspect the currency evidence bag and determine why the bag has been compromised. The commanding officer and the seizing officer will then place the compromised currency evidence bag into another currency evidence bag. The commanding officer will note on the Currency Seizure form the reason why the original currency evidence bag was compromised and placed into a new bag.
- Once EPU personnel have made the appropriate entry into the Records Management System (RMS) and attached the label, the officer will place the currency evidence bag into the temporary drop box.
- The Property Room Supervisor will remove the currency evidence bags from the drop box. Two (2) EPU personnel (including one (1) supervisor) will conduct a count to obtain an exact dollar amount to be entered for each RMS entry. Once the count is obtained, the currency will be sealed inside new bank bags and deposit slips will be completed. A copy of the deposit slip will be sent to the bank with the deposit, via a contracted cash services transportation company.
- The Office of Management and Budget (OMB) Cash Management Division will receive the deposit report from the bank and will notify EPU personnel of any miscount or counterfeit money. If this occurs, a Property Room Supervisor will update RMS to reflect the miscount and/or the presence of counterfeit

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11.3.3 CURRENCY SEIZED FOR FORFEITURE (CONTINUED)

money. The seizing officer and Asset Forfeiture are responsible for utilizing the RMS to determine the official count.

- The seizing officer will provide his/her commanding officer with a copy of the Request for Forfeiture form and email the Request for Forfeiture form to "LMPD Forfeitures," located within the department's email distribution list, by the end of his/her tour of duty.
- The commanding officer will review and initial the form and then forward it to the division/section/unit commander. If the forfeiture is approved by the division/section/unit commander, the form will be distributed as follows:
 - A copy of the form will be maintained in division/section/unit files.
 - The original form will be sent to the Legal Advisor's Office for final review.

If the forfeiture is approved by the Legal Advisor's Office, the officer will:

- Request that the prosecutor makes a motion for forfeiture after the disposition of the case.
- Return the completed court order to Asset Forfeiture, who will provide a copy of the court order to the EPU and the OMB Compliance Office.

If the forfeiture is not approved, the Request for Forfeiture form will be returned to the appropriate division/section/unit and the investigating officer shall have seven (7) days to articulate any additional information for the forfeiture and resubmit the form to the Legal Advisor.

11.3.4 CURRENCY HELD AS PHYSICAL EVIDENCE

All incoming money will be deposited in the bank, unless there is a justifiable evidentiary reason for not depositing the cash. Such situations are closely monitored and are the exception rather than the rule. An example would be any money that has forensic evidentiary value (e.g. blood on the bills, a fingerprint on a bill, dye on the bills from a bank robbery). Requests to hold narcotic/vice proceeds (e.g. dealer bank rolls, gambling funds, etc.) will generally not be approved. This evidence is treated as currency seized for forfeiture (refer to SOP 11.3.3).

Any collectible or foreign currency (except currency held for safekeeping) is handled as money being held as physical evidence.

The following procedures shall be followed when an officer wishes to hold money as physical evidence:

- Currency that needs to be held as physical evidence must be photographed with sufficient detail that the serial numbers are legible. If the currency is photocopied, in accordance with federal law, it should be photocopied so that the size is different from the actual size (e.g. 75% or 125%).
- The officer shall download all images into the DIMS. In the event that photographs are needed for court, the officer will request that prints be made by the Photo Lab (refer to SOP 4.26).
- The seizing officer, in the presence of a witnessing officer, will count the currency and complete a Request to Hold Money form (LMPD #03-11-0601) to document the number and denomination of each bill. This currency will not be sealed inside of a currency evidence bag at the scene.

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11.3.4 CURRENCY HELD AS PHYSICAL EVIDENCE (CONTINUED)

- Upon entering the currency at the EPU, the depositing officer and the clerk must agree on the currency count.
- The clerk will package the money in an evidence envelope and both the depositing officer and the clerk will initial the evidence tape.
- The clerk will make a copy of the Request to Hold Money form for the depositing officer. The copy of the Request to Hold Money form will remain in the officer's case file with the EPU receipt.
- The original Request to Hold Money form will be attached to the outside of the currency evidence envelope and forwarded to a Property Room Supervisor for approval, who will make the decision as to whether to hold the money or deposit it.
- Only if the Property Room Supervisor authorizes the hold will the money be kept as physical evidence in the EPU. If the Property Room Supervisor does not authorize the money to be held as physical evidence, the seizing officer will be notified that the money is being deposited. The seizing officer will then complete the Request for Forfeiture form (LMPD #03-11-0071) or release the money as personal property to the owner by completing the Property Disposition form (LMPD #0070-97).
- The seizing officer will provide his/her commanding officer and the Property Room Supervisor with a copy of the Request for Forfeiture form and email the Request for Forfeiture form to "LMPD Forfeitures," located within the department's email distribution list, by the end of his/her tour of duty.

Money evidence that has been signed out for investigation, court, or viewing and is returned to the EPU with the seal broken, will be recounted and resealed by the clerk accepting the return of the currency evidence envelope. If there are any discrepancies, the clerk will immediately notify a Property Room Supervisor.

11.3.5 CURRENCY HELD FOR SAFEKEEPING (FOUND OR PERSONAL PROPERTY)

It may be necessary to hold currency that is found or is personal property for safekeeping in the EPU. This money will be counted at the EPU. The depositing officer and the clerk must agree on the currency count.

Once the currency is placed in the EPU for safekeeping, a letter of notification will be issued to the rightful owner, informing him/her that his/her currency is available for pickup. If the rightful owner of the currency is deceased, the currency will only be released pursuant to a court order.

11.3.6 DISPOSAL AND RELEASE OF MONETARY SEIZURES

At the conclusion of a case where a monetary seizure is approved for forfeiture, the officer will request that the prosecutor obtain a written court order specifying that the forfeited property is to be delivered to the LMPD. If the forfeiture is approved by a judge, the officer will immediately send or deliver the signed court order to Asset Forfeiture, located at 701 West Ormsby Avenue, Suite 102. Asset Forfeiture will be responsible for forwarding a copy of the signed court order to the EPU and the OMB Compliance Office. Without a court order forfeiting the money to the LMPD, the department cannot receive the funds.

When an officer no longer needs to retain money, and a written forfeiture order was not obtained, the officer will provide the EPU with the name and address of the person who is to receive the money. This information will be provided by the completion of the Property Disposition form (LMPD #0070-97) or by completing the Active

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11.3.6 DISPOSAL AND RELEASE OF MONETARY SEIZURES (CONTINUED)

Evidence Report (disposal slip), which is supplied by the EPU. EPU personnel will then send a letter to the person indicated on the form, advising him/her of the money's existence and how to claim the money. If a response regarding the money is not received within 90 days, the money is considered to be abandoned property. The Property Room Supervisor then lists the abandoned money on a court order for a judge's approval. The funds will then be forfeited to the appropriate governmental entity.

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11.4 EVIDENCE REQUIRING SPECIAL HANDLING (KACP 27.1, 27.2)

11.4.1 EVIDENCE REQUIRING DRYING/REFRIGERATION

Items that require drying shall be turned over to the Crime Scene Unit (CSU) and placed in the drying room, before being deposited in the Evidence and Property Unit (EPU). Once it is dry, the CSU technician will package the item and deposit it into the EPU.

Perishable items of evidence (e.g. blood samples, urine specimens, etc.) shall be delivered to the EPU, deposited as evidence, and placed in the EPU refrigerator.

11.4.2 FIREARMS (KACP 27.4)

The depositing officer will check all firearms, including those found, for "stolen status" through the National Crime Information Center (NCIC) and within the Record Management System (RMS), prior to depositing them into the EPU. Any firearm received at the EPU, without a NCIC check attached, will be checked through the NCIC, by the depositing officer, at the request of the EPU personnel during initial intake. If the gun is found to be stolen, the officer will obtain a copy of the original stolen property report. The officer will label the property with the rightful owner's information, as it is listed on the original stolen property report, when depositing the firearm. If the depositing officer is unable to obtain a copy of the original stolen property report from the originating agency at the time of initial intake, he/she will obtain the report, as soon as practicable. If the rightful owner of a deposited firearm is discovered after the firearm was placed in the EPU, the depositing officer/lead investigator will then complete a supplemental report which lists the rightful owner of the firearm and notify the EPU and the NCIC Unit. The EPU will notify the rightful owner, via certified mail, that the firearm is located at the EPU. The notification letter will specify whether the firearm is available for release or if it is being held for evidence. If it is available for release, the notification letter will specify the procedures for obtaining the firearm and any timelines to claim the firearm before it is considered abandoned property and is marked for disposal. In cases where the notification letter is returned as "undeliverable," the EPU will contact the Real Time Crime Center (RTCC) and request that they attempt to find a current, valid address for the rightful owner.

The depositing officer must render the firearm safe (e.g. empty chamber, magazine, cylinder) and safely demonstrate to the Property Room clerk that the firearm has been made safe before depositing the weapon into the EPU. If requested, the Property Room clerk will provide the officer with eye and ear protection. The officer will utilize the bullet trap, located in the secured hallway of the EPU. If the officer is unable to unload the firearm, he/she will notify his/her supervisor. The supervisor will contact an on-duty firearms instructor or, if one is not available, an officer of the Firearms Training Center (FTC). If an officer of the FTC or a firearms instructor advises that the weapon is unable to be unloaded, the Property Room clerk will mark the firearm as "loaded" and call the Bomb Squad Commander to store it as an explosive device in the LMPD explosives bunker (refer to SOP 11.4.8).

If the firearm is a handgun and has been made safe, the officer will secure the handgun by placing it in an evidence envelope. The clerk will then seal the envelope and apply evidence tape. Both the clerk and the depositing officer must initial the evidence tape. The clerk will then place the package in the appropriate location.

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11.4.2 FIREARMS (CONTINUED)

Firearms will be packaged separately from all other items. The clerk will separately package all ammunition and place the separate package in the larger envelope containing the weapon.

When accepting long guns (e.g. rifle, shotguns, etc.) into the EPU, the clerk will tag the firearm and take it to the long gun area, once the officer renders the gun safe (e.g. empty chamber, magazine, cylinder). Ammunition from long guns will be placed in a separate envelope and stored in the appropriate location by the clerk.

In some instances, an officer may need additional information on a weapon. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) e-Trace system gives law enforcement agencies the complete history of a weapon, which includes the manufacturer, importer, dealer, and purchaser of a weapon. If the history of a weapon is necessary, the ATF e-Trace Request form (LMPD #12-0004) will be completed and submitted to the Crime Information Center (CIC). The CIC will submit the request to the ATF National Tracing Center and will forward any response from the center to the requesting officer, upon receipt. The request may take up to ten (10) business days to process. The response from ATF may be placed in the investigative case file as evidence. An e-Trace request does not replace a NCIC search (e.g. to see if a weapon is stolen).

11.4.3 SHARPS (KACP 27.5a-c)

Syringes or needles deposited as evidence, or to be destroyed, will be placed in an approved "sharps" container at the time that the item is seized. Syringes or needles will be shipped, in a syringe holder, to the appropriate lab, with a letter from either the Jefferson County Attorney's Office or the Office of the Commonwealth's Attorney certifying that the item needs to be tested for use as evidence, in accordance with Kentucky State Police (KSP) Forensics Laboratory requirements. It is the officer's responsibility to obtain the letter, deliver it to the EPU, and place the letter with the evidence.

11.4.4 EDGED WEAPONS

Edged weapons include, but are not limited to, knives, swords, and axes. The clerk will handle these in the same manner as any other item requiring booking. The edged weapon must either be in a manufactured sheath or in a sheath made by the clerk out of cardboard and attached to the blade before being placed in an envelope or in a bin. This protects the member from being cut. In the case of folding knives, the clerk will secure the blade(s) by wrapping packing tape around the closed knife.

11.4.5 ALCOHOLIC BEVERAGE CONTAINERS

Photographs of alcoholic beverage containers will suffice for evidentiary purposes, in most cases. These items should not be deposited into the EPU. Exceptions may be made for serious felony cases.

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11.4.6 NARCOTICS AND DANGEROUS DRUGS

All seized drugs will be deposited in the EPU prior to the end of the officer's tour of duty.

All narcotic and dangerous drug items will be inspected and checked in by a clerk and the depositing officer and packaged by the clerk. Under no circumstance will narcotics or dangerous drug items be accepted prior to inspection by a clerk and the depositing officer. The clerk will not accept sealed boxes, packages, or envelopes without inspecting the contents. The clerk will seal the envelope or package and apply a strip of evidence tape to seal. Both the clerk and the officer will initial the evidence tape.

Liquid narcotics and precursors used to manufacture narcotics will only be accepted upon the approval of an EPU Supervisor or Drug Vault Detective, who will place the liquid in a hazardous material (HAZMAT) storage locker. Only the amount necessary for testing will be accepted into the EPU. Only members with HAZMAT Technician Level training may handle, collect, or transport liquid narcotics and precursors used to manufacture narcotics.

Capsules/pills are to be counted and then weighed in their container/package, with an indication on the voucher that the weight does include the packaging. The counting and weighing of pills will be done by the depositing officer and the clerk. Pills will be counted and documented by type, classification, color, shape, markings, etc. Every attempt will be made to identify the type of pill that is being deposited. A Physicians' Desk Reference (PDR) is available at the EPU for assistance. The Poison Control Center (502-589-8222) may also be of assistance.

Crack cocaine rocks will be weighed in their package with an approximate weight noted on the evidence voucher. Officers will not enter a count for the number of rocks observed in the package.

Hits of LSD will be counted.

Before depositing marijuana plants into the EPU as evidence, the officer will photograph all of the marijuana plants at the scene, in one (1) or more photos, for an accurate count. Marijuana plants in pots will be un-potted and the dirt removed, making sure that the root stays intact, and the plants counted and weighed. When depositing marijuana plants into the EPU as evidence, officers will package a maximum of six (6) marijuana plants, including the root system, stems, and leaves for lab testing. Any marijuana plants not being lab tested will be packaged and immediately signed for disposal. When the marijuana plants come back from the lab, they will be marked to be destroyed (refer to SOP 11.5).

When depositing a pipe and charging for possession of drug paraphernalia (PDP), the classification would be for the pipe. If an officer is charging PDP and possession of a narcotic when depositing a pipe with residue, a separate entry should be made listing the narcotic as an item. Since the amount cannot be measured, it should be listed as 0.01 grams. When depositing a quantity of narcotics, the narcotics should be packaged separately from pipes or other items of evidence in the case.

The depositing officer will place the package in the narcotics drop box in the officer's lobby. Narcotics evidence that has been signed out for investigation, viewing, or court, and then returned with the seal broken, will be reweighed and resealed by the clerk. When accepting returned evidence, the depositing officer, along with the

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11.4.6 NARCOTICS AND DANGEROUS DRUGS (CONTINUED)

accepting clerk as a witness, will reconcile and agree on the weight and quantity of the redeposited drug evidence. Pills will be recounted and reweighed.

All found drugs will be deposited in the same manner as evidence and noted as found property.

Officers will notify a Drug Vault detective to request lab tests for any chemicals taken from drug labs. Under no circumstance shall suspected drugs be removed from the EPU to be tested by LMPD personnel. All testing of deposited suspected drugs will be conducted by the appropriate lab. Only the amount necessary for testing liquid narcotics will be accepted into the EPU.

Drying of Wet Plant-based Drugs

Wet marijuana and other green vegetation-based drugs (e.g. salvia), hereafter referred to as product, will be weighed by the clerk in the presence of the seizing officer, packaged, and the information entered into the RMS by the clerk. The depositing officer will then place the package in the narcotics drop box in the officer's lobby. The Drug Vault detective will pick up the product and place it in the narcotics dryer, according to their procedures. The product will be reweighed for accountability by a clerk and the Drug Vault detective, after it is removed from the dryer. The product will then be repackaged and sealed with evidence tape. The evidence tape will be initialed by both the clerk and the Drug Vault detective. The clerk will also note the new dry weight in the RMS.

Opening Sealed Narcotics Evidence Items

Other than for court viewing and content testing at the lab, narcotics envelopes should never be opened prior to auditors opening for verification purposes during the disposal process.

The only exception to this is if a Drug Vault detective notices that the contents of the package have molded, are leaking, or the container's integrity is compromised. At this point, the Drug Vault detective is authorized, with a witness present, to open the package in order to examine the contents.

If the packaging has been compromised, either by mold or leakage of liquid contents, the Drug Vault detective has the authority, with a witness present, to pull the product, open it and repackage it, as necessary. However, the outside of the new package must have the chain of custody filled out, noting the date and time that the package was unsealed. Additionally, the RMS will be updated to include the date and time that the evidence was repackaged, the person who repackaged the product along with the witness's name, and a notation which states the reason that the package was opened and repackaged. Upon breaking a seal in order to repackage, the contents of the package will be reweighed and documented for accountability at a later date.

11.4.7 VEHICLES

When requesting the CSU to process a vehicle, officers will complete the Evidence Processing Request for Vehicles form (LMPD #04-00-0050). Vehicles may be processed when the vehicle has been used in the commission of a felony, or upon the authority of one (1) of the following:

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11.4.7 VEHICLES (CONTINUED)

- Commanding officer with the rank of major or above
- The Professional Standards Unit (PSU)
- The Public Integrity Unit (PIU)
- A CSU commanding officer

Vehicles are the responsibility of the Vehicle Impoundment Lot. Vehicle information is recorded at the Vehicle Impoundment Lot, whose personnel are responsible for recording data on, storing, and releasing the vehicle.

11.4.8 EXPLOSIVE EVIDENCE

When an officer has explosive evidence (e.g. dynamite, hand grenades, electric blasting caps, military explosives, or any unknown substance in a pressurized gas tank), he/she shall not handle the evidence and will notify MetroSafe and request that the Bomb Squad Commander contact him/her. The Bomb Squad Commander will determine the proper response. If the explosive substance must be stored at the explosives bunker, the seizing officer will complete the necessary paperwork at the EPU.

Under no circumstances shall explosive material be brought into any police facility.

11.4.9 JEWELRY AND PRECIOUS METALS

When depositing jewelry as evidence, the depositing officer and the clerk must agree on the inventory. Specific descriptors will appear in the drop down pick lists in the RMS. The officer must enter specific descriptive information of each item of jewelry, including the following:

- Type – ankle bracelet, chain, earring, necklace, etc.
- Chain style – figaro, box link, etc.
- Stone type – diamond, sapphire, emerald, etc.
- Ring style – band, class ring, cluster, nugget, etc.
- Band style (watches) – leather, cloth, metal, etc.
- Metal type – antique, chrome, platinum, silver, white gold, yellow gold, etc.
- Stone shape – oval, heart, round, etc.
- Metal purity (gold) – 10 karat, 12 karat, gold plated, etc.
- Stone weight – 10 carats, etc.

When recovering property (e.g. box of stolen jewelry), the officer is required to deposit the box and itemize each item of jewelry. This will assist with returning stolen items to the rightful owner by being able to locate them in the RMS.

The clerk will package the jewelry. The officer will deposit the jewelry or precious metals in the money/jewelry drop box in the officer's lobby. A Property Room Supervisor will remove these items from the drop box and place them in the money/jewelry area in a locked cabinet.

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11.4.10 LARGE ITEMS

Large items (e.g. refrigerators, stoves, washers, file cabinets, TVs, etc.) may be brought into the EPU through the loading dock doors, freight elevator, or the basement exterior doors. It is the officer's responsibility to bring all items into the building. All items must still be properly recorded in the RMS. The clerk is responsible for placing these items into storage. If the large item(s) is listed as stolen, instead of depositing the item(s) into the EPU, the officer will:

- Notify the rightful owner to pick up the item(s);
- Photograph the item(s);
- Download the images into the Digital Image Management System (DIMS) for evidentiary purposes; and
- Release the item(s) to the rightful owner.

11.4.11 FOUND PROPERTY

Officers depositing found property are required to obtain a report number from the RMS. The officer will be asked for the name of the person who found the property. This person's name will be entered into the RMS to assist in the release process.

11.4.12 DNA EVIDENCE

It is the officer's responsibility to inform the clerk when depositing possible suspect DNA evidence from capital crimes or Class A, B, C, and Chapter 510 Class D felonies. The evidence shall then be properly marked to avoid unauthorized disposal.

All items containing biohazard (e.g. blood and/or body fluid residue) material shall be marked as such on the outside of the package (KACP 29.3a).

11.4.13 HAZARDOUS MATERIALS

Refer to SOP 12.4 for the definition of a hazardous material and the response procedures for hazardous material (HAZMAT) incidents.

Incidents involving suspected clandestine drug labs shall be handled in accordance with SOP 12.12.

Generally, appropriately trained fire department, Metro HAZMAT Response Task Force, and/or Louisville Metro Department of Public Health and Wellness (LMDPHW) personnel are responsible for the protection, control, and collection of evidence related to local HAZMAT incidents, including vehicle accident-related incidents (KACP 23.3).

In most cases, the fire department and/or LMDPHW will conduct a field test to identify the material, which should be sufficient for criminal evidence purposes.

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11.4.13 HAZARDOUS MATERIALS (CONTINUED)

Only hazardous materials to be tested for evidentiary purposes will be placed in the EPU and only the amount needed for testing will be collected. The collected hazardous material will be packaged in an approved container and placed in a properly labeled evidence envelope at the EPU (KACP 27.7, 29.3a).

Commanding officer approval is required for any hazardous material to be placed into evidence. All evidence shall be collected in a manner that is consistent with pertinent laws, regulations, policies, and established procedures. Hazardous material not collected as evidence may be photographed in the original container, fingerprinted, if appropriate, and left with the owner, if the owner is known. If the owner is in custody or unknown and the hazardous material would create a hazard if left where it was found, the appropriate fire department and/or LMDPHW will make arrangements for removal.

Certain hazardous materials may not be stored in the EPU. The EPU will not accept any of the following:

- Unidentified materials that may be hazardous
- Hazardous materials in pressurized containers
- Hazardous materials not sold in common consumer businesses such as hardware stores, home improvement stores, etc.
- Hazardous materials with a gross weight of over 220 lbs.
- Red or white phosphorus
- Anhydrous ammonia
- Combustible metals (e.g. lithium, sodium)

Hazardous materials that are prohibited for any of the above mentioned reasons, found hazardous materials that are not part of criminal activity, and hazardous materials not collected for testing must be contained at the scene. Clean-up and disposal are the responsibility of the owner of the material or the property owner where the hazardous material is located. The LMDPHW and/or the appropriate fire department are responsible for enforcing compliance with this responsibility. If the hazardous material is located on public property, the LMDPHW and/or appropriate fire department will arrange for clean-up and disposal by contacting the Metro Division of Solid Waste Management or an approved contract vendor.

Hazardous materials that are not in the original container, are leaking, or do not have lids or tops must be overpacked prior to being taken to the EPU. Overpacking consists of placing the container within another appropriate sized closable container and filling the outer container with an absorbent material. In addition, these materials must be identified to determine the suitability of storage. The LMDPHW may be called to assist with the overpacking and identification of the material. All hazardous materials must be properly labeled as hazardous with a label indicating which end is up (KACP 27.7). All overpacked material will have an additional label containing the following information (KACP 29.3a):

- Corresponding EPU number
- Hazardous material identification and pH number
- Number of overpacked containers per case (e.g. 1 of 2)
- Weight of the hazardous material (not including container and overpacking)
- Date and time seized
- Incident control number (ICN)

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11.4.13 HAZARDOUS MATERIALS (CONTINUED)

- Disposal officer's name and code number

The EPU maintains a secure, fenced area containing two (2) labelled hazardous material storage lockers (KACP 27.7). Each locker contains four (4) drums. The two (2) lockers will be used as follows:

- One (1) for flammables
- One (1) for corrosives, acids, and oxidizers

The movement of these lockers is prohibited without the permission of the Assistant Chief of Police/Administrative Bureau (National Fire Protection Association (NFPA) 2000, Chapter 30, 4.6.4.1). The lockers, as well as the fenced area, will remain locked at all times (NFPA 2000, Chapter 30, 4.6.4.3 and OSHA 1910.106 (d) (6) (IV)). Only authorized EPU personnel will retain the keys. No EPU personnel are to handle hazardous materials. Only personnel with appropriate personal protective equipment (PPE) may place the hazardous material in the appropriate hazardous material locker, in the presence of the clerk, after the paperwork has been processed. Unauthorized personnel will not be given keys to the hazardous material lockers.

11.4.14 MOBILITY DEVICES

Mobility devices (e.g. wheelchairs) should not be taken to the Vehicle Impoundment Lot. These devices can either be:

- Taken to the EPU; or
- May be dropped off at the owner's residence, if the address is known.

If the mobility device can be transported in a departmental vehicle, the officer will take the mobility device to one (1) of the two (2) options listed above. If the mobility device is an electric wheelchair or scooter, a wrecker may be utilized.

11.4.15 LOCKED SAFES AND UNOPENED CONTAINERS

Locked safes and containers with a locking mechanism that are unable to be opened will be stored in the outdoor storage area of the EPU until they are able to be opened. When the safe or container is able to be opened, the involved officer and EPU personnel will witness the safe or container being opened to verify that both the contents and the chain of custody remain intact. Any evidence recovered from the safe or container will be deposited in the EPU under the safe or unopened container report number. If there are no contents, the involved officer will write a memorandum to the EPU Commander stating that there were no contents. This memorandum will be scanned and stored electronically in the RMS.

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11.4.16 REFUSAL TO ACCEPT EVIDENCE AT THE EPU

Clerks have the authority to refuse the acceptance of any item submitted in violation of this SOP. The clerk will advise the depositing officer of the reason for the refusal and, if correctible, how to correct the error. If the depositing officer wishes to speak with a Property Room Supervisor, one will be requested.

11.4.17 RELEASE OF PROPERTY

The EPU is responsible for notifying the rightful owner of the property that is being released. If the rightful owner of the property is deceased, the property will only be released pursuant to a court order.

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11.5 EVIDENCE PROCESSING (KACP 27.1)

11.5.1 SUBMISSION OF EVIDENCE TO LABORATORY FOR ANALYSIS (KACP 27.5a-d)

The investigating officer should advise Crime Scene Unit (CSU) personnel when evidence has been collected in a case and indicate which evidence needs to be submitted to a lab for testing. The officer should advise the CSU of pertinent information regarding the case (e.g. offense, victim/suspect information, type of testing required). The evidence should then be submitted according to the guidelines of the specific lab. Labs utilized by the Louisville Metro Police Department (LMPD) include, but are not limited to, the Federal Bureau of Investigation (FBI), the Louisville Metro Department of Corrections (LMDC), Kentucky State Police (KSP), or any private lab under contract with any of these agencies.

It is the responsibility of CSU personnel to complete the required paperwork for laboratory examination requests and for transporting, or sending, evidence to, and from, the appropriate lab(s).

CSU members should obtain a receipt from the laboratory that will be testing the evidence submitted. This will verify that the chain of custody remains intact.

Results should be received, in writing, from the laboratory that is processing the submitted evidence.

11.5.2 NARCOTIC EVIDENCE (KACP 27.5a-b)

It is the responsibility of the officer to request a letter from the Jefferson County Attorney's Office or the Office of the Commonwealth's Attorney, certifying that an item needs to be tested for use as evidence, in accordance with KSP Forensic Laboratory requirements. The Jefferson County Attorney's Office or the Office of the Commonwealth's Attorney will send the letter directly to the lab and the lab will notify the Drug Vault detectives to send the listed evidence. The Drug Vault detectives shall ship syringes or needles in a syringe holder to the requesting lab.

The KSP Forensics Laboratory will not routinely test misdemeanor amounts of drugs. Testing will only occur in the event that the defendant requests a trial. Officers will notify the Drug Vault detectives at (502) 574-2331 to request lab tests for misdemeanor amounts of drugs.

All felony amounts of drugs are automatically sent for testing. Officers will login to the Bar-code Evidence and Statistical Tracking (BEAST) system to obtain a copy of the report.

11.5.3 MARIJUANA PLANT DISPOSAL

When officers are submitting marijuana plants into evidence in the Evidence and Property Unit (EPU), the officer should use the following procedures (refer to SOP 11.4.):

- Photograph all of the marijuana plants at the scene together for an accurate count.

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11.5.3 MARIJUANA PLANT DISPOSAL (CONTINUED)

- For five (5) or more marijuana plants, members should package a maximum of six (6) marijuana plants with the root system, stems, and leaves to be sent to the lab to be tested. Any marijuana plants not being lab tested should be packaged and immediately signed for disposal.
- When the marijuana plants come back from the lab, they should be marked for destruction.

11.5.4 DNA ANALYSIS (KACP 27.5a-d)

Requests for DNA analysis should be made through the CSU by the requesting division/section/unit commanding officer.

CSU members should follow the procedures set forth in the CSU Operations Manual, which is kept on file in the CSU, for the collection, storage, transportation, and submission of DNA evidence. CSU members shall be trained according to CSU standards.

11.5.5 GUNSHOT RESIDUE EVIDENCE TESTS (KACP 27.5a-d)

Gunshot residue (GSR) only has a four (4) hour window collection period for proper testing. If GSR evidence cannot be obtained within four (4) hours, testing should not be done.

The submission of GSR evidence for examination must be completed through the CSU. The LMPD will utilize GSR testing known as Scanning Electron Microscopy/Energy Dispersive Spectrometry (SEM/EDS). This analysis is extremely sensitive and will provide analysis on clothing and vehicles, as well as skin. Members should adhere to the following GSR procedures:

- The officer/detective should be responsible for questioning the suspect, completing the form located in the GSR test kit, and the Request for KSP Lab Examination form (LMPD #0440-99).
- The officer/detective should inform the analyst if the suspect has been in contact with fireworks or conducts automotive repair, which can produce a false positive.
- If possible, collection should be done prior to handcuffing.
- Samples from subjects who have washed their hands will not be routinely collected.
- Samples from suicide cases may be collected, but will not be analyzed unless the officer/detective states that there is an unusual circumstance.
- GSR tests should not be conducted on subjects who have only handled a firearm, but not fired the weapon.
- GSR tests can be utilized on a victim, but should only be submitted to the lab upon written request from the prosecutor.
- The collection of GSR from vehicles must be conducted at the scene, prior to towing.

The GSR evidence should then be placed into a LMPD evidence envelope. An Evidence Chain of Custody form (LMPD #04-04-0127) shall be completed by the member and attached to the evidence envelope along with the completed Request for KSP Lab Examination form. The evidence shall be dropped in the evidence vault, which is located in the Forensic Investigations hallway in the basement of LMPD Headquarters. All required forms are

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11.5.5 GUNSHOT RESIDUE EVIDENCE TESTS (CONTINUED)

located next to the drop site. The GSR request form should be completed and include the following:

- Incident control number (ICN)
- Offense
- Location of the offense
- Complainant's/subject's name
- Address
- Date and time of the offense
- Name of the member who collected the GSR
- Division/section/unit or the lead investigator
- Date and time collected
- Name of the member who packaged the GSR
- Date and time that the GSR was packaged
- Name of the member who sealed the GSR evidence envelope
- Date and time that the GSR evidence envelope was sealed
- The name of the person delivering the GSR envelope
- Date and time of delivery to Forensic Investigations

Members shall be required to sign a log, listing the date and time that he/she deposited the evidence. When Forensic Investigations removes evidence from the vault, the log shall be initialed with the date and time that it was removed. This log shall be kept by the CSU. Upon receipt of the evidence, a KSP Request for Evidence Examination Form 26 shall be completed by the CSU. The evidence shall then be sent to the lab for examination. Results from the test will be sent back to the requesting member, upon completion of testing by the CSU, via email. Replacement GSR test kits are available through the CSU.

11.5.6 LATENT PRINTS

When attempting to lift latent prints, non-CSU members, trained to lift prints, should adhere to the following:

- Only attempt to lift prints on misdemeanor and felony offenses that he/she has been approved to take reports on.
- Only powder processing shall be attempted. "Magnetic" powder should not be used by non-CSU members. Any other processing should be completed by the CSU.
- Use caution when using powder on electronic items to avoid destroying or seriously damaging the equipment. Examples of such equipment are as follows: alarms, automatic windows, stereo equipment, etc.
- Prior to using powder, two (2) photographs of the area to be examined should be taken. These two (2) photographs should include one (1) of the entire area and one (1) close-up. Prior to lifting the print, additional photographs from several different angles should be taken once the powder has been applied and dusted. Another photograph should be taken once the print has been lifted and placed on the card.
- Once the powder has been used and the print has been lifted and placed on the transolifts, the cards should be placed into a latent envelope and deposited into the CSU latent depository, which is located

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11.5.6 LATENT PRINTS (CONTINUED)

in the Forensic Investigations hallway in the basement of LMPD Headquarters. The envelope should be completed and include the following:

- Incident control number (ICN)
 - Offense
 - Location of the offense
 - Complainant's/subject's name
 - Address
 - Date and time of the offense
 - Name of the member who collected the latent prints
 - Division/section/unit or the lead investigator
 - Date and time collected
 - Name of the member who packaged the latent prints
 - Date and time that the latent prints were packaged
 - Name of the member who sealed the evidence envelope
 - Date and time that the evidence envelope was sealed
 - The name of the person delivering the evidence envelope
 - Date and time of delivery to Forensic Investigations
- An Evidence Chain of Custody form (LMPD #04-04-0127) shall be completed and attached to the latent envelope.

CSU members shall adhere to the CSU Operations Manual for procedures to be used in processing, developing, lifting, and labeling fingerprints at crime scenes.

11.5.7 TAKING EVIDENCE INTO A DIVISION/SECTION/UNIT

If a member takes evidence into a division/section/unit in order to complete an incident report, to photograph the evidence prior to placing it into the EPU, or for any other reason, the member should decontaminate the area where the evidence was placed in order to prevent cross-contamination (KACP 29.1e).

11.5.8 CELL PHONE EVIDENCE

Officers may utilize a self-service Cell Phone Investigative Kiosk (CPIK) to analyze a cell phone during the course of a criminal investigation. CPIKs are located at numerous locations, including LMPD Headquarters in the Crime Information Center (CIC) and the Kentucky Regional Computer Forensics Laboratory (KRCFL). The KRCFL is located at 310 North Whittington Parkway, Burhans Hall, Room 255, Louisville, KY 40222. Their phone number is (502) 852-4454. Hours of operation are from 0800 to 1600 hours, Monday through Friday. Regardless of the method chosen, officers shall provide a copy of the extraction and legal authority to the CIC. Officers wishing to utilize the CPIK must have first attended a training class and shall use the following procedures:

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11.5.8 CELL PHONE EVIDENCE (CONTINUED)

- Obtain legal authority, such as a search warrant, court order, written consent, etc.
- Place the cell phone in airplane mode or within a signal barring container
- Ask the owner of the device for the password and/or other access information
- Follow the guidelines for property and evidence as outlined in SOP 11.2
- Remove the cell phone from the LMPD EPU and transport it to a CPIK.
- Under no circumstances shall any member use a CPIK for personal reasons.
- Officers shall only have cell phones analyzed at a CPIK that are related to an official LMPD investigation

11.5.9 DIGITAL MEDIA EVIDENCE

Officers may utilize the self-service Loose Media Kiosk (LMK), located at the KRCFL, in an effort to view and extract data from digital media (e.g. thumb drives, CDs/DVDs, loose hard disk drives, flash memory cards, etc.) during the course of a criminal investigation. Officers wishing to utilize the LMK must have first attended a training class or viewed the computer-based training provided by the KRCFL and shall use the following procedures:

- Obtain legal authority, such as a search warrant, court order, written consent, etc.
- Remove the media from the LMPD EPU and transport it to the KRCFL.
- Complete and sign a LMK worksheet provided at the KRCFL.

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11.6 REMOVAL OR DISPOSAL OF EVIDENCE (KACP 27.1, 27.2)

11.6.1 ACCESS

Property releases are done from the Evidence and Property Unit (EPU), located at 635 Industry Road. The building is open to the public from 0730 to 1730 hours, Monday through Friday, except on official holidays. The EPU is responsible for notifying the rightful owner of the property that is being released. If the rightful owner of the property is deceased, the property will only be released pursuant to a court order.

The EPU is open to members, 24 hours a day, seven (7) days a week, including official holidays.

Property/evidence will only be released from the EPU for:

- Court presentation
- Inspection/investigation
- Disposal
- Processing of forensic evidence
- Departmental litigation
- Court order
- Return to the legal owner

Property/evidence will only be released from the EPU to:

- Crime Scene Unit (CSU) personnel for processing
- The departmental personnel who submitted it
- The investigator assigned to the case
- A commanding officer
- The departmental personnel for court presentation with a subpoena for the case
- The legal owner of the property

11.6.2 DISPOSAL OF EVIDENCE/PROPERTY

An effective purging program is important in keeping the inventory of the EPU at a manageable level. The timely and appropriate disposition of evidence is extremely important for the efficient management of evidence, the integrity of evidence security, and the effectiveness of prosecutorial efforts.

The disposal of evidentiary items is governed by statute, specific court order, and EPU procedures. Only sworn members may dispose of evidence and/or property.

Evidence

Officers shall make every effort to release property to victims in a timely manner, consistent with state law, and rules of evidence. Per KRS 218A.415, real property subject to forfeiture may be seized pursuant to final judgment and order of forfeiture of the court having jurisdiction over the property (KACP 30.3).

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11.6.2 DISPOSAL OF EVIDENCE/PROPERTY (CONTINUED)

The order may be obtained upon application of the Commonwealth. Officers are strongly encouraged to obtain a written court order from the judge for the disposal of property promptly after the conclusion of the court case. Immediately after receiving a judge's order regarding the disposition of the property/evidence, the officer will sign the Property Disposition form (LMPD #0070-97) and submit it to the EPU, indicating the judge's order for disposal.

Property Disposition forms are available in the Officer's Lounge, located at 600 West Jefferson Street. When a subject enters a guilty plea, or upon a final non-appealable judgment by a judge, officers should promptly dispose of all evidence attached to that particular case. Upon completion of a trial, the officer shall present the Property Disposition form for the prosecuting attorney to review.

Evidence may be disposed of in one (1) of the following ways:

- Authorization from the case officer
- Authorization from the detective assigned to the case
- Authorization from a commanding officer
- Authorization from a prosecuting attorney
- A court order directing the disposal, forfeiture or release of evidence (KACP 30.3)

Evidence is held indefinitely or until the EPU gets written authorization from the officer or a court order denoting final disposition. Officers cannot phone the EPU to release evidence. The officer's signature is required. It is also the officer's responsibility to give a final disposition on items that have no evidentiary value.

Firearms

All firearms placed in the EPU as evidence will be disposed of in one (1) of the following ways:

- Pursuant to a court order, the firearm will be forfeited to the police department and turned over to the Kentucky State Police (KSP), in accordance with KRS 500.090.
- Pursuant to a court order, the firearm will be released to the proper owner.
- At the conclusion of the case, the case officer may sign the Property Disposition form, specifying the disposition of the firearm.

The initial depositing officer or the disposing officer will attempt to locate the rightful owner of the firearm prior to disposition of the firearm, pursuant to KRS 500.090(1)(c). The EPU will notify the rightful owner, via certified mail, that the firearm is available for release. The notification letter will specify the procedures for obtaining the firearm and any timelines to claim the firearm before it is considered abandoned property and is marked for disposal. In cases where the notification letter is returned as "undeliverable," the EPU will contact the Real Time Crime Center (RTCC) and request that they attempt to find a current, valid address for the rightful owner.

A National Crime Information Center (NCIC) criminal history check will be conducted on all persons retrieving firearms from the EPU. Officers should advise citizens that attempting to retrieve a firearm while subject to an Emergency Protective Order (EPO), Domestic Violence Order (DVO), Interpersonal Protective Order (IPO), or Foreign Protective Order (FPO) may be a violation of the law. Firearms shall not be released to a convicted

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11.6.2 DISPOSAL OF EVIDENCE/PROPERTY (CONTINUED)

felon, those convicted of domestic violence (DV), those currently under an EPO, DVO, IPO, or FPO, or those who are otherwise prohibited by law.

Upon receiving a request to obtain a firearm, the Criminal History Request form (LMPD #03-08-0111) will be completed using the case number for the evidence. Once either the EPU Sergeant or Lieutenant signs off on the request, the request will be faxed to (502) 572-3596. A contact number will be placed at the bottom of the form for NCIC use.

Once it has been determined that the citizen is not prohibited from possessing a firearm, the firearm(s) will be released. If it appears that the citizen is prohibited from possessing a firearm, an EPU Supervisor will be notified to address the situation with the citizen.

The EPU has a "second day release" policy on ammunition that was seized with a firearm. Citizens should be advised that ammunition will not be released at the same time as the firearm. The citizen will be instructed to return the following day, without the firearm, and any ammunition will be released at that time.

Ballistics

Ballistic evidence (e.g. shell casings, spent bullets, or fragments) not associated with a criminal case may not be disposed of for a period of five (5) years. Members may not order the disposal of ballistic evidence prior to the five (5) year retention schedule. Ballistic evidence associated with a criminal case shall be retained until the case is closed and all appeals have been exhausted. Under no circumstances shall this evidence be disposed of prior to the five (5) year retention schedule. Ballistic evidence collected during ShotSpotter investigations will also be retained for a period of five (5) years. The retention of ballistic evidence is crucial for National Integrated Ballistic Information Network (NIBIN) investigations.

Found

Some property/evidence may be directly returned to its rightful owner prior to being placed in the EPU (e.g. found property, recovered stolen property, and/or vehicle or evidence when photographed prior to release). Found property shall be released to the rightful owner with proper identification. Serial numbers on found property can be matched using the Records Management System (RMS) with items reported lost or stolen. The owner will immediately be notified upon retrieval of this information and the contact documented in the RMS.

Under no circumstances will a member of the public be allowed to come into the EPU to look for their lost or stolen items. This is for security purposes and also to protect the integrity of evidence maintained in these areas. All found or unclaimed property (other than firearms, ballistic evidence, and money) will be destroyed or disposed of at public auction after 90 days, pursuant to court order.

The EPU does not need a Property Disposition form from an officer to dispose of found or personal property after the 90-day waiting period has expired.

Safekeeping

Items entered as personal property shall only be released to the individual or entity listed as the owner when the

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11.6.2 DISPOSAL OF EVIDENCE/PROPERTY (CONTINUED)

item(s) was first entered into the RMS, except under one (1) of the following exceptions:

- Upon presentation of a notarized statement from the listed owner of the item authorizing its release to the person presenting the statement;
- Upon presentation of a signed court order authorizing the release of the item to a specific individual or business; or
- Upon authorization of the listed disposal officer or a commanding officer by signing a release form

11.6.3 TEMPORARY RELEASE OF PROPERTY

Court

Physical evidence may be obtained from the EPU. Officers and CSU technicians must notify the EPU at least 48 hours prior to the court date for the release of any evidence needed in the proceeding. Notification should be made by completing the Property Checkout Request form (LMPD #07-0006). The form must be faxed to the EPU at (502) 574-7185.

If the officer or an attorney wishes to view the evidence prior to the court date, the officer will contact an EPU Supervisor to schedule the viewing.

Officers and CSU technicians will sign for the release of property/evidence on the appropriate form and are responsible for returning the evidence to the EPU at the conclusion of the day's proceeding or securing the evidence with the court. Officers and CSU technicians are responsible for returning the evidence to the EPU at the conclusion of a trial. If property/evidence is retained by the court, the chain of custody must include the signature of the court person who received the item(s) for storage, along with the date and the time that the item(s) was in their custody.

Property cannot be released directly from court by the officer or CSU technician. The officer or CSU technician will sign the authorization to release the property to the owner and the EPU will notify the owner to claim the item(s).

The EPU maintains a log of all transactions and the owner's signature becomes a part of the permanent chain of custody record.

For narcotics cases, unless ordered by the court, the officer will only present laboratory results for evidentiary purposes. If the court orders the actual evidence to be presented, the officer will contact a Drug Vault detective at least 48 hours prior to the court date.

If the evidence is in a sealed container or envelope, it will not be opened unless directed by the court. When the envelope is opened, the location, date, time, name, and code number of the person opening the envelope must be recorded on the envelope. Upon returning the opened envelope to the EPU, the clerk will check the opened envelope to verify that all contents listed on the property records are present.

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11.6.4 SPECIAL CIRCUMSTANCES

DNA Evidence – Special Procedures

Since the inception of DNA testing, laws have been expanded to address the disposal of evidence that may be subject to DNA testing. KRS 524.140 addresses defendants charged with the following:

- Capital crime
- Class A
- Class B
- Class C
- Class D in Chapter 510 (sexual offenses)

Officers may only dispose of DNA evidence associated with the above offenses upon a court order.

DNA evidence associated with Class D offenses, other than those in KRS Chapter 510, may be disposed of by the officer after the appeal of any conviction or three (3) years from the time of sentencing, if no appeal has been filed. If charges are pending on an unsolved case, the DNA evidence will be kept.

DNA evidence associated with misdemeanor cases may be disposed of by the officer after sentencing for any conviction, after the conclusion of the appeal, if one is filed, or one (1) year from the date of the offense, if no charges have been filed, except in the following instance:

- For a misdemeanor offense under KRS Chapter 510, in which the victim is under the age of 18 at the time of the offense, evidence associated with the case may be disposed of by the officer after sentencing or after the conclusion of the appeal, if one is filed, or six (6) years from the date that the victim turns 18, if no charges are filed (KRS 500.050(3)).

Non-DNA Evidence

Non-DNA evidence associated with any felony case may be disposed of by the officer after the appeal of any conviction or three (3) years from the time of sentencing, if no appeal has been filed. If charges are pending on an unsolved case, the evidence will be kept.

Non-DNA evidence associated with misdemeanor cases, with the exception of Mobile Video System (MVS) tapes (refer to SOP 4.1) and evidence from accidents involving departmental vehicles (refer to SOP 7.7), may be disposed of by the officer after sentencing for any conviction or one (1) year from the date of the offense, if no charges have been filed.

11.6.5 REVIEW DATES

Evidence and property will be reviewed for disposal at periodic intervals to eliminate the hazards of overcrowded conditions caused as a result of excessive amounts of stored property/evidence. It is the responsibility of each officer to make the proper disposition of all property/evidence entered by him/her or assigned to him/her, when the evidence/property is no longer needed and within six (6) months of the legal requirements having been met. Officers wishing to dispose of monetary seizures should refer to SOP 11.3.

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11.6.5 REVIEW DATES (CONTINUED)

Items of evidence shall be listed on the Property Disposition form (LMPD #0070-97) and forwarded, by EPU personnel, to the officer listed as having disposal authority. This form will serve as the official notification to the officer that the listed items are being reviewed for disposal. Upon receipt of the Property Disposition form, officers will:

- Review their cases and determine if there is a need for continued retention.
- Provide an explanation if there is a need for continued retention.
- Complete the form indicating the proper disposition, if a need for retention does not exist.

11.6.6 TRANSFER OF EVIDENCE

In order for the EPU to transfer evidence disposal rights from one (1) member to another, the Property Disposition form (LMPD #0070-97) or the RMS Active Evidence Report must be completed by the member who is transferring the disposal rights to another member.

The officer/detective, who has been assigned as the lead investigator of a case with property that has been deposited into the EPU by another member, is responsible for verifying that the property has been transferred to him/her. The lead investigator will assume responsibility for evidence disposal.

Officers retiring from the department are not to dispose of any evidence in unsolved cases. Prior to retirement, officers are required to transfer disposal rights to another officer or a commanding officer (refer to SOP 11.6.5). For any property or evidence that has not been transferred due to retirement or the separation of service, release of evidence involving cases generated by former officers will be turned over to the former officer's last commanding officer, prior to retirement or separation of service. If the last commanding officer is no longer with the department, the current commanding officer of the investigating unit is responsible for researching the disposition of such cases and for releasing, or disposing of, the remaining items in evidence.

The Narcotics Division Commander has the authority to order the destruction of narcotic case evidence, when no other appropriate officer can be located to sign the destruction order (e.g. deceased, resigned, retired, terminated).

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	Revised Date: 06/10/17
Chapter: Evidence and Property	Accreditation Standards:
Subject: Exculpatory Evidence and Information	

11.7 EXCULPATORY EVIDENCE AND INFORMATION

11.7.1 POLICY

The Louisville Metro Police Department (LMPD) recognizes its duty and obligation to document and provide all evidence, including potentially exculpatory evidence, to prosecuting agencies. The landmark United States Supreme Court decision of *Brady v. Maryland* (1963) places an affirmative constitutional duty on a prosecutor to disclose exculpatory evidence to a defendant. This duty has been extended to police agencies through case law, requiring law enforcement agencies to notify the prosecutor of any potential exculpatory information.

11.7.2 DEFINITIONS

Bias: The relationship between a party and a witness which might lead the witness to slant, unconsciously or otherwise, his/her testimony in favor of, or against, a party. This includes a preformed negative opinion or attitude toward a group of persons based on their actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics attributed to an individual as a member of such a group

Impeachment Material: Information relevant to the credibility of any witness, including all members of the department who may be called as witnesses in criminal and civil cases. As to members of the department, this includes, but is not limited to, the following types of information:

- Any sustained finding of misconduct that reflects on the member's truthfulness;
- Any sustained finding of misconduct that indicates that the member was biased;
- Any credible allegation of misconduct resulting in a pending investigation that reflects on the truthfulness or possible bias of the member; and
- Any past criminal charge or pending criminal charge brought against the member.

Exculpatory Evidence: Any evidence that points, or might point, toward a defendant's innocence. This includes evidence that may be used to impeach the credibility of a witness.

Untruthfulness: Intentionally:

- Making a false, misleading, or untrue oral or written statement, report, record, and/or communication (including electronic communication);
- Failing to accurately report all facts pertaining to an investigation;
- Misrepresenting any matter by:
 - Knowingly submitting any false official statement or report;
 - Knowingly making a false statement(s) before, to, or during:
 - Any court proceedings;
 - Grand Jury proceedings;

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11.7.2 DEFINITIONS (CONTINUED)

- Board meetings;
- Commission meetings;
- Departmental hearing or inquiry; or
- Any official investigation of the department, including an investigation initiated by a commanding officer.

11.7.3 PROCEDURES

Prosecutors are required to automatically hand over exculpatory evidence to the defense, even if the defense does not request it. A showing that this rule was violated can sometimes result in a conviction being reversed. Exculpatory evidence includes, but is not limited to, the following:

- A written or verbal statement from a person, other than the defendant/suspect, admitting or implying that he/she, or someone other than the defendant/suspect, committed, or might have committed, the crime.
- Physical evidence, no matter the type, that would tend to indicate that the defendant/suspect did not commit, or might not have committed, the crime.
- Impeachment material.

Members are required to surrender any exculpatory evidence in their possession, or which they have knowledge of, in writing, to the appropriate prosecutor. Members shall record, in their case notes, the nature of the exculpatory evidence and when it was surrendered to the prosecutor.

Each member of the department who is notified to appear as a witness in a court case has an individual obligation under this policy to notify the prosecutor of any sustained disciplinary history that may impact upon his/her credibility and qualify as *Brady* material.

Knowingly failing to surrender exculpatory evidence exposes the department and the member to legal liability for violating the due process rights of the defendant/suspect.

The Special Investigations Division (SID) will compile and maintain a *Brady* list made up of members of the department with known impeachment material in the files maintained by the SID. The SID Commander is responsible for determining the makeup of the *Brady* list.

Any member who is on the *Brady* list will notify his/her Bureau Commander by memorandum of his/her intention to apply for any departmental position other than uniformed division patrol. Any known or potential *Brady* issues will be considered in the member's application process.

The Professional Standards Unit (PSU) will make the information on the *Brady* list available to designated contacts in the Office of the Commonwealth's Attorney, the Jefferson County Attorney's Office, and the U.S. Attorney's Office, updating the information as needed.

Upon request, the PSU will also provide the disciplinary history of a member of the department to a prosecutor to allow for a determination of whether the disciplinary history contains potential impeachment material.

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	Effective Date: 01/23/17
	Prv. Rev. Date: 04/10/17
	Revised Date: 06/10/17
Chapter: Evidence and Property	Accreditation Standards:
Subject: Social Media Evidence	

11.8 SOCIAL MEDIA EVIDENCE

11.8.1 PURPOSE

The purpose of this policy is to establish guidelines for the Louisville Metro Police Department (LMPD) regarding the use of social media in crime and intelligence analysis, situational awareness reports, criminal intelligence development, and criminal investigations support. This policy is intended to address social media in general, not a particular form of social media.

11.8.2 POLICY

Social media is an indispensable communication method which connects people across the world. As such, it is important for law enforcement to be aware of its potential for benefitting as well as harming our community. Social media has become a valuable investigative tool to detect and prevent criminal activity. It is the policy of the LMPD that any use of social media monitoring will be conducted with the utmost care and respect for individuals' privacy, civil rights, and civil liberties.

The LMPD will use all available legal methods to be apprised of community events for instances that may require law enforcement support. Social media is one of many tools or methods used for this purpose and may be utilized in the following:

- Criminal investigations
- Analytical assessments and situational awareness reports
- Intelligence development

11.8.3 DEFINITIONS

Analytical Assessments and Situational Awareness Reports: Reports that include analytic activities that enable the LMPD to identify and understand trends, causes, and potential indicators of threats to public safety, criminal activity, or terrorism. These reports may also include assessments on First Amendment protected events or large gatherings that may require a law enforcement presence for public safety.

Intelligence Development: Data which meets criminal intelligence collection criteria based upon Code of Federal Regulation 28 Part 23 (28 CFR Part 23) and which has been evaluated and determined to be relevant to the identification of criminal activity engaged in by individuals or organizations reasonably suspected of involvement in criminal activity.

Criminal Nexus: Established when behavior or circumstances are related to an individual or organization's involvement, or planned involvement, in a criminal activity or enterprise.

Right to Know: Based on having legal authority, one's official position, legal mandates, or official agreements allowing an individual to receive intelligence reports.

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11.8.3 DEFINITIONS (CONTINUED)

Need to Know: As a result of jurisdictional, organizational, or operational necessities, intelligence or sensitive information disseminated to further an investigation or an official law enforcement action.

11.8.4 FIRST AMENDMENT CONSIDERATIONS

The LMPD must respect the rights of every citizen. The monitoring of citizens' free speech will be conducted in a manner that does not infringe upon constitutional protections. Information collected, evaluated, analyzed, and disseminated by the LMPD will be in compliance with applicable laws protecting privacy, civil rights, and civil liberties including, but not limited to, 28 CFR Part 23.

11.8.5 SOCIAL MEDIA MONITORING

Social media and social media monitoring tools may be utilized during the course of a criminal investigation, analytical reports, situational awareness reports, and intelligence development. This will include monitoring prior to, or during, events or large gatherings that may require a law enforcement presence to enhance the safety of the public.

Members will only utilize social media to seek and/or retain the following:

- Information that is based upon reasonable suspicion that an identifiable individual, regardless of citizenship or U.S. residency status, or organization has committed an identifiable criminal offense or is involved in, or is planning, criminal or terrorist conduct or activity that presents a threat to any individual, the community, or the nation and the information is relevant to the criminal conduct or activity (criminal intelligence information); or
- Information that is relevant to the investigation and prosecution of suspected criminal incidents; the resulting justice system response; the enforcement of sanctions, orders, or sentences or the prevention of crime; or
- Information that is useful in crime analysis or situation assessment reports for the administration of criminal justice and public safety.

Members will not utilize social media to seek and/or retain the following:

- Information regarding an individual or an organization based solely on religious, political, or social views/activities; or
- Information regarding an individual's participation in a particular non-criminal organization or lawful event, unless the member can articulate how the individual or group activities pose a bona fide public safety concern or criminal nexus; or
- Information regarding an individual's actual or perceived race, ethnicity/national origin, immigration status, language fluency, gender, gender identity/expression, sexual orientation, religion, socio-economic status, housing status, occupation, disability, age, politics, or other similar personal characteristics attributed to an individual as a member of such a group, unless such information is relevant to the individual's criminal conduct or activity, or if such information is required to identify the individual.

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11.8.6 DISSEMINATION AND RETENTION

Social media intelligence or information may only be disseminated through controlled dissemination to those who have a need to know or a right to know, in accordance with 28 CFR Part 23. Any social media information or intelligence that is related to a criminal nexus shall be stored in accordance with the guidelines set by 28 CFR Part 23.

11.8.7 TRAINING

Members tasked with the dissemination or storage of social media intelligence will have appropriate 28 CFR Part 23 training.

11.8.8 SOURCE RELIABILITY AND CONTENT VALIDITY

Information or intelligence developed from social media should be considered lead information only and must be corroborated using traditional investigative/analysis tools including interviews, verification of address, verification of internet protocol address information, or other lawful means prior to being placed in an official file.

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12.1 PURSUITS

12.1.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that the pursuit operation of a police vehicle is justified only when the necessity of immediate apprehension outweighs the dangers created by the pursuit.

The officer must have a reason to believe that the violator being pursued has committed, or is wanted on a warrant for committing, a violent felony. Officers may also pursue a motor vehicle under the following additional special circumstances:

- The suspect is a known subject who has been previously identified as a violent felony offender for offenses defined in this policy;
- The suspect is a known subject who is the focus of an ongoing investigation for a violent felony;
- When the officer has reasonable suspicion that the subject in the vehicle has committed, is about to commit, or is currently committing a violent felony as defined in this policy;
- When a suspect is operating a stolen emergency vehicle, as emergency vehicles may contain weapons or present a danger to homeland security when stolen (as was used in a terrorist attack 1/2018 in Kabul).

In all pursuits, a commanding officer will acknowledge, engage in, and directly control the pursuit as soon as practical.

A "violent felony offender," for the purposes of this policy, is defined as:

- Offenses where a suspect has killed a person
- Assault in the First, Second, or Third Degree
- Wanton Endangerment in the First Degree
- Unlawful Imprisonment in the First Degree
- Kidnapping
- Rape in the First Degree
- Sodomy in the First Degree
- Sexual Abuse in the First Degree
- Arson in the First Degree
- Robbery in the First Degree
- Escape in the First Degree

Officers will pursue with the vehicle's emergency lights and siren in continuous operation. Police vehicles are exempt from most traffic regulations, pursuant to Kentucky Revised Statute (KRS) 189.940. However, no portion of this statute relieves the driver from operating the vehicle with due regard for the safety of all persons using the roadway.

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12.1.1 POLICY (CONTINUED)

Officers and supervisors will be held accountable for their actions in a pursuit and must be able to articulate the circumstances of the pursuit as part of the Administrative Incident Report (AIR) review process.

Officers should not initiate or participate in pursuits when:

- The offense is a traffic infraction, misdemeanor, or non-violent felony.
- Passengers or prisoners are in the police vehicle.
- Their vehicle is not equipped with emergency lights and siren.
- The conditions of the pursuit cause the violent felony (e.g. when initiating a traffic stop, an officer is behind a vehicle and is getting ready to pull the vehicle over when the vehicle accelerates at a high rate of speed (Wanton Endangerment)).
- The suspect is operating a motorcycle, scooter, moped, or all-terrain vehicle (ATV).

12.1.2 DEFINITIONS

Pursuit: An active attempt by a law enforcement officer operating a police vehicle, utilizing emergency equipment, to apprehend the operator of a fleeing vehicle, who is attempting to avoid arrest by using speed or other evasive tactics.

Termination of Pursuit: A pursuit is terminated when:

- The pursuing officer(s) turns off his/her emergency equipment and either stops, slows to the posted speed limit, or proceeds in a different direction; or
- The pursued vehicle stops.

12.1.3 PRIMARY UNIT RESPONSIBILITIES (KACP 21.2a-b)

The decision to initiate a pursuit must be based on the pursuing officer's reasonable belief that the circumstances outlined in SOP 12.1.1 have been met.

The pursuing officer shall consider the following factors in determining whether to initiate a pursuit:

- The nature and seriousness of the offense
- The amount of vehicular and pedestrian traffic in the area
- The likelihood of successful apprehension
- The area or location characteristics
- The availability of assistance
- The environmental conditions (e.g. lighting and weather)
- The performance capabilities of the pursuit vehicle
- The condition of the road surface on which the pursuit is being conducted
- The officer's familiarity with the geographic area of the pursuit

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12.1.3 PRIMARY UNIT RESPONSIBILITIES (CONTINUED)

The officer initiating a pursuit should, as soon as practical, provide the following information by radio:

- Car number
- Location
- Direction of travel
- Approximate speed
- Reason for pursuit
- Vehicle description
- License number, if known
- Number and description of occupants
- Traffic conditions

The failure to provide this information to MetroSafe may result in an immediate termination of the pursuit by a commanding officer. The initiating unit will be in command and bear operational responsibility for the pursuit until the pursuit is acknowledged by a commanding officer.

Unmarked and specialty vehicles will have a fully marked police vehicle involved in the pursuit as soon as possible. The marked unit will take over the primary unit position, when feasible. Vehicles without emergency lights and a siren are prohibited from participating in pursuits.

12.1.4 SECONDARY UNIT RESPONSIBILITIES (KACP 21.2c)

Upon joining the pursuit, and when radio traffic allows, assisting units will notify MetroSafe by providing their car number and location.

The active pursuit should not involve more than two (2) units, unless approved by the commanding officer in charge of the pursuit. The commanding officer may approve or assign additional backup units based upon several factors, including, but not limited to, the following:

- The nature of the offense
- The number of suspects in the vehicle and/or any known propensity for violence
- Weapon involvement
- Other officer safety concerns

If the primary unit is unable to continue for any reason, the secondary unit will become the primary unit, assuming the authority to terminate the pursuit. Any primary or secondary unit sustaining damage to, or the failure of, essential vehicular mechanical or emergency equipment during the pursuit will not continue in the pursuit. MetroSafe will advise the field supervisor and other units that a new secondary unit is needed and the next unit to join the pursuit will be designated the secondary unit.

Vehicles not actively involved in the pursuit are considered support units and should conduct the following activities:

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12.1.4 SECONDARY UNIT RESPONSIBILITIES (CONTINUED)

- Cover escape routes
- Assume a primary or secondary unit role, should one (1) of those vehicles be unable to continue
- Operate with all emergency equipment, when necessary, to maintain support positions and to warn other drivers of the support vehicles' approach
- Attempt to join the active pursuit if a support vehicle inadvertently intercepts the suspect vehicle

12.1.5 METROSAFE RESPONSIBILITIES (KACP 21.2d)

MetroSafe is responsible for the following:

- Verifying that the immediate commanding officer is aware of the pursuit and the nature of the pursuit.
- Clearing the primary channel of unnecessary traffic, advising all other channels that a pursuit is in-progress, providing all relevant information, and activating the emergency tone on the primary channel.
- Coordinating assistance under the direction of the commanding officer in charge of the pursuit.
- Notifying the Air Unit and Canine Unit.
- Performing relevant record and motor vehicle checks.
- Notifying outside agencies if the pursuit might involve their jurisdiction, and whether the call is a request for assistance or merely a courtesy notification with no participation requested.
- Conducting all transmissions on a radio frequency/channel capable of being monitored and recorded by MetroSafe while within the primary channel range.

12.1.6 AIR UNIT RESPONSIBILITIES (KACP 21.2c)

The Air Unit often has the ability to safely follow fleeing vehicles without endangering suspects, officers, or bystanders. The Air Unit will be contacted on all pursuits and attempt to become involved in all pursuits initiated by an officer or being conducted in the department's jurisdiction. Once the Air Unit is in a position to maintain visual contact with the pursued vehicle, it will become the primary unit for the pursuit. The primary and secondary ground units may continue in the pursuit with due regard for the safety of others.

The Air Unit will continually broadcast the location of the wanted vehicle to ground units, allowing them to follow the suspect's vehicle from a greater distance. The Air Unit will also advise ground units of upcoming traffic congestion, road hazards, or other information which could be beneficial to responding units.

In situations where the Air Unit is involved in a pursuit that has been terminated, the Air Unit may continue to follow the suspect's vehicle to gather intelligence regarding the suspect's final destination. This information may be relayed to ground units when the pursued vehicle stops, parks, is abandoned, or when officers are able to approach. When appropriate, officers may respond to the suspect's final destination in a manner consistent with departmental policy.

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12.1.6 AIR UNIT RESPONSIBILITIES (CONTINUED)

If the pursuit is terminated on the ground, the Air Unit will follow the suspect's vehicle in a covert manner. The Air Unit will not illuminate the suspect's vehicle with their spotlight and will only use Forward Looking InfraRed (FLIR) thermal imaging or night vision to monitor the suspect's vehicle if that is the only way to maintain visual contact. If it is not safe to proceed, the Air Unit will terminate their surveillance of the suspect's vehicle.

The Air Unit may follow the suspect's vehicle and provide information to ground units regarding its final destination in the following situations:

- When officers attempt to stop a vehicle and the vehicle does not yield;
- The suspect has committed, or is wanted on a warrant for committing, a non-violent felony; and
- The Air Unit is present or in close proximity.

In the case of any other violation or misdemeanor, the Air Unit will not follow the vehicle.

When a pursued suspect's vehicle leaves Jefferson County, the Air Unit may follow that vehicle for as long as they may safely do so, considering environmental conditions, fuel status, and other known factors. MetroSafe will pass along the observations of the Air Unit to the law enforcement agency that has jurisdiction over the pursuit. LMPD officers may only leave Jefferson County in hot pursuit, and will not leave Jefferson County to assist the Air Unit in any terminated pursuit. Once a suspect's vehicle has stopped, the jurisdictional law enforcement agency will handle all contact with the suspect(s). Upon the approval of a commanding officer, LMPD members may be authorized to respond to another jurisdiction to provide investigative information and assist with any criminal investigation.

12.1.7 SUPERVISOR RESPONSIBILITIES (KACP 21.2e)

Once notified of a pursuit, the affected supervisor will acknowledge and assert control by monitoring the pursuit, taking necessary action to be in compliance with this policy, and verifying that:

- Sufficient information has been provided by the pursuing officer for the supervisor to evaluate the necessity of a pursuit.
- Only the required or necessary units are involved in the pursuit.
- Aerial assistance, if available, has been requested.
- The proper radio frequency is being utilized. The radio channel where the pursuit was initiated is the frequency utilized for the entire pursuit. All assisting units will change to the assigned channel. Specialty units (e.g. Narcotics Division, Canine Unit, Traffic Unit, etc.) shall also change to a primary channel (Police 1 – 4).
- Affected allied agencies are being notified.

The supervisor in charge will continuously evaluate the updated information to determine if the pursuit should be continued or terminated and will be held accountable for his/her decision. In controlling the pursuit, the supervisor in charge is responsible for:

- Approving or terminating a pursuit (KACP 21.2g).

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12.1.7 SUPERVISOR RESPONSIBILITIES (CONTINUED)

- Directing pursuit vehicles or air support into, or out of, the pursuit.
- Redesignating primary, secondary, or other unit responsibilities.
- Coordinating pursuit tactics.
- Granting or denying permission for the pursuit to continue outside of the LMPD's jurisdiction (KACP 21.2h).

The supervisor may also approve support units to assist the primary and secondary pursuit units based upon an analysis of the following criteria:

- The nature of the offense for which the pursuit was initiated
- The number of suspects in the vehicle and/or any known propensity for violence
- Weapon involvement
- The number of pursuit vehicles
- Any damage or injuries to the primary and secondary unit or officers
- The number of officers needed to make an arrest at the conclusion of the pursuit
- Any other clear and articulable facts that would warrant the increased hazards caused by numerous pursuit vehicles

The supervisor in charge of the pursuit will continue to direct the pursuit, approve or order alternative tactics, and maintain control until the pursuit is terminated. A higher ranking commanding officer may assume responsibility for, and direct, the pursuit.

12.1.8 TACTICS (KACP 21.2f)

Physical or Deadly Force: Pursuit tactics involving the use of physical or deadly force are guided by KRS and departmental policy.

Emergency Equipment: Officers shall utilize all emergency equipment in continuous operation during a pursuit.

Offensive Tactics: In the course of a pursuit, deliberate contact to forcibly stop a fleeing vehicle is permitted only if the use of deadly force would be justified under the circumstances and the action does not create a substantial risk of serious physical injury or death to uninvolved persons.

Passing: There should be no attempt by officers to pass other units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the field supervisor.

Roadblocks: A roadblock is a barricade or other obstruction (e.g. vehicle, signs, devices, etc.) used to disrupt the flow of traffic in an attempt to stop, or prevent the escape of, a fleeing vehicle. Roadblocks may not be utilized without the approval of a supervisor. The use of roadblocks must be weighed against the potential risk presented by continuing the pursuit. Roadblocks will be established with due regard for everyone, whether directly or indirectly involved in the pursuit, including, but not limited to, officers, civilians, and suspects. Roadblocks will only be used in areas with sufficient visibility in order for the pursuing vehicles and the

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12.1.8 TACTICS (CONTINUED)

offender's vehicle to safely stop. Under no circumstances are roadblocks to be established in blind areas, such as curves or expressway ramps (KACP 21.2i).

Disabling Devices: Disabling devices should be deployed, whenever possible, to immobilize a pursued vehicle. However, they will not be used if the pursued vehicle is a two-wheeled vehicle.

Shooting at, or from, a Moving Vehicle: Officers will not shoot at, or from, a moving vehicle unless it is necessary to return gunfire to protect human life and when it does not create an unreasonable risk of harm to innocent persons.

12.1.9 TERMINATION (KACP 21.2g)

Pursuits will be terminated when the risks created by continuing the pursuit outweigh the need for an immediate apprehension.

An officer's decision to terminate a pursuit for safety reasons is not subject to criticism or review.

Pursuits will be terminated immediately when any of the following occur:

- A supervisor in charge of the pursuit, or a higher-ranking officer, issues an order of termination;
- The officer loses visual contact and the likelihood for apprehension is decreased;
- The officer doesn't believe that it is safe to continue the pursuit; or
- The officer is out of radio range or loses contact with MetroSafe.

Pursuits may be terminated by the pursuing officer, the supervisor in charge of the pursuit, or any commanding officer of a higher rank than the supervisor who is in charge of the pursuit. Supervisors will be held accountable for the failure to exercise authority under this section.

12.1.10 INTERJURISDICTIONAL PURSUITS (KACP 21.2h)

When a LMPD pursuit enters another agency's jurisdiction, MetroSafe will notify that agency and specify:

- All pertinent information that is available at the time.
- If the call is a request for assistance or for notification purposes only.

Once the other agency takes over the pursuit, the primary and secondary units must relinquish control of the pursuit and move to a support position.

When notified of a pursuit by another agency entering the department's jurisdiction, MetroSafe will gather all pertinent details. MetroSafe will notify the affected division and, pending the approval of a commanding officer, dispatch unit(s) based on available information. The affected division's supervisor may authorize LMPD officers

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12.1.10 INTERJURISDICTIONAL PURSUITS (CONTINUED)

to become actively involved in another agency's pursuit, if specifically requested and the pursuit meets the criteria of this policy.

12.1.11 POST PURSUIT

The primary pursuit unit retains the responsibility for maintaining control and directing activities at the conclusion of the pursuit, until relieved by a supervisor. The supervisor of the division where the pursuit ends will proceed to the termination point in order to provide guidance and necessary supervision. The commanding officer in charge of the pursuit shall submit an Administrative Incident Report (AIR), via the BlueTeam link, located on the LMPD Intranet homepage. Any use of roadblocks or forcible stopping techniques will be documented on the AIR. The AIR shall be submitted by the end of the commanding officer's tour of duty (refer to SOP 3.1).

12.1.12 PURSUIT REVIEW

All pursuits will be reviewed in order to:

- Monitor compliance with policy; and
- Determine the effectiveness of current training methods.

The pursuit review entails:

- A review of the AIR and all attached supporting documentation;
- A review of all associated radio transmissions; and
- A review of all associated video recordings.

The division/section/unit commander in the officer's chain of command is responsible for:

- Compiling the documentation required for the review;
- Reviewing the material;
- Requesting supplemental documentation, if required; and
- Making recommendations about compliance with policy and the effectiveness of training.

The completed review shall be forwarded to the Deputy Chief of Police/Chief of Staff and then to the Legal Advisor and Chief of Police for final review.

A documented analysis of vehicle pursuits will be conducted on an annual basis in order to identify larger patterns that may lead to policy and/or training modifications (KACP 21.2j).

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Chapter: Special Response	
Subject: Exposure Control and Bloodborne Pathogens	

12.2 EXPOSURE CONTROL AND BLOODBORNE PATHOGENS (KACP 29.1a)

12.2.1 POLICY

Louisville Metro Police Department (LMPD) members must perform their duties in the safest and most effective manner possible. Life-endangering, communicable diseases threaten the safe performance of daily operations. In order to minimize a potential exposure and increase the understanding of the nature and potential risks of communicable diseases, the department will continuously provide members with up-to-date procedures and information on communicable diseases and will provide the proper safety equipment.

The Exposure Control Plan shall meet all mandatory federal regulations. Its purpose is to eliminate or reduce a member's exposure to blood, bodily fluids, and other potentially infectious materials (OPIM). It shall be available in each division/section/unit and accessible to all members on a 24-hour basis.

12.2.2 DEFINITIONS

Blood: Human blood, human blood components, and products made from human blood.

Bloodborne Pathogens: Pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B Virus (HBV), Hepatitis C Virus (HCV), and human immunodeficiency virus (HIV).

Body Substance Isolation: Formerly known as "universal precautions." All individuals should be considered as possible exposure threats for bloodborne or airborne pathogens and should be approached and treated using the appropriate procedures and personal protective equipment (PPE).

Contaminated: The presence, or the reasonably anticipated presence, of blood or OPIM on an item or surface.

Contaminated Clothing: Clothing that has been soiled with blood or other potentially infectious materials, or clothing that may contain sharps.

Contaminated Sharps: Any contaminated object that can penetrate the skin, including, but not limited to, needles, knives, broken glass, and the exposed ends of dental wires.

Decontamination: The use of physical or chemical means to remove, neutralize, or destroy bloodborne pathogens on a surface, or item, to the point where they are no longer capable of transmitting infectious particles and the surface, or item, is rendered safe for handling, use, or disposal.

Exposure Incident: A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood, or other potentially infectious materials, that result from the performance of a member's duties. Non-intact skin include skin with dermatitis, hangnails, cuts, abrasions, and chafing.

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12.2.2 DEFINITIONS (CONTINUED)

HIV Post-Exposure Prophylaxis (PEP): A preventive medical treatment that, when administered immediately after exposure to an HIV-positive source, will significantly reduce the risk of contracting HIV.

Occupational Exposure: Reasonably anticipated eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood, or OPIM, that may result from the performance of a member's duties.

Other Potentially Infectious Materials (OPIM): The following human body fluids shall be considered OPIM:

- Any bodily fluids such as semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, or saliva
- Any unfixed tissue or organ (other than intact skin) from a human (living or dead)
- Any cell, tissue, or organ cultures containing pathogens
- Any culture medium or other solution containing pathogens
- Any blood, tissues, or organs from experimental animals infected with HIV, HBV, HCV, or other pathogens

Parenteral: Piercing mucous membranes or skin barriers through such events as needle sticks, human bites, cuts, and abrasions.

PEP Medication Lockbox: A secure medical cabinet located in each of the eight (8) patrol divisions that is used for the storage of PEP medication.

Personal Protective Equipment (PPE): Specialized clothing, or equipment, worn by a member for protection against a hazard. Generally, work clothes (e.g. uniforms, pants, shirts) are not intended to function as protection from a hazard and shall not be considered PPE.

Regulated Waste: Liquid, or semi-liquid, blood or OPIM and/or contaminated items that are soaked or caked in blood or OPIM which, if handled or compressed, may release these materials, pathological and microbiological wastes containing blood or OPIM.

12.2.3 EXPOSURE DETERMINATION

The following chart serves as an assessment for all job classifications within the department for occupational exposure to bloodborne pathogens:

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12.2.3 EXPOSURE DETERMINATION (CONTINUED)

Job Classification	Risk Level for Occupational Exposure		
	High	Moderate	Low
Chief of Police		X	
Deputy Chief - Colonel		X	
Assistant Chief – Lieutenant Colonel		X	
Major		X	
Captain		X	
Lieutenant	X		
Sergeant	X		
Officer/Detective	X		
Special Police	X		
Part-Time Officer	X		
Recruit		X	

Job Classification	Risk Level for Occupational Exposure		
	High	Moderate	Low
Administrative Assistant			X
Administrative Clerk			X
Administrative Secretary			X
Administrative Specialist			X
Attorney			X
Business Accountant			X
Clerk Typist II			X
Community Outreach Coordinator			X
Crime Analyst I			X
Crime Center Manager			X
Crime Center Supervisor			X
Crime Scene Unit (CSU) Technician I	X		
Crime Scene Unit (CSU) Technician Trainee	X		
Criminal Justice Specialist			X
Criminal Justice Supervisor			X
Executive Administrator			X
Executive Assistant			X
Firearms and Toolmark Examiner		X	
Helicopter Pilot		X	
Integrated Ballistic Identification System (IBIS) Firearm Technician		X	
Information Process Technician			X
Information Systems Supervisor			X
Keeper I			X

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12.2.3 EXPOSURE DETERMINATION (CONTINUED)

Job Classification	Risk Level for Occupational Exposure		
	High	Moderate	Low
Latent Fingerprint Technician		X	
LMPD Service Center Technician			X
Management Assistant			X
Paralegal			X
Performance Analyst			X
Personnel Specialist			X
Personnel Supervisor			X
Photographer Technician			X
Police Data Analyst			X
Police Report Technician (PRT)		X	
Polygraph Technician			X
Property Room Clerk		X	
Property Room Clerk Trainee		X	
Property Room Supervisor		X	
Public Information Specialist			X
Records Manager			X
Records Supervisor I			X
Records Supervisor II			X
Storage Equipment Operator		X	
Tow-In Equipment Operator		X	
Traffic Control Officer II			X
Traffic Guard I, II and III			X
Traffic Guard Supervisor			X
Transcriber			X
Vehicle Impoundment Supervisor			X
Victim Services Advocate		X	
Video Forensics Specialist		X	
Video Records Specialist			X
Word Processing Clerk			X

Departmental members can reasonably anticipate coming into contact with human blood and OPIM in the course of their duties. Incidents that involve a significant risk of exposure include, but are not limited to, the following situations:

- Responding to assaults
- Conducting corpse investigations
- Aiding injured/sick persons
- Responding to injury accidents
- Handling intoxicated persons
- Conducting crime scene searches

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12.2.3 EXPOSURE DETERMINATION (CONTINUED)

- Handling evidence
- Aiding in child birth
- Arresting and searching individuals
- Handling mental patients
- Serving search warrants

12.2.4 BODY SUBSTANCE ISOLATION

Body substance isolation, formerly known as “universal precautions,” shall be observed in order to prevent contact with blood or OPIM. Departmental members shall treat human blood, body fluids, and OPIM as if they are known to be infectious for bloodborne pathogens. Therefore, eating, drinking, smoking, applying cosmetics/lip balm, or handling contact lenses are prohibited in areas where a reasonable likelihood of contamination is present (KACP 29.1d).

In circumstances where it is difficult, or impossible, to differentiate between fluid types, members shall assume that the fluid is potentially infectious and use the appropriate level of PPE. When in doubt, members shall use maximum protection.

Under rare and extraordinary circumstances, a member may decline to use PPE. In such situations, it must be the member's professional judgment that the use of PPE would have prevented the delivery of healthcare or would have posed an increased hazard to his/her, or another's, safety. Exceptions to the use of PPE are limited.

However, when such an exposure incident occurs, the member's immediate supervisor will complete the portion of the Exposure Report form (LMPD #04-08-0303) that documents why PPE was not used and suggest possible changes in policy that might prevent similar, future incidents.

12.2.5 PERSONAL PROTECTIVE EQUIPMENT (PPE)

Supply (KACP 29.1c)

The department will provide PPE to all members with a moderate or high occupational exposure and will repair, replace, and dispose of the PPE, as required, at no cost to the member. Commanding officers and supervisors will provide each member with a moderate, or high, occupational exposure with the required PPE and the necessary replacement items. The failure of a member to use PPE due to its unavailability is unacceptable. Each member with a moderate or high occupational exposure shall have the following readily available:

- Nitrile (non-latex) gloves
- Outer garments
- Shoe covers
- Eye protection
- Biohazard tape
- Paper dust mask

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12.2.5 PERSONAL PROTECTIVE EQUIPMENT (CONTINUED)

- Plastic mouthpieces or other authorized barrier resuscitation devices (CPR mask)
- Full-face negative pressure air purifying respirator
- Heavy-duty, utility-style leather gloves
- Puncture/cut resistant gloves
- Head cover
- Antiseptic wipes or hand cleaner
- Biohazard bag
- Sharps container
- Medical trauma kit
- Spit sock hood

Medical Trauma Kit

The medical trauma kit is a compact kit that contains the items essential for the treatment of serious injuries encountered by law enforcement. The medical trauma kit is compact and should be stored in the glove box of the member's vehicle when not deployed, unless a tactical situation dictates otherwise. The medical trauma kit is packed in a heavyweight re-sealable bag, allowing for the easy replacement of individual kit items. Kit components can also be periodically inspected without damaging the integrity of the packaging.

Contents of the medical trauma kit include:

- SOF tactical tourniquet.
- Olaes® modular bandage, consisting of:
 - Three (3) meters of sterile four (4)-ply gauze.
 - Plastic occlusive sheet included in dressing pocket.
 - Transparent pressure cup that focuses pressure on the wound and acts as an eye cup for treatment of eye injuries.
- One (1) pair of nitrile gloves.
- Two (2) EZ-Gauze.

If the contents are used and/or need to be replaced, the member shall contact a Health and Safety Officer (HSO) for replacement.

Storage (KACP 29.4)

Members assigned PPE shall store the equipment in a readily accessible area of their vehicle. Plastic mouthpieces or other authorized barrier resuscitation devices (CPR masks) and medical trauma kits shall be stored in the glove box of the vehicle for easy access. If members work primarily in a building (e.g. Evidence and Property Unit (EPU) personnel), PPE shall be stored in a readily accessible area at the workplace.

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12.2.5 PERSONAL PROTECTIVE EQUIPMENT (CONTINUED)

Inspection, Maintenance and Replacement

Members are responsible for continually inspecting their issued PPE for damage (e.g. tears, rips, cracks, etc.). If an article of PPE is damaged or has been used, the member shall notify his/her supervisor and respond to his/her division/section/unit for replacement. Each division/section/unit is responsible for ordering its own PPE and maintaining an adequate supply, as needed, for replacement. If a division/section/unit does not have an adequate supply of PPE or it is unavailable for replacement, members shall obtain a replacement from the EPU. Replacement supplies for the medical trauma kit, plastic mouthpieces or other authorized barrier resuscitation devices (CPR masks), and spit sock hoods are available from a HSO.

Use of PPE

The type and amount of PPE used will be considered appropriate only when it prevents the member from coming into contact with blood or OPIM, under normal conditions and durations of use. At a minimum, the following procedures should be followed:

- Disposable gloves, two (2) gloves on each hand (double glove), should be worn when handling any persons, clothing, equipment, or item contaminated with blood or OPIM. Nitrile gloves may leak and double gloving can prevent blood, or OPIM, from reaching the skin.
- Masks, in combination with eye protection, should be worn whenever the possibility of splashes, spray, spatter or droplets of blood, or OPIM, exists.
- Protective outer garments should be worn whenever the possibility of an exposure may occur, based upon the task to be performed.
- Shoe covers should be worn at scenes with gross contamination on the floor or ground.
- Head covers should be worn whenever the possibility of splashes, spray, spatter or droplets of blood, or OPIM may come into contact with the head or scalp.
- Plastic mouthpieces or other authorized barrier resuscitation devices (CPR masks) should be used whenever a member performs CPR or rescue breathing.
- Biohazard bags should be used to dispose of used PPE and all waste products from cleaning and decontamination.
- Biohazard tape should be used to warn individuals when a scene or item (e.g. vehicle, room, house) is contaminated. When securing crime scenes, biohazard tape should only be used to rope off the contaminated area. Yellow police tape should be used to secure the perimeter.
- Members are responsible for properly disposing of any PPE that they have used. Used PPE should not be left at a crime scene, accident scene, or at any other location. Prior to reopening a crime scene or accident scene, personnel from the unit responsible for the investigation should check the scene and properly dispose of any used PPE.

Removal and Disposal of PPE

PPE should be removed as soon as feasible upon leaving the scene of contamination. If the PPE was contaminated, it should be placed in a leak-proof biohazard bag and closed (KACP 29.1f). The bag should be taken to the biohazard decontamination station, either at the member's division or at the EPU. If CSU personnel are available, the bag may be taken to the biohazard disposal container inside of the CSU.

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12.2.5 PERSONAL PROTECTIVE EQUIPMENT (CONTINUED)

Caution should be taken when removing contaminated PPE to prevent the spread of contamination to exposed skin and clothing. Clean nitrile gloves should be worn when removing or cleaning contaminated PPE.

12.2.6 HANDWASHING

Members should wash their hands for at least 15 seconds, with soap and hot water, upon removal of gloves and other PPE. Members should wash their hands, and any other exposed skin, with soap and hot water, or flush mucous membranes with water immediately, or as soon as possible, following the contact of such body areas with blood or OPIM. Handwashing facilities are located in each division, Police Headquarters, the EPU, and the CSU office.

When handwashing is not feasible, an appropriate antiseptic hand cleanser, in conjunction with a clean cloth, paper towels, or antiseptic wipes, should be used (KACP 29.1c). Hands should then be washed with soap and hot running water as soon as practical.

12.2.7 DECONTAMINATION

All equipment (including the outside surfaces of police vehicles, handcuffs, batons, etc.) should be cleaned and decontaminated after contact with blood or OPIM. Decontamination should be performed as soon as practical. Work surfaces (e.g. processing areas) should be decontaminated with an appropriate disinfectant before and after use (KACP 29.1e).

All waste products from cleaning and decontamination should be placed in a biohazard bag, closed, and taken to the biohazard decontamination station at the member's division, the EPU, or the biohazard disposal container inside of the CSU, if CSU personnel are available.

Vehicles

Any vehicles, whether government or civilian, that contain blood or OPIM should be clearly marked with biohazard tape so as to inform anyone who will have contact with the vehicle of the necessity to use PPE. Biohazard tape may be obtained from the EPU. Whenever possible, officers should contact Louisville Metro Emergency Medical Services (LMEMS) to treat, clean, and bandage a potentially contaminated prisoner prior to placing him/her in their vehicle, or before taking him/her into a police facility, in order to avoid contamination of these locations. This decision should be made after considering escape and public or officer health and safety risks.

The interior of police vehicles should be cleaned and decontaminated after transporting any person who may have contaminated the vehicle. Members should decontaminate the vehicle before transporting another person. Small amounts of blood and OPIM may be cleaned using antiseptic wipes. Larger areas of contamination should be cleaned by absorbing the contaminating substance with paper towels, then washing the area with hot soapy water, and lastly, using antiseptic spray or wipes on the affected area. All waste products used in cleaning and decontamination of a vehicle should be placed in a biohazard bag, closed, and taken to the biohazard

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12.2.7 DECONTAMINATION (CONTINUED)

decontamination station at the member's division, the EPU, or the biohazard disposal container inside of the CSU, if CSU personnel are available.

If a member's vehicle is severely contaminated, it should be clearly marked with biohazard tape. After receiving approval from the division/section/unit commander, the vehicle should be taken to a facility contracted by the department for complete detailing and decontamination.

If a member performing mechanical maintenance, or repairs, to a departmental vehicle discovers that a vehicle is contaminated, he/she should cease work immediately and notify the member responsible for the vehicle that the vehicle must be decontaminated. Work on the vehicle should not be resumed until decontamination is complete.

Uniforms (KACP 29.1f)

All members with a moderate or high occupational exposure risk level are required to maintain a complete change of clothes in their vehicles or at their assigned division/section/unit.

Contaminated clothing should be removed as soon as practical. If the clothing cannot be removed at the scene, the member should immediately go to his/her division/section/unit to remove it. The member should wash any affected areas of the body with soap and water. The member should place the contaminated items in a biohazard bag, close the bag, and label it with his/her name and a brief description of the contents. He/she should then deliver the bag to the EPU for laundering or disposal. Contaminated clothing shall not be taken home under any circumstances.

Evidence

Any evidence contaminated with body fluids should be dried, bagged, and marked as a possible hazard. Any item that is not yet dry should be collected by the CSU or transported to the CSU office to be dried prior to being placed in the EPU. Wet items should be transported in leak-proof containers to prevent leak-through contamination. Needles and other sharps should be placed in a puncture-resistant container when being collected for evidentiary purposes (KACP 29.1c).

12.2.8 SHARPS

All sharp instruments, such as knives, razors, needles, and broken glass, should be considered contaminated. Leather gloves should be worn when searching for, or handling, sharp instruments. Nitrile gloves should be worn under the leather gloves when blood, or other body fluid, is present. Members should not place their hands in areas where sharp instruments might be hidden. An initial visual search of the area should be conducted.

When lighting is inadequate, a flashlight should be used to illuminate dark areas. When searching suspects, a member may ask the suspect to remove such objects from his/her person. Broken glass, which may be contaminated, should not be picked up by hand, but by mechanical means such as tongs, forceps, or a brush and dustpan. Needles should not be recapped, bent, broken, removed from a disposable syringe, or otherwise

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12.2.8 SHARPS (CONTINUED)

manipulated by hand. The shearing or breaking of contaminated needles is prohibited. A puncture-resistant container should be used when collecting needles and other sharps for evidentiary or disposal purposes (KACP 29.1c).

12.2.9 REGULATED WASTE

Storage (KACP 29.3d)

Warning labels should be affixed to secured containers (e.g. refrigerators, freezers) of regulated waste. Furthermore, a biohazard label should be affixed to evidence or other property contaminated with human blood or OPIM. The label should be affixed as close as possible to the item in such a manner as to prevent loss or unintentional removal. On evidence envelopes, the label should be affixed to the face along the right-front edge.

Food and drink shall not be stored in the same location (e.g. refrigerators, shelves) as blood or OPIM.

Disposal

The EPU, as well as divisions/sections/units equipped with decontamination stations, is responsible for the disposal of regulated waste.

Contaminated sharps should be placed in containers that are (KACP 29.1c):

- Closable
- Puncture resistant
- Leak-proof on the sides and bottom
- Appropriately labeled (KACP 29.3a)

Other regulated waste should be placed in containers that are:

- Closable
- Constructed to contain all contents and prevent leakage of fluids during handling, storage, transporting, or shipping
- Appropriately labeled (KACP 29.3a)

12.2.10 HEPATITIS B VACCINATIONS

Within ten (10) working days of initial assignment to a job classification, the department will make the Hepatitis B vaccination series available to members who have a moderate or high occupational exposure risk level. This will exclude members who have received the complete Hepatitis B vaccination series and whose antibody testing has revealed that the member is immune. If a vaccine is contraindicated for medical reasons, members may decline the vaccination (KACP 29.1c).

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12.2.10 HEPATITIS B VACCINATIONS (CONTINUED)

Pre-vaccination screening for antibody status is not required for participation. However, it is available at no cost to the member. The vaccination series will be available even if the member declines prescreening.

Members who decline to accept the Hepatitis B vaccination shall sign the Hepatitis B Vaccination Declination form (LMPD #04-07-0301).

If a member initially declines the Hepatitis B vaccination, but at a later date, while still covered by this policy, decides to accept the vaccination, the department will make the Hepatitis B vaccination available at that time. U.S. HealthWorks Medical Group, located at 901 West Broadway, should be contacted at (502) 584-2257 to begin participation.

12.2.11 INFESTATIONS

Bed Bugs

There may be instances where members will encounter scenes with bed bug infestations. In such cases, members will use complete PPE covering their shoes, extremities, and torso. After exiting the exposed environment and before getting in their vehicle, members will remove the PPE, place it in a biohazard bag, and seal the bag. The member will discard the bag into an outside trash receptacle. Members should be careful when leaning over suspects, patients, and/or other items as bed bugs crawl. Members should not sit on upholstered furniture and never place equipment on anything upholstered. If anything must be brought into the scene, members should use a plastic lining on the surface of a chair or table before placing items down. Before getting into their vehicle, members will check the crevices of anything brought into the environment, especially phones, computers, equipment, clothing, and shoes. Members should wipe down or spray exposed items with alcohol or other disinfectant, which kills live bed bugs on contact. Alcohol does not kill bed bug eggs, but as bed bugs only move by crawling, and eggs do not crawl, they are not an issue for contamination.

For all incidents of bed bug infestations, members will have MetroSafe immediately page a LMPD HSO as soon as they suspect that bed bugs may be present.

Fleas

Fleas are blood-sucking parasitic insects that live on pets, livestock, and humans. They are small, 1–4 mm in length, and blackish-brown in color. Although wingless, fleas are still capable of taking giant leaps, jumping to a height of several meters. Adult fleas feed on only blood and are capable of living long periods without feeding. The flea injects allergenic saliva after piercing the skin with its mandibles. The bites, which are usually felt immediately, become increasingly irritated and may remain sore and/or itchy, for as long as a week. Itching may be generalized or just at the site of the bite.

Flea bites usually occur around the ankles and lower leg area. Other common locations for flea bites are around the waist, in the armpits, in the creases of the elbows, and behind the knees. A flea bite appears as a small single growth that is flat, firm, and surrounded by a single red halo. The growth blanches when pressure is

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12.2.11 INFESTATIONS (CONTINUED)

applied. Flea bites may show signs of bleeding. The area of skin affected may increase over time or the rash may spread to a different area.

There may be instances where members encounter scenes with flea infestations. In such cases, members will use complete PPE covering their shoes, extremities, and torso. After exiting the exposed environment and before getting in their vehicle, members will remove the PPE and place it in a biohazard bag and seal the bag.

The member will discard the bag into an outside trash receptacle. Members should be careful when leaning over suspects, patients, and/or other items because fleas can jump. Members should not sit on upholstered furniture and never place equipment on anything upholstered. If anything must be brought into the scene, members will use a plastic lining on the surface of a chair or table before placing items down. Before getting into their vehicle, members will check the crevices of anything brought into the environment, especially phones, computers, equipment, clothing, and shoes.

For all incidents of flea infestations or bites, members will have MetroSafe immediately page a LMPD HSO as soon as they suspect that fleas may be present.

12.2.12 LINE-OF-DUTY EXPOSURE INCIDENTS

Departmental members who have had a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or OPIM will be considered to have been exposed to a communicable disease.

Member's Responsibilities

When a member has been exposed to another person's blood, living or deceased, or OPIM in the above listed manner, he/she should:

- Immediately report the exposure to his/her supervisor so that contact can be quickly made with a LMPD HSO and the departmental physician.
- Report to the nearest patrol division in order to obtain a single dose of the PEP medication and complete the LMPD HIV Post-Exposure Prophylaxis Information and Consent form (LMPD #16-0002).
- Discuss the nature of the exposure and the risks and benefits of the PEP medication with the departmental physician or available medical provider in order to determine whether the PEP medications are recommended. If the member is a female, she should inform the physician if there is a chance that she may be pregnant.
- Report to the University of Louisville Hospital's Emergency Room (ER) and notify the triage personnel that he/she is there for a post-exposure evaluation.

The member's supervisor is responsible for completing the Exposure Report form (LMPD #04-08-0303), the Workers' Compensation – First Report of Injury or Illness form (IA-1), and an Administrative Incident Report (AIR) (refer to SOP 3.1) by the end of his/her shift.

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12.2.12 LINE-OF-DUTY EXPOSURE INCIDENTS (CONTINUED)

Supervisor's Responsibilities

When an exposure occurs, the supervisor should:

- Notify MetroSafe that an exposure has occurred.
- Request that MetroSafe notify the on-call HSO and departmental physician.
- Arrange for the member's transportation to the nearest patrol division in order to obtain a single dose of the PEP medication under the departmental physician's guidance.
- Notify the on-duty supervisor of the nearest patrol division to make arrangements for access to the PEP medication lockbox.
- After the PEP medication has been obtained, arrange for the member's transportation to the University of Louisville's ER for further exposure testing and treatment.
- Document on the Exposure Report form whether identification of the source individual is known, whether the source individual is in custody (no criminal charges placed, individual escaped, etc.), and whether the individual provided consent to have his/her blood drawn for testing. When the source individual's consent is not required by law, the source individual's blood, if available, should be tested and the results documented. If the source individual is already known to be infected with HBV, HCV, or HIV, further testing need not be repeated.
- If the source individual refuses to give consent for a blood draw, request assistance from the HSO with applying for a court order. In cases where the source individual is under arrest, it is best to take him/her to the University of Louisville Hospital before booking. Once in the custody of the Louisville Metro Department of Corrections (LMDC), a court order must be obtained and delivered to LMDC personnel directing them to transport the subject for testing.
- Arrange for the source individual's transportation to the University of Louisville Hospital if the source individual is to be tested. The University of Louisville Hospital is the preferred location for the blood draw because of its ability to have HIV test results completed within one (1) hour.
- Request that the source individual allow his/her test results to be shared, for medical reasons, with the professionals treating the member, including the departmental physician and the HSO. Decisions for medical treatment are based largely on the source individual's test results. The HSO shall inform the member of the test results.
- Verify that medical treatment is offered to the member and source individual, if needed.
- If the exposure is a result of contact with a corpse, the supervisor shall immediately contact the Jefferson County Coroner's Office at (502) 574-6262 and the Office of the State Medical Examiner at (502) 852-5587. Arrangements must be made to obtain blood samples for medical testing. It is critical that the sample is obtained from a corpse prior to an autopsy being performed.
- Complete the Exposure Report form, the Workers' Compensation form, and an AIR (refer to SOP 3.1) by the end of his/her shift for a member under his/her command.
- Review and complete the above forms and forward them through the appropriate chain of command. The original Exposure Report form and the original Workers' Compensation form shall be sent to Police Human Resources (HR). The AIR shall be submitted pursuant to SOP 3.1. Copies of all the forms shall be sent to the HSO and Police HR. Police HR shall place the forms in the member's personnel file and the file should be destroyed one (1) year after the member separates from the department. Police HR will also forward a copy of the forms to Metro HR, who is responsible for maintaining and archiving the forms.

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12.2.12 LINE-OF-DUTY EXPOSURE INCIDENTS (CONTINUED)

Treatment

After discussing the exposure evaluation, the source individual's test results, and risks of treatment with the HSO and the departmental physician, the member may choose to accept or decline the recommended medical treatment. All medical counseling services will be provided at no expense to the member.

Upon arrival at a patrol division, the following steps will be taken:

- Obtain a single dose of the PEP medication and discuss the exposure with the departmental physician or available medical provider.
- After consultation, the officer will elect to either accept or decline the medical recommendations regarding the self-administration of the PEP medication and complete the LMPD HIV Post-Exposure Prophylaxis Information and Consent form.
- In some situations, the member may obtain the PEP medication directly from a LMPD HSO Paramedic under standing medical orders from the departmental physician.
- The member will then register himself/herself as a patient at the University of Louisville Hospital's ER, as instructed by hospital personnel.
- The member will complete the Authorization for Release of Medical Records Relating to a Possible Occupational Exposure form (LMPD #13-0004) so that pertinent information regarding medical treatment can be shared with the HSO, departmental physician, and other treatment facilities, as needed.
- If needed, the member will receive an initial, five (5)-day supply of medication along with any additional treatment and counseling required.
- The medical provider or the HSO will provide the member with information needed to schedule a future appointment at an infectious disease or health clinic contracted by the department within five (5) days of the ER visit. The purpose of the appointment is to determine the necessity for continuing medication and, if needed, additional treatment and counseling.
- If the source individual tests positive for an infectious disease, the member will be referred to U.S. HealthWorks Medical Group or his/her primary care physician for baseline blood drawing, additional treatment, counseling, and scheduling follow-up appointments. If needed, the HSO will contact U.S. HealthWorks Medical Group or the member's primary care physician in order to alert him/her to the exposure and the member's need for an upcoming appointment.
- If the source individual tests negative for infectious diseases, the member will be referred to U.S. HealthWorks Medical Group or his/her primary care physician for baseline blood drawing, additional treatment, counseling, and scheduling follow-up appointments.
- If the source individual tests positive for Hepatitis B, the decision to provide the Hepatitis B vaccination will be based on whether the member has previously received the vaccine and whether the member's blood work indicates the presence of HBV antibodies.

Responsibilities of the Department

The department will provide the healthcare professional evaluating a member after an exposure incident with the following:

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12.2.12 LINE-OF-DUTY EXPOSURE INCIDENTS (CONTINUED)

- A copy of the Occupational Safety and Health Administration (OSHA) standard on bloodborne pathogens.
- A description of the exposed member's duties as they relate to the exposure incident.
- The route of exposure and circumstances under which the exposure occurred.
- The results of the source individual's blood testing, if available.
- All medical records relevant to the appropriate treatment of the member, including the member's vaccination status. The department is responsible for maintaining medical records on each member regarding the status of his/her vaccinations.

Following an actual exposure incident, the department will obtain and provide the member with the Healthcare Professional's Written Opinion, a written report addressing the confidential medical evaluation and follow-up. The departmental physician or a physician contracted with the department will complete the report and forward it to U.S. HealthWorks Medical Group. The report will include the following:

- The route of exposure and the circumstances under which the exposure occurred.
- Identification, documentation, and test results of the source individual. The member shall not disclose the identity or infectious status of the source individual.
- Results of the member's baseline blood tests conducted at U.S. HealthWorks Medical Group, if such testing was performed.
- Copies of all documents provided to the healthcare professionals evaluating the member.

This report will indicate that the member was informed of the results of the evaluation and any medical conditions resulting from the exposure that may require further evaluation or treatment. All other findings and diagnoses will remain confidential and will not be included in the report.

12.2.13 RECORD KEEPING

Police HR will establish and maintain an accurate medical record for each member with a moderate or high occupational exposure risk level. This record will include:

- The name, date of birth (DOB), and Social Security number (SSN) of the member.
- A copy of the member's Hepatitis B vaccination status, including dates of all Hepatitis B vaccinations or a copy of the Hepatitis B Vaccination Declination form (LMPD #04-07-0301) and any medical records relative to the member's ability to receive the vaccination.
- A copy of the results of examinations, medical testing, and follow-up procedures to any exposure incidents.
- The department's copy of the Healthcare Professional's Written Opinion.
- A copy of the information provided to the healthcare professional.

A member's medical records are kept confidential and not disclosed or reported, without the member's expressed, written consent, to any person within or outside of the department, except as required by this policy or as may be required by law. Medical records are maintained in accordance with federal, state, and local regulations.

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12.2.14 TRAINING AND TRAINING RECORDS (KACP 29.1b, 29.2a, 29.3c)

Training will be provided to all members with a moderate, or high, occupational exposure risk level prior to their being placed in an environment with the likelihood of exposure. Additional training will be conducted on an annual basis, thereafter, or as modifications to procedures or equipment demand.

The training program will be in accordance with federal, state, and local laws and ordinances. Training records shall be retained pursuant to applicable records retention schedules.

12.2.15 REVIEW AND EVALUATION OF EXPOSURE INCIDENTS

The OSHA liaison is responsible for evaluating all Exposure Report forms (LMPD #04-08-0303). The evaluation of the circumstances surrounding the exposure incident will include, but is not limited to, a review of the following:

- Failure of controls at the time of the exposure
- Engineering and work practice controls
- PPE used
- Training deficiencies
- Applicable policies

The Exposure Control Plan will be reviewed annually, or as needed, to reflect revisions to job classifications or modifications to procedures and equipment.

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12.3 HOSTAGE/BARRICADED SUBJECTS

12.3.1 POLICY

The preservation of human life and the capture of the perpetrator is the department's ultimate goal in any hostage/barricaded subject situation. This policy establishes guidelines regarding the command and control of these situations. The Incident Command System (ICS) will be utilized at all hostage/barricaded subject(s) incidents.

12.3.2 OPERATIONAL CONSIDERATIONS/DEFINITIONS

Inner Perimeter: A containment area immediately surrounding the situation that minimizes and controls movement of a suspect within that area. The inner perimeter should be large enough to minimize immediate danger to innocent bystanders, but small enough to allow control and management of the area.

Outer Perimeter: A larger containment area completely surrounding the inner perimeter that prohibits unauthorized vehicular and pedestrian traffic from reaching the inner perimeter. The outer perimeter will be positioned in a manner to afford protection and safety to persons outside of the perimeter boundaries.

Control Zone: The space between the outer perimeter and the inner perimeter. Personnel assigned to the outer perimeter may allow authorized persons (e.g. news media) into the control zone for restricted purposes, as designated by the Incident Commander (IC). Depending upon the specific circumstances, persons may be evacuated from, or secured within, the control zone. These persons include bystanders, residents, merchants, or others.

Traffic Control Points: Key intersections or other locations restricting unauthorized vehicular traffic from reaching the boundaries of the outer perimeter.

Incident Commander (IC): The sole person in charge of a scene, with the final decision-making authority for operational strategy and tactics. The IC has the responsibility and the authority to deploy emergency forces, as necessary, to stabilize an emergency event. The IC has overall command and control of all law enforcement resources and field operations.

Field Command Post: The on-scene command center used to coordinate the activities of operational personnel. The Field Command Post will be placed outside of the inner perimeter, preferably inside of the control zone. The post will be set up out of sight of the call-out target location. Either the department's Mobile Command Post or another suitable structure may be used as a Field Command Post. Telephone service is mandatory, except in very unusual circumstances.

Staging Area: A semi-controlled area normally outside of the outer perimeter utilized for personnel assembly, parking, and any other operation as deemed necessary by the on-scene or specialty unit commander.

Compromise Authority: The authority given to the Special Weapons and Tactics (SWAT) Team Commander by the IC to implement plans/resources at their level in order to protect human life.

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12.3.3 INITIAL RESPONSE

The initial responding officer will act as the IC, establish operational control, and establish a tactical position until relieved by a commanding officer. The officer will notify the affected division supervisor. The supervisor will respond to the scene, evaluate the situation, and notify the patrol division commander (KACP 17.4).

Although officers are authorized to apprehend suspects and take other action to promote the safety of police and citizens, it is emphasized that time is usually a police ally, particularly in cases involving barricaded subjects and hostage situations. The concept of containment requires slow, deliberate, and well planned actions for a successful operation.

12.3.4 DUTIES OF COMMANDING OFFICERS

A commanding officer will respond to all hostage/barricaded subject incidents and the highest ranking officer will assume command until properly relieved by the patrol division commander, or his/her designee (KACP 17.4). When changes in command occur, the new IC will advise MetroSafe of the change. The commanding officer will:

- Evaluate the situation, considering the following order of priorities:
 - Life safety
 - Incident stabilization
- Name the incident, if the patrol division commander authorizes, and advise MetroSafe.
- Act as Safety Officer for the incident until a Safety Officer is designated.
- Designate the radio frequency to be used during the operation.
- Designate a group supervisor to establish the inner perimeter, outer perimeter, control zone, and traffic control points, as necessary.
- Select a location for the Field Command Post and staging area, considering the following:
 - Wind direction
 - Shade
 - Access to the scene
 - Distance from a media staging area
- Act as an accountability officer by assigning officers and recording their locations.
- Upon authorization of the patrol division commander, determine if the SWAT Team and Hostage Negotiating Team (HNT) should be utilized. Unless exigent circumstances exist, the SWAT Team Commander, or his/her designee, will be consulted prior to a call-out. The HNT will not respond to a situation except in conjunction with the SWAT Team (KACP 19.6d, 19.7d).
- Only the patrol division commander, the designated acting patrol division commander (with the rank of major or above), or any other commanding officer with the rank of major or above may call out the SWAT Team/HNT (KACP 19.6e, 19.7e).
- Determine if additional resources are required (e.g. Canine Unit, Fire Department, Louisville Metro Emergency Medical Services (LMEMS), etc.).
- Collect intelligence information (e.g. profile of the suspect, diagram of the building).

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12.3.4 DUTIES OF COMMANDING OFFICERS (CONTINUED)

- Evacuate the area, if necessary.
- Notify the Media and Public Relations Office.
- Monitor manpower levels in unaffected parts of the division.

12.3.5 DUTIES OF METROSAFE

In the event of a hostage/barricaded subject incident, MetroSafe will:

- Dispatch at least one (1) commanding officer and two (2) officers to the scene.
- Notify the patrol division commander of the developing hostage/barricaded subject situation.
- Implement a detail channel when requested by the commanding officer on the scene.
- Notify additional or specialized units upon authorization of the patrol division commander, or his/her designee. If the SWAT Team and HNT are notified, MetroSafe will notify the Special Operations Division Commander. The Communications Response Team (CRT), if available, will respond with the SWAT Team and take over communications and the tracking of units on the scene (KACP 19.6e).
- Notify the IC in the event that the hostage-taker/barricaded subject calls MetroSafe. MetroSafe personnel will advise the subject that they are not authorized to conduct negotiations and they will be put in contact with a member of the HNT (KACP 19.7d). MetroSafe personnel should attempt to obtain a telephone number and as much information as possible without accepting or rejecting demands. MetroSafe will then transfer the call to a member of the HNT.

12.3.6 SWAT TEAM INVOLVEMENT

After the first commanding officer has arrived at the scene of a hostage/barricaded subject, he/she will determine the seriousness of the situation during the "size-up" process. Once he/she determines that the SWAT Team needs to be put on standby or called out, the commanding officer will direct MetroSafe to follow the prescribed call-out procedure as specified in MetroSafe's SOPs (KACP 19.6d-e).

Once the commanding officer has determined to take enforcement action, the SWAT Team Commander, or his/her designee, will take tactical control of the inner perimeter or other areas designated by the IC. Unless the assailant directly threatens an officer's life, only the SWAT Team members have compromise authority to discharge weapons.

12.3.7 HOSTAGE NEGOTIATING TEAM INVOLVEMENT

The HNT members will respond only as a team (KACP 19.7d-e). Individual team members will not respond to an incident. The HNT, under supervision of the IC, will be responsible for conducting all negotiating activities. The department will not exchange weapons or police officers for hostages.

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12.3.8 SCENE CONTROL

The SWAT Team Commander, HNT Commander, and the Patrol Division Commander will act as adjuncts to the Special Operations Division Commander, providing tactical and logistical assistance, updates, and advice. The Special Operations Division Commander will be the IC and will make the decisions regarding when and whether force is needed, what type of force, and/or the tactics used during the operation. If the Special Operations Division Commander is unavailable to respond to the scene, the Patrol Division Commander, or his/her designee (rank of major or above), will be the IC. Regardless of who the IC may be, once SWAT and HNT are both on-scene, the IC will report directly to the Support Bureau Commander.

12.3.9 MOBILE HOSTAGE SITUATION

The initial responding officer will verify that a mobile hostage situation exists and notify command and MetroSafe of the following:

- The location
- The direction of travel
- The vehicle description
- The number of occupants
- The number and type of weapons involved

The officer will maintain surveillance until the perpetrator arrives at a destination or until the commanding officer issues orders to attempt containment. The commanding officer, in whose division the mobile situation is discovered, will be in charge of the scene. The commanding officer will have the authority to order containment.

When the situation changes from containment to the mobile phase through negotiated agreement, the following procedures will apply:

- The IC will determine the number of units in the convoy. The convoy should include the following:
 - Mobile Command Post with the commander of the operation, staff, and negotiator
 - Necessary SWAT Team personnel
 - Electronic surveillance monitoring unit
 - Canine Unit
- Additional assistance may be provided by the Air Unit and selected backup units patrolling alternate routes or following the convoy at a predetermined distance.
- If the destination is known, officers will be dispatched to secure the area before the subject arrives. If the destination is unknown, the Mobile Command Post will continually update unmarked units ahead of the convoy of the direction of travel.
- If it appears that the convoy will cross jurisdictional boundaries, the appropriate authorities will be notified.

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12.3.10 AFTER-ACTION REPORT

Following the incident, the following personnel will be responsible for making written evaluations of all policies, procedures, personnel, and specialized units involved:

- Division commander
- SWAT Team Commander
- HNT Commander
- Any other involved specialty unit commander

The evaluations should focus on operational concerns, specifically problem areas, and the efficiency and effectiveness of the **entire response**. The evaluations will also recommend methods for improving departmental operations, policies, and procedures for future incidents. The evaluations will be compiled into an After-Action Report (LMPD #08-0005) by the IC and will be forwarded, through the chain of command, to the appropriate Bureau Commander. All After-Action Reports are retained by the Chief's Office, pursuant to applicable records retention schedules.

If an Administrative Incident Report (AIR) is completed, via the BlueTeam link, located on the Louisville Metro Police Department (LMPD) Intranet (refer to SOP 3.1), a copy will be forwarded to the SWAT Team Commander.

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12.4 HAZARDOUS MATERIALS (KACP 25.3)

12.4.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to establish procedures in accordance with the Louisville/Jefferson County, Kentucky Emergency Operations Plan and the U.S. Department of Transportation (DOT) Emergency Response Guidebook (ERG). The ERG can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Manuals" link, and double click on the "HAZMAT" folder.

All LMPD officers are trained on the First Responder Awareness Level of Hazardous Material (HAZMAT) response. This training provides instructions for initiating an emergency response sequence by notifying the proper authorities of a HAZMAT release. Unless an officer has received Occupational Safety and Health Administration (OSHA) certification beyond the Awareness Level, he/she should not enter or remain in a HAZMAT area where personal protective equipment (PPE) may be required.

12.4.2 DEFINITIONS

Hazardous Materials (HAZMAT): Any substance harmful or injurious to humans, animals, economic crops, structures, the environment, waterways, highways, related improvement, or other public or private property. This may include chemical, biological, radiological, and nuclear hazards.

HAZMAT incidents may be caused by accidental means (e.g. collisions, structural collapse of buildings), natural disasters (e.g. damage from tornados, floods), and intentional acts (e.g. sabotage, clandestine labs, terrorism).

12.4.3 INCIDENT COMMAND

The Incident Command System (ICS) is implemented at all HAZMAT incidents to effectively control and manage operations. The senior fire official on-site will be the Incident Commander (IC) for all declared HAZMAT incidents, with the following two (2) exceptions:

- HAZMAT spills on the Ohio River fall under the jurisdiction of the United States Coast Guard.
- HAZMAT acts of terrorism are handled by the Federal Bureau of Investigation (FBI).

In all cases, the appropriate fire department personnel shall be notified when a HAZMAT is released into the environment and they will notify other appropriate agencies or HAZMAT personnel. The Metropolitan Sewer District (MSD) will be the lead agency in the administration of Louisville Metro ordinances pertaining to hazardous materials (KACP 23.1e).

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12.4.4 DUTIES OF FIRST RESPONDING OFFICERS

Officers responding to a potential HAZMAT scene shall contact MetroSafe for the location of the fire department Incident Command Post (ICP). Once advised, they shall respond to the ICP and report to the IC, or his/her designee. If an ICP has not been established, responding officers should stage in the vicinity of the incident, being mindful to stay upwind and uphill from the incident location. Once advised of the ICP location, officers shall respond to the location. It should be remembered that the fire department IC has the ultimate authority in all HAZMAT incidents. Under no circumstances shall officers respond directly to the scene of a HAZMAT incident without first coordinating with the IC or designated fire department personnel.

12.4.5 GENERAL PRECAUTIONS

Officers shall exercise precautions at a HAZMAT scene using the acronym SIN (Safety, Isolate, and Notify) (KACP 23.3):

Safety

Safety should be the primary concern for all responding officers. Officers shall respond to the incident from an upwind and uphill direction without traveling through any potentially contaminated areas, if possible. Upon arrival, officers shall:

- Remain in the cold zone
- Refrain from walking near, or touching, any spilled material
- Avoid inhaling fumes, smoke, or vapors
- Wear gloves and foot protection
- Not smoke, eat, or drink, except in designated areas

Officers at the scene of a HAZMAT incident shall keep their issued APR and chemical cartridge readily accessible in case of an emergency. Due to the limited range of airborne materials that are neutralized by APRs, an officer should only open and use his/her APR and chemical cartridge when instructed to do so by a commanding officer, LMPD HSO, or responding HAZMAT or fire department personnel.

The mitigation of the incident is the responsibility of the responding HAZMAT or fire department personnel. Rescue operations should only be conducted by personnel who are properly trained and equipped.

Isolate

If directed by the IC, move people and vehicles not authorized to be at the location away from the scene and establish a secure perimeter. A staging area for emergency responders will be established and all responding officers shall report to the staging area prior to deployment. If an evacuation plan has been initiated by the ranking fire department official present, officers shall establish an entry/exit point where all personnel entering or exiting the evacuated area can be documented and later accounted for. Officers shall not initiate an evacuation without first consulting with the IC or designated fire department official.

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12.4.5 GENERAL PRECAUTIONS (CONTINUED)

Notify

Officers who find themselves at the scene of a HAZMAT incident before other responding units may attempt to identify the hazardous material(s) involved by observing the four (4) digit substance identification code(s) or placard number(s) on the containers from a safe distance. It is preferable that binoculars be used for this purpose, as officers should avoid responding too close to a HAZMAT incident site (KACP 29.2c). This information shall be communicated to MetroSafe and all other responding units, along with information concerning any other potential hazards identified at the scene (e.g. fire, electrical wires, water hazards, etc.), the exact location of the incident, and whether the material is leaking, spilled, or on fire. If a substance identification code or placard number is observed, officers should refer to the Department of Transportation (DOT) Emergency Response Guide (ERG) for information concerning potential hazards, public safety, and additional emergency response instructions.

Officers shall not come into physical contact with contaminated persons, but may attempt to obtain the name and addresses of persons involved, if it is safe to do so. This information shall be reported to the incident safety officer.

The custodial party, or the transporting carrier of the material, has the ultimate responsibility for safeguarding hazardous materials. Transporters of hazardous materials should attach a placard to the sides and ends of the vehicle, identifying the material with a four (4) digit code number.

If officers are unable to locate the identifying number on the vehicle, the following documents should be examined, when it is safe to do so:

- Trucks: Bill of lading in the cab
- Train: Waybills in the engineer's/conductor's compartment
- Plane: Manifest in the cabin
- Boat: Cargo manifest in the wheelhouse
- Barge: Cargo information card affixed in a pipe box

Identifying documents may be kept in possession of the operator transporting the hazardous material. The identifying numbers will usually be preceded by the letters UN or NA.

Identifying numbers shall be relayed to MetroSafe for identification. MetroSafe will treat this identification request as a priority.

12.4.6 SUSPICIOUS OR UNKNOWN POWDERS

Officers dispatched on a call for service involving a suspicious or unknown powder should immediately take the following steps:

- Request that MetroSafe notify the suspicious powder page group.
- Do not open, shake, or empty the contents of any containers, packages, or envelopes associated with the powder.

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12.4.6 SUSPICIOUS OR UNKNOWN POWDERS (CONTINUED)

- Do not attempt to move the powder or container, show it to others, or allow others to examine it.
- Do not sniff, touch, taste, or look too closely at the powder which may have spilled in the area.
- Evacuate all personnel from the area.
- Close any doors to isolate the powder and take actions to prevent others from entering the area.
- If possible, disable any ventilation systems.
- Isolate anyone who may have been exposed to the powder by moving them to a safe area.
- If anyone has been exposed to the powder, request that Fire/LMEMS respond to the scene.

Individuals with direct hand and face exposure should immediately wash the exposed areas with soap and warm water. Individuals with heavier contamination, or those who do not have soap and water readily available, may require decontamination by the appropriate fire department personnel or HAZMAT Unit.

Under no circumstances will an officer attempt to package or repack a suspicious or unknown powder, unless the officer is properly trained and equipped and directed to do so by competent authority.

A representative from the local Federal Bureau of Investigation (FBI) field office will respond to the scene and work with personnel to determine an appropriate course of action. No member of LMPD will take possession of, or transport, any evidence from the scene without the prior approval of the FBI representative at the scene.

Prior to the arrival of the FBI, officers at the scene should attempt to ascertain the following:

- The date and time that the incident was reported.
- The specific location of the incident (e.g. building location, room number) and any other locations that may have been involved (e.g. if the package had been moved prior to the officer's arrival).
- If the container, package, or envelope has been opened. If so, by whom?
- Is there any threat associated with the incident or any particular reason why the recipient would be targeted?
- The number of individuals potentially exposed to the powder.
- Is anyone exhibiting symptoms related to exposure? If so, make note of the signs and symptoms.
- Is decontamination required? If so, how many people will be, or have been, decontaminated?
- Is anyone being transported to the hospital?
- The agencies at the scene.
- If field screening is being conducted, what agency is conducting the screening?
- If possible, officers should create a list of the persons who were at the scene when the powder was discovered, especially those persons who might have handled the powder.
- If any additional factors are present (e.g. media presence, government facility location, high profile individuals involved).

If the on-scene officers have not made contact with a FBI representative within a reasonable amount of time, the officers should have MetroSafe page the LMPD Homeland Security Team for assistance.

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12.4.7 DECONTAMINATION

If the officer believes that he/she has been contaminated, he/she shall immediately proceed to the established decontamination area. Officers are to comply with all instructions from the fire department personnel conducting the decontamination of the officer, his/her equipment (including weapons), or the police vehicle. Weapons, uniforms, and personal effects are bagged by members of the decontamination team and passed to a LMPD representative for further action. Officers are prohibited from entering their police vehicles, or putting possibly contaminated citizens or items into their police vehicles, until they have been deemed cleared by competent authority. If an officer is contaminated, his/her commanding officer will notify a LMPD HSO.

12.4.8 NOTIFICATION OF THE HAZARDOUS INCIDENT RESPONSE TEAM (HIRT)

On all declared Level II HAZMAT incidents in Louisville Metro requiring a police response, the on-call Hazardous Incident Response Team (HIRT) commanding officer or squad leader will be notified by MetroSafe. He/she coordinates with the LMPD commanding officer at the scene to determine if a HIRT response is warranted. If a HIRT response is deemed necessary, the HIRT commanding officer or squad leader will contact the HIRT Commander and request that the team be activated.

On all Level III HAZMAT incidents in Louisville Metro requiring a police response, the on-call HIRT commanding officer or squad leader will be notified by MetroSafe. He/she will respond to scene and coordinate the response of additional LMPD resources. This may include, but is not limited to:

- Coordinating the response of additional HIRT and/or LMPD personnel.
- Verifying the safety of LMPD members by making sure that they are equipped with the proper respiratory protection (e.g. air-purifying respirator (APR)) and other PPE.
- Establishing safe operating parameters for LMPD personnel.
- Serving as a liaison and advisor between the LMPD and the IC.
- Representing the LMPD, should a Unified Command Structure be implemented, until relieved by competent authority.
- Monitoring the decontamination of LMPD personnel, equipment, and vehicles.
- Facilitating the response of a LMPD Health and Safety Officer (HSO) to the scene.

12.4.9 REPORTING REQUIREMENTS (KACP 23.1e)

Copies of all reports generated from a HAZMAT incident shall be forwarded, through the chain of command, to the appropriate division/section/unit commander. Officers injured by chemical exposure shall have those injuries documented on the Administrative Incident Report (AIR) (refer to SOP 3.1), the Exposure Report form (LMPD #04-08-0303), and a Workers' Compensation form (1A-1). Officers exposed without immediate injury shall complete the Exposure Report form and a Workers' Compensation form marked "Incident Only." These reports shall be forwarded in accordance with SOP 12.2.

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Standard Operating Procedures	SOP Number: 12.4
	Effective Date: 11/09/03
	Prv. Rev. Date: 10/09/17
	Revised Date: 01/25/18
Chapter: Special Response	Accreditation Standards: KACP: 23.1, 23.3, 25.3, 29.2
Subject: Hazardous Materials	

12.4.10 EVIDENCE

In addition to appropriately trained officers from the LMPD, responding HAZMAT or fire department personnel will be responsible for the protection, control, and collection of evidence related to local jurisdiction HAZMAT incidents. Agencies and departments that may assist with these tasks include:

- Urban and suburban fire departments
- Louisville Metro Department of Public Health and Wellness (LMDPHW)
- Louisville Jefferson County Metro Emergency Management Agency (EMA)
- Louisville Metro Emergency Medical Services (LMEMS)
- MSD

Appropriately trained and equipped LMPD Crime Scene Unit (CSU) personnel may collect certain items of evidence that are known hazardous materials, or that contain or may be contaminated with a known hazardous material. The CSU shall contact other appropriately trained, and equipped, departments or agencies when the nature of the material is unknown or when more specialized expertise is required.

Any known, or suspected, hazardous material that is to be stored at the Evidence and Property Unit (EPU) shall be handled, collected, and stored in compliance with SOP 11.4.

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<h2>Standard Operating Procedures</h2>	SOP Number: 12.5
	Effective Date: 07/16/04 Prv. Rev. Date: 10/30/15 Revision Date: 01/23/17
	Accreditation Standards: KACP: 17.4, 17.5, 26.3, 26.4, 30.7
Chapter: Special Response	
Subject: Child Abduction – AMBER Alert	

12.5 CHILD ABDUCTION – AMBER ALERT (KACP 30.7)

12.5.1 CHILD ABDUCTION RESPONSE PLAN POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to quickly, and effectively, respond to reports of child abduction by activating the America's Missing: Broadcast Emergency Response (AMBER) Alert System. This provides a quick response to critically at-risk children. Once an alert is activated, the media (e.g. radio, television, and cable networks) and the TRIMARC System broadcast information on the abduction. The AMBER Alert System actively involves members of the community, thus increasing the probability of a successful rescue.

12.5.2 CRITERIA

The AMBER Alert will be activated if there is sufficient descriptive information about the missing child, suspect, or vehicle for an alert to be effective. At least one (1) of the following circumstances must have occurred:

- Investigative information and circumstances support the probability that a child was forcibly abducted, intentionally removed, or lured away.
- Information gathered indicates that the child may be in serious danger of bodily harm, sexual exploitation, or death.
- Environmental conditions may pose a danger, dependent upon the age and development of the child.

Parental abductions involving extenuating circumstances are considered on a case-by-case basis. If a situation does not meet the criteria for an AMBER Alert, members should consider utilizing Operation Return Home (refer to SOP 8.32).

12.5.3 FIRST RESPONDING OFFICER

An officer having reasonable suspicion that an abduction has occurred shall:

- Contact the National Crime Information Center (NCIC) Unit so that the minimum required information can be entered immediately into the Law Information Network of Kentucky (LINK)/NCIC (KACP 26.3). The NCIC Unit will send an Administrative Message (AM) to any law enforcement agency with an Originating Agency Identifier (ORI).
- Request that MetroSafe notify the Missing Persons Squad and inform his/her commanding officer.
- Complete a Kentucky Missing Persons Report (KSP 261) (KACP 17.5).
- Request that a pickup be broadcasted on all radio channels.
- Request more units to respond to the area, as needed.
- Remain at the scene until relieved by the Missing Persons Squad.
- The Missing Persons Squad is responsible for contacting the NCIC Unit for any cancellations from the system, entered under this policy.

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12.5.3 FIRST RESPONDING OFFICER (CONTINUED)

The officer may call the NCIC Unit even when he/she has only the minimum information required for entry. The time limit established for entry is two (2) hours; however, the information should be entered as soon as practicable so all law enforcement agencies nationwide will have access to the information. The NCIC Unit can always modify the entry when further information is obtained. The minimum missing person information necessary for entry includes (KACP 26.4):

- Name of the missing person
- Date of birth (DOB) (can be estimated if person reporting isn't exactly sure)
- Race and sex
- Report number
- Height and weight (may be estimated)
- Place of birth (may be marked as "unknown")

The officer shall complete the Kentucky Missing Persons Report (KSP 261) as soon as possible (refer to SOP 8.32).

12.5.4 COMMANDING OFFICER (KACP 17.4)

A commanding officer will respond to all reported abductions. He/she will verify that the first responding officer has additional units and ancillary services, as needed. He/she will be the Incident Commander (IC) until the Missing Persons Squad assumes command.

The commanding officer will verify that the Kentucky Missing Persons Report (KSP 261) is completed in a timely manner.

12.5.5 METROSAFE

The MetroSafe supervisor will:

- Dispatch two (2) cars and a commanding officer on the run (KACP 17.4).
- Notify the Missing Persons Squad.

The NCIC Unit or the Missing Persons Squad will fax the Kentucky Missing Persons Report (KSP 261) to the Kentucky State Police (KSP). The Missing Persons Squad will retain the original Kentucky Missing Persons Report.

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Subject: Child Abduction – AMBER Alert	KACP: 17.4, 17.5, 26.3, 26.4, 30.7

12.5.6 MISSING PERSONS SQUAD RESPONSE

Upon notification that an abduction has occurred, a Missing Persons Squad detective will respond to the scene. The Missing Persons Squad will lead the investigation.

The Missing Persons Squad will distinguish the reported abduction as an AMBER Alert by writing "AMBER Alert" across the top of the Kentucky Missing Persons Report (KSP 261). The Missing Persons Squad will verify that all information needed to complete this report has been obtained and deliver the completed report to the NCIC Unit. The Missing Persons Squad is responsible for requesting the initiation and cancellation of AMBER Alerts. The KSP has the final authority to issue and cancel all alerts.

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	Effective Date: 12/14/06
	Prv. Rev. Date: 10/25/15
	Revised Date: 01/23/17
Chapter: Special Response	Accreditation Standards: KACP: 17.4, 19.2, 19.5
Subject: Civil Disturbances/Disorderly Crowds	

12.6 CIVIL DISTURBANCES/DISORDERLY CROWDS

12.6.1 POLICY

Louisville Metro Police Department (LMPD) officers must carefully balance the First and Fourth Amendment rights of citizens with the protection of property and public safety. Not all crowd control situations, however, involve unlawful acts. It is the mission of the LMPD to protect citizens' rights to lawfully gather (e.g. lawful demonstration) while identifying and addressing unlawful behavior (e.g. civil disturbance).

In the event of a civil disturbance/disorderly crowd, it is the mission of the LMPD to restore order as rapidly and efficiently as possible. The LMPD's organizational philosophy toward managing a civil disturbance/disorderly crowd is based on containment, communication, coordination, and control.

The LMPD's primary objectives in mitigating a civil disturbance/disorderly crowd are:

- Protecting lives.
- Restoring and maintaining order.
- Protecting vital facilities.
- Protecting exposed buildings, especially occupied structures, in order to minimize property damage and/or injuries to occupants.
- Arresting law violators.

The purpose of this policy is to provide a plan of action for civil disturbance/disorderly crowd operations, enhance the mobilization of personnel and equipment to quell incidents which could escalate into more serious situations, and provide for the integration of emergency services.

12.6.2 DEFINITIONS

Civil Disturbance: An unlawful assembly that constitutes a breach of the peace or any assembly of persons where there is imminent danger of collective violence, destruction of property, or other unlawful acts (refer to Kentucky Revised Statute (KRS) 525.050).

Disorderly Crowd: A large group of individuals exhibiting unruly, violent, intimidating, or uncooperative behavior.

Crowd Control: Techniques used to address unlawful public assemblies, to include a show of force, crowd containment and dispersal equipment/strategies, and preparations for multiple arrests.

Lawful Demonstration: A lawful assembly of persons organized primarily to express their views. Typically, these events are scheduled and permitted, allowing for prior police planning. Demonstrations include marches, protests, and other assemblies that are largely designed to attract the attention of onlookers, the media, and others. Lawful demonstrations have the potential to evolve into civil disturbances requiring law enforcement action.

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12.6.2 DEFINITIONS (CONTINUED)

Crowd Management: Techniques used to manage an assembly before, during, and after the event for the purpose of maintaining the assembly's lawful status. This is accomplished through event planning, pre-event contact with group leaders, communication with participants, the issuance of permits, intelligence gathering, personnel training, and other means.

Hot Spot: Locations where crowds are, or potentially, known to gather. Hot spots are largely identified by past crowd movements and behaviors. Hot spots may include, but are not limited to, parks, intersections, bus stops, or businesses.

12.6.3 INTELLIGENCE SOURCES

While not all civil disturbances/disorderly crowds are pre-planned, officers should be aware of sources of information that are used to plan, or may assist in responding to, incidents that could potentially become violent. Social media communication may be used to synchronize the planning and execution of these incidents. Once these events begin, the rapid broadcasting of the event through social media can quickly increase the scope and magnitude of the event, potentially overwhelming the ability of law enforcement to respond, contain, and end the disturbance. The use of social media and electronic devices (e.g. cell phones, tablets, etc.) provide instigators with a larger audience, a real time communication medium, and a global reach. Social media communications (e.g. Twitter, Facebook, and text messaging) are often used to organize these incidents. Officers should be aware of any potential social media postings that may reveal any potentially dangerous incidents. Every effort should be made to identify groups with histories of criminal activity and an online presence in order to distinguish credible information from rumors.

School Resource Officers (SROs) may also be a source of information regarding potentially dangerous incidents due to their relationships with juveniles in Jefferson County Public Schools (JCPS).

12.6.4 PROCEDURES (KACP 19.2a-b)

Any officer who encounters, or receives a report of, a civil disturbance/disorderly crowd shall observe the situation from a safe distance in order to determine if the gathering is currently, or may potentially become, violent. The officer shall attempt to identify crowd leaders and individuals engaged in criminal acts. If the officer believes that the crowd cannot be dispersed with the resources immediately available, he/she shall notify MetroSafe of the nature and seriousness of the disturbance, particularly noting the availability of weapons, and request that MetroSafe contact the on-duty commanding officer of the division(s) where the incident is occurring (KACP 19.2h). The commanding officer will then be briefed by the initial responding officer and the commanding officer will decide if additional resources are necessary.

The commanding officer will respond to the scene of the civil disturbance/disorderly crowd (KACP 17.4). For the purposes of this policy, an acting sergeant is considered a commanding officer.

The initial responding officer will brief the commanding officer on the following:

- The number of crowd participants.

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12.6.4 PROCEDURES (CONTINUED)

- The nature of the crowd's behavior.
- The age(s) of participants.
- The nature of the area (e.g. park, business area, school, residential neighborhood, etc.) where the incident is occurring.
- A possible determination of the crowd's origination and probable direction/destination (i.e. hot spots).

All available units in the division where the incident is occurring may be dispatched to the location. Units from adjoining divisions may be dispatched to assist, if needed. This may include up to half of the department's on-duty personnel. Other additional units, if available, should also be dispatched to hot spots in the area of the incident.

After the commanding officer's arrival at the scene, the commanding officer will assess the immediate situation and weigh the effects of law enforcement action by considering:

- The likelihood of community disorder/potential for escalation.
- The safety of citizens and departmental personnel.
- The severity of law violation(s).
- The availability of resources.

The commanding officer is responsible for determining and coordinating the enforcement action to respond to the incident. Commanding officers may utilize enforcement options, including, but not limited to, the following:

- The issuance of formal orders to disperse, utilizing public address equipment in order to for the notification to be heard by all crowd leaders and members, as outlined below.
- The use of tactical maneuvers and other crowd management formations to promote a dispersal of those acting in violation of the law.
- When necessary, making arrests based on probable cause.
- The use of chemical agents, in a manner consistent with SOP 9.1.
- The use of Special Impact Munitions Systems (SIMS), in a manner consistent with SOP 9.1.

The commanding officer will determine the number of personnel and equipment necessary to contain the disturbance and report this information to MetroSafe (KACP 19.2h, r). Crowd management techniques should be utilized first; however, in situations where there is an imminent threat to public safety, control strategies will be developed.

Officers shall attempt to disperse the crowd if the incident is minor and resources permit. An example of a dispersal order may be as follows:

"I am (rank and name) of the Louisville Metro Police Department. Under Kentucky State law, this is an unlawful assembly and I command all persons so assembled here to immediately and peacefully disperse. If you do not do so, we may dispense chemical agents and you may be arrested for violating Kentucky Revised Statute (KRS) 525.050, Unlawful Assembly."

When a dispersal order has been given, the commanding officer should allow a reasonable amount of time for the crowd to disperse.

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12.6.4 PROCEDURES (CONTINUED)

Alternative forms of patrol (e.g. foot patrols, all-terrain vehicle (ATV) patrols, bicycle patrols, the Air Unit, Mounted Patrol, etc.) should be considered to increase the mobility and presence of officers responding to disorderly crowds (KACP 19.2j). Video recording should be utilized, if available, in order to identify and record crowd participants and their behavior(s). The commanding officer will attempt to anticipate/identify the crowd's direction and movement in order to prevent other areas of the division from being affected. Being proactive by anticipating the movement of the crowd, maintaining a strong visible presence, and being familiar with the geographic area are some of the best measures to achieve a successful outcome.

Specialized officers may be requested to the scene to assist in dispersing the crowd with non-lethal/less-lethal weapons or chemical agents, if necessary. Specialized officers include members of the Crisis Intervention Team (CIT) and chemical agent-trained officers from the Special Response Team (SRT) (KACP 19.2j). SOP 9.1 shall be adhered to for all use of force incidents. If the incident is severe and the crowd cannot be immediately dispersed, the commanding officer will contact MetroSafe and have them contact the division commander to respond to the scene (KACP 19.2h).

The commanding officer may request and notify support units including, but not limited to, the following (KACP 19.2j, n):

- Video Forensics Unit
- Special Weapons and Tactics (SWAT) Team
- SRT
- Traffic Unit
- Special Operations Division
- Louisville Fire Department
- Other affected fire departments
- Louisville Metro Emergency Medical Services (LMEMS)
- Louisville Metro Department of Corrections (LMDC)
- Metro Public Works and Assets
- Other local law enforcement agencies

The commanding officer should consider placing the Vehicle Impoundment Unit (VIU)/Fleet Lieutenant on standby.

The Media and Public Relations Office should be notified and is responsible for coordinating and releasing appropriate information to the media and the public, at the direction of the commanding officer (KACP 19.2o).

KRS 189.570 prohibits pedestrians from walking in the street when a sidewalk is available. Patrol vehicles with emergency lighting may be utilized to follow participants for crowd dispersal in order to hinder other incidents from occurring. Sirens should not be used for dispersal unless they are necessary for public safety. Officers are encouraged to utilize their emergency lights at the scene of the incident in order to enhance the appearance of the officers' presence.

The booking van may be utilized in order to transport large numbers of arrestees away from the location. If necessary, a mobile field booking area may be established to process large numbers of arrestees. The commanding officer should have MetroSafe contact YMCA Safe Place Services in order to identify a nearby

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12.6.4 PROCEDURES (CONTINUED)

location where juveniles taken into custody may be taken in order to have their parents contacted for pickup.

If the reporting requirements are met for an Administrative Incident Report (AIR), an AIR must be completed, via the BlueTeam link, located on the LMPD Intranet, by a commanding officer and forwarded, through the appropriate chain of command (refer to SOP 3.1).

If the severity of the incident (e.g. property destruction, violence of the crowd, etc.) is beyond the scope of the units involved, and all of the LMPD's resources are unable to handle the situation, the Chief of Police, or his/her designee, shall request assistance from other agencies pursuant to SOP 1.2. This may include, but is not limited to, local and state law enforcement agencies and the Kentucky Army National Guard (KyArNG). If an incident has the potential to grow into a situation that overwhelms the department, the IC should be aware that there will be a delay in response by other local or state law enforcement agencies or the KyArNG, The IC should consider providing an advance warning to these agencies that a request for assistance may be forthcoming by sending this information through Louisville Metro Emergency Services to the Kentucky Division of Emergency Management's Emergency Operations Center.

12.6.5 RESOURCES

The Transit Authority of River City (TARC) can be contacted at (502) 561-5169 or (502) 561-5170, 24 hours a day, seven (7) days a week, to request more buses to respond to the incident in order to remove participants from the scene.

Officers in patrol vehicles may be requested to monitor TARC bus routes that are being used to transport crowd participants away from the affected area in order to prevent further incidents from occurring.

12.6.6 INCIDENT COMMAND SYSTEM (KACP 19.2b)

In addition to the procedures outlined above, the commanding officer will implement the Incident Command System (ICS). The commanding officer will serve as the Incident Commander (IC), until relieved by a higher authority. The higher authority will then assume the role of IC and its accompanying responsibilities (KACP

19.2d). MetroSafe will be notified of all changes in command, including the name of the commanding officer serving as the IC.

Responsibilities of the IC should include, but are not limited to, the following under the ICS (KACP 19.2c, e):

- Develop an Incident Action Plan (IAP), including strategies, goals, and tactics.
- Establish rules of conduct, including use of force options.
- Define unlawful activity and priorities of enforcement.
- Determine if a Unified Command (UC) of first responder agencies and the Emergency Management Agency (EMA) is necessary to effectively coordinate the response and control the incident.

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12.6.6 INCIDENT COMMAND SYSTEM (CONTINUED)

- Designate a safety officer (SO). The SO reports directly to the IC. The SO is responsible for verifying the safety of all responders and reports unsafe situations or response tactics to the IC. The SO may exercise emergency authority to stop, or prevent, unsafe acts when immediate action is required.
- Determine the number of personnel and equipment necessary to contain the disturbance and report this information to MetroSafe (KACP 19.2h, r).
- Rapidly deploy sufficient numbers of law enforcement and other public safety personnel to immediately control and/or respond to anticipated events.
- Establish an Incident Command Post (ICP) based on the proximity to the disturbance, availability of communication resources, availability of space, security from crowd participants, and wind direction (KACP 19.2m).
- Establish an inner and outer perimeter sufficient to contain the disturbance and prevent entrance into the affected area. This includes blocking streets of the affected area. An emergency route should be designated and maintained (KACP 19.2g).
- Provide an egress route for the crowd so as to not hinder the response plan or cause the disturbance to affect a greater area.
- Request that MetroSafe assign a detail channel and advise all responding personnel of the assigned channel (KACP 19.2h).
- Notify the Media and Public Relations Office, who will be the only personnel responsible for coordinating and releasing appropriate information to the media and the public, at the direction of the IC (KACP 19.2o).
- The establishment and sufficient staffing of a press area and a booking area.
- Designate a staging area to which responding officers will report (KACP 19.2k).
- Assign an accountability officer to the staging area. The accountability officer's duties include, but are not limited to, verifying that personnel and equipment are logged in and assigning the arriving personnel to appropriate assignments.
- Establish and attempt to maintain contact with the crowd.
- Establish and secure arrest locations/staging areas in order to remove persons from the immediate scene and to avoid fueling the crowd's emotions. The arrest locations/staging areas should be away from dispersion routes and out of sight from the inner perimeter.
- Address the safety of innocent civilians in the immediate area of the disturbance.
- Contact the Air Unit for aviation surveillance (KACP 19.2j).
- Establish surveillance points to identify agitators, leaders, and individuals committing crimes, and when possible, assigning officers to photograph/videotape such perpetrators for future evidentiary purposes. High ground positions should be utilized, whenever possible.
- Continually gather and assess tactically significant intelligence.

Disorderly crowds have the capability to inflict large amounts of damage and injuries over a widespread area in a short amount of time. In addition to the procedures outlined above, the IC will continually assess the crowd during a civil disturbance. This assessment will assist in recognizing changes in behavior and will determine if additional resources should be deployed.

Crowds should be assessed according to the following factors:

- Organization

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12.6.6 INCIDENT COMMAND SYSTEM (CONTINUED)

- Leadership
- Common motive for action
- Individual behavior
- Group behavior
- Cohesiveness
- Unity of purpose
- Psychological unity
- Emotional intensity
- Volatility
- Degree of lawlessness
- Level of violence
- Level of property damage
- Likelihood of injuries or deaths

The assessment of these factors dictates the level and type of response required. Once a disturbance begins, a quick response is essential. Therefore, it becomes important for the IC to gather resources and suppress disruptive activities before violence spreads. The IC must quickly identify impact zones, secure dangerous areas, and control movement on public thoroughfares. Resources must be sufficient to handle multiple incidents that occur during an outbreak of civil disturbance/disorderly crowd. When the IC feels that the available division personnel are not sufficient to handle the incident, he/she will classify the disturbance as a level-ranked incident (Level 1, 2, or 3). Guidelines set forth in the basic plan for level-ranked incidents will be followed (refer to the Emergency Response Plan (ERP) Incident Levels chapter).

12.6.7 NOTIFICATIONS

MetroSafe is responsible for notifying the following in the event of a civil disturbance/disorderly crowd:

- Real Time Crime Center (RTCC)
- Media and Public Relations Office
- Division commander
- Support Bureau Commander
- Administrative Bureau Commander
- Patrol Bureau Commander
- Legal Advisor
- Deputy Chief of Police/Chief of Staff
- Chief of Police
- Kentucky Division of Emergency Management

12.6.8 MUTUAL AID

Members should refer to SOP 1.2 for the procedures regarding requesting mutual aid assistance.

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12.6.9 SELF-DEPLOYMENT

Officers should not self-deploy to the scene of a civil disturbance/disorderly crowd unless specifically requested by MetroSafe or the IC. Officers who respond without the proper training and equipment may actually hinder law enforcement efforts. The IC, or his/her designee, is responsible for assigning the duties of responding officers in order to prevent confusion and the duplication of efforts.

12.6.10 DE-ESCALATION (KACP 19.2aa)

At times, policing requires that an officer must exercise control of violent or resisting subjects in order to make an arrest or to protect the officer, other officers, or the public from the risk of imminent harm. Clearly, not every potential violent confrontation can be de-escalated, but officers have the ability to impact the direction and the outcome of many situations that they encounter, based on their decision-making and the tactics that they choose to employ.

When reasonable under the totality of circumstances, officers should gather information about the incident, assess the risks, assemble resources, attempt to slow momentum, and communicate and coordinate a response. In their interaction with subjects, officers should use advisements, warnings, verbal persuasion, and other tactics as alternatives to higher levels of force. Officers should recognize that they may withdraw to a position that is tactically more secure, or allows them greater distance, in order to consider or deploy a greater variety of force options. Officers should perform their work in a manner that avoids unduly jeopardizing their own safety, or the safety of others, through poor tactical decisions.

The prospect of a favorable outcome is often enhanced when supervisors become involved in the management of an overall response to potential violent encounters by coordinating resources and officers' tactical actions. Supervisors should possess a good knowledge of tactics and verify that officers under their supervision perform to training standards. As a good practice, supervisors will acknowledge and respond to incidents in a timely manner where law enforcement use of force is probable.

During the de-escalation of the incident, the commanding officer/IC, along with the division commander, should consider implementing plans to address the following:

- Providing vehicular and foot patrol security to residents and businesses in order to prevent further property damage/loss.
- Developing a means of identifying people who have a legitimate reason for being in the area.
- Providing media access and interviews through the Media and Public Relations Office.
- Dealing with unusual security problems.
- Assessing personnel and equipment needs until normal operations resume (KACP 19.2r).

If the command post is no longer needed, but a return to normal operations has not yet resumed, the division facility, if available, will become the staging area for personnel assigned to the detail.

12.6.11 POST-INCIDENT OCCURRENCE (KACP 19.2bb)

After the crowd has been disbanded, commanding officers will order that routine patrols are conducted in the

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12.6.11 POST-INCIDENT OCCURRENCE (CONTINUED)

area of the disturbance and any area hot spots that may be affected. Any subsequent reports of disturbances shall be reported to the commanding officer and MetroSafe.

Immediately following the incident, the commanding officer will:

- Determine the number of officers needed to maintain order in the area.
- Determine assignments and shifts.
- Return unnecessary personnel to their normal duties.
- Resume normal operations, when appropriate.

When the disturbance has been brought under control, the commanding officer will address the following:

- Officers engaged in the incident are accounted for and an assessment of personal injuries is made.
- All officers and supervisors will be debriefed by their supervisors in accordance with the Basic Incident Plan (refer to the ERP Incident Levels chapter).
- Witnesses, suspects, and others should be interviewed.
- An After-Action Report (LMPD #08-0005) will be completed as soon as possible to include a comprehensive documentation of the basis for, and the department's response to, the incident (refer to SOP 12.6.12).
- Any damage to federal, state, or local governmental property should be handled in accordance with SOP 7.8.

12.6.12 AFTER-ACTION REPORT (KACP 19.2bb, cc)

Following the incident, the personnel listed below are responsible for making written evaluations of all policies, procedures, plans, personnel, and specialized units involved:

- Commanding officer/IC
- Division commander
- Any involved specialty unit commander(s)

The evaluations should focus on operational concerns, specifically problem areas, and the efficiency and effectiveness of the **entire response**. The evaluations should also recommend methods for improving departmental operations, policies, plans, and procedures in order to prepare for future incidents. The evaluations will be compiled into an After-Action Report (LMPD #08-0005) by the commanding officers and forwarded, through the chain of command, to the appropriate Bureau Commander. All After-Action Reports are to be kept in the Chief's Office.

12.6.13 CORRECTIONAL FACILITIES (KACP 19.5)

Upon the request of a correctional or detention facility chief executive officer (CEO), or his/her designee, LMPD officers will respond and provide support, in the event of a riot or other disorder, within the facility. A

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Subject: Civil Disturbances/Disorderly Crowds	

12.6.13 CORRECTIONAL FACILITIES (CONTINUED)

commanding officer will immediately respond to the scene and consult with the highest-ranking facility supervisor to determine the appropriate level of support (KACP 17.4).

The LMPD will not enter any secured area of the correctional facility without the approval of the facility chief executive officer (CEO), or his/her designee.

12.6.14 EMERGENCY RESPONSE PLAN (ERP)

Commanding officers should refer to the ERP Incident Levels and Civil Disturbance chapters for more detailed information and instructions for responding to incidents of civil disturbances/disorderly crowds.

The ERP, in its entirety, can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Emergency Response Plan" folder.

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	Prv. Rev. Date: 04/10/17
	Revised Date: 01/25/18
Chapter: Special Response	Accreditation Standards:
Subject: Mail and Package Handling	

12.7 MAIL AND PACKAGE HANDLING

12.7.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to make every effort to protect the health and safety of its members and the public who conduct business within its facilities. The following guidelines and procedures for handling departmental mail and other packages coming into contact with LMPD facilities and members have been established in order to assist in this effort.

12.7.2 IDENTIFYING SUSPICIOUS MAIL OR PACKAGES

Some characteristics of suspicious mail, packages, and envelopes include, but are not limited to, the following:

- Unusual or inappropriate labeling, such as:
 - Excessive postage.
 - Handwritten or poorly typed address.
 - Misspelled common words.
 - Strange, non-existent, or no return address.
 - Incorrect titles or title without a specific name.
 - Not addressed to a specific person.
 - Marked with restrictions, such as "Personal," "Confidential," or "Do Not X-Ray."
 - Marked with threatening language or symbols.
 - Postmarked from a city or state that does not match the return address.
- The appearance or presence of any of the following:
 - Powdery substance felt through, observed on, or coming from the package or envelope (refer to SOP 12.4).
 - Oily stains or discoloration on the package or envelope.
 - Unusual or strong odors coming from the package or envelope.
 - Lopsided or uneven packages.
 - Excessive packaging material, such as masking tape or string.
- Other signs of suspicious packages may be:
 - Excessive weight.
 - Ticking or other unidentifiable sound(s).
 - Protruding wires, aluminum foil, or other unidentifiable metallic items.

The previously named items are not intended to be an all-inclusive list of characteristics of suspicious mail and one (1) of the characteristics alone would not necessarily make a piece of mail suspicious. However, if the package or envelope appears suspicious due to any of the previously mentioned, or other suspicious conditions, do not open the package.

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12.7.3 HANDLING SUSPICIOUS MAIL OR PACKAGES

If a package or envelope appears to be suspicious or poses a potential risk of injury to the public or departmental personnel, members will adhere to the following, depending on the nature of the threat:

- Remain calm.
- Do not open, shake, or empty the contents of any suspicious package or envelope.
- Do not carry the package or envelope, show it to others, or allow others to examine it.
- Put the package or envelope down on a stable surface; do not sniff, touch, taste, or look closely at it or any contents which may have spilled.
- Alert others in the area about the suspicious package or envelope. Leave the area, close any doors, and take actions to prevent others from entering the area. If possible, shut off the ventilation system.
- Wash hands with soap and warm water to prevent spreading other potentially infectious materials (OPIM) to the face or skin.
- Do not use a cell phone, portable radio, text pager, or any other type of transmitting device in the area of the suspicious package.
- Notify a supervisor.
- Contact MetroSafe.
- If possible, create a list of persons who were in the area when the suspicious letter or package was discovered, especially those persons who might have handled it.

Members will adhere to the following regarding mail or packages that have been positively identified or suspected of being:

- **Explosive Device**
 - Immediately evacuate the area.
 - Notify MetroSafe to summon the Bomb Squad, Louisville Metro Emergency Medical Services (LMEMS), the Homeland Security Team, and the appropriate fire department and/or hazardous materials (HAZMAT) Unit.
 - Notify a commanding officer or supervisor as soon as possible.
 - Notify the United States Postal Inspector's Office, if appropriate.
- **Chemical, Biological, or Radiological Substance**
 - Do not handle the package.
 - Isolate the package and evacuate the area.
 - If possible, close all doors to the affected area.
 - Wash your hands with soap and warm water.
 - Notify MetroSafe to summon the Bomb Squad, Hazardous Incident Response Team (HIRT), LMEMS, the Homeland Security Team, and the appropriate fire department and/or HAZMAT Unit.
 - Notify a commanding officer or supervisor as soon as possible.
 - Notify the United States Postal Inspector's Office, if appropriate.
- **Suspicious or Unknown Powder**
 - Refer to SOP 12.4

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12.7.4 ADDITIONAL DUTIES AND RESPONSIBILITIES

All incidents involving departmental mail or packages that have been found to contain hazardous materials or devices will be investigated as a major crime. As in the case with all major crime investigations, the Incident Command System (ICS) will be implemented, as directed in SOP 8.36.

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12.8 TERRORISM

12.8.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to maintain a level of preparedness consistent with presidential directives and to initiate an appropriate and safe response to a known, or suspected, terrorist incident. In addition to this policy, the LMPD maintains a comprehensive Emergency Response Plan (ERP) for responding to man-made and natural disasters and incidents, including acts of terrorism (KACP 19.2a-cc). Although according to Presidential Directive HSPD-5, the Federal Bureau of Investigation (FBI) is the lead law enforcement agency in charge of a terrorist incident, the LMPD will be among the first responders and will assist the FBI with the response and investigation.

12.8.2 DEFINITIONS

National Terrorism Advisory System (NTAS): The system used by the United States (U.S.) Department of Homeland Security (DHS) to communicate terrorism-related threat information.

Terrorist Act: Any act intended to cause death or serious bodily harm to civilian or non-combatants, with the purpose of intimidating a population or compelling a government or an international organization to do, or abstain from doing, any act.

Weapons of Mass Destruction (WMD): Weapons which are capable of a high order of destruction and/or of being used in such a manner as to destroy large numbers of people. WMDs can be high explosives, nuclear, biological, chemical, or radiological, but excludes the means of transporting or propelling the weapon, where such means is a separable and divisible part of the weapon.

Zone: All incident scenes may be divided into zones. The hot zone is the area of greatest threat. The warm zone is the area with a reduced threat level. In hazardous material incidents, decontamination and initial triage prior to decontamination will be established in the warm zone. The cold zone are the areas away from any threat. For most law enforcement incidents (e.g. hostage/barricaded subjects, civil disturbance), the inner perimeter divides the hot and warm zones and the outer perimeter divides the warm and cold zones. All staging areas, the Incident Command Post (ICP), and triage locations will be established in the cold zone. The Incident Commander (IC) is responsible for establishing the zones based on the specific details of the incident.

12.8.3 NOTIFICATIONS OF NTAS ALERTS

When notified of a threat by the NTAS, MetroSafe personnel will advise all channels and contact the following personnel:

- Chief of Police
- Deputy Chief of Police
- Assistant Chiefs of Police
- Patrol Division Commanders

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12.8.3 NOTIFICATIONS OF NTAS ALERTS (CONTINUED)

- Administrative Services Division Commander
- Special Operations Division Commander
- Homeland Security Team Commander (if not already contacted)
- Crime Information Center (CIC) Commander
- Real Time Crime Center (RTCC) Director

Division personnel will immediately follow the appropriate guidelines listed in the LMPD's ERP Terrorism Response chapter. Division commanders are to review the specifics of the threat and verify that the personnel under their command are correctly targeting their patrols and responses.

The Chief of Police, or his/her designee, may require the activation of specialty teams and/or units or authorize overtime for targeted patrols, depending on the specifics of the threat.

12.8.4 INFORMATION REPORTING

Officers are required to report any information, event, or unusual activity obtained through interviews, crime scenes, search warrants, etc. that the officer believes involves a known, or suspected, terrorist threat to local, state, or national security. Officers will immediately advise their commanding officer, who will immediately notify the Homeland Security Team, the CIC, and the RTCC. If the information is received during a time that the Homeland Security Team staff is off-duty, they will be called/paged. If the Homeland Security Team staff cannot be immediately contacted, the commanding officer will immediately contact his/her division commander. If the information is such that the Homeland Security Team staff or the division commander believes the known, or suspected, threat to be imminent, they will request that MetroSafe personnel immediately notify the following personnel:

- Chief of Police
- Deputy Chief of Police
- Assistant Chiefs of Police
- Patrol Division Commanders
- Administrative Services Division Commander
- Special Operations Division Commander
- Homeland Security Team Commander (if not already contacted)
- CIC Commander
- RTCC Director

If the information, event, or unusual activity constitutes a criminal offense, the officer will complete an incident report. The officer will take the report in the Records Management System (RMS). The officer will fax or email a copy of the report to the Homeland Security Team and a copy will be sent to the CIC.

12.8.5 DISSEMINATION OF EARLY WARNING INFORMATION

When information about a terrorist threat against the U.S. exists, the DHS may issue a NTAS Alert or NTAS Bulletin.

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12.8.5 DISSEMINATION OF EARLY WARNING INFORMATION (CONTINUED)

If available, the NTAS Alert may include specific information about the nature of the threat, including the geographic region, mode of transportation, or critical infrastructure potentially affected by the threat. The alert may also include steps that individuals and communities can take to protect themselves and help prevent, mitigate, or respond to the threat. The alert may either be:

- **Elevated:** This is used when only general information (e.g. timing and target) of a credible threat exists but it is reasonable to recommend implementation of protective measures to thwart or mitigate against an attack; or
- **Imminent:** This alert is used if the threat information is credible, specific, and impending in the near future.

NTAS Bulletins provide general information about terrorism trends, events, and potential threats in those situations where additional precautions may be warranted, but where the circumstances do not indicate a threat against the U.S. of sufficient credibility, or specificity and credibility, to issue a NTAS Alert.

Information regarding possible terrorist activity, threats, or trends will be disseminated by the CIC or the Homeland Security Team. This information will be marked "Law Enforcement Sensitive" and shall not be disseminated outside of the department, unless specifically approved by the Homeland Security Team Commander.

NTAS Alerts contain a sunset provision indicating a specific date when the alert expires. If additional information becomes available, a NTAS Alert or Bulletin may be updated. Any revisions or cancellations will be disseminated in the same manner as the original.

12.8.6 NOTIFICATIONS OF A TERRORIST INCIDENT

Upon receiving notification that an incident has taken place that is either known or believed to be a terrorist incident, MetroSafe personnel will make the following minimum notifications:

- Chief of Police
- Deputy Chief of Police
- Assistant Chiefs of Police
- Division Commanders
- The FBI
- Homeland Security Team Commander
- Hospital emergency rooms (ERs) (if a chemical/biological mass casualty/mass fatality incident occurs or potentially could occur)
- The appropriate fire department
- The Louisville Metro Department of Public Health and Wellness (LMDPHW)
- Louisville Metro Emergency Management Agency (LMEMA)
- CIC Commander
- RTCC Director
- The LMPD Health and Safety Officer (HSO)

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12.8.7 SCENE RESPONSIBILITIES

Several Louisville Metro Government agencies have primary responsibilities at a terrorist incident; therefore, a Unified Command (UC) will be established at the scene. A Multi-Agency Coordination (MAC) or Unified Area Command (UAC) may be established at the Emergency Operations Center (EOC), at the discretion of the Director of the LMEMA. All Louisville Metro Government agencies will utilize the Incident Command System (ICS) for a terrorism response. The LMPD's responsibilities may include:

- All law enforcement tactical responses
- Crime scene security, including inner and outer perimeters
- Staging area security
- Evacuations (cold zone only)
- Quarantine area security
- Security of evacuated areas
- Criminal investigation
- Evidence
- Intelligence

12.8.8 INITIAL RESPONSE

During the initial response, officer safety issues are of primary importance. All officers responding to any type of explosion shall dress in appropriate personal protective equipment (PPE) prior to their arrival at the scene. Dust and other materials hazardous to the respiratory system are inherent in any explosion, in addition to other hazards which may have been contained within the explosive device. LMPD officers will not be required to enter a contaminated area. The only exceptions will be teams from the Bomb Squad and Hazardous Incident Response Team (HIRT), who are trained and equipped as hazardous material technicians and may have tactical tasks to conduct within the warm or hot zones. The initial response will include the following:

- **Radio transmissions are prohibited within 300 feet of a suspected explosive device.**
- Approach the scene from an upwind and an uphill direction, if possible.
- Evaluate/identify:
 - Scene hazards such as structural collapse, bloodborne pathogens, hazardous chemicals, and secondary explosive devices, by slowly and cautiously surveying the scene.
 - Any suspected additional explosive devices in, and around, the scene and at any potential incident facilities. The Bomb Squad should also be utilized to conduct bomb sweeps for additional devices in the surrounding area, particularly near staging areas and ICS facilities, where people are gathered.
 - Life/safety issues for both first responders and citizens.
 - Necessary resources for scene stabilization.
 - Safe upwind routes to the scene for other first responders
- Live victim assistance. Live victims will be assisted in as much as LMPD personnel are trained and equipped to do so. Officers should be aware of secondary contamination considerations when dealing with victims of hazardous materials. Potentially contaminated victims will be required to stay on-scene and will be isolated until agencies trained in triage and decontamination, such as the fire departments and Louisville Metro Emergency Medical Services (LMEMS), are on-scene.

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12.8.8 INITIAL RESPONSE (CONTINUED)

- Care should be taken to avoid having equipment, such as vehicles and radios, contaminated.
- Establish an Incident Command Post (ICP) in the cold zone, upwind and uphill from the site and after checking for additional explosive devices (KACP 19.2m).
- Establish a staging area (upwind, uphill, and outside of the potential explosion or hazardous material area and after checking for additional explosive devices).
- Move uncontaminated people away from the scene.
- Establish a safe outer perimeter after referring to the Emergency Response Guidebook (ERG) and/or the Bomb Threat Stand-Off Distances (see the LMPD ERP Appendix E), if applicable, preferably with hazard zone tape; however, any caution tape will suffice. In addition, isolate the scene by blocking intersections and re-routing traffic. Consideration should be given to wind direction and the potential hazard. The ERG can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Manuals" link, and double click on the "HAZMAT" folder.
- Verifying that the proper notifications are made and additional resources are requested.

12.8.9 REPORTS

Copies of all reports and investigative letters generated from a terrorist incident will be forwarded to the LMPD commander within the Unified Command (UC).

Officers exposed to contaminants, without immediate injury, will complete a Workers' Compensation—First Report of Injury or Illness form (IA-1 form) marked "Incident Only" after decontamination. Officers injured by chemical exposure will have those injuries documented on the Administrative Incident Report (AIR) (refer to SOP 3.1), the Exposure Report Form (LMPD #04-08-0303), and a Workers' Compensation form. The death of an officer or the in-patient hospitalization of three (3) or more officers shall be reported immediately to the Risk Management Division and the Louisville Metro Occupational Safety and Health Administration (OSHA) (refer to SOP 2.7 and SOP 12.2 for specific procedures).

12.8.10 EMERGENCY RESPONSE PLAN (ERP)

Refer to the ERP Terrorism Response chapter for more detailed information and instructions.

The ERP, in its entirety, can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Emergency Response Plan" folder.

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	Effective Date: 07/24/04
	Prv. Rev. Date: 05/10/15
	Revised Date: 07/25/16
Chapter: Special Response	Accreditation Standards:
Subject: Mounted Patrol Unit	

12.9 MOUNTED PATROL UNIT

12.9.1 DEFINITIONS

Crowd Management: Utilization of the Mounted Patrol Unit's physical presence at an event, for the purpose of reducing a crowd's aggression level and propensity for violence or other mob activity.

Crowd Control: Utilization of Mounted Patrol Unit maneuvers to move, disperse, or channel a large gathering of people in a designated direction, for law enforcement purposes.

12.9.2 USE OF THE MOUNTED PATROL UNIT

The four (4) general types of activities for which the Mounted Patrol Unit is most effective and authorized are:

- Targeted area/neighborhood patrols
- Details/special events
- Crowd management
- Crowd control

12.9.3 CRITERIA FOR REQUESTING THE MOUNTED PATROL UNIT

Requests for the Mounted Patrol Unit should be sent to the Special Operations Division Commander or the Canine/Mounted Patrol Unit Commander. If the Canine/Mounted Patrol Unit Commander receives the request, he/she will forward the request to the Special Operations Division Commander.

Non-exigent requests should be received by the Special Operations Division Commander or the Canine/Mounted Patrol Unit Commander a minimum of two (2) weeks prior to the event or detail. If the request is received with less than two (2) weeks notice, every attempt will be made to accommodate the request without changing existing off-days or working hours. Detail requests should specify whether the Mounted Patrol Unit's participation will be solely static or whether they will be expected to engage in patrol and enforcement.

The Mounted Patrol has additional duties associated with the care of the police mounts and their facility. Because of these other duties, members of the Mounted Patrol Unit strive to provide 70% of their tour of duty for actual patrol or event coverage. If staffing permits, shifts may overlap to provide a longer span of coverage.

In the event of exigent circumstances (e.g. protests, riots, etc.) requiring the presence of the Mounted Patrol Unit, the division commander or highest-ranking commanding officer at the scene will contact the Canine/Mounted Patrol Unit Commander. Parking and staging provisions for the trailers should be considered.

12.9.4 RESTRICTIONS

A Mounted Patrol Unit officer's duties are the same as a patrol officer's duties, as defined by the department's Standard Operating Procedures (SOPs), with the following restrictions:

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12.9.4 RESTRICTIONS (CONTINUED)

- Mounted Patrol Unit officers will not respond to any expressway, freeway, or interstate highway.
- All prisoners will be transported by a division unit or the closest on-duty unit.
- One (1) Mounted Patrol Unit officer will remain with the police mounts at all times.

12.9.5 AUTHORIZATION REQUIRED FOR USE

The Canine/Mounted Patrol Unit Commander or an on-scene commanding officer must authorize crowd control techniques prior to their use. Mounted Patrol Unit officers are authorized to use control maneuvers if previously specified guidelines are followed.

The approval of the Special Operations Division Commander is required when off-duty Mounted Patrol Unit officers are called to respond to a scene. The requesting authority should anticipate up to a two (2) hour response time in order to allow for the preparation and transportation of police mounts.

12.9.6 QUALIFICATIONS/TRAINING FOR MOUNTED PATROL UNIT OFFICERS

Mounted Patrol Unit officers are chosen in compliance with departmental standards and collective bargaining agreements related to specialized assignments. Officers must be physically fit, capable of performing all Mounted Patrol Unit tasks, and satisfy the following Kentucky Law Enforcement Council (KLEC) courses, in order to be selected, certified, and retained as a Mounted Patrol Unit officer:

- Introduction to Police Mounted Patrol Techniques (40 hours)
- Police Mounted Patrol Techniques (360 hours)

Mounted Patrol Unit officers must also take part in a minimum of four (4) hours of continued training weekly, as approved by the Canine/Mounted Patrol Unit Commander.

12.9.7 CARE OF POLICE MOUNTS

The daily care of each police mount is the responsibility of the officer to whom the mount is assigned. Each officer is responsible for grooming his/her assigned mount and checking for injuries or illness on a regular basis. The daily care of unassigned police mounts or of police mounts assigned to officers who are on off-days, vacation, school, or other leave will be delegated by the Canine/Mounted Patrol Unit Commander. Any signs of injury or illness will be immediately reported to the Canine/Mounted Patrol Unit Commander, by the assigned officer or by the officer caring for the mount. Scheduling and verifying completion of medical or other periodic care issues (e.g. shoeing, worming) is the responsibility of the Canine/Mounted Patrol Unit Commander. Each officer is responsible for the cleaning, care, and maintenance of their assigned saddle and tack. The care of additional saddles, tack, and other equipment is the responsibility of Mounted Patrol Unit members, as delegated by the Canine/Mounted Patrol Unit Commander.

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12.9.8 REQUIRED EQUIPMENT

Depending on the type of event that the Mounted Patrol Unit is working (e.g. parade, static detail, crowd control), the following equipment and supplies are required to be carried, or immediately available, to the officers while engaged in their duties:

- Riding helmet (or issued Kevlar helmet)
- Complete saddle, pads, bridle, and bit
- Saddle bag
- Manure scoop
- Padded nose guard
- Officer riot shield
- Mount riot shield

Nighttime patrols require the following:

- Reflective leg wraps
- Reflective breastplate wraps
- Reflective stirrup wraps
- Reflective tail wrap
- Reflective noseband wraps
- Officer's issued flashlight

Equipment required on Mounted Patrol Unit trailers includes the following:

- Muck shovel
- One (1) hay bag for each police mount
- Sufficient hay for the tour of duty
- Sufficient water for the tour of duty (a full water tank is required if the temperature is above 80 degrees during a shift)

12.9.9 MOUNTED PATROL AUXILIARY

The Mounted Patrol Auxiliary (MPA) is a specialty team that supports the Mounted Patrol Unit. The MPA consists of part-time sworn riders from all divisions within the Louisville Metro Police Department (LMPD). The MPA supports the Mounted Patrol Unit when additional riders/officers are needed.

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Chapter: Special Response	Accreditation Standards:
Subject: Bomb Threats	

12.10 BOMB THREATS

12.10.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to make every effort to protect the health and safety of its members and the public who conduct business within its facilities. The following guidelines are meant to provide the procedures for recording and reporting bomb threats and to assist in preparing an appropriate response to them.

12.10.2 BOMB THREAT REPORT

Any LMPD member receiving a bomb threat at a departmental facility is responsible for recording and documenting the threat. When a bomb threat is received, all pertinent information will be recorded on a Bomb Threat Report (LMPD #06-0012) to facilitate an appropriate response and for evidentiary purposes. If audio recording equipment is available, the threat should be tape recorded, if possible. The following information should be obtained and recorded by the person receiving the threat:

- The date and time that the call was received, as well as when the call ended.
- The exact wording used by the person making the threat, especially relating to:
 - When is the device going to explode?
 - Where is the device located now?
 - What kind of device is it?
 - What does the device look like?
 - Why did you place the device?
- The sex and approximate age of the person making the threat.
- Voice characteristics such as:
 - Accents: local, regional, foreign (country/region).
 - Voice: loud, soft, deep, high-pitched, raspy, intoxicated, pleasant.
 - Speech: fast, slow, distorted, distinct, nasally, stuttered, or lisp.
 - Manner: calm, emotional, angry, rational, irrational, coherent, incoherent, deliberate, righteous, laughing, or vulgar.
- Background noises such as:
 - Office or factory machines, traffic, trains, music, animals, airplanes, voices, extreme quiet, bedlam, street sounds, or party noises.

12.10.3 MEMBER DUTIES

Any LMPD member receiving a bomb threat at a departmental facility will notify his/her commanding officer or supervisor as soon as possible. Notification should be made in person, whenever possible. The member should

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12.10.3 MEMBER DUTIES (CONTINUED)

avoid using a cellular phone, portable radio, text pager, or any other type of transmitting device in the area where a bomb is reported to be. The member will give the commanding officer or supervisor all available information regarding the threat.

12.10.4 SUPERVISORY DUTIES

The Incident Command System (ICS) shall be implemented for bomb threat incidents at any LMPD facility to effectively control and manage operations. The highest ranking on-site division/section/unit commanding officer will be the Incident Commander (IC) and is responsible for the following duties:

- Receiving and evaluating the information obtained in order to determine the necessary response.
- Assigning personnel to establish a security perimeter around the affected area.
- Ordering and coordinating an evacuation of the facility, if appropriate.
- Coordinating the search of the facility, when appropriate.
- Notifying possible support units, including, but not limited to, the following:
 - The Bomb Squad
 - A Canine Unit bomb detector dog
 - The appropriate fire department and/or hazardous materials (HAZMAT) units
 - Louisville Metro Emergency Medical Services (LMEMS)
 - Command staff personnel
 - Media and Public Relations personnel

The Bomb Squad Commander will be notified anytime a bomb threat is made to any Metro Government facility.

12.10.5 EVACUATION

The IC will be responsible for determining if an evacuation is appropriate. Any evacuation should be orderly and coordinated with particular attention to the following procedures:

- Each individual should search around his/her immediate area for the bomb and report any suspicious objects to the IC during, or immediately after, the evacuation process.
- Members should be instructed to report to a designated assembly location upon leaving the building in order to account for each individual. If possible, evacuees should be directed to another building, as this will afford more protection than a parking lot.
- The assembly location should be chosen at random and should be changed each time an evacuation occurs, in the event that those persons responsible for the threat are observing the response. During a false incident, this type of information could be obtained in order to place secondary devices during future incidents.
- After all members are accounted for, they may be directed to another location, if circumstances make it necessary.
- All members will remain in the assembly area until the end of their shift or until the facility is declared safe to enter, whichever comes first.

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Subject: Bomb Threats	

12.10.6 SEARCH PROCEDURES

In addition to the first search performed by members during the evacuation, an additional and more thorough search will be conducted. The IC will choose the search team personnel and coordinate the search. Considerations for conducting a search may include, but are not limited to, the following:

- The search team member's familiarity with the area to be searched.
- The time of day and the amount of time remaining before the explosion is to take place.
- Search team personnel shall not be placed in jeopardy merely for the purpose of gathering and preserving evidence or property.
- The use of cellular phones, radios, and other transmitting devices will be prohibited by search team members and other persons in the search area.
- If a bomb or suspicious item is discovered, all search team members will be alerted and removed from the area of the device. The Bomb Squad will be notified immediately.
- Maintenance personnel may be used to search all public areas in, and around, the building.

12.10.7 FOLLOW-UP PROCEDURES

If a search results in the discovery of an explosive device or an actual explosion occurs, the Bomb Squad will assist the appropriate investigative unit, in accordance with guidelines outlined in SOP 8.36. Explosive evidence will be collected, stored, or disposed of in accordance with SOP 11.4. If no explosion occurs and no explosive device is discovered, an incident report will be completed and investigated by detectives from the division in which the bomb threat target is located.

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Chapter: Special Response	Accreditation Standards: KACP: 30.8
Subject: Crisis Intervention Team (CIT)	

12.11 CRISIS INTERVENTION TEAM (CIT) (KACP 30.8)

12.11.1 PURPOSE

The purpose of the Crisis Intervention Team (CIT) is to provide a proactive approach, by using trained officers in the uniformed divisions, to respond to runs and initiate contact with citizens who are dealing with mental illness. By working actively with the mental health community and frequently with the criminal justice system, the program can promote favorable long-range alternatives when dealing with citizens with mental health problems. Citizens with ongoing mental health problems can be identified and measures can be taken to reduce the frequency of police contacts.

12.11.2 DEFINITIONS

Alcohol and/or Drug Abuse: The use of any alcoholic beverage, or drug, which results in intoxication, or dependency, from continued use. The dependency induces a mental, emotional, or physical impairment which causes socially dysfunctional behavior.

Likelihood of Serious Physical Harm:

- Risk that serious physical harm will be inflicted by a person, upon their person, as evidenced by recent threats, verbal or otherwise, or attempts to inflict physical harm.
- Risk that serious physical harm will result due to the impairment of their capacity to make decisions, as evidenced by the inability to provide for their basic needs (e.g. food, clothing, shelter), including the ability to seek hospitalization or treatment or purposely disregarding treatment through non-compliance and their failure or refusal to take prescribed medications.
- Risk that serious physical harm will be inflicted upon another, as evidenced by recent overt acts, behavior, or threats, including acts or threats having caused harm or which would place a reasonable person in fear of sustaining such harm.

Mental Health Liaison: A qualified mental health professional who acts as a liaison between mental health groups and the LMPD's CIT Coordinator.

Mental Illness: A medical condition that disrupts a person's thinking, feeling, mood, ability to relate to others, and daily functioning. Mental illnesses are medical conditions that often result in a diminished capacity for coping with the ordinary demands of life.

Reasonable Grounds: A set of facts or circumstances which would satisfy an ordinary cautious and prudent person that there is reason to believe and which goes beyond mere suspicion.

CIT Program Coordinator: Appointed by the Chief of Police and reports to the Training Division Commander. The CIT Program Coordinator is responsible for projects and oversees the Assistant CIT Coordinator and the advisory board. The CIT Program Coordinator acts as the liaison between mental health professionals, community partners, and the Louisville Metro Police Department (LMPD).

Assistant CIT Coordinator: Prepares monthly reports and facilitates coordinated training blocks.

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12.11.2 DEFINITIONS (CONTINUED)

Advisory Board: A group of stakeholder agencies in the community, including the LMPD, who meet quarterly to discuss issues that arise in the response to the needs of the mentally ill and possible improvements to the CIT program.

CIT Officer: A uniformed patrol officer who has successfully completed required training in crisis intervention techniques.

12.11.3 PROCEDURES FOR CIT

CIT officers are assigned to the Patrol Bureau and respond to routine calls for service when not acting in a CIT capacity. CIT officers report directly to their shift supervisors. CIT officers will respond to calls that meet specific criteria.

CIT notification criteria include, but are not limited to:

- Any incident where a mental illness requires officers to be dispatched or to respond (e.g. disorderly person talking to themselves).
- Any run involving a Mental Inquest Warrant (MIW).
- Any incident where there is reasonable grounds to believe that the subject is mentally ill and may harm themselves or others. The officer will take the subject under involuntary hospitalization pursuant to KRS 202A.041.
- Any request by a qualified mental health professional to transport for involuntary hospitalization.
- Any incident where the subject voluntarily accompanies an officer and there is reason to believe that the safety of the public, and the subject, are best served by the officer transporting the subject to a facility for voluntary commitment.

MetroSafe will dispatch available CIT officers on runs that meet CIT criteria. If CIT officers are not available in the division, then MetroSafe will dispatch CIT officers from the nearest division. If CIT officers are not available in the other divisions, MetroSafe will dispatch non-CIT officers from the original division. MetroSafe will make the responding officers and a commanding officer from the affected division aware of the status of CIT officer availability.

CIT officers will be in charge of any scene to which they respond, unless otherwise directed by a commanding officer. The CIT officer, on the scene, has the authority to request any additional support and to direct the actions of other officers on the scene. A CIT officer has the authority to direct officers to stop actions, as he/she deems necessary. CIT officers utilize crisis intervention training and experience to provide an appropriate response during, and following, a crisis situation.

As required by KRS 210.365(9), an E-Crisis Wizard Report, available on the Kentucky Open Portal System (KYOPS), will be completed on every CIT run. The only exception is if a CIT officer determines that the run is not a CIT run upon reaching the scene and re-classifies the run prior to clearing. A paper copy of the E-Crisis Wizard Report will be printed, via the MDT printer, and left at the receiving facility (e.g. University of Louisville Hospital Emergency Psychiatry Services). A paper copy will be sent, via interdepartmental mail, to the Assistant CIT Coordinator. A paper copy may be printed for the officer's case file, if necessary.

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12.11.3 PROCEDURES FOR CIT (CONTINUED)

If an officer has not been issued a Mobile Data Terminal (MDT), the officer will complete a hardcopy CIT Incident Report form (LMPD #03-08-0186). The officer will leave a copy of the form with the receiving facility. To comply with KRS 210.365(9), the officer will scan and email a copy of the form to the LMPD Service Center, located within the department's email distribution list, by the end of his/her next tour of duty. The form will be entered into the KYOPS E-Crisis system by the LMPD Service Center. The original CIT forms will be forwarded, via interdepartmental mail, to the Assistant CIT Coordinator. This procedure will only be used by officers who have not been issued a MDT.

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Chapter: Special Response	
Subject: Clandestine Labs	

12.12 CLANDESTINE LABS

12.12.1 CLANDESTINE LAB HAZARDS

Clandestine labs include those that manufacture methamphetamine, lysergic acid diethylamide (LSD), synthetic opioids, including fentanyl, desmethylprodine (MPPP), phencyclidine (PCP), and other dangerous drugs. All clandestine labs share common hazards and pose a serious danger to responders and surrounding neighborhoods. The most common form of exposure is inhalation. Such hazards include:

- Flammable and/or explosive atmosphere.
- Acutely toxic atmosphere.
- Leaking or damaged compressed gas cylinders.
- Water reactive and pyrophoric chemicals.
- Damaged and leaking chemical containers.
- Electrical hazards and sources of ignition.
- In-progress reactions.
- Incompatible chemical reactions.
- Bombs and booby traps.
- Confined spaces and permit-required confined spaces.

It should be noted that departmentally-issued air-purifying respirators (APRs) will not protect a user against the chemicals found in clandestine labs.

Occupational Safety and Health Administration (OSHA) definitions:

- **Confined Space:**
 - A space large enough for a person to enter fully and perform assigned work;
 - A space that is not designed for continuous occupancy by the person; and
 - Has a limited or restricted means of entry or exit.
 - May include underground vaults, tanks, storage bins, pits and diked areas, vessels, silos, and other similar areas.
- **Permit-Required Confined Space:**
 - Contains, or has the potential to contain, a hazardous atmosphere;
 - Contains a material with the potential to engulf someone who enters the space;
 - Has an internal configuration that might cause an entrant to be trapped or asphyxiated by inwardly converging walls or by a floor that slopes downward and tapers to a smaller cross section; and/or
 - Contains any other recognized serious safety or health hazards.

The Drug Enforcement Administration (DEA) has identified approximately 350 chemicals used in clandestine labs. Common chemicals and associated hazards found in methamphetamine labs may include the following:

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12.12.1 CLANDESTINE LAB HAZARDS (CONTINUED)

- **Precursors:** Primary chemical that is changed into the finished product.
 - Ephedrine/pseudoephedrine is a precursor to methamphetamine and is considered toxic to humans.
 - Phenyl-2-propanone is a precursor to methamphetamine.
 - Phenyl acetic acid is a precursor to phenyl-2-propanone.
- **Reagents:** Chemicals used in reactions to convert the precursor into the finished product.
 - Hydrochloric acid (e.g. pool acid, muriatic acid): Inhalation or contact may cause infection, disease, or death. Exposure may have delayed severe symptoms.
 - Sodium hydroxide (e.g. Red Devil lye, Drano crystals): Inhalation, ingestion, or skin contact may cause severe injury or death. Effects of contact or inhalation may be delayed.
 - Iodine: Highly flammable and a skin irritant. Ingestion may be fatal.
 - Mercuric chloride: Inhalation, ingestion, or skin contact may cause severe injury or death. Effects of contact or inhalation may be delayed.
 - Anhydrous ammonia: Water reactive. It may be fatal if inhaled, ingested, or absorbed through the skin. Its vapors are extremely irritating and corrosive. Contact with gas or liquefied gas may cause burns, severe injury, and/or frostbite. Fire will produce irritating, corrosive, and/or toxic gases.
 - Phosphorus: Flammable, air reactive, and an irritant. When burned, it will emit phosphine gas. Phosphine gas may be fatal if inhaled or absorbed through the skin. Contact may cause burns, severe injury, and/or frostbite.
- **Solvents:** Chemicals used to separate or purify other chemicals in a reaction. Most are highly flammable, some are combustible, and some are highly toxic.
 - White gas (e.g. camping fuel) is flammable and toxic.
 - Freon is a central nervous system (CNS) depressant.
 - Alcohol (e.g. rubbing, denatured, and grain) is highly flammable. Vapors may form explosive mixtures with air and may cause dizziness or suffocation. Inhalation or contact may irritate or burn skin and eyes. Fire may produce irritating, corrosive, and/or toxic gases.
 - Ether is highly flammable. Its vapors may form explosive mixtures with air and may cause dizziness or suffocation. Inhalation or contact may irritate or burn skin and eyes. Fire may produce irritating, corrosive, and/or toxic gases.
- **Catalysts:** A substance that initiates a chemical reaction. Catalysts are highly reactive and dangerous. They may react with air, water, or solvents.
 - Lithium is water reactive. Inhalation or contact with vapors, substance, or decomposition products may cause severe injury or death. It may produce a corrosive solution with water. Fire will produce irritating, corrosive, and/or toxic gases.
 - Sodium is water reactive. Inhalation or contact with vapors, substance, or decomposition products may cause severe injury or death. It may produce a corrosive solution with water. Fire will produce irritating, corrosive, and/or toxic gases.
 - Raney nickel is air and solvent reactive. Raney nickel is a carcinogen.

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12.12.1 CLANDESTINE LAB HAZARDS (CONTINUED)

- Palladium black reacts strongly to water.

12.12.2 INITIAL PROCEDURES

Officers serving a search warrant on a suspected clandestine lab should consult SOP 8.1 for proper procedures. Police officers are prohibited from entering a known clandestine drug laboratory hot zone prior to air monitoring, an explosive sweep, and without proper equipment and certifications. Officers encountering a clandestine lab, or any components of a clandestine lab, shall take the following precautions:

- Immediately exit the premises, retracing footsteps, if possible, to a safe location. Officers must verify that their shoes are decontaminated prior to entering their vehicles.
- Do not touch or handle anything.
- Do not turn switches on or off.
- Do not use the police radio or a cell phone.
- Wear gloves when handling or searching the suspects and/or their property. After removing the gloves, officers are to decontaminate their hands.
- Secure prisoners, if possible, with flex cuffs to avoid contaminating steel handcuffs.
- Separate the suspects from the premises or vehicle, but do not put the suspects into a police vehicle until they have been decontaminated.
- If the components of a suspected clandestine lab are inside of a vehicle, do not remove or touch any of them.

The first officer on the scene will be the Incident Commander (IC) and the Safety Officer (SO) until properly relieved. The IC will verify that the above initial procedures are followed. Whenever a change in the IC occurs, MetroSafe must be advised. The IC shall:

- Evaluate the situation, considering the following order of priorities:
 - Life safety
 - Incident stabilization
 - Property damage
- Notify MetroSafe of the suspected clandestine lab.
- Notify his/her immediate supervisor.
- Remove affected people (e.g. suspects, children) from the location.
- Secure the scene with a minimum 75 feet inner perimeter when no fire is present. When fire is present, consult the Emergency Response Guidebook (ERG) to determine the appropriate perimeter and evacuation distances. The ERG can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Manuals" link, and double click on the "HAZMAT" folder. The site of the lab should be treated as a crime scene. Appropriate measures should be taken to secure the site and remove any non-essential individuals to a safe location.
- Establish an Incident Command Post in the cold zone, upwind and uphill from the site.
- Create a staging area in the cold zone, upwind and uphill from the site.
- Have MetroSafe contact the appropriate fire department, advising the following:

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12.12.2 INITIAL PROCEDURES (CONTINUED)

- Incident address.
 - Time.
 - Staging area. Responding agencies will be directed to the staging area, via a route of least exposure.
 - Type of assistance requested.
- Request a response from the Clandestine Laboratory Enforcement Team (CLET).
 - The Crimes Against Children Unit (CACU) will be notified and determine if they need to respond to the scene if children are located in the clandestine lab site or if there is evidence that children have been living in the clandestine lab site.

If an inhabitable property has been contaminated by its use as a clandestine methamphetamine drug lab, the CLET Supervisor will be responsible for notifying the Louisville Metro Department of Public Health and Wellness (LMDPHW).

12.12.3 AGENCY RESPONSIBILITY

The Incident Command System (ICS) will be utilized for all hazardous material (HAZMAT) incidents. The ICS structure for clandestine labs differs from most HAZMAT incidents. Because labs are also crime scenes, a Unified Command should be established, with the LMPD acting as the lead agency, unless the situation deteriorates into a declared HAZMAT situation, in which case the appropriate fire department will become the lead agency (refer to SOP 12.4). The appropriate fire department will assist with remote exterior air monitoring and decontamination. Louisville Metro Emergency Medical Services (LMEMS) is primarily responsible for triage but may assist with the decontamination procedures. The CLET will act as a resource to the lead police investigator and will usually not become the lead investigatory unit.

12.12.4 DECONTAMINATION (KACP 29.1f)

If the officer believes that he/she has been contaminated, he/she shall immediately proceed to the established decontamination area. Officers shall comply with all requests from the fire department conducting the decontamination of the officer, his/her equipment, or the police vehicle. Officers are prohibited from entering their police vehicles or putting possibly contaminated suspect(s) into their police vehicles, until they have been deemed cleared by competent authority.

12.12.5 SAFETY

The safety and health of the responders are a priority. Fire department and LMEMS personnel will not enter the area until the scene is secure. Police officers are prohibited from entering a known, or suspected, clandestine drug laboratory hot zone prior to air monitoring, an explosive sweep, and without proper equipment and certifications. Officers shall not enter a known, or suspected, confined space or permit-required confined space, unless they are specially-trained to do so. In the absence of specially-trained LMPD personnel, members will work with appropriate fire department personnel to recover evidence. The recovery of

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12.12.5 SAFETY (CONTINUED)

evidence is secondary to officer safety. The CLET will assign an SO at all lab scenes. The SO has the authority to enforce the safety plan for all police officers at the scene. A LMPD CLET SO and/or LMPD Health and Safety Officer (HSO) will be on scene at all clandestine lab scenes.

Under no circumstances should any officer handle or transport any possible meth-related materials or chemicals. Personnel assigned to the CLET are the only authorized personnel to handle meth-related materials or chemicals.

12.12.6 REPORTING REQUIREMENTS

Copies of all reports generated from a HAZMAT incident will be forwarded, through the appropriate chain of command, to the division/section/unit commander.

Copies of reports generated by clandestine labs will be forwarded to the Narcotics Division Commander. Safety plans are maintained by a HSO. Officers injured by chemical exposure shall have those injuries documented on the Administrative Incident Report (AIR) (refer to SOP 3.1), the Exposure Report form (LMPD #04-08-0303), and a Workers' Compensation – First Report of Injury or Illness form (IA-1 form). Officers exposed without immediate injury will complete a Workers' Compensation form marked "Incident Only." These forms will be generated and forwarded in accordance with SOP 12.2. An After-Action Report (LMPD #08-0005) will be completed by the IC and forwarded, through the appropriate chain of command, to the Narcotics Division Commander.

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Chapter: Special Response	
Subject: NIMS/ICS Procedures	

12.13 NIMS/ICS PROCEDURES (KACP 19.2 a-cc)

12.13.1 POLICY

In order to comply with Kentucky Revised Statute (KRS) Chapters 39A through 39F, the Louisville Metro Police Department (LMPD) has adopted the Department of Homeland Security (DHS) National Incident Management System (NIMS). NIMS provides a consistent template enabling federal, state, tribal and local governments, the private sector, and nongovernmental organizations to work together to prepare for, prevent, respond to, recover from, and mitigate the effects of incidents regardless of cause, size, location, or complexity. The benefits of using NIMS include providing a unified approach to incident management, standard command and management structures, and emphasis on preparedness, mutual aid, and resource management.

12.13.2 TRAINING AND POLICY REQUIREMENTS

Training and policy requirements include, but are not limited to, the following:

- The Incident Command System (ICS) will be incorporated into all current and future tactical training curriculums.
- All LMPD sergeants will be trained and utilized as safety officers. This training is incorporated into the first-line supervisor's curriculum.
- The ICS will be incorporated into all written tactical policies and plans, including plans for special events.

LMPD members are required to complete the following applicable ICS training courses:

- All sworn officers and all civilians:
 - ICS 100 (available online)
 - ICS 700 (available online)
- All sworn officers and all civilian supervisors:
 - ICS 200 (available online)
- All commanding officers with the rank of lieutenant or above:
 - ICS 300 (classroom only)
 - ICS 400 (classroom only)
 - ICS 800 (available online)

Online courses can be accessed at the following link: <https://training.fema.gov/is/nims.aspx>. Classroom only training is scheduled periodically by the LMPD Training Division as the need arises.

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12.13.3 PROCEDURES

The ICS shall be used for all tactical and emergency responses and pre-planned events. The appropriate Federal Emergency Management Agency (FEMA) NIMS/ICS forms must be completed for the following tactical incidents:

- Specialty team call-outs
- Level ranked incidents—incidents which cannot be controlled with initially available resources:
 - Level 1 - any incident requiring manpower levels of at least half (1/2) of the department's on-duty incident resources (and continues into more than one (1) operational period)
 - Level 2 - any incident that requires the mobilization of both on-duty and off-duty resources
 - Level 3 - any incident which exceeds the capabilities of the department
- Clandestine labs
- Incidents that extend beyond one (1) operational period, as determined by the Incident Commander (IC)
- Pre-planned events
- Any other incident at the IC's discretion

A complete list of the official FEMA NIMS/ICS forms can be found at the following link: <https://training.fema.gov/emiweb/is/icsresource/icsforms.htm>. At a minimum, the incidents listed above require the completion of ICS 201, Incident Briefing form. Additional forms may be required and will be completed at the direction of the IC. Completed forms will be attached to an After-Action Report (LMPD #08-0005) (or an Administrative Incident Report (AIR) for less severe incidents (refer to SOP 3.1)) and forwarded, through the appropriate chain of command, to the Chief's Office for filing. Copies of the forms will also be forwarded to the Professional Standards Unit (PSU) and the Homeland Security Team. After-Action Reports and AIRs will not be substituted for the minimum required ICS forms.

Audits of procedures will be conducted at random by the Homeland Security Team, with emphasis on plans, policy, training, special events, and callouts.

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Chapter: Special Response	
Subject: Canine Unit	

12.14 CANINE UNIT (KACP 17.9)

12.14.1 PURPOSE

The purpose of the Canine Unit is to provide assistance to any member of the Louisville Metro Police Department (LMPD) or other law enforcement agencies in crime situations where canine capabilities are required. The Canine Unit is a support unit to assist officers in performing their duties in a more efficient and effective manner, but mainly to provide them with a safer alternative in some potentially dangerous situations. The canine's natural abilities and training may assist in the location of the following:

- Criminal suspects
- Evidence/Lost Property

12.14.2 UTILIZING CANINE UNIT PERSONNEL

Any officer may request the deployment of a canine team. When requested, canine officers respond to the scene, appraise the situation, and advise the officer in charge as to his/her evaluation of:

- Whether or not the canine can be used.
- How the canine can be used.
- How other officers should be deployed in order to minimize interference with the canine's activities and maximize the security of the scene.

While any commanding officer may negate utilization of the canine, only the canine officer determines how the canine is to be used as it pertains to the safety of the dog and whether or not a backup officer is needed to accompany the team.

12.14.3 AUTHORIZED UTILIZATION OF CANINE PERSONNEL

Canine teams will only be deployed to locate and apprehend suspects who have either committed a felony offense or when there is a reasonable suspicion to believe they have committed a felony offense.

The following is a list of general situations for which the canine could be utilized:

- Building Searches: To search for, and apprehend, if possible, any suspected felony suspect(s) who may be concealed inside of a building.
- Tracking: To search for, and apprehend, if possible, any suspected felony suspect(s) who have fled the scene of a crime.
- Area Scouts: To search for, and apprehend, if possible, any suspected felony suspect(s) who may be concealed in large outdoor areas.
- Patrol Route: To search for, and apprehend, if possible, any suspected felony suspect(s) by walking along suspected hiding areas with the canine on lead and air scenting for the odor of a person.
- Handler Protection: To respond to an attack on the canine's handler.

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12.14.3 AUTHORIZED UTILIZATION OF CANINE PERSONNEL (CONTINUED)

The canine may be used for other reasons to aid in the capture of any suspected felony suspect(s) (e.g. perimeter control for a wanted felony suspect(s)).

With the approval of the canine handler's commanding officer, a canine may also be used, on lead only, to determine the direction of travel of the following:

- Non-felony Criminal Suspect(s): LMPD canines can be used to determine the direction and location of any fleeing, non-felony criminal suspect(s) wanted for any crime. In searching for a non-felony suspect(s), the handler will have physical control of the dog, at all times, by keeping the dog on lead. If the canine team locates the non-felony criminal suspect(s), the assisting patrol officers will be notified of the criminal suspect's location and the patrol officers will make the physical arrest. At no time will the canine be deployed to engage and apprehend any non-felony criminal suspect(s), unless the suspect(s) becomes wanted for a felony after the search begins or attacks the handler during the search.
- Lost or Missing Person(s): In exigent circumstances, a LMPD canine can be used in the search of any lost or missing person(s).

Detector dogs that are trained in patrol shall not be used to conduct searches on people. No canine officer shall use a canine in any way to coerce or intimidate any person. Canine teams will not be used for crowd control, unless authorized by the Chief of Police, or his/her designee.

12.14.4 CANINE USAGE GUIDELINES

The canine officer remains responsible for the dog and retains the authority to determine how and when the dog will be used. Prior to, and during, detector dog searches, officers should do the following, whenever reasonable and practical:

- Keep the canine on a lead when in the presence of other officers and/or civilians
- Announce their presence prior to entering areas to be searched
- Visually check the areas to be searched before entering
- Remove any unnecessary police and/or civilians from the area to be searched

12.14.5 CANINE OFFICER QUALIFICATIONS AND TRAINING

Canine officers will be chosen in compliance with departmental standards and collective bargaining agreements related to the assignment to specialized units. Officers must be physically fit, capable of performing all canine tasks, and able to perform a series of physical standards, as determined by the Canine Unit Commander, in order to be selected, certified, and retained as a canine officer. For canine certification requirements, please see the Canine Unit Operations Manual.

Training for canine officers and their canines is ongoing and conducted weekly, based on standards approved by the Canine Unit Commander.

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Subject: Canine Unit	

12.14.6 CARE OF CANINES

All canine officers are responsible for the health and general care of their assigned canines and will confirm that the canine receives prompt and proper medical attention in the event of an injury or illness. Canine officers are responsible for the following:

- Keeping the canine clean and well groomed at all times.
- Administering all medication to his/her assigned canine, as prescribed by the veterinarian.
- Confirming that their canine, housed at their residence, has proper food, medication, water, and clean facilities. Canines housed at the kennels will be cared for by the kennel keeper or other Canine Unit staff.
- Notifying their supervisor immediately in the event that a canine is lost in order to take action to locate the dog, without delay.

12.14.7 CANINE EQUIPMENT

Each canine officer is responsible for the equipment assigned to him/her. For a list of equipment assigned to each canine officer, please refer the Canine Unit Operations Manual.

12.14.8 TRANSPORTING CANINES IN DEPARTMENTAL VEHICLES

All departmental canine vehicles will have an approved canine insert installed that is safe for the dog and handler. All canines will be placed in the back seat of a departmental vehicle and properly secured until they are put into service. At no time will the canine be placed in the front seat of a departmental vehicle.

Whenever a canine officer leaves his/her vehicle and dog unattended, the officer will lock all doors. The canine officer will use his/her judgment to utilize the cooling or heating system and confirm that the canine has adequate ventilation. The canine will not be left unattended for a lengthy period of time without a break.

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.15
	Effective Date: 12/17/07
	Prv. Rev. Date: 04/08/13
	Revised Date: 04/10/16
Chapter: Special Response	Accreditation Standards: KACP: 19.1, 19.3, 19.6, 19.7
Subject: Emergency Response Plan	

12.15 EMERGENCY RESPONSE PLAN

12.15.1 POLICY

The Chief of Police of the Louisville Metro Police Department (LMPD), or his/her designee, has the ultimate responsibility for planning and coordinating police response procedures to disasters and unusual occurrences (KACP 19.1). The Emergency Response Plan (ERP), using the National Incident Management System (NIMS), is a comprehensive all-hazards plan that provides the structure and mechanism for agency policy and operational coordination for incident management.

Consistent with the model provided in the NIMS, the ERP can be partially or fully implemented in the context of a threat, anticipation of a significant event, or the response to a significant emergency. It is the responsibility of the Homeland Security Team to update this plan annually and revise it in accordance with staff recommendations (KACP 19.3).

The Homeland Security Team is also responsible for the maintenance of all emergency plans, including the Continuity of Operations Plan (COOP).

All tactical training, whether in classroom, field, or tabletop exercises, is based on the ERP and conducted annually (KACP 19.6c, 19.7c). The ERP addresses issues including, but not limited to, the following:

- Natural and man-made disasters
- Civil disturbances
- Emergency mobilization

The ERP, in its entirety, can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Emergency Response Plan" folder.

Members should refer to their respective building's Facility Emergency Plan (FEP) for emergency procedures in the event that they are the victim of a disaster or unusual occurrence in their facility. The FEPs can be found on the LMPD Intranet. Members should click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, double click on the "Evacuation Plans-LMPD" folder, and find the plan for their respective building.

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.16
	Effective Date: 07/10/08 Prv. Rev. Date: 05/25/15 Revised Date: 07/25/16
	Accreditation Standards: KACP: 21.3
Chapter: Special Response	
Subject: Louisville Loop	

12.16 LOUISVILLE LOOP

12.16.1 OVERVIEW

The Louisville Loop consists of approximately 138 miles of on-road and off-road, shared-use paths that extend around the community and allows year-round opportunities for physical fitness. The Louisville Loop offers citizens a chance to improve their health and fitness through outdoor recreation and bicycle commuting. On-street bicycle lanes and sidewalks are connected with the Louisville Loop through various trailheads and access points.

The majority of the Louisville Loop's route is off-road and passes through woodlands and wetlands, near creeks and the Ohio River, as well as other areas not easily accessible by normal patrol coverage.

12.16.2 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) to address security to all parts of the Louisville Loop by the various resources available to the department and to assist other governmental agencies and citizen groups in addressing safety in the trail system. These resources may include, but are not limited to (KACP 21.3):

- Bicycles
- All-terrain vehicles (ATVs)
- Police helicopter
- River Patrol watercraft (wherever possible)
- Community safety training
- Utilizing block watch or trail watch programs

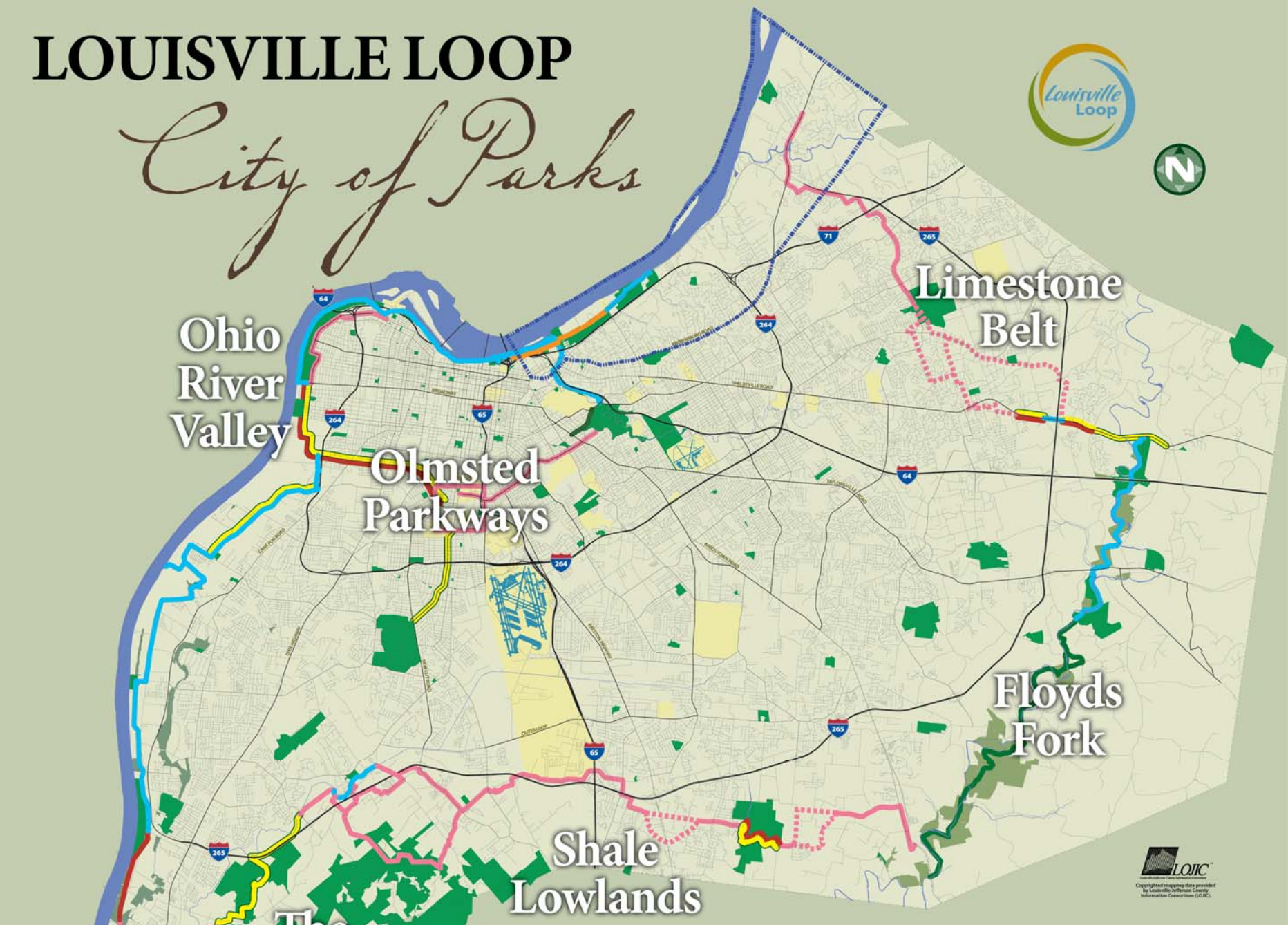
Reports of maintenance or repair issues observed by LMPD members should be reported to the Metro Parks Department, via MetroSafe. Citizens with complaints and maintenance-related reports should be referred to the MetroCall 311 phone line.






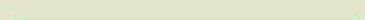
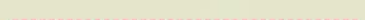
12.16.3 MAP

A map of the existing and planned sections of the Louisville Loop has been attached to this SOP for reference. The map can also be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Louisville Loop" folder. Members can also access the map at the following link: <http://louisvilleky.gov/government/louisville-loop>.

LOUISVILLE LOOP

City of Parks



-  EXISTING • 38.8 MILES (includes Beargrass and Butchertown Greenways)
-  PLANNING COMPLETED • 44 MILES
-  PLANNING UNDERWAY • 10 MILES
-  CONSTRUCTION START 12/14-12/15 • 10.8 MILES
-  DESIGN COMPLETE 12/15 • 24.5 MILES
-  CONSTRUCTION COMPLETE 12/15 • 12 MILES
-  ALTERNATIVE ROUTES

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.17
	Effective Date: 11/09/09 Prv. Rev. Date: 11/10/14 Revised Date: 12/25/15
	Accreditation Standards: KACP: 30.9
Chapter: Special Response	
Subject: Foot Pursuits	

12.17 FOOT PURSUITS (KACP 30.9)

12.17.1 PURPOSE

The purpose of this policy is to provide for the safety of the Louisville Metro Police Department (LMPD) officers and the general public, while facilitating the safe apprehension of a suspect who flees on foot.

12.17.2 POLICY

It is the policy of the LMPD that, should an officer engage in a foot pursuit, the officer will make a continuous risk assessment of the situation. The officer must evaluate the risk involved and decide if continuing the pursuit is justified.

12.17.3 DEFINITION

Foot Pursuit: A situation in which one (1) or more officers, on foot, chase a suspect in an effort to detain, or arrest, that individual who he/she has reasonable suspicion to believe is about to commit, is committing, or has committed a crime and who is resisting apprehension by fleeing from the officer(s).

12.17.4 PROCEDURE

The pursuing officer should consider officer safety factors when determining whether to initiate, or continue, a foot pursuit. These factors may include, but are not limited to:

- Whether the suspect is armed
- The seriousness of the offense
- The likelihood of a successful apprehension
- The availability of assistance/backup
- Environmental factors (e.g. weather conditions or darkness)
- The officer's familiarity with the geographic area of the pursuit
- Whether the officer has a portable radio to communicate with MetroSafe
- The number of suspects involved

The pursuing officer may terminate a foot pursuit, if at any time they believe that continuing the pursuit is unsafe.

The officer shall not continue a foot pursuit if he/she has lost his/her firearm.

In situations where an officer is in his/her vehicle immediately before a foot pursuit is initiated, he/she will make a concerted effort to secure his/her police vehicle before initiating a foot pursuit. At a minimum, the officer will place the vehicle in Park and remove the ignition key. In situations where an officer is out of the vehicle when a foot pursuit is initiated (e.g. a traffic stop where the driver flees), the officer will secure his/her vehicle, if practical.

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<h2>Standard Operating Procedures</h2>	SOP Number: 12.17
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Chapter: Special Response	
Subject: Foot Pursuits	

12.17.4 PROCEDURE (CONTINUED)

Communications Procedure

Once an officer decides to engage in a foot pursuit, the officer shall, as soon as practical, provide the following information by radio:

- The unit number
- The location (must provide updates, as often as practical)
- The direction of travel
- The description and/or name of the suspect
- Whether the suspect is armed
- The offense that the suspect has committed, if known
- A coordination with other officers to establish a perimeter for containment

The failure to provide this information to MetroSafe may result in the termination of the pursuit by a commanding officer.

12.17.5 RESPONSIBILITIES OF ASSISTING OFFICER

Assisting officers will immediately attempt to contain the pursued suspect. The assisting officers will coordinate with the pursuing officer and attempt to establish a perimeter for the containment of the suspect.

12.17.6 RESPONSIBILITIES OF SUPERVISOR

Once notified of a pursuit, the affected officer's supervisor will monitor the pursuit. The supervisor may order the termination of a foot pursuit if he/she establishes that the risks created by continuing the foot pursuit outweigh the necessity for the immediate apprehension of the suspect.

12.17.7 RESPONSIBILITIES OF METROSAFE

MetroSafe is responsible for the following:

- Notifying the immediate commanding officer of the pursuit
- Clearing the channel of unnecessary traffic, providing all relevant information, and activating the emergency tone
- Dispatching immediate backup assistance
- Notifying the Air Unit and/or the Canine Unit, when requested by a commanding officer

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.18
	Effective Date: 07/10/10 Prv. Rev. Date: 04/10/11 Revised Date: 05/23/16
	Accreditation Standards: KACP: 21.3
Chapter: Special Response	
Subject: Bicycle and Electric Standup Vehicle (ESV) Patrol	

12.18 BICYCLE AND ELECTRIC STANDUP VEHICLE (ESV) PATROL (KACP 21.3)

12.18.1 POLICY

The Louisville Metro Police Department (LMPD) will maintain a Bicycle and Electric Standup Vehicle (ESV) Patrol for the purposes of patrolling areas that are not conducive to other patrol vehicles. Bicycles and ESVs are extremely effective for congested urban areas, parks, special events, and other areas not easily accessed or patrolled by other police vehicles. Bicycle and ESV Patrol officers can maneuver quickly and quietly in a large crowd without unnerving people by their presence. The Bicycle and ESV Patrol not only enforces laws, but helps to foster a positive relationship with the community.

The ESV is a three-wheeled, all-electric standup personal mobility vehicle equipped with headlights, red and blue lights, and a siren system. Bicycle and ESV Patrol officers will have the same duties and responsibilities normally assigned to officers on patrol, except for those calls where a response on a bicycle or ESV is unsafe, impractical, or as directed by a commanding officer.

12.18.2 DEPLOYMENT

Bicycle and ESV Patrol officers will perform patrol duties year-round, except in certain conditions. Bicycle and ESV Patrol officers will be mindful of certain conditions that could compromise their health (e.g. extremely cold or extremely hot and humid conditions). Bicycles and ESVs will not be deployed when weather and/or environmental conditions pose an undue hazard to the officer's health and safety, or when a commanding officer determines that conditions are unsafe/hazardous for riding. Such conditions include, but are not limited to:

- Thunderstorms and active lightning in the area
- Severe weather warnings
- Snow, sleet, and/or ice covered streets and sidewalks

In periods of inclement weather, Bicycle and ESV Patrol officers will return their bicycles/ESVs to their division. At that time, officers will receive direction and assignment from an on-duty commanding officer.

12.18.3 OPERATIONAL PROCEDURES

Officers will comply with all applicable laws regarding traffic operations. Officers will perform their duties with due regard for the safety of people and property. Officers will ride in a safe manner consistent with their training.

Departmental bicycles and ESVs will only be operated by certified departmental personnel who have completed approved training or personnel authorized by a commanding officer.

Officers will utilize bicycle/ESV and uniform equipment (e.g. headlight, taillight, helmet, gloves, etc., in addition to hand signals, to promote safety and visibility. The lighting system will be used after dusk when the rider is in any place open to vehicular or pedestrian traffic, except in situations that require a tactical response.

Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.18
	Effective Date: 07/10/10 Prv. Rev. Date: 04/10/11 Revised Date: 05/23/16
	Accreditation Standards: KACP: 21.3
Chapter: Special Response	
Subject: Bicycle and Electric Standup Vehicle (ESV) Patrol	

12.18.3 OPERATIONAL PROCEDURES (CONTINUED)

Bicycle and ESV Patrol officers will not initiate motor vehicle traffic stops or pursuits and will not be used to block traffic.

Bicycles and ESVs will not be used to carry passengers.

When a bicycle or ESV officer makes an arrest while on patrol, he/she may request assistance from a patrol officer to transport the suspect to Louisville Metro Department of Corrections (LMDC). Once this is accomplished, the assisting unit will return to normal patrol. The arresting officer is responsible for completing the arrest citation and/or any applicable paperwork.

12.18.4 UNIFORM

Officers assigned to the Bicycle and ESV Patrol will wear the approved departmental Class E uniform and equipment (refer to SOP 4.7). If Bicycle and ESV Patrol officers are not riding due to inclement weather, injury, or reassignment, the Class E uniform will not be worn.

The wearing of body armor will be in compliance with departmental policy (refer to SOP 4.11).

12.18.5 EQUIPMENT

Officers will wear the following equipment, at all times, when riding departmental bicycles and ESVs (refer to SOP 4.7):

- Departmentally-approved safety helmet
- Departmentally-approved cycling gloves
- Departmentally-approved eye protection
- Departmentally-approved radio

Safety helmets will be replaced according to the manufacturer's recommendations, after impact, or after five (5) years, whichever comes first. Safety helmets will be provided to Bicycle and ESV Patrol officers by the department. Safety helmets will be replaced by the department, when needed.

Departmental bicycles will be equipped with the following:

- White headlight, red taillight, and reflectors (for riding at night or in other dim conditions for visibility)
- Equipment pouch/saddle bag (including relevant arrest/citation forms)

Departmental ESVs will be equipped with the following:

- Two (2) Power Modules
- LED emergency lighting package

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	Effective Date: 07/10/10 Prv. Rev. Date: 04/10/11 Revised Date: 05/23/16
	Accreditation Standards: KACP: 21.3
Chapter: Special Response	
Subject: Bicycle and Electric Standup Vehicle (ESV) Patrol	

12.18.5 EQUIPMENT (CONTINUED)

- Key controlled on/off switch
- Storage pack (including relevant arrest/citation forms)

12.18.6 MAINTENANCE

Officers will inspect bicycles/ESVs and their equipment before each use and report any problems to their immediate supervisor. Officers will keep the bicycles and ESVs in safe operating condition. Bicycles and ESVs will not be used if questions regarding safety exist.

Prior to the beginning of each tour of duty, officers will inspect the following:

- Bicycle/ESV and personal safety equipment (including headlight, taillight, reflectors, helmet, gloves, etc.)
- Chain and gears/sprockets (bicycles)
- Handle bar alignment and seat height (bicycles)
- Wheels and spokes (bicycles)
- Tire condition and inflation
- Brakes
- Battery charge level (ESVs)
- Emergency equipment (ESVs)

Bicycles and ESVs will be kept clean and in good appearance. At the end of each tour of duty, officers will confirm that the bicycle or ESV is clean and free of any dirt, mud, or vegetation. Bicycle and ESV Patrol officers will not expose the bicycle/ESV to unreasonable hazards or abuse, except in situations that pose a threat to the personal safety of any person.

Repairs that are beyond the capabilities of the officer will be completed by an approved vendor. ESVs will be serviced according to the manufacturer's recommendations.

Bicycles and ESVs are considered departmental vehicles and any damage must be reported according to SOP 4.18.

12.18.7 SECURITY/STORAGE

Bicycles and ESVs will be secured whenever the operator is away from them, unless circumstances exist which prevent the officer from doing so (e.g. crime in-progress, assistance, etc.). Bicycles will be secured with a departmentally-approved locking device. ESVs will be secured by turning the key to the locked position and removing the key. Bicycles and ESVs will be kept in a secured area when not in use.

Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.18
	Effective Date: 07/10/10
	Prv. Rev. Date: 04/10/11
	Revised Date: 05/23/16
Chapter: Special Response	Accreditation Standards: KACP: 21.3
Subject: Bicycle and Electric Standup Vehicle (ESV) Patrol	

12.18.8 TRAINING FOR BICYCLE AND ESV PATROL OFFICERS

Officers assigned to the Bicycle and ESV Patrol will be assigned at the discretion of the appropriate division commander. Bicycle officers must complete the LMPD Police Mountain Bike In-Service Training class or the Department of Criminal Justice Training (DOCJT) class and comply with safety equipment requirements (refer to SOP 4.7). ESV officers will complete departmentally-approved training and comply with safety equipment requirements (refer to SOP 4.7).

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.19
	Effective Date: 07/10/10 Prv. Rev. Date: 01/11/15 Revised Date: 02/25/16
	Accreditation Standards: KACP: 21.3
Chapter: Special Response	
Subject: All-Terrain Vehicle Patrol	

12.19 ALL-TERRAIN VEHICLE (ATV) PATROL (KACP 21.3)

12.19.1 POLICY

The Louisville Metro Police Department (LMPD) maintains an All-Terrain Vehicle (ATV) Patrol for the purpose of patrolling off-road areas that are difficult or impossible to reach with other patrol vehicles. ATVs are extremely effective in both urban and rural areas with many varied types of terrain (e.g. parks, the Great Lawn, the Louisville Loop, etc.). ATVs are also effective during special events, where other patrol vehicles have limited access. The ATV Patrol not only enforces laws, but helps to foster a positive relationship with the community.

ATV Patrol officers will have all of the duties and responsibilities normally assigned to officers on routine patrol, except for those calls where a response on an ATV is unsafe, impractical, or those as directed by a commanding officer.

12.19.2 DEPLOYMENT

The deployment, equipping and use of departmental ATVs is handled by the Metro Fleet Services Vehicle Coordinator. ATV Patrol officers will perform patrol duties year-round, as directed, except in certain conditions. ATVs will not be deployed when weather and/or environmental conditions pose an undue hazard to the officer's health and safety.

12.19.3 OPERATIONAL PROCEDURES

Officers shall comply with all applicable laws regarding ATV operations. Officers shall perform their duties with due regard for the safety of people and property. Officers shall ride in a safe manner consistent with their training.

ATVs may only be operated by certified departmental personnel who have completed authorized training or personnel authorized by a commanding officer.

Officers shall utilize ATV and uniform equipment (e.g. lights, gloves, eye protection, helmet, etc.), and hand signals, to promote safety and visibility. The ATV lighting system shall be used after dusk when the rider is in any place open to vehicular or pedestrian traffic, except in situations which require a tactical response.

ATV Patrol officers shall not use the ATVs for traffic stops, pursuits, or Code 3 responses. ATV Patrol officers shall not engage in a pursuit of violators using an ATV to avoid apprehension. This does not prevent operators from using their ATVs to apprehend violators who flee on foot.

ATVs shall not be operated on a limited access highway.

For officer safety reasons, no less than two (2) officers shall patrol on ATVs at any time.

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.19
	Effective Date: 07/10/10
	Prv. Rev. Date: 01/11/15
	Revised Date: 02/25/16
Chapter: Special Response	Accreditation Standards: KACP: 21.3
Subject: All-Terrain Vehicle Patrol	

12.19.3 OPERATIONAL PROCEDURES (CONTINUED)

When an ATV Patrol officer makes an arrest while on patrol, he/she will request assistance from a patrol officer to transport the suspect to the Louisville Metro Department of Corrections (LMDC). Once this is accomplished, the assisting unit will return to normal patrol. The arresting officer is responsible for completing the arrest citation and/or any applicable paperwork. Officers shall not transport arrestees on ATVs.

12.19.4 UNIFORM

Officers assigned to the ATV Patrol will wear the approved departmental uniform and equipment. ATV Patrol officers will wear either the Class B or Class E uniform (refer to SOP 4.4 and SOP 4.7). Both uniforms will be worn with departmentally-approved boots that cover the ankle.

12.19.5 EQUIPMENT

Officers shall wear the following equipment, at all times, when riding ATVs:

- Department of Transportation (DOT)-approved safety helmet
- Departmentally-approved gloves
- Departmentally-approved eye protection
- Departmentally-approved boots that cover the ankle
- Departmentally-approved radio

DOT-approved helmets shall be issued to each individual officer who is trained to use an ATV. The helmets shall only be used by the officer to whom the helmet is issued. Helmets will be replaced by the department according to the DOT or the manufacturer's recommendations or after impact, whichever comes first.

Officers shall only use departmentally-approved ATV equipment. Officers shall not modify or alter an ATV, or its equipment, without prior approval. Additional equipment, or any modifications to equipment, shall be coordinated through the Metro Fleet Services Vehicle Coordinator, in compliance with SOP 4.16.

Departmental ATVs are equipped with the following:

- Decals
- Lights for riding at night, or in other dim conditions, for visibility
- Storage compartments for personal safety equipment and relevant arrest/citation forms
- Red and blue strobe lights
- Siren

12.19.6 MAINTENANCE

Officers will inspect ATVs and equipment before each use, reporting any problems to their immediate supervisor. Officers will keep the ATVs in safe operating condition. ATVs will not be used if questions regarding safety exist.

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.19
	Effective Date: 07/10/10 Prv. Rev. Date: 01/11/15 Revised Date: 02/25/16
	Accreditation Standards: KACP: 21.3
Chapter: Special Response	
Subject: All-Terrain Vehicle Patrol	

12.19.6 MAINTENANCE (CONTINUED)

Prior to the beginning of each tour of duty, officers will inspect the following:

- Tire condition and inflation
- Engine oil and fluid levels
- Brakes
- Loose or missing components
- Emergency equipment
- Personal safety equipment (including lights, helmet, gloves, etc.)

ATVs will be kept clean and in good appearance. At the end of each tour of duty, officers are responsible for verifying that the ATV is clean and free of any dirt, mud, or vegetation and that the appropriate oil and fluid levels are maintained. Officers will not expose the ATV to unreasonable hazards or abuse, except in situations that pose a threat to the personal safety of any person.

Repairs that are beyond the capabilities of an ATV Patrol officer will be inspected by Metro Fleet Services. If repairs exceed the abilities of Metro Fleet Services, they will be completed by an approved vendor, at the direction of the Metro Fleet Services Vehicle Coordinator and in accordance with the manufacturer's recommendations.

For ATVs damaged in the line-of-duty, the officer's commanding officer or a member of the Traffic Unit will complete a Vehicle Damage or Collision Report form (LMPD #03-07-0190), as soon as possible following the incident. The form must be completed and forwarded, through the appropriate chain of command, to the Support Bureau Commander or the Patrol Bureau Commander, no later than the end of the commanding officer's or Traffic Unit member's tour of duty (refer to SOP 7.7).

12.19.7 SECURITY/STORAGE

ATVs will be secured whenever the operator is away from them, unless circumstances exist which prevent the officer from doing so (e.g. crime in-progress, assistance, etc.). ATVs will be secured by locking the storage compartments and removing the key from the ignition. ATVs will be kept in a secured area in their assigned division when not in use.

12.19.8 TRAINING FOR ATV PATROL OFFICERS

Officers assigned to the ATV Patrol will be assigned at the discretion of the appropriate division commander. ATV officers must complete a departmentally-approved ATV operational safety training course and comply with safety equipment requirements (refer to SOP 4.16).

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.20
	Effective Date: 10/08/12 Prv. Rev. Date: 04/25/14 Revised Date: 04/10/16
	Accreditation Standards: KACP: 1.7, 21.4, 30.8
Chapter: Special Response	
Subject: Persons of Diminished Capacity	

12.20 PERSONS OF DIMINISHED CAPACITY

12.20.1 PURPOSE

The purpose of this policy is to provide members with the essential guidelines to effectively deal with persons of diminished capacity in a manner that provides the required professional assistance that these persons may need, along with protecting the community and safeguarding the members involved in the encounter.

12.20.2 POLICY

Within the community, some individuals may present members with different, and often complex, issues. These types of persons, whether from intoxication, suicidal tendencies, medical complications, or mental illness, present members with a wide range of behaviors usually different than those exhibited by other persons in the community or persons involved in criminal activity. Persons of diminished capacity may display conduct that is bizarre, irrational, unpredictable, and/or threatening. They may not receive or comprehend commands or other forms of communication in the manner that the member would expect. These persons often do not respond to authoritative persons or the display of force. It is the primary task of the members of the Louisville Metro Police Department (LMPD) who confront these special needs persons to resolve the encounter in the safest manner possible. LMPD members will refer these types of persons to professional resources, when necessary. It is not the mission of the members to diagnose the root cause for the person's behavior. Every member can expect to encounter these types of special needs persons while performing his/her official duties. Members are expected to control the incident. Proper tactical and intervention techniques can assist in resolving the immediate field implications of the encounter and hasten the intervention by professional resource persons.

12.20.3 DEFINITIONS

Persons of Diminished Capacity: Encompasses all persons encountered in the field who exhibit unusual behaviors commonly referred to as irrational, bizarre, or unpredictable. These outward observable symptoms could be the result of intoxication, drug use, suicidal indication, mental illness/disability, or medical complications.

Mental Illness/Disability: A state of impaired mental processes, which results in a distortion of a person's capacity to recognize reality due to hallucinations, delusions, faulty perceptions, or alteration of mood, and interferes with an individual's ability to reason, understand, or exercise conscious control over his/her actions (refer to SOP 8.42).

Mentally Ill Person: Person with a substantially impaired capacity to use self-control, judgment, or discretion in the conduct of the person's affairs and social relations. This is associated with maladaptive behavior or recognized emotional symptoms where the impaired capacity, maladaptive behavior, or emotional symptom can be related to physiological, psychological, or social factors.

Intellectual Disability: A disability characterized by limitations in intellectual functioning and difficulties in a variety of everyday social and practical skills.

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 12.20
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	Accreditation Standards: KACP: 1.7, 21.4, 30.8
Chapter: Special Response	
Subject: Persons of Diminished Capacity	

12.20.3 DEFINITIONS (CONTINUED)

Developmental Disability: A disability that is manifested before the person reaches 22 years of age, which constitutes a substantial disability to the affected individual and is attributable to mental retardation or related conditions, which include cerebral palsy, down syndrome, fetal alcohol syndrome, spina bifida, epilepsy, autism, or other neurological conditions, when such conditions result in an impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation.

Intellectual and Developmental Disability (IDD): A combination of an intellectual and developmental disability where a person's intellectual functioning is significantly below average (IQ is 70 or below) and his/her behavior does not meet the level of personal independence and social responsibility expected of the person's age and culture.

Professional Resources: Sources available to the department, such as mental health professionals, emergency medical facilities, social service organizations, and detoxification centers.

Voluntary and Involuntary Commitments: Provisions within the state statutes which the department can use for the civil commitment of persons requiring professional psychological intervention.

12.20.4 FIELD CONTROL TACTICS

The ultimate mission of law enforcement when encountering a person of diminished capacity is to control the encounter and then determine the best course of action for the person. Individuals with diminished capacity may have limited reasoning and the inability to effectively communicate their thoughts. If an individual exhibits incoherent or irrational thoughts or actions, a Crisis Intervention Team (CIT) officer will be dispatched. CIT officers have the training to effectively assist individuals with a diminished capacity (refer to SOP 12.11).

This response can be segmented into four (4) distinct tactical responses: containment, coordination, communication, and time.

Containment

Before any reasonable control and defusing techniques can be used, the subject must be contained. Two (2) officers will be dispatched to an incident involving a person of diminished capacity. If possible, one (1) of these officers should be a CIT member. Should a member find himself/herself in a situation with such a person, the member should request backup before attempting to intervene.

Responding officers should avoid the use of emergency lights and siren when responding to this type of call for service, as this may agitate the subject.

The officers should devise a plan that separates the subject from other civilians. This containment should respect the comfort zone of the subject in order to reduce any unnecessary agitation. Officers should convince the subject that he/she does not have to move. Officers should continuously evaluate this comfort zone and not compress it, unless absolutely necessary. It is important for officers to verify that onlookers and family members are not in a position to become involved, either verbally or physically.

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12.20.4 FIELD CONTROL TACTICS (CONTINUED)

Effective containment reduces the elements of agitation, such as large groupings of officers/persons, emergency vehicle equipment, loud police radio transmissions, and multiple persons directing communication to the subject. Containment is meant to reduce outside influences and sources of agitation. Officers should also move slowly when dealing with persons of diminished capacity.

Officers should utilize all available tactics to de-escalate the situation, whenever possible. However, if an officer is faced with a dynamic and violent situation which poses a threat to the officer or other persons, then officers should utilize their law enforcement control tactics (refer to SOP 9.1) to gain control.

Coordination

Coordination is essential for control of the encounter and is the foundation for the development of an effective plan and the use of personnel and resources. One (1) officer at the scene should be designated or assume the position of being the Incident Commander (IC). Depending on the circumstances, this may or may not be the most senior officer. If possible, it should be a CIT officer. Officers should limit observable indications of force. If firearms are drawn, they should be maintained in the low ready position and not displayed by officers who are attempting to communicate with the subject.

The IC should designate an officer to gather intelligence regarding the subject being encountered. This type of information may come from persons at the scene, neighbors, or family. This information may become important in determining the further tactical approaches to the subject and the most appropriate form of referral. The lead officer is responsible for determining what resources should be requested, including additional police personnel, supervisory personnel, specialized equipment, professional resources, and staged medical personnel.

When warranted, the IC will designate the location for a command post and staging area. This should be out of sight of the location of the subject.

Communication

Communication with the person of diminished capacity should be planned and controlled. Prior to engaging the subject in communication, the initial responding officer should await the arrival of a secondary officer. When dealing with edged weapons, officers should, where possible, maintain a zone of safety which allows for reaction should the subject decide to attack.

One (1) officer should be designated as the command voice and the other officer(s) should refrain from becoming involved in the communications. If possible, a CIT officer should be the command voice.

Verbal communication should be non-threatening. Whenever possible, use open-ended questions designed to engage the subject. If the subject does not respond, officers should use other communication techniques. It may be necessary to change the person designated as the command voice. Sharp, authoritative commands should be avoided. Officers should use calming communicative attempts.

Evidence has shown that threats of arrest and/or use of force are not productive when dealing with persons of diminished capacity. Reassure the subject that the police are there to help them. Be truthful at all times.

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12.20.4 FIELD CONTROL TACTICS (CONTINUED)

Officers must constantly analyze what effect, if any, their efforts are having on the subject. This is essential to identify areas that appear to agitate the subject and should then be avoided.

Normally, family members should not be used in an attempt to establish communications. This frequently escalates the situation.

Time

Time is the concept of lengthening the encounter, rather than hastening it. History has shown that the longer the encounter is allowed to occur, the better the chance for a successful and safe resolution. Patience is important in these situations. Increasing the time of the encounter and using defusing techniques allows the subject to reflect upon his/her predicament.

Creating time also allows for the field units to be supported by the deployment of additional police personnel, specialized equipment, and medical support personnel. Time promotes the ability to communicate and create a relationship between the subject and the command voice.

12.20.5 COMMITMENT PROCEDURES

The primary purpose for police response to an incident involving a person of diminished capacity is to control the situation and verify that the person receives the most appropriate form of assistance through professional resources. In determining the most appropriate form of professional resource and referral, officers should consider the information provided by the professional resource personnel and family members.

It is important for the officers on the scene to determine what, if any, ongoing threat potential the subject poses to himself/herself, family, the community, and the officers. This threat potential may necessitate an involuntary commitment procedure rather than simply leaving the subject with the family and having them seek a voluntary commitment. Officers should consider the use of local crisis intervention personnel, if available, when making this commitment decision.

Any officer, who has reasonable grounds to believe that the individual is mentally ill and presents a danger, or threat of danger, to himself/herself, family, or others, if not restrained, will take the individual into custody. The officer will transport the subject, without unnecessary delay, to a hospital or designated psychiatric facility and provide written documentation to the facility regarding the behavior that led the officer to take the subject into custody. Officers will not use the Louisville Metro Department of Corrections (LMDC) as a holding facility for meeting the criteria of this policy unless the person also has criminal charges pending. No officer will place criminal charges against a person who is mentally ill and in need of hospitalization for the purpose of avoiding transporting the person to an appropriate medical or psychiatric facility.

12.20.6 USE OF RESTRAINTS

The ultimate mission is to safeguard the interests of the subject and transporting officers. Persons of diminished capacity present officers with conflicting considerations in determining the best means for restraint and

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12.20.6 USE OF RESTRAINTS (CONTINUED)

transportation. The nature of the diminished capacity will be considered before restraint and/or transport. If the measure of restraint may cause undue harm to the individual, alternative measures should be considered/employed (KACP 30.8). If the nature of the diminished capacity prevents the use of seatbelts or a vehicle with a safety barrier for transportation, the officer will request his/her supervisor's assistance with arranging alternative transportation (KACP 1.7f, 21.4). In some cases, an ambulance may be required. Officers will only use those restraints for which they have received training (refer to SOP 10.5).

12.20.7 REPORTING REQUIREMENTS

Officers will prepare all required reports, whether the subject of the call is arrested, committed, or released (refer to SOP 12.11). This can provide valuable information for future contacts.

12.20.8 INTERVIEW AND INTERROGATION

Refer to SOP 8.25 for procedures related to interviews and interrogations of persons of diminished capacity.

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Subject: Excited Delirium	

12.21 EXCITED DELIRIUM

12.21.1 PURPOSE

Members periodically come into contact with individuals in extreme distress. Some of these individuals are at-risk of death and require proper medical care. The purpose of this policy is to provide members with the information that will allow them to:

- Identify subjects who are in extreme distress and may be at-risk of sudden death during restraint encounters.
- Manage the situation in a manner that minimizes the risks of danger to all persons involved.
- Facilitate medical care for the individual as soon as practical.

The Louisville Metro Police Department (LMPD) recognizes and respects the integrity and value of human life. As a result, the LMPD is fully committed to protect the safety of its members and others, including individuals at-risk for excited delirium. LMPD members will do this in a manner that provides the required professional assistance that persons with excited delirium may need.

12.21.2 DEFINITIONS

Excited Delirium: State of extreme mental and physiological excitement, characterized by extreme agitation, hyperthermia, hostility, and exceptional strength and endurance without fatigue. Causes include, but are not limited to, drug use, hypoxia, hypoglycemia, stroke, or intracranial bleeding.

Hypoxia: An inadequacy in the oxygen reaching the body's tissues.

Hyperthermia: Unusually high body temperature.

Hypoglycemia: Lower than normal level of blood glucose.

Positional Asphyxia: Occurs when the position of the body interferes with normal breathing. The inability to breathe creates a lack of oxygen in the body which may result in unconsciousness or suffocation. The inability to breathe properly may result from the body's position interfering with the muscular or mechanical function of breathing, from compromise or blocking of the airway, or from some combination of the following:

- The body position most likely to contribute to positional asphyxia is that of being "hog-tied" (handcuffed behind the back, feet bound and raised towards hands, and placed face down). However, positional asphyxia may occur even though the subject is not restrained in this manner.
- Additional factors that may contribute to positional asphyxia include:
 - The mental condition of the subject.
 - The presence of cocaine or other stimulating substances in the subject's system.
 - The anatomy of a subject.

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12.21.3 SYMPTOMS OF EXCITED DELIRIUM

Excited delirium is the result of a serious and potentially life-threatening medical condition. The person can appear normal until he/she is questioned, challenged, or confronted. Further confrontation, threats, and use of force will almost certainly result in further aggression and even violence. Attempting to restrain and control these individuals can be difficult because they frequently possess unusual strength, pain insensitivity, and instinctive resistance to any use of force.

Factors that may contribute to excited delirium include:

- Intoxication (alcohol or other)
- Drug use (especially cocaine)
- Obesity
- Delirium (mental illness including psychosis and schizophrenia and/or drugs)

Because at-risk individuals could potentially die without proper medical attention, it is important for officers to recognize subjects who may be in extreme distress. The following signs may be exhibited:

Physical

- Profuse sweating
- Hyperthermia or high body temperature
- Skin discoloration
- Foaming at the mouth
- Drooling
- Dilated pupils
- Uncontrollable shaking
- Respiratory distress (indications of breathing difficulties before, during, or after being restrained, says "I can't breathe")
- Evidence of self-inflicted injuries

Behavioral

- Intense paranoia
- Demonstrates extreme agitation or excitement
- Violent or bizarre behavior
- Running wildly (e.g. into traffic)
- Pressured, loud, incoherent speech (irrational speech)
- Psychotic in appearance
- Rapid changes in emotions (e.g. cry, laugh)
- Disoriented about time, place, or his/her identity (confusion)
- Superhuman strength
- Muscle rigidity (may not be resisting)
- Hallucinating
- Delusional screaming for no apparent reason
- Aggression toward inanimate objects, such as glass

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12.21.3 SYMPTOMS OF EXCITED DELIRIUM (CONTINUED)

- Naked or partially disrobed
- Resists violently during capture, control, and restraint
- Diminished sense of pain (e.g. Oleoresin Capsicum (OC) spray or baton strikes are ineffective)
- Lack of focus; easily distracted (unable to follow simple directions or orders)
- Gravitation toward “shiny” objects
- Delusions of grandeur (e.g. “I am God”)
- Frightened/panicky

12.21.4 PROCEDURES

Once it is determined that a subject may be at risk, the incident will be managed as a medical emergency, in addition to whatever law enforcement response may be required under the circumstances, including the use of reasonable force (KACP 1.3a). MetroSafe will be contacted to let them know that Louisville Metro Emergency Medical Services (LMEMS) Advanced Life Support (ALS) personnel are needed at the scene.

Officers will utilize the following response(s) when dealing with an excited delirium subject:

- Request additional officers for containment. If the subject appears unarmed and does not appear to pose an immediate threat to the physical safety of officers, other persons, or himself/herself or pose an immediate threat to escape, officers will contain the subject while maintaining a safe distance. The objective is to gain the person’s voluntary cooperation.
- Utilize contact/cover tactics – Only one (1) officer should engage the person in conversation. The officer should project calmness and confidence and speak in a conversational, non-confrontational manner. Whenever possible, determine if the person can answer simple questions, which will give the officer an idea of the level of coherence of the person. Officers should turn down their radios.
- Avoid prolong struggle/fight – If the person is non-compliant with verbal directions, utilize the appropriate level of force to quickly control the subject and transfer him/her to LMEMS.
- Consider all use of force options. If the subject is armed, combative, or otherwise poses an immediate threat to the physical safety of officers, other persons, or himself/herself, officers will employ the amount of force that is reasonable and necessary to protect themselves and others at the scene and to take the person into custody (KACP 1.3a). To practical extents, efforts should be made to minimize the intensity and duration of the subject’s resistance and to avoid engaging in a potentially prolonged struggle.
- Multi-officer take down (e.g. one (1) officer per extremity and one (1) controlling the head/neck) may be the best empty-hand control technique. Officers assigned for each limb has been found to be effective for the purpose of control during the restraint process. The officer assigned to protect the head, during the restraint process, should speak calmly to the subject in an effort to reduce agitation.
- Persons suffering from excited delirium may be unaffected by pain compliance techniques (e.g. less-lethal rounds, batons, OC, drive-stun) since the subject is often impervious to pain. Officers should tell LMEMS what force, if any, was applied and the level/intensity of resistance by the subject.
- Conducted Electrical Weapon (CEW) deployment (neuro-muscular incapacitation) may be the best intermediary force option. When using a CEW in the probe mode to accomplish restraint, if possible, use a single deployment coupled with immediate restraint to decrease the likelihood of a drawn out confrontation, which may further diminish the subject’s respiration levels. Drive-stun mode should not be used as it only causes pain and will not incapacitate the subject.

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12.21.4 PROCEDURES (CONTINUED)

- Once in custody, roll the person on his/her side or back to facilitate breathing and allow LMEMS personnel to provide medical attention. Do not leave the subject in control restraints, lying on his/her back, or stomach. Also, do not position the subject leaning forward in a sitting position with hands and legs restrained together. Either of these positions can contribute to obstruction of the airway, resulting in positional asphyxia. Do not put weight on a subject's back, such as with your knee, for a prolonged period of time, as this adds stress to the respiratory muscles and inhibits movement of the diaphragm and rib cage.
- Continue verbal de-escalation/calming techniques.

The subject should be monitored while awaiting transportation. Monitor the subject by watching the three (3) ABCs: airway, breathing, and circulation:

- Airway – path is free of obstruction and allows the flow of air to the lungs
- Breathing – air flows to, and from, the lungs
- Circulation – heartbeat and pulse are present

If an arrest is appropriate, the arrest process will be completed upon the prisoner's release from the medical facility. If LMEMS is to transport the subject to a medical facility, officers will maintain custody of the prisoner. If the prisoner is to be admitted to a healthcare facility, the officer will notify his/her commanding officer to see if a rotation of officers is needed to guard the prisoner.

12.21.5 REPORTING REQUIREMENTS

Officers will prepare all required reports, whether the subject of the call is arrested, committed, or released.

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Subject: Active Aggressor Incidents	

12.22 ACTIVE AGGRESSOR INCIDENTS

12.22.1 PURPOSE

The purpose of this policy is to provide the LMPD with guidelines and procedures for responding to active aggressor incidents in an effective and efficient manner.

12.22.2 POLICY

It is the policy of the LMPD to respond to, and intervene in, an active aggressor incident in order to neutralize the threat(s) in a manner intended to protect and rescue victims and to apprehend the suspect(s). The department recognizes that the active aggressor(s) needs to be stopped immediately to prevent any loss of life. Officers are permitted to use lethal force in self-defense or in the defense of others, in accordance with Kentucky Revised Statutes (KRSs) and the Use of Force policy (refer to SOP 9.1).

All LMPD officers will be trained in tactical active aggressor response. Active aggressor training will be provided for all civilian members.

12.22.3 DEFINITIONS

Active Aggressor: An armed perpetrator who intends to use, or has used, deadly physical force on other persons while having unrestricted access to additional victims.

Hot Zone: The area of greatest threat.

Warm Zone: The area with a reduced threat level (i.e. area that has been cleared, but is not secure).

Cold Zone: The area(s) away from the threat (i.e. safe area).

Contact Team: A team of officers, preferably with ballistic vests and helmets, with a designated team leader, whose sole purpose is to enter the hot zone and stop the aggression. They are responsible for reporting areas that are clear, but not secure, to the Incident Commander (IC).

Rescue Task Force (RTF): A team or teams, comprised of the Louisville Metro Police Department (LMPD), Louisville Fire Department (LFD), Jefferson County Suburban Fire (depending on the authority having jurisdiction), Louisville Metro Emergency Medical Services (LMEMS), or any combination thereof, deployed by the IC, or his/her designee, to provide point of wound care to victims during an ongoing active aggressor incident. These personnel will treat, stabilize, and remove the injured while under the protection of their LMPD counterparts.

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12.22.4 INITIAL RESPONSE

The LMPD's strategy for active aggressors will be to initiate, and manage, an immediate tactical response to stabilize, or neutralize, an imminent threat of death or bodily harm. Initial responding officers have the authority to take immediate action to eliminate the threat, either through containment, isolation, arrest, or deadly force.

MetroSafe will advise all LMPD radio channels of the active aggressor. All officers from adjoining divisions are authorized to respond to the active aggressor call. MetroSafe will be contacted to page the Special Weapons and Tactics (SWAT) Team in the event that the location is to be searched, if more than one (1) report of shots fired is taken and/or an active shooter/aggressor incident is confirmed. A rapid assessment shall be made, upon arrival, and communicated to MetroSafe. Officers should gather information from individuals who are already outside of the affected location. Pertinent information includes:

- The number of suspect(s), including descriptions and names, if known.
- The location of suspect(s).
- The type and number of weapons.
- Any sniper activity.
- Any explosive devices.
- Any injured or deceased persons (KACP 19.2z).

The first responding officer, regardless of rank, must make an immediate evaluation of the threat to life and available resources. The officer must take intervening actions as soon as reasonably possible in order to protect human life, to rescue victim(s), and to apprehend the suspect(s).

The first responding officers should form a contact team. A contact team consisting of four (4) officers is preferred, if possible. While it is preferred to have a team of four (4) officers, circumstances may require entry with a smaller number of officers. If circumstances dictate, immediate initial entry may be made by the first responding officer or with any number of officers. Pursuit of the active aggressor should be made as expediently as possible (KACP 19.2a). Responsibilities of contact teams include:

- Designating a team leader (SWAT Team member, if available). The team leader will have communication responsibility.
- Notifying MetroSafe of the number of team members, car/code numbers of team members, and requesting a detail channel.
- Utilizing equipment such as body armor (highly recommended), handgun, radio, flashlight, and clearly visible identification for plainclothes officers or responding off-duty officers (e.g. POLICE shirt or jacket, wristband). Additional recommended equipment may include ballistic helmet (if available) and rifle (if qualified).
- Determining if any law enforcement personnel are between the active aggressor and the team (e.g. School Resource Officers (SROs) or facility security officers).
- Making contact with the active aggressor as soon as possible and stopping the active aggressor by arrest, containment, or use of deadly force, in accordance with KRS and LMPD policy (refer to SOP 9.1). Target identification is essential.
- Relaying pertinent information to MetroSafe or the IC, if feasible. Pertinent information may include:
 - The location of the team.
 - The location of the threat.

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12.22.4 INITIAL RESPONSE (CONTINUED)

- Any contact with the threat.
- The number and type of weapons involved, if known.
- The location of suspected explosive devices.
- The locations of any known injured (KACP 19.2z).
- Which areas can be locked down and possibly evacuated.

It should be noted that assistance to victims may not be immediately possible if the suspect has not been contained. Preventing the active aggressor from committing further acts of harm to human life is the primary concern of the initial entry teams.

More contact teams may be formed if there are multiple active aggressors, multiple floors in a large building, or attached buildings with interior access.

12.22.5 INCIDENT COMMANDER (IC)

The first officer on the scene, who is not part of a team, will be the IC until relieved by a higher authority. The IC will coordinate the following:

- Establishing a command post in a safe location (cold zone) (KACP 19.2m).
- Determining the need for additional teams.
- Deploying the RTF teams into the warm zone to treat the injured and minimize the loss of life. This will be accomplished by:
 - Sending a supervisor to meet with the appropriate fire department at their command post in order to begin coordinating the RTF teams.
 - Sending later-arriving officers to the fire command post to be on the RTF teams.
 - Deploying three (3) officers with each RTF team.
 - Verifying that one (1) officer always stays with the RTF team in case another threat arises in the warm zone.
- Identifying a safe area in the cold zone where the Incident Command Post (ICP) and other equipment can be staged.
- Verifying that the Active Aggressor Notification List has been activated by MetroSafe (KACP 19.2h).
- Establishing an evacuation area for non-injured victims, with the assistance of the location officials, and assigning a security group supervisor.
- Identifying and securing any persons who can supply pertinent information concerning the incident.
- Establishing a Joint Information Center (JIC) to control the release of information to the public (refer to SOP 3.3) (KACP 19.2w).
- Assisting the business, school, or other entity with establishing a Family Assistance Center in order to provide a place for family members of victims to gather away from the incident, the media, and the public.

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12.22.6 BARRICADED AGGRESSOR

At any point, if the active aggressor becomes contained, isolated, barricaded, or ceases aggressive behavior, the situation will transition into a traditional tactical response. The SWAT Team will relieve the contact team. The Hostage Negotiating Team (HNT) will be utilized to attempt to affect the surrender of the suspect. Members will refer to the Hostage/Barricaded Subject policy (SOP 12.3).

12.22.7 AFTER-ACTION REPORT (KACP 19.2cc)

The IC will prepare an After-Action Report (LMPD #08-0005) following the guidelines in the Emergency Response Plan (ERP) Incident Levels chapter; subsection V, After-Action Reports. Any post-incident debriefing will include the officials of the facility.

12.22.8 EMERGENCY RESPONSE PLAN

Refer to the ERP Active Aggressor Response chapter for more detailed information and instructions.

The ERP, in its entirety, can be found on the LMPD Intranet. Click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" link, and double click on the "Emergency Response Plan" folder.

Members should refer to their respective building's Facility Emergency Plan (FEP) for emergency procedures in the event that they are the victim of an active aggressor in their facility. The FEPs can be found on the LMPD Intranet. Members should click on the "Research and Development" link under the "LMPD Info" header, click on the "Other Information" Link, double click on the "Evacuation Plans-LMPD" folder, and find the plan for their respective building (refer to SOP 4.18).

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Chapter: Special Response	Accreditation Standards:
Subject: Kentucky Community Crisis Response Board (KCCRB)	

12.23 KENTUCKY COMMUNITY CRISIS RESPONSE BOARD (KCCRB)

12.23.1 PURPOSE

The Kentucky Community Crisis Response Board (KCCRB) is a state resource that provides an organized, rapid, and effective crisis intervention response in the aftermath of a crisis or disaster. The KCCRB recruits, trains, credentials, and maintains a team of professionals and paraprofessionals, in a variety of disciplines, who provide crisis intervention response services statewide. The KCCRB offers its services to first responders, survivors and family members, school faculty/staff/children, shelter occupants and volunteers, business/industry, and community agencies and organizations.

12.23.2 RESPONSE

Events that may warrant a KCCRB response include, but are not limited to, the following:

- Natural disasters:
 - Fire
 - Tornado
 - Flood
 - Earthquake
 - Ice storm
- Industrial accident, death, or shooting
- Line-of-Duty Death (LODD)
- School accident, death, or shooting
- Multi-casualty incident
- Terrorism
- Violent or hostage situations
- Homicides (refer to SOP 12.23.4)

The KCCRB provides free services including, but not limited to, the following:

- On-scene support:
 - Liaison with incident command and family/victims/community
 - Stress management
- Risk assessment
- Peer support
- Psychological First Aid
- Multi-component crisis intervention
- Consultation

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12.23.3 ACTIVATION

A commanding officer with the rank of major or above, or his/her designee, may activate the KCCRB in any of the previously listed situations. The commanding officer, or his/her designee, will contact MetroSafe and have them request a KCCRB response by calling (888) 522-7228. If MetroSafe is unable to get in touch with the KCCRB using the aforementioned number, they can contact the State Emergency Operations Center (EOC) Duty Officer. The following information will be provided by the designee from the LMPD to the KCCRB Assessment Team upon contact:

- The number of citizens involved.
- The number of first responders involved.
- The geographical area that has been impacted.
- The number of injuries and/or fatalities.
- The name(s) of any other responding agencies/organizations.
- The point of contact for the KCCRB team.

The KCCRB staff will communicate with MetroSafe to obtain detailed information and collaboratively develop a strategic plan to meet the needs of the specific incident. The KCCRB staff will then contact the Kentucky Community Crisis Response Team (KCCRT) Regional Team Coordinator and authorize the deployment of a response team to provide identified services.

12.23.4 JEFFERSON COUNTY PUBLIC SCHOOLS (JCPS) NOTIFICATION

When officers respond to an incident that may impact the behavior of a school-aged child in the JCPS system, it is the intent of this policy to let JCPS officials know. When school-aged children are either involved in, or a witness to, one (1) of the incidents below, a commanding officer, or his/her designee, will forward pertinent information to the Support Bureau Adjutant Lieutenant or the Patrol Bureau Adjutant Lieutenant, via the LMPD Child Violence Notification email group, located within the department's email distribution list.

- Homicides (the Major Crimes Division Commander, or his/her designee, will notify the KCCRB and the affected patrol division commander)
- Traumatic traffic crashes
- Domestic/dating violence and abuse
- Suicides
- Overdoses

The pertinent information will include:

- A brief synopsis of the incident.
- The name(s) of any school-aged children involved.
- The date(s) of birth (DOB) of any school-aged children involved.

The Adjutant Lieutenant will forward this information, via email, to Louisville Metro's Community Services and Revitalization (CSR) agency, with a copy to the Assistant Director of the CSR and the Director for Safe and Healthy Neighborhoods.

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Chapter: Special Response	Accreditation Standards:
Subject: Noise Ordinance	

12.24 NOISE ORDINANCE

12.24.1 POLICY

The Louisville Metro Police Department (LMPD) will respond to calls and issue citations for violations of Louisville Metro Code of Ordinances (LMCO) Chapter 99. Pursuant to this ordinance, "It shall be unlawful for any person within Louisville Metro to make, continue or cause to be made or continued, any unreasonably loud, harsh, or excessive noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others, unless the making and continuing of the noise is necessary for the protection or preservation of property or the life, health, or safety of a person or persons."

12.24.2 DEFINITIONS

Noise: The intensity, frequency, duration, and character of sound(s) from a source or sources.

Unreasonably Loud, Harsh or Excessive Noise: Any manufactured noise plainly audible at a distance of 50 feet from its point of origination or emanation.

Plainly Audible: Capable of being distinctly heard by a person with normal hearing.

Unreasonable Period of Time: A period of time in excess of that necessary to accomplish:

- A danger warning with a horn or other audible signaling device; or
- The preservation or protection of property or the life, safety, or welfare of a person or persons by use of an audible signaling device.

12.24.3 TYPES OF VIOLATIONS

The following acts are considered to be unreasonably loud, harsh, or excessive noises in violation of the noise ordinance:

- The sounding of any horn or other audible signaling device on any automobile, motorcycle, or other vehicle on any right-of-way, parking lot, or other public place for an unreasonable period of time, except as a danger warning.
- The use or operation of any radio, stereo, or other machine or device for the producing, reproducing, or amplification of sound in any vehicle in such a manner as to create an unreasonably loud, harsh, or excessive noise that disturbs the peace, quiet, or comfort of others.
- The use or operation of, or allowing the use or operation of, any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such a manner as to create an unreasonably loud, harsh, or excessive noise which disturbs the peace, quiet, and comfort of others by creating, or allowing, a louder volume than what is necessary for the convenient hearing of the person or persons who are voluntarily in the room, chamber, or vehicle in which any above described machine, device, or musical instrument is located.

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12.24.3 TYPES OF VIOLATIONS (CONTINUED)

- The use or operation of any vehicle in such manner as to produce any unreasonably loud, harsh, or excessive noise or to discharge into the open air the exhaust of any vehicle, except through a muffler or other device which will effectively prevent any unreasonably loud, harsh, or excessive noises.
- The creation of any unreasonably loud, harsh, or excessive noise in connection with the loading or unloading of any vehicle or by the operation of any such vehicle.
- The use of any mechanical loud speaker, amplifier, sound system, stereo, or radio on any moving or standing vehicle for advertising, entertainment, or any other purpose, in such a manner as to create an unreasonably loud, harsh, or excessive noise.

The standards which are used to consider if any of these violations have occurred include, but are not limited to, the following:

- The volume of the noise
- The intensity of the noise
- The volume and intensity of background noise
- The proximity of the noise to a residential area, place of public accommodation (e.g. hotel, motel, inn, campground, etc.), healthcare facility, church, or school
- The nature and zoning of the area within which the noise emanates
- The density of inhabitation of the area within which the noise emanates.
- The time of day or night that the noise occurs
- The duration of the noise
- Whether the noise is recurrent, intermittent, or constant

12.24.4 EXEMPTIONS

The following uses and activities are exempt from the noise ordinance:

- Noises originating or emanating from safety signals, warning devices, and emergency pressure relief valves.
- Noises resulting from any authorized emergency vehicle or law enforcement training facilities.
- Noises resulting from construction or demolition activities, provided such activities take place between 0700 and 2100 hours.
- Noises relating to the use of farm machinery for agricultural purposes in farming operations.
- Noises relating to the use of lawn mowers or other machinery for landscaping purposes between 0700 and 2100 hours.
- Noises originating or emanating from public recreational facilities, such as, but not limited to:
 - Fairgrounds
 - Sports arenas
 - Sports stadiums
 - Amusement parks

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12.24.4 EXEMPTIONS (CONTINUED)

- Racetracks
- Other public amusement establishments

- The operation of any aircraft in conformity with, or pursuant to, federal law, federal air regulations, and/or air traffic control instructions.
- Noises resulting from any and all transportation, flood control, utility company maintenance, and construction operations at any time on right-of-ways and noises from situations which may occur on private real property, including parking lots, deemed necessary to serve the best interest of the public and to protect the public's health and well being. These operations include, but are not limited to:
 - Street or hard surface sweeping or cleaning
 - Debris and limb removal
 - The removal of downed wires
 - Restoring electrical services
 - Repairing traffic signals
 - Unplugging sewers
 - Snow removal
 - House moving
 - Vacuuming catch-basins
 - The removal of damaged poles and vehicles
 - The repair of water hydrants and mains, gas lines, oil lines, or sewers

- Noises from activities conducted on public parks or playgrounds and public or private school grounds, including, but not limited to, school athletic and school entertainment events.
- Noises from activities conducted on property owned or operated by civic, charitable, or religious organizations, including, but not limited to, neighborhood or church festivals and entertainment events.
- Noises from activities at parades and public assemblies, provided that a valid permit has been obtained from Metro Government.
- Noises from activities at fireworks displays, provided that all of the necessary permits have been obtained.
- Noises from activities conducted on rights-of-way of the Metro Government, including, but not limited to, festivals and entertainment events, provided that all of the necessary permits have been obtained.
- Noises relating to the collection of refuse between 0600 and 2200 hours.

Animal complaints, such as loud barking, are not a violation of the noise ordinance and should be referred to Louisville Metro Animal Services (LMAS).

12.24.5 CITATIONS

Noise ordinance violations are civil violations. Officers citing an individual for a violation of LMCO Chapter 99 will complete a handwritten hardcopy Kentucky Uniform Citation in lieu of an eCitation. Therefore, if an officer is citing or arresting an individual for criminal offenses in addition to the noise ordinance violation, then he/she

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12.24.5 CITATIONS (CONTINUED)

must complete a separate paper citation for the noise ordinance violation. Failure to do so will result in the dismissal of the noise ordinance violation. **The use of an electronic citation (eCitation) for noise ordinance violations is prohibited.**

When issuing a citation for a noise ordinance violation, an officer will:

- Not include the noise ordinance violation on the same citation with other violations.
- Leave the Violation Code block blank.
- Write "LMCO 99" in the Statute/Ordinance block.
- Write "Noise Ordinance" or abbreviate "NO" in the Charge block.
- Verify that the most appropriate of the following listed descriptions is written in the Probable Cause Narrative section:
 - 87058 Noise Ordinance (Non-Vehicle Noise)
 - 88057 Noise Pollution Ordinance
 - 88133 Noise Ordinance (Noise from Vehicle)
- Verify that the description of the offense (written in the Post-Arrest Complaint section) includes the necessary elements as outlined in LMCO Chapter 99. Specific information regarding the incident is required to support a violation of this ordinance.
- Leave the Court Date, Court Time, and Court Location blocks blank.
- Write "NO" for noise ordinance in the Type block below the Control Number.
- Provide the violator with a copy of the Noise Ordinance Citation Instruction Sheet for Violators and the pink copy of the Kentucky Uniform Citation.

The officer shall forward the blue copy of the citation to his/her commanding officer by the end of the officer's tour of duty. If the officer is off-duty, the citation will be forwarded by the end of his/her next tour of duty. If the blue copy is illegible, officers will photocopy the original and attach the photocopy to the blue copy prior to forwarding. Commanding officers, or their designees, are responsible for forwarding citations to the Data Integrity Unit within seven (7) days of the issue date of the citation, for entry into the Records Management System (RMS) and court processing. Courts will not accept late citations. Any citations forwarded after seven (7) days require a memorandum from the officer to the Assistant Chief of Police/Administrative Bureau explaining the reason for the delay.

Divisions/sections/units will forward all completed citations for violations of LMCO Chapter 99 to the Louisville Metro Department of Codes & Regulations, Code Enforcement Board, located at 444 South 5th Street, Suite #200 by the end of the officer's tour of duty. If the officer is off-duty, the citation will be forwarded by the end of their next tour of duty.

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12.25 THREAT MANAGEMENT

12.25.1 POLICY

The Louisville Metro Police Department (LMPD) recognizes the importance of responding to any threats against buildings, including schools, churches, and businesses and individuals, including dignitaries, celebrities, and political figures. The LMPD's Dignitary Protection Team (DPT) provides the department with a team of specially-trained officers responsible for the protection and escort of government and high-profile individuals and to respond to actual, or perceived, threats at locations with the potential of mass casualties. This policy outlines the procedures for responding to any actual, or perceived, threats against locations or individuals.

12.25.2 AUTHORITY

The DPT will work as the lead agency within the jurisdictional boundaries of Louisville Metro. When performing functions as the lead agency outside of the boundaries of Louisville Metro, all efforts will be made for the DPT to notify the appropriate law enforcement agencies within these areas. When the DPT is assisting federal or state agencies, the notification will be made by those agencies, unless the LMPD is requested to make contact. When the DPT has a protective assignment outside of the LMPD's jurisdiction, special law enforcement authority will be requested, via the U.S. Marshals or other applicable agency. DPT members may be given sworn powers under that agency's authority.

12.25.3 SOURCES

The DPT derives its cases from a variety of sources. These may include:

- Direction of the Chief of Police, or his/her designee
- Division detective units
- Private businesses/industries
- Citizen calls
- Select public officials
- Crime Information Center (CIC)
- Real Time Crime Center (RTCC)

12.25.4 RESPONSE

When a call for service is dispatched to division personnel, the initial call will be investigated by the assigned officer(s). Once preliminary information is obtained and it is determined that the DPT needs to become involved, the division commander, or his/her designee, will be notified. The division commander, or his/her designee, will contact the DPT Commander, or his/her designee, and brief him/her on the facts of the case. Once the DPT Commander, or his/her designee, has been briefed, he/she will make the decision to either call out a DPT member immediately for after-hours investigation or assign a DPT member during the following shift.

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12.25.5 THREAT SCREENING

The DPT will review cases involving any individual or business who becomes the victim of specific acts or behavior which have been determined to warrant the DPT's response. Upon receiving a case that warrants the DPT's response, the assigned DPT member will conduct an in-person interview with the victim(s) as soon as possible. During the initial interview, the assigned DPT member will consult with the DPT Commander to determine if the case will be handled by the DPT or referred back to the division for investigation.

12.25.6 THREAT INVESTIGATION

Current threat management cases are categorized into three (3) types of investigative levels:

- **Active Cases:** Ongoing investigations that require contact with the victim.
- **Inactive Cases:** Ongoing investigations that have decreased in activity, require contact with the victim, or have been cleared by arrest.
- **Information Cases:** When DPT personnel receive information that does not meet the above criteria, a case profile sheet will be completed. The information obtained will be retained per the established DPT file retention policy.

An initial interview will take place to obtain the pertinent information involving the threat. The interview should include the victim(s), the person(s) making the report, and all witnesses to the threats. All interviews will be recorded for future investigative purposes and be conducted pursuant to SOP 8.25. Once the dynamics of the case become obvious, the following procedures will be followed:

- All scenes are considered crime scenes and shall adhere to SOP 8.36.
- Retain all letters, notes, etc. as evidence (refer to SOP 11.2).
- If the threats were made, via texting or calling, the text or voice mail and relevant telephone company records will be obtained, via a search warrant or subpoena, if necessary.
- If the threats were made, via email, the original email and identifying information from the Internet Service Provider (ISP) will be obtained by a search warrant or subpoena, if necessary.
- If an assault has taken place, photographs will be obtained as soon as possible, in addition to any medical records.
- Photographs will be obtained of property damage, vandalism, and all evidence. These photos will be entered into the Digital Image Management System (DIMS), via any DIMS download station (refer to SOP 4.26).
- Any damage to federal, state, or local governmental property will be handled in accordance with SOP 7.8.

12.25.7 THREAT ASSESSMENT

The primary goal of a threat assessment is to prevent an attack on an individual or building. Information is gathered, facts are evaluated, and a determination is made as to whether a given individual or individuals pose

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12.25.7 THREAT ASSESSMENT (CONTINUED)

a threat of violence to an individual or building. If the assessment indicates that there is a risk of violence to an individual or building, a plan will be implemented to manage, or reduce, the threat posed by the individual in that situation.

A productive threat assessment involves three (3) key functions:

- Identifying the perpetrator
- Assessing the risks
- Evaluating the information gathered

The threat assessment is used to provide recommendations that maximize the protection of the target(s) of a threat while neutralizing the perpetrator(s) who are making the threat.

The LMPD will assess any reported threats against dignitaries, celebrities, public officials, and any threats against facilities located in Louisville Metro. The DPT will also act as an advisor to schools, churches, and businesses, when requested, to initiate a threat assessment site review to recommend security and safety improvements in order to reduce the likelihood of facility threats.

12.25.8 CONFIDENTIALITY

All information and movement regarding approved investigations or details shall be kept confidential for security. This includes information on past, current, and future investigations. Specific information regarding an individual's visit, under the protection of the DPT, shall not be released by any member without the approval of the DPT Commander.

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12.26 NARCOTICS OVERDOSE RESPONSE

12.26.1 POLICY

It is the policy of the Louisville Metro Police Department (LMPD) that all officers are trained in the recognition of suspected narcotics overdose victims and equipped with the necessary tools to render aid to those victims. The LMPD will acquire, distribute, provide, and maintain an adequate supply of medication and first aid equipment to support the emergency treatment of suspected narcotics overdose victims. For suspected opioid-based narcotics overdose victims, the LMPD will train all officers on the administration of Naloxone and Narcan® Nasal Spray.

12.26.2 PURPOSE

The purpose of this policy is to provide guidance regarding the administration of Naloxone, an overdose intervention drug. Deaths from opioid-based narcotics overdoses can be mitigated by the use of Naloxone. Kentucky Revised Statute (KRS) 217.186 permits law enforcement officers to possess and administer Naloxone for opioid-based narcotics overdoses.

12.26.3 DEFINITIONS

Naloxone: A medication which reverses the toxic effects of opioids by competing with the presence of opiates in the brain. It is a drug that acts within seconds to minutes of administration. It is safe to carry and administer and is impossible to abuse. No potential harmful side effects have been identified. Naloxone can be administered in a variety of ways. Narcan® Nasal Spray is the LMPD's preferred system for administering Naloxone to a suspected opioid overdose victim.

Opiates: Synthetic or natural substances, prescribed or illicit, that cause sedation or pain relief effects. Excessive levels of opiates depress vital bodily functions such as respirations and maintaining consciousness. Prescription opiates typically appear in the form of pain medication, which include Hydrocodone, Oxycodone, Morphine, Hydromorphone, Fentanyl, Carfentanyl, etc. One of the most common illicit forms of an opiate is Heroin.

Opiate Overdose: A life-threatening effect of an opiate on the human body often depressing the respiratory and central nervous systems resulting in a decreased level of consciousness. An opiate overdose can be reversed if proper medical treatment is administered in a timely manner.

Opiate Overdose Symptoms: Individuals experiencing an opiate overdose may exhibit symptoms such as not breathing, blue lips and/or blue skin, a limp body, decreased heart rate, lack of consciousness, deep snoring/gurgling, unresponsiveness to external stimuli, and/or pale, clammy skin.

Overdose Response Kit (ORK): A departmentally-issued red medical bag containing multiple doses of Narcan® Nasal Spray along with first aid and personal protective equipment (PPE).

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12.26.4 NALOXONE ADMINISTRATION

When an officer arrives on the scene of a possible overdose, he/she will assess the individual for symptoms of an opiate overdose.

Once the officer suspects the presence of any opiate overdose symptoms, he/she will:

- Immediately request Louisville Metro Emergency Medical Services (LMEMS);
- Utilize universal precautions to prevent exposure to potential bloodborne pathogens and other potentially infectious materials (OPIM);
- Provide appropriate airway and/or ventilator support, such as rescue breathing;
- Administer Narcan® Nasal Spray in accordance with the officer's training;
- Place the patient in a recovery position, unless there is evidence of head or neck trauma; and
- Monitor the patient's respirations.

Officers shall not administer Narcan® Nasal Spray to patients under five (5) years of age or under 44 pounds.

Officers should be aware that the rapid reversal of an opiate overdose may cause projectile vomiting and/or violent behavior.

If, after the officer administers Narcan® Nasal Spray, he/she has reasonable grounds to believe that the individual has a mental illness, is a danger to himself/herself or others, and is in immediate need of hospitalization and treatment, he/she will refer to SOP 12.11, Crisis Intervention Team (CIT).

12.26.5 DISTRIBUTION

All patrol divisions and designated specialty units are assigned ORKs to carry while performing police duties.

Commanding officers shall verify that each patrol beat has two (2) ORKs assigned at all times. The ORKs will be assigned at the beginning of each shift. Commanding officers will maintain an accountability log that indicates to whom the ORKs are assigned during each shift. The Community Services Division will assign ORKs to officers during details when there is a high likelihood of drug use or accidental overdose.

The ORKs are to be carried during the duration of the officer's shift and/or detail and will be returned at the end of the officer's shift and/or detail.

The zipper on each ORK will be sealed with a red plastic, break-away seal. If the seal is intact on the ORK, this will identify to the officer that all of the required contents are present in the kit. If the seal is broken or missing, the officer will need to open the kit in order to verify that all of the necessary contents are present and serviceable. The following inventory of items will be maintained in each ORK:

- Five (5) individual doses of Narcan® Nasal Spray
- One (1) bag valve mask
- Three (3) sharps containers
- Eight (8) pairs of Nitrile gloves

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12.26.5 DISTRIBUTION (CONTINUED)

In the event that an officer discovers that his/her assigned ORK is missing an item, the assigned officer will contact his/her immediate supervisor. The immediate supervisor will make arrangements to obtain replacement ORK items from the Evidence and Property Unit (EPU).

Replacement items for the ORK may only be obtained from the EPU. Officers shall not obtain replacement ORK supplies from Fire/LMEMS or any other external sources.

12.26.6 REPORTING

If an officer administers Narcan® Nasal Spray while on the scene of a suspected opiate overdose, he/she will complete the Naloxone Administration Report (LMPD #15-0014) and submit the report to his/her immediate supervisor. The immediate supervisor will be responsible for emailing the report to "LMPD Overdose Response," located within the department's email distribution list.

If an officer is exposed to the blood, body fluids, or OPIM of the overdose victim, officers shall immediately notify their direct supervisor. The supervisor will have MetroSafe immediately page a LMPD Health and Safety Officer (HSO).

12.26.7 MAINTENANCE AND REPLACEMENT

Officers will make a reasonable effort to store their assigned ORKs within a temperature range of 68°F and 77°F. This will be done by storing the ORKs in the patrol divisions on the ORK racks when not deployed for duty. When ORKs are deployed for duty, the ORKs will be kept in the passenger compartment of the officer's vehicle. The trunk of a departmental vehicle is not a suitable or allowable storage area for the ORKs.

If an officer uses his/her Narcan® Nasal Spray and/or any ORK contents, he/she will contact his/her immediate supervisor to arrange for replacements. Narcan® Nasal Spray replacements may be obtained from the EPU after providing a copy of the Naloxone Administration Report (LMPD #15-0014). If any ORK bag and/or its contents need to be replaced for any other reason (e.g. lost, damaged, defective, etc.), the reporting officer will complete the Lost/Stolen/Defective/Damaged Uniform Articles and Equipment form (LMPD #03-04-0180) and forward it to his/her supervisor. The supervisor will contact a HSO to arrange for the replacement of the ORK bag and/or its contents.

12.26.8 TRAINING

On a biennial basis, training will be provided to all LMPD officers on the administration of Naloxone/Narcan® Nasal Spray.